

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



February 9, 2012

LCSA LETTER: 12-04

ALL IV-D DIRECTORS

SUBJECT: LOCAL CHILD SUPPORT REPRESENTATION AT STATE HEARINGS

The Department of Child Support Services (DCSS) promulgated regulations, effective July 1, 2001, implementing the legislative mandate that complainants have the right to appeal appropriate complaints to a state hearing. At that time, DCSS included California Code of Regulations, title 22, § 120204 (a)(9) which precludes certain persons from representing the local child support agency at the state hearing. Those persons are the Ombudsperson and the individual whose action or inaction is the subject of the complaint.

Section 120204 provides:

(a) A local child support agency shall:

(9) Assign a local child support agency representative to each child support case for which a state hearing has been scheduled, who shall provide a copy of the position statement at the state hearing, and have the full responsibility to present the case at the state hearing in accordance with the requirements of this Article. The representative shall not be the individual whose action or inaction is the subject of the complaint, or the Ombudsperson.

DCSS has asked the Office of Administrative Hearings to assure compliance with this regulation. If you have any questions or concerns regarding this matter, please contact me at (916) 464-5181.

Sincerely,

/os/

KATHLEEN HREPICH
Interim Director and Chief Counsel

Reason for this Transmittal

- State Law or Regulation Change
- Federal Law or Regulation Change
- Court Order or Settlement Change
- Clarification requested by One or More Counties
- Initiated by DCSS

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bcc: DCSS Stakeholders
DCSS Leadership Team
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