



February 15, 2019

Ms. Diane F. Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, California 95814

Ms. Erika Contreras
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: Evaluation of the Effectiveness of Family Code Section 4007.5 Report to the Legislature

Dear Ms. Boyer-Vine, Ms. Contreras, and Mr. Wilson:

Attached is the joint report from the Judicial Council of California and the Department of Child Support Services (DCSS) on the effectiveness of the administrative adjustment process of child support obligations for incarcerated or involuntarily institutionalized obligors per Family Code section 4007.5, including a review of the ease of process to the obligor and obligee, the number of cases administratively adjusted, the number of cases adjusted in court, and the number of cases not adjusted. This report was produced by analyzing case data from DCSS' case management system, by evaluating survey responses from litigants with child support cases that fit the criteria to be administratively adjusted, and by gathering feedback from child support commissioners and family law facilitators who provide services to the parties to governmental child support cases throughout the state.

The report indicates that, since the implementation of the administrative adjustment process by DCSS, the local child support agencies have been adjusting support obligations that have been identified by DCSS to meet the criteria of Family Code section 4007.5, although an evaluation of the process shows that improved outreach efforts to family law facilitators, county jails, and litigants are needed to identify all eligible litigants and fully meet the objectives of the statute. The report also notes that DCSS needs additional time to make changes to its case management

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system to better identify case outcomes related to Family Code section 4007.5 and thereby provide a more thorough analysis of the administrative process and its impact on obligors and obligees.

If you have any questions related to this report, please contact Ms. Vickie Contreras, DCSS Deputy Director, Child Support Services Division, at 916-464-2998 or Vickie.Contreras@dcss.ca.gov; or Ms. Anna L. Maves, Program Manager and Supervising Attorney, Judicial Council AB 1058 Program, at 916-263-8624 or anna.maves@jud.ca.gov.

Sincerely,



DAVID KILGORE
Director
Department of Child Support Services



MARTIN HOSHINO
Administrative Director
Judicial Council of California

DK/MH

Attachment

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MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

Report title: *Evaluation of the Effectiveness of Family Code Section 4007.5 Report to the Legislature*

Code section: Family Code section 4007.5

Date of report: January 2019

The Judicial Council has submitted a report to the Legislature in accordance with Family Code section 4007.5.

The following summary of the report is provided under the requirements of Government Code section 9795.

Family Code section 4007.5(h) requires the Judicial Council and the Department of Child Support Services to conduct an evaluation of the effectiveness of the administrative adjustment process of the child support obligations of obligors who have been incarcerated or involuntarily institutionalized for more than 90 days, including a review of the ease of the process to both the obligor and obligee, and an analysis of the number of cases administratively adjusted, the number of cases adjusted in court, and the number of cases not adjusted. The Judicial Council and the Department of Child Support Services are required to report on the results of this review to the Assembly Judiciary Committee and the Senate Judiciary Committee.

The full report can be accessed here: www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling Anna L. Maves, Supervising Attorney and Program Manager for the Judicial Council's AB 1058 Program, at 916-263-8624.

**California Department of Child
Support Services
and
Judicial Council of California**



**Evaluation of the Effectiveness of
Family Code Section 4007.5
Report to the Legislature**

January 2019

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1. Executive Summary

On October 8, 2015, Governor Brown signed Assembly Bill 610 (Jones-Sawyer; Stats. 2015, ch. 629) into law, authorizing a local child support agency (LCSA) to suspend the current support obligation of the person ordered to pay support during periods of incarceration or involuntary institutionalization and to administratively adjust account balances. In accordance with AB 610 and Family Code section 4007.5(h), the Department of Child Support Services (DCSS) and the Judicial Council of California evaluated the effectiveness of the administrative adjustment process and submit the following report on the ease of process to the obligor and obligee, the number of cases administratively adjusted, the number of cases adjusted in court, and the number of cases not adjusted. Where appropriate, LCSAs are taking the proper measures to adjust child support accounts back to the first day of incarceration to ensure that qualifying incarcerated or involuntarily institutionalized child support obligors are being provided with relief.

