



**Welcome to the 28th Annual
AB 1058 Child Support
Training Conference**

Senate Bill 343: Implementation of Law and Changes to Judicial Council Forms

Anna Maves, AB 1058 Program Manager, CFCC, Judicial Council of California

Oliver Greene, Attorney, CFCC, Judicial Council of California

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Flexibility, Efficiency and Modernization in Child Support Enforcement Programs Final Rule

New federal requirements for child support guidelines:

- Support orders must be based on **evidence of ability to pay**,
- Imputed or earning capacity income must be based on **specific circumstances of obligor**,
- Guidelines **may not substitute a standard amount**
- Guidelines must consider the **subsistence level needs of the obligor**, and
- **Incarceration cannot be treated as voluntary unemployment.**



California Legislation to Implement Federal Requirements

- **Assembly Bill 2960** (Stats. 2022, ch. 420)
 - Family Code §4204
- **Assembly Bill 207** (Stats. 2022, ch. 573)
 - Family Code §§ 4007.5, 4054, and 4058
- **Assembly Bill 343** (Stats. 2023, ch. 213)
 - Family Code §§ 4055, 4057, 4058, 4061 - 4063, 17400, 17404.1, 17430, and 17432
- **Assembly Bill 1148** (Stats. 2023, ch. 565)
 - Family Code § 4007.5



Major Forms Revision Required

- Judicial Council must:
 - Revise forms by September 1, 2024
 - 2 new forms,
 - 20 revised forms, and
 - 3 revoked forms
 - 3 forms revoke effective July 12, 2024
 - 6 forms effective September 1, 2024
 - 16 forms effective January 1, 2026



Changes Made by Assembly Bill 207

Signed by the Governor on September 27, 2022

Updated Family Code 4058 to Require:

- Consider 14 factors when using earning capacity
 - Parent's assets Employment and earning history
 - Residence Job skills
 - Education Literacy
 - Age Health
 - Criminal Record Record of Seeking Work
 - Local Job Market Employers Willing to Hire
 - Prevailing Earnings Other Relevant Background Factors

Updated Family Code 4007.5 to:

- Removed the sunset date
- Removed the exception to relief for certain crimes



Earning Capacity (Family Code § 4058(b))

FL-302, “Earning Capacity Factors Attachment”

FL-342, “Child Support Information and Order Attachment”

What about Governmental Child Support forms?



Find Your Court Forms website:

<https://www.courts.ca.gov/forms.htm>

Report to the Judicial Council Item 24-127 (July 12, 2024)

(Warning, large PDF)

<https://jcc.legistar.com/View.ashx?M=F&ID=13046654&GUID=FB62DA50-791F-4F57-989E-6C10A62FF5C5>



New Optional Form: FL-302, "Earning Capacity Factors Attachment" to Order, Judgment, or Request

OTHER PARENT/PARTY: _____

EARNING CAPACITY FACTORS ATTACHMENT

Attachment to:

- Child Support Information and Order Attachment (form FL-342)*
- Request for Order (form FL-300)*
- Judgment Regarding Parental Obligations (form FL-630)*
- Notice of Motion (form FL-680)*
- Summons and Complaint or Supplemental Complaint Regarding Parental Obligations (form FL-600)*
- Declaration for Amended Proposed Judgment (form FL-616)*
- Other (specify):*

This form is intended to be used for considering the earning capacity of one party. Attach a separate form FL-302 for each party whose earning capacity needs to be considered.

1. Earning capacity factors for (enter name of party): _____ under Family Code section 4058(b).

- a. **Attachment to judgment or court order (to be completed by court only).**
 The court determines that petitioner respondent other parent/party has the capacity to earn \$ _____ per month. This determination is in the best interests of the children, taking into consideration their overall welfare and developmental needs, and the time that parent spends with the children. The factors the court considered are listed below in item 2.
- b. **Attachment to request (to be completed by party).**
 Petitioner Respondent Other parent/party request the court determine that the petitioner respondent other parent/party has the capacity to earn \$ _____ per month.
 This request is in the best interests of the children, taking into consideration their overall welfare and developmental needs, and the time that parent spends with the children. The factors that the court is being asked to consider are listed below in item 2.

