



Philip L. Browning
Director

COUNTY OF LOS ANGELES
Child Support Services Department



March 11, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDED MODIFICATIONS TO THE CHILD SUPPORT
COMPLIANCE PROGRAM (ALL) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached revised ordinance which modifies the Child Support Compliance Program (CSCP) requirements (Title 2, Chapter 2.200 of the Los Angeles County Code) to both facilitate implementation and revise the scope of its provisions.
2. Accept the Child Support Services Department's (CSSD) attached report on the Child Support Compliance Program that provides a review of the program and subsequent recommendations for improvement that are reflected in the revised ordinance.
3. Instruct the Chief Administrative Officer and Internal Services Department to amend the standard Request for Proposal (RFP) and contract language and revise the implementation instructions to the County departments.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On December 16, 1997, your Board approved the ordinance establishing the Child Support Compliance Program (CSCP). The ordinance became effective on June 8, 1998, after the Chief Administrative Office issued implementation instructions to County departments. The Board further requested the District Attorney (now the CSSD) to report concerning the effectiveness of the program as well as recommend changes and enhancements based on actual implementation experience. The attached report provides the requested program review. The attached modified ordinance reflects the recommended program changes.

Substantial modifications to the program are recommended based on actual implementation experience and recommendations from the Administrative Deputies Network (ADN), which has identified several changes that would revise the scope and improve the administration of the program and significantly lessen the administrative burden to County departments. The most significant changes are as follows:

- Responsibility for the administration of the program is officially transferred from the District Attorney to the Child Support Services Department.
- County employee reporting by the Auditor-Controller is replaced by new automated links to State and Federal databases.
- County contract and RFP language are revised to reflect the new self-certification provision and the applicability of contract termination and possible debarment for noncompliance with court-ordered obligations of child, family or spousal support.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Countywide Strategic Plan directs that we coordinate, collaborate and integrate services for children and families across functional and jurisdictional boundaries. The implementation of the ordinance modifications will ensure continued contractor compliance with the program, ultimately providing greater resources for children and families.

FISCAL IMPACT/FINANCING

There is no net County cost involved in the recommended program changes and there is no change in the current financing of the program within individual County Departments. In fact, the recommended changes may result in a reduction of County staff time previously required to process the forms and paperwork developed under the initial guidelines.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The modifications to the ordinance and implementation instructions address:

- The certification of compliance through contract language requiring prospective contractors and/or employees, who may benefit financially from the County, to certify that they were and are in compliance with all orders for child, family or spousal support and that they have and are adhering to a policy consistent with this chapter.
- The deletion of the provisions requiring potential County vendors to report their independent contractors and principal owners to the County. This information is now available to the CSSD through the Franchise Tax Board and the 1099 process.
- The inclusion of language in all new and renewed contracts that those contractors which do not fully comply with State and Federal reporting requirements for their employees or with all lawfully served wage assignments and notices of assignments are in breach of their contracts and said contracts, without cure of the defect, are subject to termination. Further, the revised contract language shall provide notice that failure to comply with the requirements of this chapter may be cause for debarment.
- The deletion of the provisions requiring the Auditor-Controller to send the names of new hires or existing County employees to the CSSD. This information is now obtained by CSSD electronically through regular data matches with the State and Federal government agencies.
- The requirement that CSSD forward any orders for contempt obtained by the Department against a County contractor/vendor to the appropriate County department to review for contract termination or debarment proceedings.
- The maintenance of a Child Support Compliance Program Intranet Web Site at (<http://childsupport.co.la.ca.us/comp.htm>) by CSSD, which lists only those contractors, or vendors, which are *not* in compliance with this chapter or have had orders of contempt issued against them as a result of noncompliance with a court-ordered obligation of support.
- The designation of CSSD as the central coordinator of the CSCP. (This includes a reconciliation of existing, non-exempt, departmental contractors who are not in compliance, including an effort by CSSD to secure their compliance or to place them on the noncompliance web listing.)