2. Background

Senate Bill 1355 (Wright; Stats. 2010, ch. 495) was signed into law on September 29, 2010. As a result, section 4007.5 was added to the Family Code and made applicable to all governmental child support orders and modifications issued on or after July 1, 2011. Under Family Code section 4007.5, the obligation of the person ordered to pay support was suspended for any period exceeding 90 consecutive days of incarceration or involuntary institutionalization. Upon the obligor's release, an obligor had the option to petition the court for an adjustment of the arrears that accrued during his or her incarceration or involuntary institutionalization. This version of section 4007.5 remained in effect until July 1, 2015 and was repealed as of that date.

AB 610 was first introduced to the Legislature on February 24, 2015. The bill was ultimately signed into law as an urgency statute on October 8, 2015, resulting in a new Family Code section 4007.5 provision. Section 4007.5 was recast to include the suspension of a money judgment or order for support by operation of law for any period exceeding 90 consecutive days in which the obligor is incarcerated or involuntarily institutionalized. The provision now applies to all money judgments or orders for support, as opposed to only those support orders being enforced under Title IV-D of the Social Security Act.

The interest charged to arrears that would otherwise have accrued during qualifying periods of incarceration or involuntary institutionalization is also suspended. By law, the LCSA that is enforcing a Title IV-D child support order must provide notice to the parties of the intent to administratively adjust accounts. Both the obligor and obligee are given the opportunity to object to the proposed administrative adjustment. If an objection is

placed by either party within 30 days of receipt of the notice, the matter must be heard in court where a determination will be made on the applicability of Family Code section 4007.5.

Like the previous version of Family Code section 4007.5, certain exclusionary factors prohibit the suspension of current child support during the obligor's incarceration or involuntary institutionalization. These exclusions include the obligor's ability to pay support while incarcerated or involuntarily institutionalized, being incarcerated or involuntarily institutionalized for an offense constituting domestic violence against the supported party or child or being incarcerated or involuntarily institutionalized because of the obligor's failure to comply with a court order to pay child support.

3. Impact to Incarcerated and Involuntarily Institutionalized Obligor

According to the AB 610 fact sheet, Family Code section 4007.5 was implemented to relieve overcrowded courtrooms, remove the requirement of knowledge and action from the obligor, and reduce the heavy burden of accumulating debt statewide for arrears incurred by incarcerated or involuntarily institutionalized obligors. Many low-income child support obligors in California have accumulated arrears balances that they have difficulty paying off. California has enlisted many remedies over the last several years to attempt to alleviate the burden that unpayable arrears have on low-income obligors. One of the most effective remedies includes modifying or suspending the current child support obligation while the obligor is incarcerated or involuntarily institutionalized so additional arrears do not accrue. This practice is also in alignment with federal regulations which require child support obligations to be based on the obligor's actual income and ability to pay.¹

A connection exists between a recently released obligor's earning potential and his or her ability to meet the obligations outlined in their child support order. In general, obligors with higher reported income owe lower amounts of arrears.² The same correlation can also be attributed to pre-incarceration or pre-involuntary institutionalization earning levels, meaning a large majority of recently incarcerated or involuntarily institutionalized child support obligors reported very little or no earnings in the years leading up to their incarceration or involuntary institutionalization. Studies also show that accumulated arrears may make it more difficult for formerly incarcerated or involuntarily institutionalized obligors to successfully transition back into their

¹ 45 C.F.R. § 303.4(b)(1)

² Dr. Elaine Sorenson, Dr. Heather Koball, Kate Pomper, Chava Zibman, "Examining Child Support Arrears in California: The Collectability Study," The Urban Institute, Mar. 2003

communities.³ Previously incarcerated or involuntarily institutionalized individuals face more challenges finding gainful employment and, as a result, are subject to the immediate enforcement actions put in place by DCSS, such as driver and occupational license suspension or revocation. In accordance with Family Code section 4007.5(b), the child support obligation resumes on the first day of the first full month after release, leaving the previously incarcerated or involuntarily institutionalized obligor with relatively little time to find gainful employment and meet the obligations of the child support order. These actions, independent or combined, may further exacerbate the obligor's reintegration into society and impact familial relationships.

Studies⁴ have shown that the incarceration of parents has a tremendous impact on children, both financially and emotionally. Obligor who owe arrears that they are unable to pay are also less likely to pay current child support. When obligors are released from incarceration with unpayable child support debt, their chances of finding and retaining employment—and reengaging and contributing to their children's well-being—become less likely. The goal of reducing the accumulation of unpaid arrearages aligns with and fully supports DCSS's vision statement: "All parents are engaged in supporting their children."