(If this form is attached to a request or declaration that is made under penalty of perjury, all statements in this attachment are made under penalty of perjury.)

2. **Specific circumstances.**
 The specific circumstances of the parent that demonstrate why the parent has the capacity to earn the amount listed in item 1 are (specify all that apply):

- a. The parent's assets (describe):



All FC 4058(b)(2) factors are listed

m. The availability of employers willing to hire the parent *(describe)*:

g. The parent's age *(describe)*:

2. b. The parent's residence *(describe)*:

h. The parent's health *(describe)*:

k. The parent's record of seeking work *(describe)*:

c. The parent's employment and earnings history *(describe)*:

2. e. The parent's education *(check all that apply)*:

(1) Parent completed high school or the equivalent.

(2) Parent attended college.

(a) Number of years of college completed *(specify)*:

(b) Degree obtained, if any *(specify)*:

(3) Parent attended graduate school.

(a) Number of years of college completed *(specify)*:

(b) Degree obtained, if any *(specify)*:

(4) Parent has a professional or occupational license *(specify)*:

(5) Parent has vocational training *(specify)*:

(6) Other *(describe)*:

n. The average earnings in the local community *(describe)*:

l. The local job market *(describe)*:

d. The parent's job skills *(describe)*:

j. The parent's other employment barriers *(describe)*:

a. The parent's assets *(describe)*:

f. The parent's ability to read and write *(check all that apply)*:

(1) Parent is unable to read write.

(2) Parent is able to read write in English.

(3) Parent is able to read write in another language *(specify)*:

(4) Other *(describe)*:

2. i. The parent's employment barriers due to incarceration *(describe)*:



o. Other relevant background factors affecting the parent's ability to earn (*describe*):



This form is intended to be used for considering the earning capacity of one party. Attach a separate form FL-302 for each party whose earning capacity needs to be considered.

1. **Earning capacity factors for** *(enter name of party):* _____ **under Family Code section 4058(b).**

a. **Attachment to judgment or court order** *(to be completed by court only).*

The court determines that petitioner respondent other parent/party has the capacity to earn \$ _____ per month. This determination is in the best interests of the children, taking into consideration their overall welfare and developmental needs, and the time that parent spends with the children. The factors the court considered are listed below in item 2.

Page ____ of ____

Family Code, §§ 4058, 17404
www.courts.ca.gov



FL-342 (Mandatory Form)

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

Attachment to: Findings and Order After Hearing (form FL-340) Judgment (form FL-180)
 Judgment (form FL-250) Restraining Order After Hearing (form DV-130)
 Other (specify):

THE COURT USED THE FOLLOWING INFORMATION IN DETERMINING THE AMOUNT OF CHILD SUPPORT:

1. A printout of a computer calculation and findings is attached and incorporated in this order for all required items not filled out below.

2. **Income**

a. Each parent's monthly income is as follows:

	Gross monthly income	Net monthly income	Receiving TANF/CalWORKs
Petitioner: \$	\$	\$	<input type="checkbox"/>
Respondent: \$	\$	\$	<input type="checkbox"/>
Other Parent/Party: \$	\$	\$	<input type="checkbox"/>

b. **Earning capacity.** The court finds that the (check all that apply):

- (1) petitioner has the ability to earn \$ _____ per month.
- (2) respondent has the ability to earn \$ _____ per month.
- (3) other parent/party has the ability to earn \$ _____ per month.
- (4) The factors used to calculate earning capacity under Family Code section 4058(b) are stated
 - (a) in *Earning Capacity Factors Attachment* (form [FL-302](#)).
 - (b) as follows (specify):

3. **Children of this relationship**

a. Number of children who are the subjects of the support order (specify):

Forms Requiring a Change Due to Family Code § 4007.5 Amendments

FL-192, “Notice of Rights and Responsibilities”

FL-490, “Application to Determine Arrears”

FL-676, “Request for Determination of Support Arrears”

FL-676 INFO, “Information Sheet: Request for Determination of Support Arrears”



<https://www.courts.ca.gov/forms.htm>



<https://www.courts.ca.gov/documents/fl490.pdf>



<https://www.courts.ca.gov/documents/fl676.pdf>



<https://www.courts.ca.gov/documents/fl676info.pdf>



FL-490

OTHER PARTY: _____

APPLICATION TO DETERMINE ARREARS

Attachment to *Request for Order* ([form FL-300](#))

