

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



March 9, 2010

CSS LETTER: 10-09

ALL IV-D DIRECTORS
 ALL COUNTY ADMINISTRATIVE OFFICERS
 ALL BOARDS OF SUPERVISORS

<u>Reason for this Transmittal</u>
<input type="checkbox"/> State Law or Regulation Change
<input checked="" type="checkbox"/> Federal Law or Regulation Change
<input type="checkbox"/> Court Order or Settlement Change
<input type="checkbox"/> Clarification requested by One or More Counties
<input type="checkbox"/> Initiated by DCSS

SUBJECT: PROJECT SAVE OUR CHILDREN (PSOC) PROCEDURES

REFERENCE: CSS LETTER 01-13; CSSIN LETTER 05-05; EBLAST 09-11

This letter supersedes and replaces portions of CSS Letter 01-13, CSSIN Letter 05-05 and EBLAST 09-11 regarding Office of Child Support Enforcement (OCSE) procedures and forms when referring eligible cases to Project Save Our Children (PSOC).

Dear Colleague Letter (DCL) 09-25 - Changes to PSOC Procedures and Referral Forms, issued by the OCSE on August 18, 2009 outlines new procedures and forms for submitting requests to PSOC for federal criminal prosecution (pursuant to 18 U.S.C. § 228) and enhanced locate services. The overriding goal of PSOC is to enhance and ensure quality cases are properly considered for federal criminal prosecution. DCL 09-25 and supporting documentation are found at:

<http://www.acf.hhs.gov/programs/cse/pol/DCL/2009/dcl-09-25.htm>

Key changes to the PSOC forms and procedures are highlighted below:

Only IV-D Directors Authorized to “Certify” PSOC Referrals

~~As described in DCL 09-25~~, the Director of the Department of Child Support Services (DCSS) designates the “person or persons authorized to sign the State PSOC referral form certification and grant of agency” and must provide the list of “authorized person(s)” to the regional PSOC office.

DCSS delegates the authority to certify PSOC referral only to Directors in each of the Local Child Support Agencies (LCSA). For a federal criminal prosecution referral, the LCSA Director certifies that the case meets federal statutory requirements and the state has exhausted all other available and reasonable enforcement remedies. For enhanced locate, the LCSA Director certifies that the agency has exhausted all state and Federal Parent Locator Service (FPLS) locate resources and the locate request is made on behalf of an authorized person for an authorized purpose.

Independent Verification of Obligor's W-2 Information

Prior to the submission of a PSOC referral for federal criminal prosecution, the LCSA must first independently verify the obligor's W-2 information. Only independently verified W-2 information may be included in the state PSOC referral.

If the Child Support Enforcement (CSE) system contains an obligor's W-2 information, the LCSA must independently verify this information by using the CSE Wage and Insurance Verification form set (FS-DCSS-0230). If the LCSA receives verification of non custodial parent's (NCP) wage information, then the LCSA must provide the verified W-2 information to the PSOC investigative analyst as an attachment with the federal criminal prosecution referral package.

If Obligor Has No W-2 Information

As stated above, it is essential that LCSA must independently verify any obligor W-2 information contained in the CSE system. If a case circumstance exists in which the NCP has no verifiable W-2 income (for example, NCP is self-employed) then the LCSA must demonstrate that the obligor has the ability to pay through other sources, i.e., NCP's professional licenses, bank statements, federal/state tax records, NCP's websites, NCP's current and past statements, witness statements, etc., in order to enhance and ensure that only quality cases are submitted for federal criminal prosecution.

Enhanced Locate Services Referral

OCSE has introduced a new PSOC form solely dedicated to Enhanced Locate Service requests. This service is often used to determine the location of the obligor ~~but may also be used to locate a custodial party.~~ As a precondition to the submission of PSOC referrals for enhanced locate services, OCSE requires the "exhaustion" of all California Parent Locator Service and FPLS locate resources regarding the participant. Enhanced locate services requests do not require W-2 information verification or the submission of court orders or other supporting documentation.

Interim Availability of New PSOC Forms: on Child Support Central Website

The new PSOC referral forms require changes to CSE form set FS-ENF-0398 PSOC and the creation of a new and separate CSE form set for Enhanced Locate Service. Until the new PSOC forms are available in CSE (implementation date has not been determined) LCSAs must use the following interim process:

1. The new PSOC Federal Criminal Prosecution referral form and the PSOC Enhanced Locate Services form are available for statewide use by accessing the California Child Support Central Website at:

<https://central.dcss.ca.gov/CCSASHelp/Document%20Form%20Mgmt/Forms/PDF%20Fillable%20Forms.aspx> in the "Form Group: PSOC" folder.

2. Complete the appropriate PSOC form with the required information using the business steps and required certifications outlined in this letter.
3. Submit the signed and certified PSOC Case Referral Packet to OCSE's PSOC Screening Unit. The LCSAs will also transmit a copy of the PSOC referral package, through an encrypted email, to the DCSS PSOC Coordinator as follows:

Karen Petersen, DCSS PSOC Coordinator, at:
Karen.Petersen@DCSS.ca.gov

cc: Kathy Hrepich, DCSS Chief Counsel, at:
Kathy.Hrepich@DCSS.ca.gov

4. In addition, the LCSAs must generate form set FS-DCSS-0398 PSOC in CSE and populate the now outdated form with the available information. This will ensure that the PSOC referral action is recorded in CSE until the new form sets are implemented in the system.

If you have any questions or concerns regarding this matter, please contact Ron Bohn at (916) 464-5883.

Sincerely,

/os/

BILL OTTERBECK
Deputy Director