

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



August 10, 2001

CSS LETTER NO. 01-19

TO: ALL IV-D DIRECTORS
 ALL DISTRICT ATTORNEYS
 ALL COUNTY ADMINISTRATIVE OFFICERS
 ALL BOARDS OF SUPERVISORS

Reason for this Transmittal

- State Law or Regulation Change
 Federal Law or Regulation Change
 Court Order or Settlement Change
 Clarification requested by One or More Counties
 Initiated by DCSS

SUBJECT: CLARIFICATION OF EXCESS PAYMENT CALCULATION

The purpose of this letter is to clarify the methodology counties must utilize when calculating an excess payment paid to a CalWORKs family. As you know, the pass-on has been eliminated effective April 1, 2000, as referenced in the Elimination of Pass-On Regulatory Package (ORD #0069-12). Therefore, the counties are to use the methodology outlined in this letter when processing excess payments.

Effective April 1, 2000, the entire collection amount (current and/or arrears) including the disregard paid to the family must be applied to the total cumulative unreimbursed assistance pool (UAP), if one exists. Any amount of support that exceeds the UAP balance must be paid to the family as current and/or arrears excess.

Under the distribution methodology for current CalWORKs cases, the disregard should be excluded from the calculation used to determine the excess. For example, a \$175 current support collection is received. The cumulative UAP is \$120, after reducing the cumulative UAP by the \$120, the custodial parent would be distributed a \$50 disregard and \$55 in current excess for a total disbursement of \$105 from the collection.

Current Collection	\$175
Recoupment (cumulative UAP)	<u>- 120</u>
Current Excess	\$ 55
Disregard	<u>+ 50</u> (paid out of State's General Fund share of collection)
Total paid to the Family	\$105



CSS LETTER NO.

July 24, 2001

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If you have any questions or concerns regarding this matter, please contact
Tonya Crawford-Corage at (916) 464-5224.

Sincerely,

CURTIS HOWARD

Assistant Deputy Director

Child Support Services Division