Child support **Spousal or partner support** **Family support** **Medical support**
 Unreimbursed expenses **Unreimbursed medical expenses** **Other (specify):** _____

1. I ask that the amount of past due support payments (arrears) be decided in this case because *(check all that apply)*:
- a. I have already paid some all of the support ordered. Proof of payment is attached.
- b. The children for whom support is to be paid were living with me full time for the period from: _____
to: _____. I provided all of their support during that period. I am attaching a detailed declaration explaining these facts and supporting documentation, including any proof that the children were living with me.
- c. I could not pay child support because on or after **September 27, 2022**, I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).
- (1) I was confined during the following dates:
(a) Start date: _____ (b) Release date: _____
 Additional dates of confinement are listed on an attached page. ([Form MC-025](#) may be used for this purpose.)
- (2) I had no ability to pay child support while I was confined.
- d. I could not pay child support because from **October 8, 2015**, through **December 31, 2019**, or **January 1, 2021**, through **September 26, 2022**, my child support order was entered or modified, and I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).
- (1) I was confined during the following dates:
(a) Start date: _____ (b) Release date: _____
 Additional dates of confinement are listed on an attached page. ([Form MC-025](#) may be used for this purpose.)
- (2) I had no ability to pay child support while I was confined.
- (3) I was *not* confined for
(a) Domestic violence against the other parent or our child; or
(b) Failing to pay a child support order.
- e. Other (*specify*): _____

FL-676

OTHER PARTY: _____	CASE NUMBER: _____
REQUEST FOR DETERMINATION OF SUPPORT ARREARS	

INSTRUCTIONS

- Use this form if you disagree with the local child support agency about how much back support (arrears) is owed.
- Complete items 4–7. For more information about completing this form, see *Information Sheet: Request for Determination of Support Arrears* ([form FL-676-INFO](#)).
- After you fill out the request and any attachments, take the originals plus three copies to the court clerk to file.
- After you file, copies of your court papers must be "served" on the local child support agency and the other party in the case, and you must file a proof of service with the court. See ([form FL-676-INFO](#)) for more information about serving the request.
- Make sure you go to the court hearing listed in item 1.
- For help completing this form, talk to the [family law facilitator](#) in your county.

NOTICE OF HEARING

1. A hearing on this application will be held as follows:

a. Date: _____ Time: _____ Dept: _____ Div: _____ Room: _____

b. The address of the court is same as noted above Other (*specify*): _____

2. **WARNING to the person served with this request:** The court may make the requested orders without you if you do not file a *Response to Governmental Notice of Motion or Order to Show Cause* ([form FL-685](#)) and appear at the hearing. See [form FL-676-INFO](#) for more information about filing a response.

3. The local child support agency is providing support enforcement services in this case.

4. Person making this request

a. My name is: _____

b. I am the:

(1) Petitioner

(2) Respondent

(3) Other (*specify*): _____

FL-676

b. I could not pay child support because on or after **September 27, 2022**, I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).

(1) I was confined during the following dates:

(a) Start date: _____

(b) Release date: _____

Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)

(2) I had no ability to pay child support while I was confined.

c. I could not pay child support because from **October 8, 2015**, through **December 31, 2019**, or **January 1, 2021**, through **September 26, 2022**, my child support order was entered or modified, and I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).

(1) I was confined during the following dates:

(a) Start date: _____

(b) Release date: _____

Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)

(2) I had no ability to pay child support while I was confined.

(3) I was *not* confined for

(a) Domestic violence against the other parent or our child; or

(b) Failing to pay a child support order.

d. The child support order entered on (*date*): _____ was stopped (suspended) because the order says it would stop (*specify the reasons why and attach applicable proof*):

e. Other (*specify*):

I have attached (*check all that apply*):

a. a *Declaration of Payment History* ([form FL-420](#)),

b. a *Payment History Attachment* ([form FL-421](#)),

c. a printout listing support payments received by the local child support agency.

d. proof of incarceration or confinement.

e. Other (*specify*): _____

FL-676-INFO

How do I get a court date?