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March 11, 2004
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The modified ordinance has been prepared by County Counsel. The Chief Administrative Office will issue revised instructions to all County departments on Board adoption of the modified ordinance, with County Counsel approval.

IMPACT ON CURRENT SERVICES

The proposed program changes will lessen the administrative workload related to the procurement of services, supplies and contracts with the State, Federal and other governmental agencies while maintaining the intent of the original ordinance—to ensure that those benefiting financially from the County are in compliance with their orders of child, family and spousal support. It is expected that these changes will additionally allow the CSSD to more appropriately focus its compliance efforts.

CONCLUSION

Please instruct the Executive Officer, Board of Supervisors to provide a copy of the stamped, adopted Board letter to Lisa Garrett, Child Support Services Department, 5770 South Eastern Avenue, Commerce, CA 90040.

Sincerely,



PHILIP L. BROWNING
Director

PLB:PVB:crd

Attachments (2)

c: Chief Administrative Officer
County Counsel
Internal Services Department

C:\CSCPBrdltr2.doc



Philip L. Browning
Director

COUNTY OF LOS ANGELES
Child Support Services Department



**LOS ANGELES COUNTY
CHILD SUPPORT COMPLIANCE PROGRAM REPORT
March 11, 2004**

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I. EXECUTIVE SUMMARY

On December 16, 1997, the Board approved the ordinance establishing the Child Support Compliance Program (CSCP). The aim of the program is to assist in the collection of support obligations from individuals who benefit financially from Los Angeles County. The Board had previously, on December 9, 1997, approved other actions to assist in the apprehension and prosecution of the most serious child support evaders.

The main elements of the Board's actions included:

- Disclosure to new employees that employee information would be reported to the State Directory of New Hires and would be made available to match to child support case files;
- Periodic reporting of existing employee information for matching to case files;
- Contractor reporting of principal owner information and certification of compliance with program requirements;
- Periodic matching of business licensee information to case files; and
- Publication and posting of L.A.'s Most Wanted: Delinquent Parents List.

The ordinance became operative on June 8, 1998, upon the issuance of Implementation Instructions to County departments.

The Child Support Compliance Program has served to educate prospective employees and vendors of the County of Los Angeles of the Board's goal of ensuring that individuals who benefit financially from the County through employment or contracts are in compliance with court-ordered child, family, and spousal support obligations. CSCP has also, through the publication of the "Most Wanted" delinquent parent's lists, served to deter child support obligors from gaining significant *arrears on their support cases* and in some instances, led to the surrender of the most delinquent support obligors.

Since the implementation of the program, several State and Federal legislative enactments have provided electronic access to the information that was made available in a less automated fashion through the Child Support Compliance Program. CSSD has made significant advances in technology and in its ability to interface with various locate and information databases for the purpose of identifying delinquent support obligors, rendering the information received through the CSCP duplicative. Hence, the Department, with input from County Counsel, Chief Administrative Office and the Administrative Deputies Network, now proposes various changes in the Child Support Compliance Program which we believe will serve to focus our compliance efforts and to relieve the burden of duplicative reporting by the *various County departments*.

The Department makes the following recommendations for amendment of the Child Support Compliance Program to the Board:

- Create a self-certification program requiring prospective contractors and/or employees, who may benefit financially from the County, to certify through contract language that they were and are in compliance with all orders for child, family or spousal support and that they have and are adhering to a policy consistent with this chapter.
- Eliminate the requirement that County departments submit the Principal Owner certification forms to the Department.
- Include language in all new and renewed contracts that those contractors which do not fully comply with State and Federal reporting requirements for their employees or with all lawfully served wage assignments and notices of assignments are in breach of their contracts and said contracts, without cure of the defect, are subject to termination. Further, the revised contract language shall provide notice that failure to comply with the requirements of this chapter may be cause for debarment.
- Require CSSD to forward any orders for contempt obtained against a County contractor for failure to comply with a lawfully served earnings assignment order or wage withholding order to the appropriate County agency for possible debarment proceedings pursuant to Title 2 of the Los Angeles County Code.
- Delete the provisions requiring the Auditor Controller to send the names of new hires or existing County employees to CSSD.
- Designate the Child Support Services Department as the central coordinator of the Child Support Compliance Program.

