

## 43-200.B CHILD SUPPORT REFERRAL PROCEDURES

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### 43-200.B.1 Referral Forms

If there is an absent parent:

As a condition of CalWORKs eligibility, the applicant is required to cooperate in establishing absent parent deprivation by providing all the information necessary during the interactive interview to enable the Human Services Specialist's (HSS) entries in CalWIN to populate the following forms which must be signed by the applicant/recipient and document captured for the electronic case file:

- CW 2.1 (Notice & Agreement for Child, Spousal, and Medical Support),
- CW 2.1 (Q) (Child Support Questionnaire), **and the**
- CW 371 (Referral to the Local Child Support Agency).

See [“How To” 270](#) regarding Adding & Updating Absent Parent & Individual Compliance Windows.

**43-200.B.2  
LCSA/HHSA  
Paternity  
Interview  
Requirements**

Assembly Bill (AB) 1542 requires the Local Child Support Agency (LCSA) to either have staff available by phone or in person at Family Resource Centers (FRC) to conduct an interview with each applicant to obtain the necessary information to establish paternity. To ensure this AB directive is met the LCSA coordinates phone interviews with applicants.

**43-200.B.3  
Intake  
Procedures**

Outlined below are the procedures the HSS takes at initial intake:

Step	Action
1	Explain to the client the requirement to assign child and spousal support rights and the sanctions imposed for failure to assign if there is an absent parent.
2	Explain that as a condition of eligibility the client is required to cooperate with the LCSA in establishing paternity, providing information, appearing at the LCSA office when requested, appearing as a witness in court, and obtaining support; <b>or</b> provide documentation to substantiate a claim of good cause for refusing to cooperate (if they claim good cause).
3	Obtain information from the applicant to complete the CW 2.1 and the CW 2.1 (Q) for each absent parent or unmarried father in the home.
4	Enter all the information received from the client in the CalWIN Absent Parent/Child Support screens so that an accurate referral is sent electronically to the LCSA.

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**43-200.B.4  
Referrals to**

The California Child Support Automated System (CCSAS) is the State of California’s statewide automated Child Support Enforcement (CSE)

## the LCSA

System. Due to the interface between CalWIN and CCSAS it is no longer necessary for HSS's to forward (paper/hard) copies of the CW 371, CW 2.1 and CW 2.1 (Q) to the LCSA at application.

CalWIN will send an electronic referral to the statewide CSE system as workers complete their entries in the Absent Parent/Child Support screens. The interface will create a Service Request (SR) that will be assigned to a Child Support Case Worker. The electronic referral process eliminates the need for staff to send a hard copy referral (CW 2.1, CW 2.1 (Q) or the CW 371) in most situations. New applications, changes in case status, updates of demographic information or Good Cause (when entered in CalWIN) will create an electronic referral to the LCSA through the CSE System.

The only transaction referrals that are not sent electronically are [Termination of Parental Rights \(TPRs\)](#); therefore staff are still required to send hard copy referrals to the LCSA. Staff will forward the completed CW 2.1, CW 2.1 (Q), and CW 371 to the LCSA at Mail Stop C-77 Attn: Case Intake. Once the client has been referred to the LCSA it is presumed that he/she is cooperative. Information that is not available at the time of the initial referral is to be sent to the LCSA on a follow-up CW 371.

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## 43-200.B.5 DCSS Service Request Processing

Through the existing interface between CalWIN and CSE, the Department of Child Support Services (DCSS) receives Electronic Service Requests (SRs) that must be processed within 20 calendar days. DCSS has three options to process the incoming SRs:

- Reject the SR in CSE with a complete explanation of why it was rejected including referral to HHSA for updates if needed
- Update the existing case in CSE
- Open a new case and reopen closed case in CSE

Within 10 days of opening/reopening a DCSS case, Intake staff will contact the Custodial Parent (CP) by phone or letter to conduct an intake interview using the phone number and address listed in CalWIN. CP's failure to respond to DCSS's request will result in Non-Cooperation (Non-Coop) status. Non-Coop and/or Rescission of Non-Coop Status are requested electronically via the Interface between DCSS and CalWIN as well as by DCSS to HHSA through a designated Sanction Supervisor.