Step 1: Fill out the form (in black or blue ink)

❶ Put your name, address, and contact information at the top of the form. Next, enter the court name and address. Then insert the names of the Petitioner, Respondent, and Other Party, and the case number. (You can find this information on your child support order.)

❷ Tell the court why you want the back child support (arrears) changed.

- *Item 1:* Leave blank. The court will fill this out.

- *Item 5a:* Tell the court if you asked for the local child support agency to conduct an administrative review of support payments received.*

- *Item 5b:* Tell the court if you've attached a printout listing payments received by the local child support agency.*

(*Note: You can file this request without first asking for an administrative review or attaching a printout from the local child support agency.)

- *Item 6a:* Attach your own support payment history, breaking down how much was owed and how much was paid each month. (You can use forms [FL-420](#) and [FL-421](#) for this purpose.)

- *Item 6b:* Tell the court if on or after **September 27, 2022**, you were confined against your will for more than 90 days in a row and had no money available to pay child support.

FL-676-INFO

- **Item 6c:** Tell the court if from **October 8, 2015**, through **December 31, 2019**, or from **January 1, 2021**, through **September 26, 2022**:
 - (1) your child support order was made or modified,
 - (2) you were confined against your will for more than 90 days in a row during that time frame,
 - (3) you had no ability to pay support, AND
 - (4) you were *not* confined for failing to pay child support or domestic violence against the other parent or the child.
 - **Items 6b & 6c:** List the start and release dates of your confinement. If you have additional dates of confinement, check the box and list the dates on an attached page. (You can use [Form MC-025](#) for this purpose.) Attach proof for each time period. If you have questions about getting proper proof or concerns about presenting sensitive information to the court, talk to the [facilitator in your county](#).
 - **Item 6d:** Tell the court if the order gives other reasons for stopping (suspending) child support.
 - **Item 6e:** If the other items don't apply, tell the court why the back support should be adjusted.
 - **Item 7:** Tell the court what paperwork (evidence) you have attached to your request.
- ③ Enter the date, print your name, and sign the form

Changes Effective September 1, 2024

- **California's Guideline Child Support Formula**
 - K – the percentage of income allocated for child support
 - The Low-Income Adjustment
- **New Deviation Criteria**
- **Change in Apportionment of Add-ons**
- **Expands Reimbursement of Expenses**
- **Extended Restart Date for Incarcerated Obligor**
- **Notice Regarding Payment of Support**



Changes to the K-factor in the Formula

$$CS = K[HN - (H\%)(TN)]$$

Pre-September 2024

Total Net Disposable Income per Month	K
\$0 - \$800	$0.20 + TN/16,000$
\$801 - \$6,666	0.25
\$6,667 - \$10,000	$0.10 + 1,000/TN$
Over \$10,000	$0.12 + 800/TN$

September 1, 2024

Total Net Disposable Income per Month	K
\$0 - \$2,900	$0.165 + TN/82,857$
\$2,901 - \$5,000	$0.131 + TN/42,149$
\$5,001 - \$6,666	0.25
\$6,667 - \$10,000	$0.10 + 1,499/TN$
Over \$10,000	$0.12 + 1,200/TN$

Changes to the Low-Income Adjustment

- Low-income adjustment threshold based on full-time gross minimum wage.
- The lowest amount in the LIA range is presumed correct.
- The LIA range must be displayed on the calculation.



Low-Income Adjustment on Forms

FL-342

FL-530

FL-630

FL-665

FL-687

FL-688

FL-692

FL-342 Low-Income Adjustment change

- Before:

THE COURT ORDERS

5. **Low-income adjustment**

a. The low-income adjustment applies.

b. The low-income adjustment does not apply because *(specify reasons)*: _____

- After:

5. **Low-income adjustment**

a. The low-income adjustment applies at the lowest amount of the range.

b. The lowest amount of the low-income adjustment has been rebutted and does not apply because *(specify reasons)*: _____



Changes to Family Code 4057



New Deviation Criteria:

- NCP qualifies for LIA, and
- Child support exceeds 50% of the net after LIA is applied
- CAVEAT: The adjustment can't be more than 50% of the NCP's net income.

Multiple Child Support Orders:

- Where NCP has multiple child support orders, the court *may* determine how to allocate the **income** and **support obligations** across cases.



How many forms list the FC 4057(b) deviation factors?