Conclusion

The Child Support Compliance Program has served a useful purpose by reemphasizing the County's strong commitment to the policy of supporting the enforcement of child and family support obligations and enhancing the ability of the Department fully to implement that policy. The CSCP can be further improved by the recommended amendments to the ordinance which revise its scope and improve its efficiency while lessening its administrative burden on County departments.

II. BACKGROUND

On December 9, 1997, upon a motion of Supervisor Yaroslavsky, the Board approved various actions to assist the District Attorney's Bureau of Family Support Operations, now the Child Support Services Department (CSSD), in the apprehension and prosecution of the most serious and delinquent child support evaders. On December 16, 1997, the Board, also on the motion of Supervisor Yaroslavsky, approved the ordinance enacting the Child Support Compliance Program (CSCP). The aim of the program is to assist in locating individuals who benefit financially from Los Angeles County – County employees, contractors and licensees – and are obligated to pay child, spousal and family support.

The main elements of the Board's actions included:

1. New Employee Disclosure

Requires that all applicants for County employment be advised of the CSCP ordinance and given notice that employment information will be reported by the Auditor-Controller to the State Directory of New Hires and to the Department to assist in the establishment and enforcement of court-ordered support obligations.

2. Existing County Employees

Directs the Auditor-Controller to provide employment information to the Department within 30 days of the operative date of the ordinance and periodically thereafter as requested by the Department.

3. New Contractor Reporting and Compliance Certification

Requires a prospective contractor to submit, with a bid, proposal or other offer to provide goods or to perform services, three certifications: a) that principal owner information has been provided to the Department; b) that the prospective contractor has fully complied with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and c) that the prospective contractor has fully complied with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment and will continue to do so.

4. Current Contractor Reporting and Compliance Certification

Required that existing contractors be sent a written request, within 30 days of the operative date of ordinance, to voluntarily provide the three certifications required of new contractors dealing with principal owner

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Information, compliance with State and Federal reporting requirements relating to employment reporting and compliance with Wage and Earnings Assignment Orders and Notices of Assignment.

5. Contract Provisions and Penalties

Requires that, commencing with the operative date of the ordinance, County solicitation documents advise prospective contractors that failure to submit the three certifications required by this ordinance shall be grounds for finding that the bid, proposal or offer is non-responsive. County contracts entered into on or after the operative date of the ordinance must expressly provide that failure to comply with State and Federal reporting requirements regarding their employees or failure to implement lawfully served Wage and Earnings Assignment Orders or Notices of Assignment constitutes a default under the contract and failure to cure the default within 90 days of notice by the County shall subject the contract to termination.

6. Licensing Records

Requires the Treasurer - Tax Collector, upon request of the Department, to report business license information to the Department not less than quarterly.

7. L.A.'s Most Wanted: Delinquent Parents List

Requires County departments to establish basic Internet web sites with a link to the Department's web page providing "L.A.'s Most Wanted: Delinquent Parents List" (List) and to place a poster of the List in County-owned and leased buildings. The ordinance also provides for voluntary posting of the List by County contractors at their business sites.

The ordinance became operative on June 8, 1998, upon the issuance of Implementation Instructions by the Chief Administrative Officer. A training session on the implementation procedures was conducted for representatives of County departments on July 1, 1998.

III. IMPLEMENTATION

This section describes the operational results under the ordinance since issuance of the Chief Administrative Officer's implementation instructions.

A. New Employee Disclosure

All departments have implemented the requirements that job bulletins include a mandatory notice concerning the County's reporting of certain employment and identifying information to the State Directory of New Hires and to the Department, upon proper request, to assist in the establishment and enforcement of court-ordered support obligations. Additional notice is given setting forth the requirement that new employees sign an Acknowledgment of Los Angeles County's Child Support Compliance Program form.

The Auditor-Controller, as required by Federal and State law, has been reporting information regarding new employees to the State Employment Development Department (EDD) since July 1998.