Recognizing the negative impact to obligors when action is not taken to modify or suspend current support as quickly as possible, DCSS actively attempts to learn when obligors become incarcerated or involuntarily institutionalized. Involuntary institutionalization is not easily discerned and typically requires confirmation from the facility or a direct report from the impacted obligor. As such, differentiating the detention type when reporting on the effectiveness of this section is not feasible. DCSS has a data exchange agreement⁵ with the California Department of Corrections and Rehabilitation to obtain information weekly regarding when child support obligors become incarcerated in a state prison, the anticipated length of confinement, the anticipated release date, and other relevant information.

In 2004, the department adopted California Code of Regulations, title 22, section 115530. It requires an LCSA to file a motion with the court to modify child support orders to zero-dollars when an obligor becomes incarcerated or involuntarily institutionalized for more than 90 days and there is no other source of income that can

³ Caterina G. Roman, Ph.D., Nathan Link, MSW, "Child Support, Debt, and Prisoner Reentry: Examining the Influences of Prisoners' Legal and Financial Obligations on Reentry," National Institute of Justice, June 2015

⁴ Dana DeHart, Ph.D., Cheri Shapiro, Ph.D., James W. Hardin, Ph.D., "The Impact of Incarceration on Families: A Single-Jurisdiction Pilot Study Using Triangulated Administrative Data and Qualitative Interviews," National Criminal Justice Reference Service, Mar. 2017

⁵ Strategic Offender Management System (SOMS)

be used to pay child support. This regulation helps to reduce arrears accumulation while incarcerated or involuntarily institutionalized, but often does not alleviate arrears accrual for the entire incarceration period since a court order for child support can only be modified in court back to the date of filing the motion and after notice has been provided to all relevant parties. In 1989, the federal Office of Child Support Enforcement (OCSE) clarified this position with Action Transmittal 89-06, noting that states must have laws to prohibit retroactive modifications of child support arrearages. If an LCSA does not receive timely notification of the obligor's incarceration, the result is that the obligor may be incarcerated for a period of time before an action to modify current child support occurs, and child support arrears accumulate as a result.

Child support orders are established judicially in California. As a result, LCSAs may not independently modify child support orders and must file legal actions to permit the court to review and, when appropriate, modify the existing child support obligation. The relief provided under Family Code section 4007.5, as it exists today, has proved beneficial to the Child Support Program because it prevents the accumulation of uncollectible arrears that would otherwise be owed by these obligors. It also provides the LCSA with the flexibility to administratively adjust accounts and supports the LCSAs' ability to take other actions to serve child support case participants with minimal delay. This assists obligors and their families by ensuring that child support orders can be established or modified according to state law in a timely manner. Pursuant to Family Code section 4007.5, the suspension dates back to the first day of incarceration or involuntary institutionalization (if the obligor is incarcerated or involuntarily institutionalized for more than 90 days), even if the LCSA does not become aware of the incarceration or involuntary institutionalization until a later date. Additionally, the suspension of child support obligations meets the intent of section 4007.5 by reducing the impact to overcrowded California courts and assisting obligors in reducing arrears accrual.

4. Policy Direction

DCSS conducted research to ensure that any policy issued would not conflict with federal law, specifically Title 42 United States Code section 666(a)(9)(c) (Bradley Amendment), which prohibits retroactive modification of child support orders. Further, DCSS was pursuing the possibility of receiving additional incarceration data from outside sources to know whether an individual qualified for relief pursuant to Family Code section 4007.5. Having conducted these investigations, statewide policy was issued to LCSAs regarding section 4007.5 on October 10, 2017. One of the biggest obstacles to effectively implementing policy was DCSS's lack of reliable data on incarcerated and/or involuntarily institutionalized case participants. This population is not identified as such in the child support enforcement system (CSE), the California Child Support Program's system of record.

While DCSS receives updated incarceration information on California state prison inmates from the California Department of Corrections and Rehabilitation, it is an immense data file and not an automated process, so the information is not incorporated into CSE. DCSS does not receive any information regarding case participants that are incarcerated locally or involuntarily institutionalized in California and must rely on OCSE to provide incarceration data from other states. OCSE is aware of this obstacle and is currently working on a pilot to improve the amount of incarcerated data they can provide to all states.