- FL-342(A),
- FL-693,
- And that's it



FL-342(A), Non-Guideline Child Support Findings Attachment (Mandatory Form)

NON-GUIDELINE CHILD SUPPORT FINDINGS ATTACHMENT

Attachment to Child Support Information and Order Attachment (form FL-342)
 Other (specify):

The court makes the following findings required by Family Code sections 4056, 4057, and 4065:

STIPULATION TO NON-GUIDELINE ORDER

1. The child support agreed to by the parties is below or above the statewide child support guideline. The amount of support that would have been ordered under the guideline formula is: \$ _____ per month. The parties have been fully informed of their rights concerning child support. Neither party is acting out of duress or coercion. Neither party is receiving public assistance and no application for public assistance is pending. The needs of the children will be adequately met by this agreed-upon amount of child support. If the order is below the guideline, no change of circumstances will be required to modify this order. If the order is above the guideline, a change of circumstances will be required to modify this order.

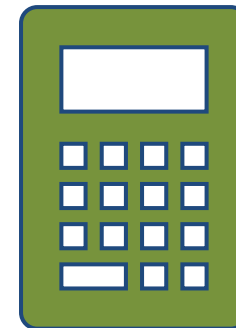
OTHER REBUTTAL FACTORS

2. Support calculation
- a. The guideline amount of child support calculated is: \$ _____ per month payable by petitioner respondent other parent/party
- b. The court finds by a preponderance of the evidence that rebuttal factors exist. The rebuttal factors result in an increase decrease in child support. The revised amount of support is: \$ _____ per month.
- c. The court finds the child support amount revised by these factors to be in the best interest of the children and that application of the formula would be unjust or inappropriate in this case under Family Code section 4057(b). These changes remain in effect until (date): _____ until further order
- d. The factors are:
- (1) The sale of the family residence is deferred under Family Code section 3800, and the rental value of the family residence in which the children reside exceeds the mortgage payments, homeowners insurance, and property taxes by: \$ _____ per month.
 - (2) The parent ordered to pay support has extraordinarily high income, and the amount determined under the guideline would exceed the needs of the children.
 - (3) The parent ordered to pay support person ordered to receive support is not contributing to the needs of the children at a level commensurate with that party's custodial time.
 - (4) After application of the low-income adjustment, guideline child support would be greater than 50 percent of the net disposable income of the parent ordered to pay support.



Child Support Add-Ons

- Add-ons divided in proportion to the parents' net incomes, unless a party or the court, on its own motion, requests a different amount.
- Childcare must be “actually incurred.”
- Reimbursement process:
 - Uninsured health care reimbursement = to childcare expenses
- Reimbursement requests must be sent with 90 days



Another Change to Family Code 4007.5

Assembly Bill 1148 amended Family Code 4007.5 effective January 1, 2024

- Extended the date child support resumes to the first day of the 10th month after release
- But allows the CP or LCSA to seek reinstatement of the obligation if NCP is employed earlier
- The amount will be determined by the court.



FL-192, “Notice
of Rights and
Responsibilities
Regarding Child
Support”

NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT

Childcare and Health Care Costs and Reimbursement Procedures

Your child support order may include a provision for payment of childcare or uninsured health care costs. Childcare costs may be included as part of the monthly child support payment or reimbursable as a percentage of the costs. If the childcare costs are included as part of the monthly child support payment, you must pay that amount each month until the court changes (modifies) the child support order. If you need to change your child support order because there has been a change in the cost of childcare, see page 2.

If you have a child support order that includes a provision for the reimbursement of a percentage of childcare costs or a portion of the child's or children's health care costs and those costs are not paid by insurance, the law says:

- 1. **Notice.** You must give the other parent an itemized statement of the charges that have been billed for any childcare costs or health care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 90 days after those costs were given to you.

- a. **Disputed requests for payment.** If you dispute a request for payment made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay the requested amount before filing your request.
- b. **Nonpayment.** If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute.
- c. **Paid charges.** The court will presume that if uninsured health care costs or childcare costs for employment or necessary training for job skills have been paid, those costs were reasonable. If you want to dispute paid charges, you will have to show the court that the costs were unreasonable.
- d. **Attorney's fees.** If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.