Currently, the Child Support Services Department has direct and regular access to the EDD registry through its automated case management system, the Access Replacement System (ARS). The Department uses this information for a variety of purposes including service of process in cases with no support order or service of a notice of wage and earnings assignment orders in cases with support orders. The Department's direct access to this database eliminates the need for continued reporting of this information by the Auditor-Controller. Hence, CSSD requests the elimination of this provision of the ordinance.

B. Existing County Employees

Section 2.200.050 of the ordinance requires the Auditor-Controller to provide employment information regarding existing employees to the Department within thirty (30) days of the operative date of the ordinance and periodically thereafter as requested by the Department. The Chief Administrative Officer's instructions to County departments for implementation of the ordinance mandates a mechanism for providing this employment information. The Chief Administrative Officer in consultation with the Auditor-Controller, County Counsel and Department of Child Support Services (formerly the District Attorney's Bureau of Family Support Operations) developed these instructions. The procedures adopted were largely based on County Counsel's concerns about employee rights to privacy, existing memoranda of understanding with employee unions and potential liability to the County.

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As required by the implementing instructions, the Auditor-Controller provided the Department a data file tape that included the name and job title of each County employee and information as to whether or not the employee received any compensation from the County. The Department has written, tested and run a software program that identified possible matches between the Auditor-Controller's list and non-custodial parents in ARS against whom the Department obtained and/or enforced support obligations. The program created a data file tape containing the names and up to five other identifiers of possible matches. The tape was sent to the Auditor-Controller that determined the exact matches with County employees based upon the identifiers provided by the Department. Pursuant to State statute, an exact match occurs only if at least three of the six possible identifiers submitted by the Department match those maintained by the Auditor-Controller. As a result, the Auditor-Controller provided the Department with a data file tape containing the additional employment and identifying information specified by statute for approximately 750 non-custodial parents who met the match criteria.

We were concerned with these results as at the time of the match, the Department's fiscal agent, the Court Trustee, reported that there were approximately 1,200 functioning wage assignments in which Los Angeles County was the employer. We expected the match to yield at least 1,200 verified employees. Currently, there are approximately 1,500 functioning wage assignments with Los Angeles County as the employer.

We believe that our independent locate results have been more favorable than the data match system implemented through CSCP because the Department now obtains more Social Security Numbers for its case participants from the California Department of Motor Vehicles. For several years, State law has required drivers applying for and renewing driver's licenses to provide their Social Security Numbers in their applications. This information is made available to the local child support agencies for the location of non-custodial parents in its caseload. Also, the Department has access to the records of EDD and the Federal Case Registry, which also provide Social Security Numbers for case participants and County employees within CSSD's caseload. As the Department continues to gain access to more State and Federal locate tools and databases, we expect that the results of our independent locate efforts will continue to yield greater results. Consequently, the Department supports the elimination of the reporting requirement for existing County employees as our access to State and Federal databases render these locate efforts duplicative.

C. New Contractor Reporting

This has been the most difficult provision of the compliance program for County departments, including CSSD, to implement. As a result of input from the Administrative Deputies Network, the Chief Administrative Office, County Counsel and various County departments, the Department seeks to significantly modify this ordinance provision.

The ordinance and instructions currently require all prospective contractors to submit three certifications with their bid, proposal or other offer, to the department soliciting goods or services. The three certifications are discussed above in the Background section of this report. The implementation instructions require the soliciting County department to verify with the Department before recommending a contract award that a contractor has submitted a Principal Owner Information Form to the Department. The Department may verify compliance either by checking the Department's Intranet site that contains the names and addresses of contractors who have submitted the required form or by faxing a confirmation of contractor compliance form to the Department, which will fax a response within one day.

A number of departments have had difficulty in accessing the Intranet site. These difficulties were based on technical problems that were partially eliminated by a training update provided to County departments in August 1998. Unfortunately, the Intranet access problems remain due to the presence of outdated computer hardware and software in some departments.