For more information see CPG section [43-200.C Cooperation Requirements](#) and the Eligibility Desk Guide (EDG) regarding [Imposing and Lifting Child Support Penalties](#).

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**43-200.B.6  
Pregnant  
Women Only  
(PWO)**

An unborn child is not considered a member of the assistance unit (AU) until born and otherwise eligible. Therefore when an unborn child establishes eligibility for a Pregnant Woman Only (PWO) case and absence of the father is the basis of deprivation the HSS is required to obtain all the information and forms necessary to establish deprivation but is **NOT** required to forward the child support referral forms to the LCSA until after the child is born by entering the information in CalWIN to generate an electronic referral.

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**43-200.B.7  
Deceased  
Parents**

If one or both of the child's parents are deceased, the AU is not subject to child support enforcement activities as there is no parent from which child support may be collected.

**43-200.B.8  
Establishing  
Deprivation  
on the Basis  
of Death**

When establishing a basis of deprivation based on the claim of a deceased parent the case file must contain acceptable verification of the death of the parent. Acceptable verification of the death of the parent may include one of the following:

- A copy of the death certificate
- An award letter from the Social Security Administration based on the death of the parent
- A newspaper account of the parent's death
- Other reliable documentation
- The applicant/recipient's sworn statement under penalty of perjury when no other evidence can be obtained

When the applicant/recipient or the HSS are unable to obtain credible evidence sufficient to establish that the absent parent is deceased a referral to the LCSA based on absent parent deprivation is required.

**43-200.B.9  
Good Cause**

The good cause determination process applies when the applicant/recipient claims there is "Good Cause" for refusing to cooperate in establishing paternity and/or obtaining support. Please refer to Child Support section [43-200.D. Good Cause](#), for instructions when good cause is claimed.

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**43-200.B.10  
Paternity  
Opportunity  
Program  
(POP)**

The Paternity Opportunity Program (POP) is a statewide database which is administered by the Department of Child Support Services (DCSS) and processes voluntary declarations of paternity. A declaration signed by both the biological father and the unmarried mother filed with the DCSS establishes a legal parent-child relationship between the father and the child. When parents are married paternity is automatically established in most cases. Effective

May 3, 2002 it became mandatory for the LCSA to review this database prior to filing any court action in child support cases. The name of the absent parent listed on the CW 2.1 (Q) or electronic referral through the interface **must** match the POP database in order for the court action to proceed.

In the event there is a discrepancy, the LCSA will return the CW 2.1 (Q) to the FRC Child Support Liaison for action and follow-up. The client is required to provide information necessary to complete a new CW 2.1 (Q) listing the absent parent(s) name as indicated on the POP database. The revised CW 2.1 (Q) is then to be forwarded to LCSA at Mail Stop C77 ATT: Case Intake.

The client's failure to provide new information necessary to complete a new CW 2.1 (Q) or electronic referral through the interface, if POP information is disputed, **does** constitute non-cooperation with the LCSA and case action will be taken.

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**43-200.B.11**  
**Internet**  
**Access to**  
**Filed POP**  
**Declarations**

In order to increase collaboration between agencies, the DCSS has made online read-only access to the POP data available to authorized individuals for the administration of the CalWORKs program. The DCSS has informed the California Department of Social Services (CDSS) that information obtained from the POP database is considered verification that legal paternity has been established for that child.

Access will be restricted to authorized CalWORKs HSS's and will require a log-in ID and password that will be assigned by the DCSS upon request and approval. Authorized staff will be chosen by their FRC Managers and will also include the Child Support Liaison for each office.

Authorized CalWORKs staff will need to complete and sign a "Request for Online Access to Filed POP Declarations" form (DCSS 0668). Supervisors will review the completed form, approve access for their staff, and forward the original to Eligibility Operations CalWORKs Program. CalWORKs Program will batch the requests and mail the original to the:

California Department of Child Support Services  
Paternity Opportunity Program – MS 250  
P. O. Box 419070  
Rancho Cordova, CA 95741-9070

Once the access form has been approved the requesting HSS and their supervisor will be contacted regarding the log-in ID, password and applicable training.