FL-192

Information About Child Support for Incarcerated or Confined Parents

1. **Child support.** As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

Exception. Child support does not automatically stop if the parent who has to pay has money available to pay child support.

2. **Past confinement.** Child support also automatically stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

Exceptions for past confinement. Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

3. **Timing.** The date child support automatically restarts will depend on the parent's release date. If you need to change your child support order, see page 2.

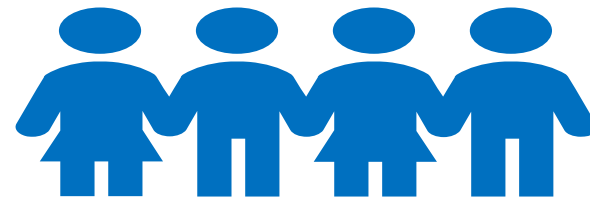
- a. **If released before January 1, 2024,** child support automatically restarts the first day of the first full month after the parent is released.
- b. **If released after January 1, 2024,** child support will automatically restart the first day of the 10th month after the parent is released.

Employment before the 10-month period ends: If the parent who has to pay support starts working before the date child support is set to automatically restart, the person who is owed support or the local child support agency can request the court restart the child support order early. The court may order a different amount of child support if appropriate.

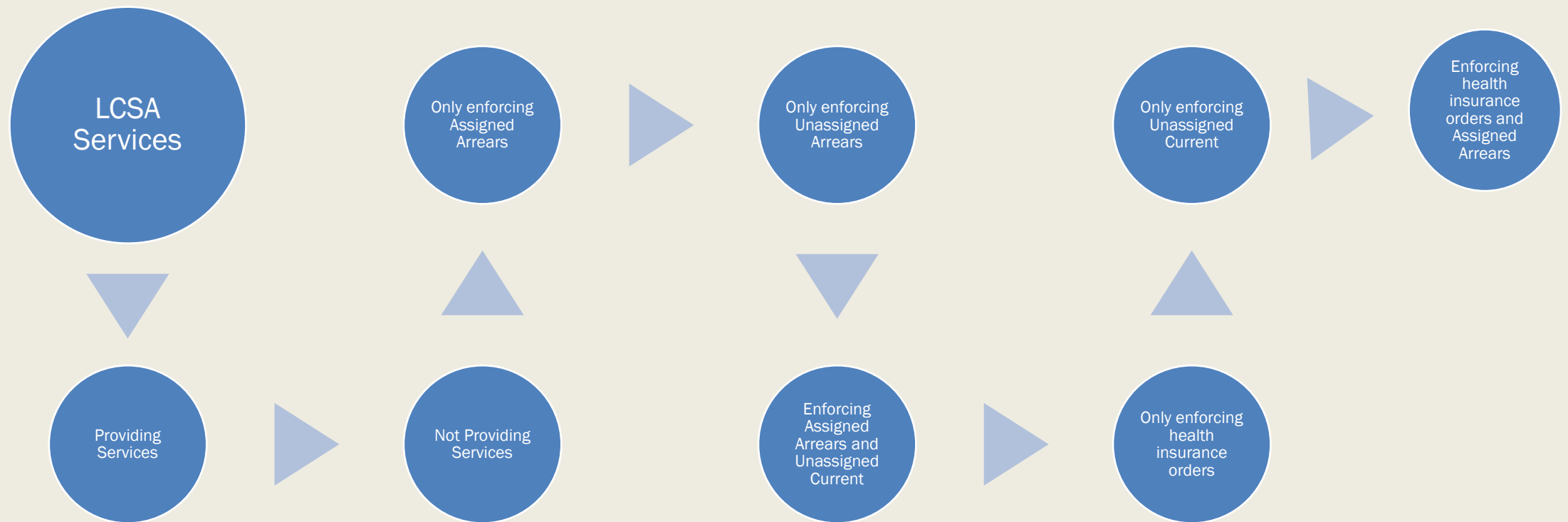
4. **More info.** For more information about child support and incarcerated parents, see [Family Code section 4007.5](#) or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>. You can also contact the family law facilitator in your county and can find them here: www.courts.ca.gov/selfhelp-facilitators.htm.