The Department had initial difficulties in loading compliance information onto the Intranet site and responding to faxed confirmation requests within one business day. These difficulties were remedied by devoting additional staff, amounting to three full-time employees, to the compliance program. However, with significant reductions in the Department's budget by the State Department of Child Support Services and the corresponding workforce reductions, CSSD has been unable to maintain this level of service.

Some County departments have devoted a great deal of effort to getting their vendors in compliance. Special note should be made of Public Works whose vigorous compliance efforts have demonstrated weaknesses in the existing CSCP procedures.

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In their discussion of issues with the present program, the departments, through the Administrative Deputies Network, state that:

1. County departments are experiencing procurement problems as a result of implementation of the County's Child Support Compliance Program. Adherence to the existing CSCP requirements for procurement activities has led to delays in the procurement process and increased workloads for staff.
2. The CSCP requirements impose a costly and time-consuming burden, which defeats the very purpose of the Revolving Fund and Petty Cash transactions. They suggest that the compliance program results in enormous duplication of effort by many departments certifying the same vendors on multiple occasions in these small transactions. They estimate that, based on a sampling of departments, purchases in these categories represent less than two percent of total expenditures.
3. Application of the compliance program to emergency procurement involving health or safety issues is inappropriate. The departments state that, although CSCP includes a special process for compliance in emergency situations, the burden it imposes is still too great when public health and safety are involved. There is often insufficient time available to confirm that a contractor has complied and, in some cases, there may be only a limited number of vendors who can provide the essential goods and services in a disaster.
4. The compliance program is cumbersome when applied to non-agreement vendor purchases. These purchases are generally made to meet one-time needs that cannot be made through an agreement vendor.

From the Department's perspective, the results of the new contractor reporting requirements in locating non-custodial parents have been mixed. As of February 27, 2004, approximately 18,000 Principal Owner Information (POI) forms had been received by the Department that name principal owners. The number of verified matches between reported owners and non-custodial parents in our caseload was about 45. Of the 45 verified matches, only two involved CSSD case participants who were delinquent in support. Action was

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taken in these cases to enforce the support obligations. In only one case where there was a match in our system did the vendor then not proceed to certification.

On the other hand, we have found no County contractor/vendor that has failed to honor a notice of assignment sent to it by the Department. It is very possible that the mere existence and requirements of the program have discouraged vendors whose owners are delinquent in support obligations from bidding for County contracts and purchases. Departments have reported instances of vendors who would not bid because of the compliance program. Although the vendors claimed that their reason for not bidding was that the requirements of the compliance program are too burdensome, it is entirely possible that they declined to bid because they were delinquent in support obligations and did not wish that fact to be discovered.

D. Existing Contractors

Pursuant to the CSCP Implementation Instructions, the Auditor-Controller provided the Department with a computer file listing names and addresses of all vendors/contractors for whom a vendor code had been established. (County departments were required to request voluntary compliance from their existing vendors/contractors for whom vendor codes had not been established.) The Department mailed the two compliance forms with a cover letter requesting that the vendor/contractor voluntarily submit the completed forms to the Department. Because the Auditor-Controller file contained the names and addresses of over 36,000 vendors/contractors, the Department selected a contractor to do the mass mailing. This delayed the mailing until November 1998. However, in response to the mailing, 2,398 contractors incorporating 2,353 principal owners voluntarily complied. All contractors or vendors seeking to conduct business with the County after the operative date of the CSCP ordinance would have been required to submit the compliance forms.

E. Business Licensee Information

The ordinance requires the Treasurer and Tax Collector to provide business licensee information when requested by the Department, but not less than quarterly. The Department and Treasurer and Tax Collector discussed the best means of meeting this requirement. It was determined that the Department would obtain this licensee information by electronic data transfer so that the entire process could be automated. The Treasurer - Tax Collector has therefore created files containing the names, addresses, license numbers and Social Security numbers of the entities seeking business licenses and has

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Transferred them to the Department by computer tape. The files were reviewed against the Department's database of non-custodial parents to identify matches. The information has proven to be nominally useful in identifying delinquent obligors. For example, the November 2003 tape submitted by the Treasurer Tax Collector contained the names of approximately 5,500 licensees. Of the licensees submitted, 56 or 1% had active cases within the Department's database. Approximately 40 of these County licensees were found to be delinquent on their child support obligations. The Department is taking action to notify these persons of their delinquencies and gain their compliance with their established court orders. The Department submits that this provision of the CSCP ordinance should be maintained.

