

The header features a dark blue background with three vertical bars on the left: a wide light blue bar, a narrower yellow bar, and a narrow light green bar. To the right of these bars are three overlapping hexagonal icons: a light blue hexagon with a scale of justice, a yellow hexagon with four hands reaching towards a central point, and a light green hexagon with a house and a heart inside.

**Welcome to the 26th Annual
AB 1058 Child Support
Training Conference**

[Notes] _____

Legislative Update 2022

Andi Liebenbaum, Attorney

Pronouns: she/ella

Judicial Council Office of Governmental Affairs

October 12, 2022



[Notes] _____

2022: IMPORTANT LEGISLATION

AB 207
(Committee on
Budget; Human
Services Trailer Bill)

AB 2960
(Judiciary
Committee;
Judiciary Omnibus)

SB 1182
(Eggman; Family
Law)

→ Details and
additional
information to
follow



[Notes] _____

2022: OTHER LEGISLATION OF INTEREST

AB 421
(Ward; Change of
gender and sex
identifier)

AB 1686
(Bryan; Child
welfare agencies)

AB 1726
(Aguiar-Curry; Safe
at Home program)

AB 1758
(Aguiar-Curry; Board
of Behavioral
Sciences)

AB 1759 (Aguiar-
Curry); Board of
Behavioral Sciences)

AB 1926
(Choi; Voluntary
Declaration of
Parentage)

SB 107
(Wiener; Gender-
Affirming Health
Care)

SB 1055
(Kamlager; Child
support
enforcement)



[Notes] _____

2021: FOLLOWING UP FROM LAST YEAR

AB 429
(Dahle; Confidentiality: parentage)



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

Amends FAM 4007.5

*“Child Support and Obligor Who Are Incarcerated”
Thursday, Oct. 13, 10:15 to 11:45*

- Existing law
 - Creates a presumption of inability to pay; suspends payments when the obligor is incarcerated or involuntarily institutionalized.
 - Presumption is rebuttable.
 - Reinstatement effective 1st day of 1st full month after release.
 - AB 207 says suspension of order effective the 1st day of 1st full month after i/ii.
 - More about 4007.5 →



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

Amends FAM 4007.5 con't.

- Clarifies existing law: involuntary confinement *includes* incarceration in federal prison.
- Expands suspension of payment to support that accrues on/after effective date regardless of when the order was established.
- Removes DV and failure to pay contempt exceptions.
- Eliminates the sunset provision for rules re. i/ii obligors.

WooHoo!!!



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

Amends FAM 4054

- Quadrennial review of the Statewide Uniform Guideline:
New data:
 - Labor market
 - Impacts of guideline policies on low-income families
 - Factors that influence employment and compliance
 - Analysis and comparison of case data
- JCC to expand consultation network to include “persons representing currently or formerly incarcerated obligor parents”



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

Amends FAM 4058

- States that when determining earning capacity, “the court shall consider the **specific circumstances of the parent**, to the extent known. Those circumstances include, but are not limited to, the parent’s **assets, residence, employment and earnings history, job skills, educational attainment, literacy age, health, criminal record** and other employment barriers, and **record of seeking work**, as well as the **local job market**, the availability of **employers willing to hire** the parent, **prevailing earnings** levels in the local community, and other relevant background factors affecting the parent’s ability to earn.”



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

Adds FAM 4077

- Requires the Department of Child Support Services (DCSS) and Judicial Council to meet and confer and prepare reports on legislative proposals to bring California into compliance with federal regulations.



[Notes] _____

AB 207 (Human Svcs. Trailer Bill; ch. 573)

- Adds FAM 17504.2
- Renumbers 17504.1 as 17504.4
- Adds 17504.6 to direct DCSS to address issues related to pass-through of funds and to evaluate the impacts of passed-through funds.



[Notes] _____

AB 2960 (Judiciary Omnibus; ch. 420)

- Amends FAM 4204
 - Requires the local child support agency to issue the FL-632 “Notice Regarding Payment of Support” to both the support obligor and obligee, and to file notice with the court, *both when engaging in and no longer providing services* related to their role in child support enforcement actions pursuant to IV-D.
- Amends FAM 17404.4
 - Requires (previously permitted) the DCSS or local child support agency to issue a notice to change payee on a support when exercising its jurisdiction under Family Code section 5700.319.



[Notes] _____

SB 1182 (Eggman; ch. 385)

Starting January 1, 2024...

- Amends FAM 211.5 (pertains to ALL family proceedings)
- Self-identifying veterans
- List of veterans' resources
- If MIL-100 filed, the court *shall* transmit a copy to DVA
- Amends FAM 3040: If mental illness is a factor in determining “best interests” in custody, the court shall provide a list of local mental health treatment resources.



[Notes] _____

2022 Legislation of Interest: Other

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- AB 1758 (Aguiar-Curry; Board of Behavioral Sciences)
- AB 1759 (Aguiar-Curry); Board of Behavioral Sciences)
- SB 107 (Wiener; Gender-Affirming Health Care)
- SB 1055 (Kamlager; Child support enforcement)



[Notes] _____

2022 Legislation of Interest: Other

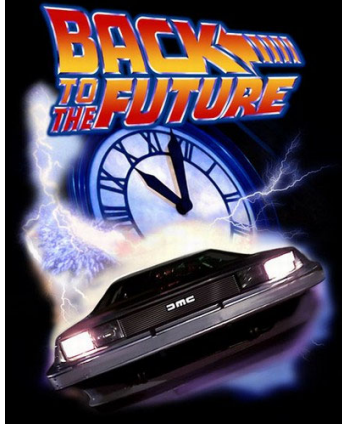


AB 1926 (Choi; Voluntary Declaration of Parentage)



[Notes] _____

And from the time machine...



AB 429 (Dahle;
Confidentiality:
parentage)

See new CRC 5.51

See FL-211



[Notes] _____

Legislative tid-bits (final thoughts):

- All not vetoed bills become effective on January 1, 2023, UNLESS:
 - Budget trailer bills (effective immediately).
 - They say so (delayed implementation).
- No bills carry over to 2023.
- Next session starts December 5, 2022, (and ends August 30, 2024).
- Please come back next year!



[Notes] _____

The End

Thank you!
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