When an obligor has been incarcerated or involuntarily institutionalized, LCSAs may administratively adjust child support accounts and interest on arrears where Family Code section 4007.5, as recast, applies and/or modify the court order(s) to zero-dollars. LCSAs may administratively adjust child support accounts in accordance with section 4007.5, provided the LCSA first sends notice of the intended adjustment to both the obligor and obligee. Existing review and adjustment regulations regarding child support order modifications under California Code of Regulations, title 22, section 115530(a)(1) and (a)(5) are still in effect, regardless of the child support issuance date or modification date.

Before administratively adjusting child support accounts, LCSAs must verify:

- The order was issued or modified on or after October 8, 2015;
- The period of confinement has lasted more than 90 consecutive days and follows the issuance or modification of the qualifying order;
- There is no evidence to support an exclusion pursuant to Family Code section 4007.5(a)(1) and (a)(2);
- LCSA has sent the notices required by Family Code section 4007.5(c)(1); and
- Neither party has objected to the administrative adjustment of the child support account within 30 days of receipt of the notice.

Alternatively, if there is no evidence of support potential during incarceration or involuntary institutionalization, LCSAs may choose to establish or modify to a zero-dollar order pursuant to California Code of Regulations, title 22, section 115530. When the order is modified, it does not spring back on the first day of the first month after release from incarceration. Instead, the zero-dollar order has to be modified in the court to account for the obligor's change in circumstances. Order modifications to zero-dollars may occur:

- At the time the obligation is initially set; and
- When an LCSA has determined, based on their review of the case, that the order should be modified.

If there is evidence the obligor has an ability to pay a child support obligation:

- A new child support order may be established; and
- The existing child support order may be modified to the appropriate dollar amount.

LCSAs may choose to utilize Family Code section 4007.5 suspension, California Code of Regulations, title 22, section 115530 modifications, or both, to better serve child support case participants. For example, section 4007.5 may be applied so an LCSA may administratively adjust child support accounts for periods prior to the LCSA obtaining knowledge of the incarceration, and a child support order can also be modified to a zero-dollar order in situations where the incarceration status is identified prior to release so support obligations do not automatically resume at the prior rate when the obligor is released. The combination of both relief methods captures the benefits of both provisions.

5. Statutory Report Requirement

The submission of this report is to meet the requirements outlined in AB 610, requiring DCSS and the Judicial Council of California to report specified information to the Assembly Judiciary Committee and the Senate Judiciary Committee on or before January 1, 2019. The specified information required for the report includes:

- Ease of process to both the obligor and obligee;
- Number of cases administratively adjusted;
- Number of cases adjusted in court; and
- Number of cases not adjusted pursuant to Family Code section 4007.5.

A CSE ad hoc query was developed to assist with identifying cases that were potentially eligible for an administrative adjustment pursuant to Family Code section 4007.5. The data was gathered by searching available databases using specified search criteria. As a result, DCSS manually reviewed 8,389 cases within CSE. The data in this report are representative of the period October 8, 2015 (passage of AB 610), through August 17, 2018. DCSS included only those cases that meet the following criteria:

- The case contains a child support order issued or modified on or after October 8, 2015;
- The obligor has at least one incarceration record indicating confinement of 90 consecutive days or more after October 8, 2015; and

- The obligor’s qualifying incarceration record includes a release date (or end date) on or after October 8, 2015, or there is no entered release date (indicating current or ongoing incarceration).

5.1. Ease of Process to the Obligor and Obligee

A survey was developed to measure the ease of process for case participants involved in the administrative adjustment practice. DCSS developed a series of questions that assess the administrative process, as well as the obligor’s and obligee’s level of satisfaction regarding the process and outcome. The survey was disseminated via U.S. Postal Service to 651 case participants. These case participants were identified via an ad hoc query developed by DCSS. LCSAs assisted in identifying these case participants by entering specific character strings in the case activity logs, which were later used for the query. DCSS disseminated the survey in July 2018 and allowed the case participants three weeks to provide their response. Dissemination of the survey predates DCSS’s efforts of analyzing the relevant Family Code section 4007.5 data set, which explains the discrepancy between the universe of potentially eligible cases and the number of case participants in receipt of the survey. The child support cases associated with these participants may have been administratively adjusted or may have been in the midst of the process.