Access to DCSS POP data will be restricted to the following information:

- Child's Full Name
- Sex of the Child
- Child's Date of Birth
- Place of Birth (County and State if US born)
- Full Name of Mother and Father
- Mother and Father Social Security Numbers, if provided **(the last 4 digits ONLY)**
- Filed Date (date declaration was filed in database)

HSSs will document the case record with all of the information obtained that establishes paternity. A copy of the online screen print which provides the filed declaration date will be document captured for the electronic case file. HSSs are required to document their findings in the Case Comments in addition to making entries in the CalWIN Absent Parent screen.

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**43-200.B.12  
Ongoing Case  
Procedures**

The HSS will notify the LCSA via electronic referral through the interface by entering the updated information in CalWIN when:

- Deprivation changes to absence
- A newborn is added to the AU
- A child enters the home and is added to the AU; or
- A recipient is planning to place his/her child for adoption.

If any of the following occur...	Then the HSS will...
AP returns to the home (even if this results in case discontinuance)	Notify the LCSA of the change by entering the updated information in the Absent Parent/Child Support screens in CalWIN
New information becomes available on the whereabouts of the AP	
Recipient children cease living with the person receiving aid on their behalf	
Recipient receives child support not forwarded to the county including Social Security or Railroad Retirement benefits of an AP which are sent to the custodial parent on behalf of the child(ren)	

Adoption is no longer being considered	
Recipient is determined non-cooperative for failure to turn in a direct support payment	
Child is adopted or relinquished	
Recipient obtains a divorce (send copy of court order if available)	
Recipient responds to the non-cooperation notice informing them to contact LCSA	
Termination of Parental Rights (TPRs)	Complete and forward the CW 2.1, CW 2.1 (Q), and the CW 371 to the LCSA

Regardless of whether the LCSA accounts are active or closed, when a person reapplies for aid a referral to LCSA must be completed even if there is documentation in the case file supporting a previous good cause or rejection determination by LCSA. The LCSA staff will re-evaluate each referral. For those new or re-applications where a claim of “Good Cause” is approved a referral to the LCSA is **NOT** required.

**43-200.B.13  
Deletion of  
CW 371 from  
Print Queue**

Certain updates to CalWIN auto trigger a CW 371. The update information is also provided to the LCSA via the CalWIN and child support interface. As this is a duplication of information the HSS is requested to delete the CW 371 from the print queue. The link below provides access to “How To” # 222 located in the [CalWIN Intranet Section 43-200 Child Support](#):

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[How To Delete Form CW 371 from the Print Queue](#)

**43-200.B.14  
Minor Parent  
Not Residing  
With Senior  
Parent**

When a minor who is not residing with his/her parents applies for aid the HSS will:

Step	Action
1	Obtain the necessary information from the minor parent to complete the child support referral forms (CW 2.1 and CW 2.1Q) to be completed on each of his/her parents with

	whom the minor does not reside.
2	Once the minor has provided the information necessary to complete the child support referral forms the referral will be sent to the LCSA via electronic interface between CalWIN and CCSAS. The minor will complete child support procedures on his/her AP's.
3	Inform the minor that determination of parental financial liability is the responsibility of the LCSA's office.  <b>Note:</b> Should the minor fail or refuse to cooperate with child support procedures exclude the minor from the AU.
4	Enter all the information in the CalWIN Absent Parent/ Child Support Screens.

**43-200.B.15  
Unmarried  
Father  
Residing in  
Home**

Intake

When the unmarried father is in the home and aid is requested for the common child(ren), the HSS will still complete all the entries in the Absent Parent/Child Support Screens in order to generate the information through the interface to the Child Support Enforcement System (CSE). Although in the home, the parents will sign the CW 2.1 and the CW 2.1 (Q). The worker will document capture the CW 2.1, CW 2.1 (Q) in the case file.

Ongoing

When the unmarried father is added to the AU and aid is requested for the common child(ren), the HSS will complete all the entries in the Absent Parent/Child Support Screens in order to generate the information through the interface to the Child Support Enforcement System (CSE). Although in the home, the parents will sign the CW 2.1 and the CW 2.1 (Q). The worker will document capture the CW 2.1, CW 2.1 (Q) in the case file.

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