F. L.A.'s Most Wanted: Delinquent Parents List

All departments, except for the Public Defender and the Alternate Public Defender, have a basic Internet site with the required link to the Department's site providing L.A.'s Most Wanted; Delinquent Parents List (List). Because these two departments may represent persons who appear on the list, this creates a conflict of interest for them. The List has also been aired before and after the televised meetings of the Board of Supervisors.

Over 750 copies of the posters bearing the List have been provided and sent to the County departments for posting. Copies are also mailed to all contractor/vendors that request copies for posting.

IV. RECOMMENDATIONS FOR REVISION OF THE CHILD SUPPORT COMPLIANCE PROGRAM

As indicated in the discussions above, CSSD has received a number of suggestions for improvement of the compliance program. Following several meetings with representatives of the Administrative Deputies Network, the Chief Administrative Office, County Counsel, and other County departments, the Department recommends the following amendments to the program:

- A. *Create compliance certification through contract language and eliminate the requirement for submission of certification forms by vendors and principal owners.*

CSSD requests that in lieu of requiring the submission of certification forms, the ordinance require contract language mandating that the vendor/contractor certify to the County that it is in compliance with all

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orders for child, spousal and family support and that it has complied with all lawfully-served wage assignments and notices of assignment. The ordinance shall also require the contractor/vendor to certify that it has complied with all applicable State and Federal reporting requirements related to employment reporting for its employees. Failure of the contractor/vendor to comply with the employment reporting requirements or implement lawfully served wage assignments or notices of assignment will constitute a default under the contract, which shall subject the contract to termination if such default is not cured within 90 days. Further, the ordinance requires all new and renewed contracts to provide notice that failure to comply with the above requirements may be cause for debarment.

CSSD, in accordance with the 2002 State regulations concerning income withholding, is required to bring legal contempt actions against employers that fail to comply with lawfully served wage assignments or income withholding orders. Hence, any contractors, vendors or licensees of the County found out of compliance with an income withholding order served by CSSD would potentially be impacted by the State regulations. It should be noted that the majority of employers that are notified of the failure to comply with a wage assignment or notice of assignment cure the defect upon notice of the noncompliance and prior to the filing of an action in contempt. However, if an order of contempt is obtained against a contractor/vendor of the County, said order shall be forwarded to the appropriate County department for possible debarment proceedings to prevent the contractor/vendor from doing business with the County.

- B. Require CSSD to forward any orders for contempt obtained by the Department against a County contractor/vendor to the appropriate County department to review for contract termination or disbarment.*

As indicated in the preceding section, CSSD is required to commence legal contempt actions against employers that willfully fail to comply with lawfully served income withholding orders. Any contractor/vendor doing business with the County found in contempt for failure to honor a wage assignment in violation of the State law and the provisions of this ordinance, shall be referred to the appropriate contracting County department to review for contract termination and debarment proceedings pursuant to Title 2 of the Los Angeles County Code.

Contractors which have been debarred or against which contempt orders have been obtained shall be posted on the Child Support [Compliance website](#).

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- C. *Delete the provisions requiring the Auditor Controller to send the names of new hires or existing County employees to CSSD.*

Currently, the County of Los Angeles is required by State law to provide the names of all newly hired employees to the State New Hire Employee Registry. This information is accessed directly by CSSD from Sacramento and on a more frequent basis than the quarterly match system implemented with the CSCP. With regard to existing employees, we believe that the prior matches obtained from the Auditor-Controller would have identified all employees which were employed prior to the implementation of the State's new hire registry. The Department's access to electronic data from our State partners has rendered the information received from the Auditor-Controller under the CSCP duplicative.

