

## **116140 Reporting Child Support Obligations and Arrearages-General Requirements and Timeframes**

### **(a)**

Each local child support agency shall compile and maintain a list of obligors who have child support obligations ordered by a court, administrative agency or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine paternity, whether or not arrearages are owed, and submit a certified list of those obligors to the Department, as specified in subsection (d), for subsequent consolidation and submission to credit reporting agencies.

### **(b)**

The list required by subsection (a) shall include, at a minimum, the following data for each obligor. The obligor's: (1) Name(s). (2) Date of birth. (3) Last known address. (4) Social Security Number. (5) Current and past due child support debt amounts.

#### **(1)**

Name(s).

#### **(2)**

Date of birth.

#### **(3)**

Last known address.

#### **(4)**

Social Security Number.

**(5)**

Current and past due child support debt amounts.

**(c)**

Prior to including an obligor's arrearage data on the list required by subsection (a), the local child support agency shall do all of the following: (1) Prepare a copy of the obligor's payment record, or obtain an affidavit signed by the obligee attesting to the amount of support owed. (2) Ensure the case record contains a copy of the order, including any modifications to the order. (3) Verify the accuracy of the obligor's name(s) and Social Security Number. (4) Ensure the case record contains the obligee's last known address, if the obligee is not receiving public assistance. (5) Verify the arrears by determining whether there are any former CalWORKs or foster care assigned arrears in addition to the arrears that accrued when the obligee was not receiving public assistance.

**(1)**

Prepare a copy of the obligor's payment record, or obtain an affidavit signed by the obligee attesting to the amount of support owed.

**(2)**

Ensure the case record contains a copy of the order, including any modifications to the order.

**(3)**

Verify the accuracy of the obligor's name(s) and Social Security Number.

**(4)**

Ensure the case record contains the obligee's last known address, if the obligee is not receiving public assistance.

**(5)**

Verify the arrears by determining whether there are any former CalWORKs or foster care assigned arrears in addition to the arrears that accrued when the obligee was not receiving public assistance.

**(d)**

When the list required by subsection (a) is transmitted to the Department, the director of the local child support agency, or his/her designee, shall complete and sign a "Child Support Credit Reporting/State Licensing Match Transmittal," CS 914, dated (8/02), incorporated by reference herein, to transmit the list and to certify the following under penalty of perjury: (1) The requirements of subsection (c)(1) through (5) have been met. (2) The compilation of the list was supervised by the director of the local child support agency or his/her designee.

**(1)**

The requirements of subsection (c)(1) through (5) have been met.

**(2)**

The compilation of the list was supervised by the director of the local child support agency or his/her designee.

**(e)**

Prior to the initial reporting of a child support obligation or an arrearage to the Department, the local child support agency shall provide written notification to an obligor at his/her last known address of the proposed release of information to credit reporting agencies, and the detail of that information, and allow the obligor 30 days from the date of the written notice to contest the accuracy of the information, or to pay the arrearage, if any. (1) If an obligor fails to contest the accuracy of the information in writing within 30 days of the date of the notice, the local child support agency shall include the obligor on the list submitted to the Department pursuant to subsection (f). (2) If an obligor provides timely written

notification that he/she wishes to contest the accuracy of the information, that notification shall be deemed a request for complaint resolution and the local child support agency shall delay submission of the obligor's information until the requirements of Article 2 of Chapter 10, commencing with Section 120100, have been completed. (3) If an obligor pays an amount to satisfy an arrearage in whole or in part within the 30-day timeframe, the local child support agency shall revise the arrearage balance for that obligor prior to submitting the information specified in subsection (b)(5) to the Department pursuant to subsection (f).

**(1)**

If an obligor fails to contest the accuracy of the information in writing within 30 days of the date of the notice, the local child support agency shall include the obligor on the list submitted to the Department pursuant to subsection (f).

**(2)**

If an obligor provides timely written notification that he/she wishes to contest the accuracy of the information, that notification shall be deemed a request for complaint resolution and the local child support agency shall delay submission of the obligor's information until the requirements of Article 2 of Chapter 10, commencing with Section 120100, have been completed.

**(3)**

If an obligor pays an amount to satisfy an arrearage in whole or in part within the 30-day timeframe, the local child support agency shall revise the arrearage balance for that obligor prior to submitting the information specified in subsection (b)(5) to the Department pursuant to subsection (f).

**(f)**

Each local child support agency shall submit to the Department monthly updates to the list specified in subsection (a) through electronic media. The updates shall

be submitted by the 12th day of the month following the month being reported.

The monthly update shall contain all new obligors for whom the local child support agency has completed the requirements specified in subsection (e), and either:

(1) All obligors submitted the previous month, including those obligors with changes to the information previously reported, such as, a change in case status or arrearage balance, or (2) Only those obligors with changes to the information previously reported.

**(1)**

All obligors submitted the previous month, including those obligors with changes to the information previously reported, such as, a change in case status or arrearage balance,  
or

**(2)**

Only those obligors with changes to the information previously reported.

**(g)**

In cases in which a child support collection is made by one county for a case being enforced in another county, the county enforcing the case shall submit the information specified in subsection (b) to the Department.

**(h)**

In interstate cases when California is the responding state, the local child support agency shall submit the information specified in subsection (b) to the Department.

**(i)**

In cases in which the accuracy of information is contested by the obligor and the credit reporting agency is conducting a reinvestigation, the local child support agency shall research the accuracy of information and respond to the credit reporting agency within 30 days from the date the local child support agency receives notice that the accuracy of the information is being contested. (1) In the

event the information being contested is correct, the local child support agency shall respond to the credit reporting agency within 30 days by fax or in writing, notifying the credit reporting agency that the information is correct. (2) In the event the information being contested is incorrect, the local child support agency shall correct the information by submitting a Universal Data Form to the credit reporting agency by fax or in writing on the same working day that the information is verified as being incorrect. The local child support agency shall also submit information updating the case to the Department as specified in subsection (f).

**(1)**

In the event the information being contested is correct, the local child support agency shall respond to the credit reporting agency within 30 days by fax or in writing, notifying the credit reporting agency that the information is correct.

**(2)**

In the event the information being contested is incorrect, the local child support agency shall correct the information by submitting a Universal Data Form to the credit reporting agency by fax or in writing on the same working day that the information is verified as being incorrect. The local child support agency shall also submit information updating the case to the Department as specified in subsection (f).