

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



February 13, 2019

CSSP LETTER: 19-01

ALL IV-D DIRECTORS
 ALL COUNTY ADMINISTRATIVE OFFICERS
 ALL BOARDS OF SUPERVISORS

SUBJECT: FORWARDING COURT DOCUMENTS CONTAINING CONFIDENTIAL
 INFORMATION

REFERENCE: SUPERSEDES CSS LETTER 08-08

PURPOSE: Provide policy to local child support agencies (LCSAs) on forwarding court documents received from individuals seeking or receiving child support services which contain confidential information.

POLICY: LCSAs shall forward forms, attachments, and documents received from individuals seeking or receiving child support services to the courts in an unaltered state. The responsibility for excluding or redacting confidential information from documents eligible for filing with the courts rests solely with the parties and their attorneys, as prescribed in the California Rules of Court. LCSAs shall convey in writing to individuals seeking or receiving services that documents submitted to the court are considered public records and will be available for review upon submission, with the exception for circumstances such as family or domestic violence, otherwise deemed confidential in nature, sealed by the court, or expressed through good cause pursuant to Family Code section 17212(b)(2).

The following list includes, but is not limited to, forms which have been identified by the Department of Child Support Services (DCSS) to contain confidential information. These forms include, but are not limited to, social security numbers, financial account numbers, employer information, and mailing addresses:

- FL-150 Income and Expense Declaration
- FL-320 Responsive Declaration to Request for Order
- FL-330 Proof of Personal Service
- FL-415 Findings and Order Regarding Contempt (Family Law-Domestic Violence Prevention – Uniform Parentage – Governmental)
- FL-605 Notice and Acknowledgement of Receipt (Governmental)
- FL-610 Answer to Complaint or Supplemental Complaint Regarding Parental Obligations

Reason for this Transmittal

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

- FL-615 Stipulation for Judgement or Supplemental Regarding Parental Obligations and Judgement (Governmental)
- FL-625 Stipulation and Order (Governmental)
- FL-626 Stipulation and Order Waiving Unassigned Arrears (Governmental)
- FL-685 Response to Governmental Notice of Motion or Order to Show Cause
- FL-687 Order After Hearing (Governmental)
- FL-688 Short Form Order After Hearing (Governmental)

To assist the LCSAs in meeting this written policy requirement and to ensure statewide uniformity in notifying individuals of this policy, effective upon issuance of this letter, DCSS Form Set Notices containing the above identified forms will include a Protecting Confidential Information on Court Documents Notice which informs individuals seeking or receiving child support services that their completed documents received by the LCSA will be forwarded to the court **unaltered**.

BACKGROUND: On September 27, 2017 the California Legislature passed Assembly Bill 976 Electronic Filing and Service, authorizing trial courts in California to, by local rule, require electronic service and filing of documents in civil actions by January 1, 2018. DCSS was granted an extension through January 1, 2021 in order to prepare for the transition. While electronic filing and service with the court is anticipated to improve efficiency and the court's capacity to process filings, it also raises concerns for maintaining confidentiality of individuals' information as prescribed in California Family Code section 17212. LCSAs frequently request and receive completed court documents on behalf of individuals seeking or receiving child support services, or on behalf of their attorneys. In the event it becomes necessary to take court action, LCSAs can and often will forward documents to the court. Considering the process, legislation, and common LCSA practices, a uniform effort shall be made to inform individuals of their shared responsibility to protect confidential information on documents forwarded to the court.

ACTION: In the interest of improved customer service and statewide uniformity, revisions have been made accordingly to DCSS Form Set Notices and uploaded to the Child Support Enforcement system.

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CONTACT: If you have any questions or concerns regarding this matter, please contact the Program and Policy Branch at (916) 464-5883.

Sincerely,

o/s

VICKIE K. CONTRERAS
Deputy Director
Child Support Services Division

[CURRENT_DATE]

CSE Case Number:
[CSE_CASE_NUMBER]

Custodial Party:
[CP_PRIMARY_NAME]

Noncustodial Parent:
[NCP_PRIMARY_NAME]

Court Case Number:
[COURT_CASE_NUMBER]

RE: PROTECTING CONFIDENTIAL INFORMATION ON COURT DOCUMENTS

Dear [RECIPIENT_NAME]

We may file paperwork for you: It is the policy of the Department of Child Support Services (Child Support) to forward appropriate legal forms and supporting documents received from participants such as yourself to the Superior Court for filing. It is your responsibility to file documents related to your case with the court unless you are asked to return them directly to Child Support. Documents intended for the court but received by Child Support will be routed to the court for filing as a convenience to you.

We cannot change information on paperwork we file: Documents filed with the court may become a matter of public record. Child Support may not remove or change information that identifies you personally, is confidential, or any other information on forms that are submitted for filing with the court, so please be aware that private information like your address, social security number, driver's license number and bank account numbers on documents filed with the court by Child Support could become public records that anyone could see.

We are not your attorney: Since current law and policy does not allow any child support agency to provide legal representation for you, you or your attorney are responsible for properly completing all forms prior to filing them with the court or submitting them to Child Support. Incomplete or improper forms may not be accepted by the court, whether from you or from Child Support, and routing of completed documents from Child Support to the court as a courtesy to you does not create an attorney-client relationship between you and Child Support.

Legal help is available: If you have any questions, or concerns about private information on legal forms and documents, we strongly encourage you to seek legal assistance or talk to your county's Family Law Facilitator office for possible options.

If you have further questions, please visit Customer Connect at [CUSTOMER_CONNECT_WEB_ADDRESS] for assistance online, or call the Customer Connect direct line at [PHONE_CSSC]. If you have hearing or speech impairment, please call the TTY numbers at [CUSTOMER_CONNECT_TTY_PHONE].

Sincerely,

[WORKER_NAME]
{WORKER_TITLE