The hard-copy survey provided a hyperlink to an online survey, giving the obligor and obligee the ability to complete the survey online if they chose. In total, 31 of the 651 case participants responded to DCSS’s survey request, with the completion of 26 hard-copy and five online surveys. A five-level Likert scale, from strongly disagree to strongly agree, was used to measure the respondent’s level of agreement with provided statements. Respondents were also given the opportunity to provide free-form responses to an additional series of questions. Nineteen of the 31 respondents provided a response to at least one of three free-form response questions. The following is a summary of the six-question survey and a breakdown of the responses received.

Ease of Process Survey Questions

Multiple-choice response questions:

1. Overall, the administrative adjustment process was simple to follow.
2. The letters I received from DCSS regarding the administrative adjustment process were easily understood.
3. My role and responsibility in this process was clear.
4. I understood the purpose and goal of the administrative adjustment process.
5. The local child support agency communicated well, and I received all the necessary information I needed throughout this process.

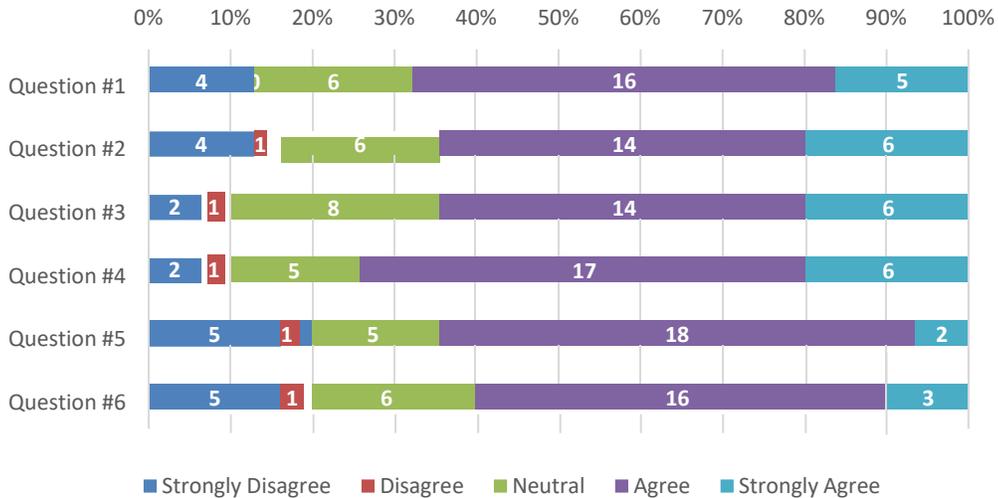
6. My questions and concerns regarding the administrative adjustment process were addressed.

Free response questions:

1. Please indicate what aspect of the administrative adjustment process you found to be most beneficial.
 2. Please indicate what aspect of the administrative adjustment process you found to be most difficult.
 3. Please use the space below for any additional comments you would like to provide.
- As detailed in Figure A below, most respondents agreed or strongly agreed with the provided multiple choice questions, accounting for 60 to 70 percent of each survey question. A small minority provided a response of either disagree or strongly disagree, accounting for an average of 10 to 20 percent of each survey question.
 - Respondents were given the opportunity to freely report what they found most beneficial and most difficult about the administrative adjustment process. The first free-form response question asked respondents to indicate what aspect of the administrative adjustment process they found to be most beneficial. Overall, respondents indicated that the process is well organized, simple, and thoroughly explained. Respondents were appreciative of simply being informed of the actions that were to be taken on their case. One incarcerated obligor respondent indicated that the administrative adjustment was beneficial to him and his child's future as the action prevents him from falling further behind on his child support obligation. One custodial party did not find the administrative adjustment process to be at all beneficial to her or her children.
 - The second free-form response question asked respondents to please indicate what aspect of the administrative adjustment process they found to be most difficult. DCSS received varied responses to this question. Some respondents indicated that the administrative adjustment process was difficult to follow and did not make sense. One respondent cited that there are too many state departments involved and that it was difficult to identify each department's role. Some respondents indicated that the communication with the LCSA was strained and that it took some time to have their concerns addressed. One respondent specified that he is given a short amount of time after release to find employment and resume payments. According to this respondent, the pressure to meet his

obligation with limited resources leads to further debt and less opportunities in life.

Figure A. Ease of Process Survey Responses



In conclusion, most survey respondents replied favorably. Those that responded with disagreement, or were neutral, often cited past difficulty with their case or admonished the administrative adjustment process for being advantageous to the obligor. Due to the limited number of survey responses (only 5 percent of those surveyed), a conclusion regarding the overall ease of process cannot be reliably applied to the population of impacted cases.

