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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 10@ Complaint Resolution

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Article 3@ State Hearing

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Section 120223@ Correction of Mistake or Clerical Error in the Decision

## **120223 Correction of Mistake or Clerical Error in the Decision**

### **(a)**

Within 15 days after service of a copy of the decision on the parties, the complainant or the local child support agency may apply to the Director or the Director's designee for the correction of a clerical error contained in the decision by submitting a writing to the State Hearing Office that states the specific ground on which the application is made.

### **(b)**

Upon receipt of the application, the State Hearing Office shall serve a Notice of Application to the other party to the proceeding. The other party shall be permitted to file a statement supporting or opposing the application. Such a statement shall be in writing and shall be filed with the State Hearing Office no later than 10 days after service of the Notice of Application.

### **(c)**

The Director or the Director's designee may: (1) Deny the application; (2) Grant the application and modify the decision; or (3) Grant the application and set the matter for a telephonic hearing before the Director or the Director's designee.

#### **(1)**

Deny the application;

#### **(2)**

Grant the application and modify the decision; or

**(3)**

Grant the application and set the matter for a telephonic hearing before the Director or the Director's designee.

**(d)**

If the Director or the Director's designee does not act within 15 days after the date of service of the Notice of Application on the other party, it is deemed denied.

**(e)**

An application under this Section is not a prerequisite for seeking judicial review and does not toll the period for seeking a rehearing under Section 120220 or for filing a writ under Section 1094.5 of the Code of Civil Procedure.