- D. *Designate the Department as the central coordinator of the Child Support Compliance Program.*

This designation was not previously made in the initial ordinance and implementing instructions.

V. CONCLUSION

The Child Support Compliance Program has served a valuable purpose in educating new and existing County employees and prospective contractors and vendors of the Board's goal of ensuring that those individuals who benefit financially from the County are in compliance with their court-ordered obligations of child, spousal and family support. The main thrust of the program was to secure information on potential non-custodial parents who were eluding the locate mechanisms then available to the Department. Since the implementation of this program, several State and Federal legislative enactments have provided electronic access to the information that was made available in a less automated fashion through the CSCP. Currently, CSSD has more access to electronic data from its State (and Federal) partners such as the Franchise Tax Board (FTB), Economic Development Department (EDD), Department of Justice (DOJ), Department of Motor Vehicles (DMV), New Hire Employee Registry (NER), Independent Contractor Registry (ICR), Federal Case Registry (FCR) and other such databases that have made the information received from the CSCP duplicative. Further, the implementation of the program has led to delays in the procurement process and increased workloads for the County departments and CSSD staff. For these reasons, the Department requests substantial modifications to the Child Support Compliance Program ordinance which will revise its scope, improve the management of the program and significantly lessen the administrative burden to the County departments.



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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LLOYD W. PELLMAN
County Counsel

January 23, 2004

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Philip L. Browning, Director
Child Support Service Department
5770 South Eastern Avenue
Commerce, California 90040

Attention: Penny Van Bogaert

Re: Revised Child Support Compliance Program Ordinance

Dear Mr. Browning:

You requested that we prepare a revised draft ordinance which would substantially reduce the requirements for the Child Support Compliance Program as well as limit the amount of reporting and data collection necessary.

A proposed draft ordinance, which was the result of discussions with your staff, Chief Administrative Office and the Administrative Deputies Network, is enclosed. Under this draft, entities entering new contracts with the County would only be required to register their employees in the State New Hire Registry and comply with all wage assignments and garnishments served by your department.

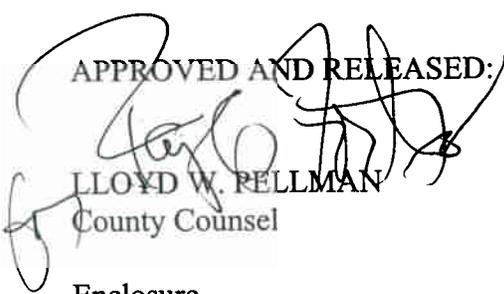
Very truly yours,

LLOYD W. PELLMAN
County Counsel

By 

RICHARD E. TOWNSEND
Assistant County Counsel
Probate Division

APPROVED AND RELEASED:


LLOYD W. PELLMAN
County Counsel

Enclosure

HOA.209528.1

RECEIVED

JAN 28 2004

CSSD
MGMT & ADMIN SERVICES 

ANALYSIS

This ordinance will significantly change the requirements for the Child Support Compliance Program. It will eliminate the requirements for private entities contracting with the County to report principal owner information, as well as, eliminate other reporting and data collection. Under the amended ordinance, private entities entering new contracts with the County would only be required to register their employees in the State New Hire Registry and comply with all wage assignments and garnishments lawfully served by the Child Support Services Department.

LLOYD W. PELLMAN
County Counsel

By



RICHARD E. TOWNSEND
Assistant County Counsel
Probate Division

11/19/03
ret

ORDINANCE NO.

An ordinance amending the Los Angeles County Code Title 2 – Administration relating to the Los Angeles County Child Support Compliance Program.

The Board of Supervisors of the County of Los Angeles ordains as follows:

Section 1. Section 2.200.010 is hereby amended to read as follows

2.200.010 Findings and declarations.

The board of supervisors finds that compliance with court-ordered child, family, or spousal obligations is in the public interest and benefits all residents of the County of Los Angeles. Unpaid support obligations have required the County and its taxpayers to protect the public health and welfare by providing a large array of social, medical and other services for the benefit of children and families to whom these support obligations are owed and to bear the cost of maintaining one of the largest support enforcement systems in the United States.

