



San Bernardino County

Legislation Text

File #: 5011, Agenda Item #: 25

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

October 26, 2021

FROM

MARIE GIRULAT, Director, Department of Child Support Services

SUBJECT

Non-Financial Plan of Cooperation with the Superior County of California, County of San Bernardino

RECOMMENDATION(S)

1. Approve non-financial Plan of Cooperation with the Superior Court of California, County of San Bernardino delineating the responsibilities of both parties for establishing, enforcing, and administering the child support program, effective upon execution by all parties through June 30, 2023, with automatic two-year renewals at the end of the term.
2. Authorize the Director of the Department of Child Support Services, as required by the California Department of Child Support Services, to execute the Plan of Cooperation with the Superior County of California, County of San Bernardino, including any subsequent, non-substantive amendments in relation to the Plan of Cooperation, on behalf of the County, subject to review by County Counsel.
3. Direct the Director of the Department of Child Support Services to transmit all documents and amendments in relation to this Plan of Cooperation to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Marie Girulat, Director, 478-6949)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

The Plan of Cooperation (POC) with the Superior Court of California, County of San Bernardino (Superior Court) is non-financial; therefore, it does not impact Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The recommended POC between the Department of Child Support Services (DCSS) and the Superior Court is required pursuant to Family Code Section 17304, subsection (b) and (c), and Section 654 of Title 42 of the United States Code (USC). The POC delineates the responsibilities of both parties for establishing, enforcing, and administering the child support program in accordance with provisions of Title IV-D of the Social Security Act (42 USC Section 601, et seq.). The POC is a requirement of the California Department of Child Support Services (State) to receive future Title IV-D funding.

The format and contents of the POC are prescribed by the State and the Center for Families, Children, and the

Courts, Judicial Council of California. The POC outlines the responsibilities of both DCSS and the Superior Court for the administration and enforcement of child support services and include:

- Locating parties and support obligators;
- Determining paternity of children born to unmarried parents;
- Assessing the ability of parents to support their minor children;
- Establishing, enforcing, and modifying child support orders;
- Enforcing spousal support orders (in conjunction with a child support order);
- Collecting child support;
- Maintaining records;
- Preparing reports; and
- Other public services as needed in accordance with the federal code and California law.

The POC includes terms that differ from the standard County contract. The non-standard terms includes the following:

The POC automatically renews for two years after the end of each term until or unless it is expressly superseded by a future POC. The POC will not renew if a change is requested by either party by January 30 of the renewal year.

- County Policy 11-06SP does not permit indefinite term or automatically renewing contracts unless approved by the Board.
- Potential Impact: There is no end term to the POC and the County is indefinitely bound to the terms and conditions of the POC until it provides notice of non-renewal or change as set forth in the POC.

The State has directed the DCSS Director, as the local child support director and responsible for the County's administration of the child support program, to execute and submit the POC documents. This agreement will automatically renew at the end of the current term. This agreement is subject to amendment as necessary to reflect new or revised state or federal laws, regulations, and requirements.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Becky Giroux, Contracts Manager, 388-0241) on October 1, 2021; County Counsel (Jacqueline Carey-Wilson, Deputy County Counsel, 387-5455) on October 1, 2021; Finance (Christopher Lange, Administrative Analyst, 386-8393) on October 1, 2021; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on October 6, 2021.