5.2. Number of Cases Administratively Adjusted

As of August 17, 2018, DCSS identified **498** of 8,389 cases that contain an administrative adjustment pursuant to Family Code section 4007.5.

5.3. Number of Cases Adjusted by Court

As of August 17, 2018, DCSS identified **105** of 8,389 cases that contain a court adjustment pursuant to Family Code section 4007.5.

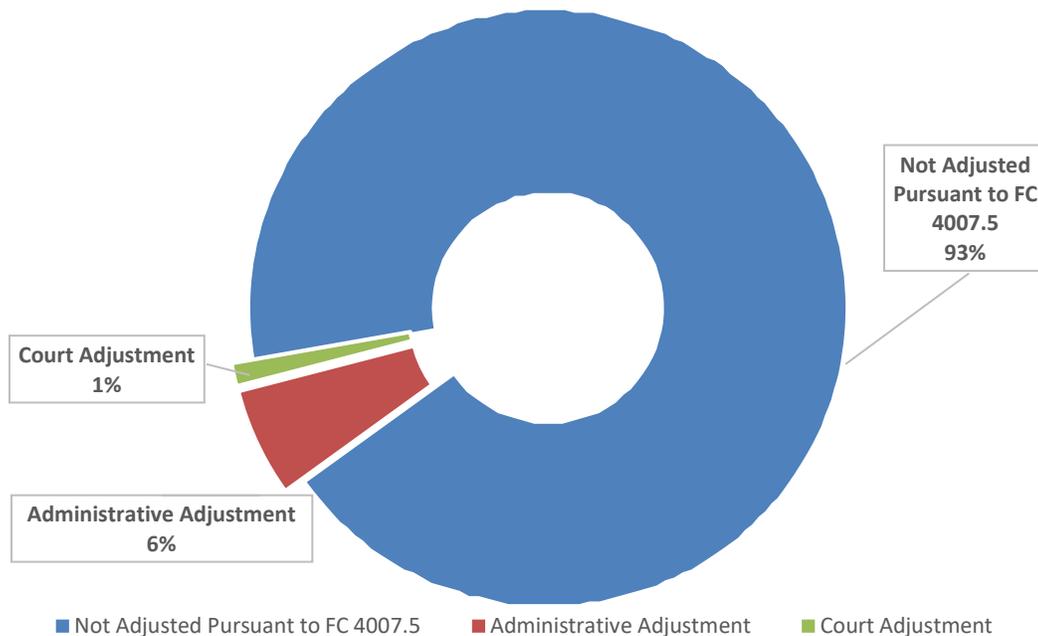
5.4. Number of Cases Not Adjusted Pursuant to Family Code Section 4007.5

As of August 17, 2018, DCSS identified **7,786** of 8,389 cases that were not adjusted pursuant to Family Code section 4007.5. This accounts for 93 percent of the 8,389 cases reviewed. The majority of these cases were modified to a zero-dollar order pursuant to California Code of Regulations, title 22, section 115500 due to the obligor’s incarceration or involuntary institutionalization. Many cases within this date were

excluded due to the exceptions outlined within Family Code section 4007.5(a)(1) and (2), or other methods of relief were pursued in the form of a review and adjustment of the court order or standard order attachments. Standard order attachments may be attached to LCSA pleadings and may include provisions addressing incarcerated or involuntarily institutionalized obligors. Information contained therein is considered to be a part of the court order itself. Additionally, the most commonly cited exclusion was related to domestic violence against the obligee and/or dependents on the case. Pursuant to section 4007.5(a)(2), incarceration or involuntary institutionalization that is a result of domestic violence against the supported party or child disqualifies the obligor from relief in the form of an administrative adjustment.

The CSE does not contain the necessary fields to indicate the reason for not pursuing an adjustment pursuant to Family Code section 4007.5. For that reason, a precise categorization for this section of the report cannot be determined. A system change request has been submitted to allow DCSS to ascertain this information with ease, should future reporting be required.

