

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



April 24, 2009

CSSIN LETTER: 09-04

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

SUBJECT: UNASSIGNMENT OF ARREARS ON MULTIPLE NON-CUSTODIAL
 PARENT IV-D CASES

<u>Reason for this Transmittal</u>	
<input type="checkbox"/>	State Law or Regulation Change
<input 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 checked="" type="checkbox"/>	Initiated by DCSS

This letter is to clarify when and how arrears, in the Child Support Enforcement System (CSE), become unassigned on multiple non-custodial parent (NCP) IV-D cases that are associated to one IV-A grant and one unreimbursed assistance pool (UAP).

In accordance with the Federal Action Transmittal (AT) 97-17, when a family is no longer receiving public assistance, the assigned arrears that exceed the cumulative amount of unreimbursed assistance paid to the family must be unassigned.

Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the calculation to determine the amount of unassigned during assistance and unassigned pre-assistance arrears is performed when the family discontinues public assistance and becomes formerly assisted. The IV-D case is not considered formerly assisted until ***all participants (including the custodial parent) on the IV-A grant*** have discontinued public assistance. Once the arrears become unassigned, the calculation (to unassign) will not be performed again unless the family subsequently receives and discontinues public assistance.

Please note that if children on the same IV-A grant discontinue public assistance at different times, the current support for the discontinued child(ren) will become unassigned. However, if there are any temporarily assigned arrears (TAA) on that case they will not roll to conditionally assigned arrears (CAA) until all participants (including the custodial parent) on the IV-A grant have discontinued public assistance.

The federal government does not allow the UAP to be split or prorated between multiple children (AT 97-17, question #14). The UAP is calculated on a family assistance unit basis and not on a per child basis; therefore, collections received must be applied to the cumulative amount of the UAP based on the total monthly grant amount.

The following calculation allows California to unassign arrears, on multiple NCP IV-D cases associated to one UAP, by determining a proportionate share of the UAP based on the amount of assigned arrears owed on each IV-D case:

- Permanently assigned arrears (PAA) on the individual IV-D case / PAA total of all IV-D cases = % of arrears
- % of arrears multiplied by the cumulative UAP amount = amount to remain in PAA. Excess amount, if any, must be moved to unassigned during assistance (UDA).
- After the above calculation is completed, if the amount in PAA does not fully satisfy the cumulative UAP balance and CAA are owed, the same calculation must be done for CAA by using the remaining cumulative UAP balance.
- CAA on the individual IV-D case / CAA total of all IV-D cases = % of arrears
- % of arrears multiplied by the remaining cumulative UAP amount = amount to remain in CAA. Excess amount, if any, must be moved to UPA.

The Department of Child Support Services is aware that in some scenarios the unassigned arrears (UDA or UPA) that have been calculated on one or more formerly assisted IV-D cases may be paid to a custodial parent before the PAA arrears have been fully satisfied on a related IV-D case.

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

Sincerely,

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BILL OTTERBECK
Deputy Director