~~Nonpayment of child, family and spousal support is the leading cause of childhood poverty and welfare dependency in the United States. Los Angeles County has commenced prosecuting more than 512,000 child support cases, and opens more than 7,000 new cases each month. This represents the largest local child support enforcement program in the United States. The widespread failure to comply with court-ordered child, family and spousal support obligations evidenced by this enormous caseload endangers the public health and welfare of children and families in Los Angeles County.~~

~~Unpaid support obligations have required the county and its taxpayers to~~

~~protect the public health and welfare by providing a large array of otherwise unneeded social, medical and other services for the benefit of children and families to whom these support obligations are owed and to bear the cost of maintaining one of the largest support enforcement systems in the United States. Billions of dollars of unpaid support obligations have created an immense economic burden upon the county and its tax payers.~~

Therefore, the board of supervisors establishes the goal of ensuring that individuals who benefit financially from the County through employment, or contracts, ~~or by the issuance of a business license~~ are in compliance with their court-ordered child, family, and spousal support obligations in order to mitigate the economic burden otherwise imposed upon the County and its taxpayers.

~~It is the Board's intent to help ensure greater effectiveness of the effort to collect unpaid child support by assisting the district attorney in identifying and tracking employment as well as business and other assets of those who owe support obligations. By its support of this chapter and its continued efforts to gather the information necessary to successfully enforce support obligations, the board finds that the district attorney has made a continuing request pursuant to the Public Records Act for county employment information.~~

Section 2. Section 2.200.020 is hereby amended to read as follows

2.200.020 Required Contract Language Definitions.

~~Except as expressly provided in this section, the definitions set forth in Chapter 2.02 shall apply to construction of this chapter. For purposes of this Chapter 2.200, the terms set forth below shall have the following significance:~~

~~—A. "Business licensee information" means the name and social security number, if available, of an owner of record of a business who has applied for a new or renewed business license.~~

~~—B. "Contractor information" means a new or existing contractor's name, social security number, if available, and whether or not the contractor has been issued any payment for goods provided or services performed for Los Angeles County.~~

~~—C. "Employment information" means a new or existing employee's name and title, and whether or not he or she receives any compensation from the county of Los Angeles insofar as disclosure of this information is authorized by the Public Records Act, Government Code Section 6254(c) or in response to a request made in accordance with Welfare and Institutions Code Sections 11478, 11478.4 or 11478.8.~~

~~—D. "Existing contractor" means any individual, partnership or other entity contracted by the county to provide goods or to perform services when performance under the contract commenced prior to the operative date of this chapter.~~

~~—E. "Existing employee" means an individual who was an employee of the county prior to the operative date of this chapter.~~

~~—F. "New contractor" means an individual, partnership or other entity contracted or seeking to contract to provide goods or to perform services for the county when performance under the contract commences on or after the operative date of the ordinance codified in this chapter.~~

~~—G. "New employee" means an individual who becomes an employee or is~~

~~reinstated as an employee of the county after the operative date of this chapter.~~

~~H. "Principal owner" means any individual who owns an interest of 10 percent or more in a new or existing contractor as defined herein.~~

~~I. "Principal owner information" means a principal owner's name and title and whether or not the principal owner has been issued any payment by the new or existing contractor.~~

All new and renewed contracts shall contain language which (a) requires the contractor to fully comply with all applicable state and federal reporting requirements relating to employment reporting for its employees; (b) requires the contractor to fully comply with all lawfully served wage and earnings assignment orders and notices of assignment; (c) provides that failure to comply with state and federal reporting requirements regarding employees, or failure to implement lawfully served wage and earnings assignment orders or notices of assignment, constitutes a default under the contract, and failure to cure the default within 90 days of notice by the County shall subject the contract to termination; and (d) informs the contractor that failure to comply with these requirements may be cause for debarment.

Section 3. Sections 2.200.030 to 2.200.090 are hereby deleted.