Figure B. Total Number of Adjustments by Type



5.5. Judicial Council of California Survey Results

The AB 1058 Child Support Commissioner and Family Law Facilitator Program is a mandated statewide court program to expedite the processing of child support cases

from LCSAs. The Judicial Council of California administers this program by overseeing budget administration, and providing required training for commissioners, facilitators, and other court staff, including certifying commissioners for the use of the California Guideline Child Support Calculator and other administrative duties. Additionally, a cooperative agreement between DCSS and the Judicial Council provides statewide program funding for the courts in exchange for the provision of specified court services that support the federal and state child support programs.

As previously stated, DCSS and the Judicial Council are required to report various information regarding the overall effectiveness of Family Code section 4007.5 to the Assembly Judiciary Committee and the Senate Judiciary Committee. In order to gather required data, the council sent out separate surveys to all of the child support commissioners and family law facilitators in the state. The survey requested information about the number of cases that qualified for relief under section 4007.5 and if relief was granted in court, administratively, or not at all. The surveys also requested information regarding the ease of the process for the participants and recommendations for changes. It should be noted that there is insufficient data from commissioners and facilitators regarding the number of cases that qualified for relief under section 4007.5; therefore, instead of providing hard numbers, general trends are being reported.

5.5.1 Child Support Commissioners

There are currently 84 child support commissioners in the state. While most commissioners work full time, some work part time and others hear matters in more than one county. The Judicial Council sent a survey to all 84 commissioners and received a total of 43 responses, accounting for 39 counties. Respondents reported hundreds of motions filed by obligors seeking relief under Family Code section 4007.5, with full or partial relief being granted in approximately half of those cases. Very few commissioners reported hearing motions filed by the LCSA after one of the participants objected to the proposed administrative adjustment. While the commissioners would not be aware of how many cases were adjusted administratively by the LCSA, some reported that they did refer obligors to an LCSA to seek such relief.

5.5.2 Family Law Facilitators

Each county is required to maintain a family law facilitator's office to provide the public with free education, information, and assistance with child support issues. In some of the smaller counties, one facilitator may provide services to multiple counties with a very small support staff, whereas courts in larger counties have multiple facilitator offices located throughout the county with numerous attorneys and support staff. The Judicial Council sent a survey to all the facilitators and received a total of 60 responses covering 43 counties. (Note: some facilitator offices sent back one survey for the entire

office, whereas in other offices staff sent back responses individually.) Respondents reported assisting approximately 1,000 or more obligors who were seeking to have their child support arrears adjusted due to periods of incarceration. Of that group, more than half appeared to be eligible for Family Code section 4007.5 relief. Of those cases, approximately one third were referred to the LCSA, with the remainder receiving information about or assistance with filing a motion requesting relief granted by the court. Finally, several respondents indicated that they assisted parties with objecting to the LCSA adjusting child support arrears administratively, with the majority of those parties being obligees.

5.5.3 Observations

Both surveys gave respondents the opportunity to state what improvements or changes could be made to the statute, based on their experience. None of the respondents commented that the law should be allowed to sunset, while at least one respondent stated the law should be made permanent. Some respondents felt that there could be greater communication between correctional facilities and DCSS, so the LCSA is aware when an obligor becomes incarcerated or involuntarily institutionalized. Additionally, several commented that more information needs to be available and a greater effort made at outreach so child support case participants are aware that Family Code section 4007.5 relief exists. It should be noted that the Final Rule issued by OCSE encourages states:

“[T]o actively establish partnerships with federal, state, local, and private prisons to conduct data matches to locate, as well as to educate incarcerated parents about the child support program. We encourage states to develop electronic interfaces with corrections institutions to maximize the identification of incarcerated parents and to implement outreach strategies designed to educate incarcerated parents of their rights to request reviews of their support orders, which will help to increase program efficiency.⁶”

6. Conclusion

Family Code section 4007.5 is a relatively recent addition to statute. While it allows LCSAs to retroactively adjust accounts and suspend current support, it does not solve the problem of having support resume so soon following release. Due to the limited availability of pertinent data, a correlative analysis cannot be performed. To provide

⁶ Office of Child Support Enforcement, *Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs Final Rule: Modification for Incarcerated Parents* (Jan. 5, 2017) p. 2.

conclusive findings, DCSS would need additional time to thoroughly evaluate the relevant data. DCSS has submitted a system change request to grant CSE the ability to assist with identifying case outcomes related to Family Code section 4007.5, permitting DCSS to prospectively (from system change forward) analyze section 4007.5–related data in a more efficient and thorough manner.