Notice Regarding Payment of Support

- AB 2960 amended Family Code 4204
- Previously – LCSA *may* provide notice when it start to provide services.
- Now – LCSA **must** notify the parents and court:
 - When it starts to provide enforcement services, **AND**
 - When it stops provide enforcement services.



FL-632, “Notice Regarding Payment of Support” (NRPS)



FL-632

PETITIONER:
RESPONDENT:
OTHER PARENT/PARTY:

NOTICE REGARDING PAYMENT OF SUPPORT

NOTICE OF ASSIGNED SUPPORT SUBSTITUTION OF PAYEE

INFORMATION ABOUT THIS FORM

- This form is used to tell the parents and the court when the local child support agency is or is not enforcing support orders in this case.
- For more information about this form, see *Information Sheet: Notice Regarding Payment of Support* (form [FL-632-INFO](#)).



FL-632

1. a. The parent ordered to pay support is the: Petitioner Respondent Other Parent/Party
(specify name and address):
- b. The person ordered to receive support is the: Petitioner Respondent Other Parent/Party
(specify name and address, if parent is payee):
2. The substituted payee is:
- a. The local child support agency (specify name and address):
- b. Other (specify name and address):

NOTICE TO THE CLERK:

If item 3b is checked, no matters should be heard by a child support commissioner.

The following matters should be heard by a child support commissioner, unless one is not available due to exceptional circumstances (Fam. Code, §§ 4250–4252): A request to modify ongoing child support, if Item 3a(1) is checked; a request to determine back support (arrears) if item 3a(2) or 3a(3) is checked; and a request regarding medical support if item 3a(4) is checked.

Page 1 of 3



FL-632

OTHER PARENT/PARTY: _____

3. a. The local child support agency is providing the following enforcement services in this case (*check all that apply*):
- (1) Current support
 - (2) Back support (arrears) owed to the parent listed in Item 1b
 - (3) Back support (arrears) owed for public assistance paid by the county
 - (4) Medical support
- b. The local child support agency is no longer providing any enforcement services in this case.

4. All payments must be made as follows:

- a. Payments collected by an Income Withholding Order must be sent to:
California State Disbursement Unit, P.O. Box 989067, West Sacramento, CA 95798-9067.
- b. All payments, **other than income withholding payments**, must be sent to (*check all that apply*):

Type of support	California State Disbursement Unit listed in Item 4a	Person listed in Item 1b
Current support	<input type="checkbox"/>	<input type="checkbox"/>
Back support (arrears) owed to the person listed in Item 1b	<input type="checkbox"/>	<input type="checkbox"/>
Back support (arrears) owed for public assistance paid by the county	<input type="checkbox"/>	<input type="checkbox"/>
Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/>

5. One of the parents has applied for and received public assistance for the children. This means that under California law they gave away (assigned) their right to receive support, while aid is being paid, to the county of (*specify*): _____
6. The substituted payee must be contacted when notice to a lienholder may or must be given. An abstract or notice of support judgment or support judgment was recorded as follows:

County Date of recording Instrument number Book number Page number



FL-632-INFO, “Information Sheet: Notice Regarding Payment of Support”

FL-632-INFO Information Sheet: Notice Regarding Payment of Support

When is form FL-632 used?

Form FL-632 is used to tell the parents and the court when the local child support agency is or is not enforcing support orders in this case. It is also used to identify who is the payee in the case.

What is a payee?

The form tells the parents and the court if support must be paid to one of the parents or the local child support agency. Whomever support must be paid to is called the “payee.”

- **Note:** Sometimes a parent who formerly received public assistance closes their case with the local child support agency but back support (arrears) could still be owed to the county for the time when aid was active. In this situation, current support would be owed to the parent, while this back support would be owed to the county, meaning both the parent *and* the local child support agency would be considered payees.

How does support get paid?

If the local child support agency is enforcing the support order, payments collected by Income Withholding Order must be made to the State Disbursement Unit at the following address: **California State Disbursement Unit, P.O. Box 989067, West Sacramento, CA 95798-9067.**

If the local child support agency stops enforcing current support or back support (arrears) owed to the parent listed in item 1b on form FL-632, this does not affect or change the child support order and child support must still be paid.

- Support must be paid directly to the parent listed in item 1b until a new *Income Withholding Order for Support* (form [FL-195](#)) is put in place. This will *not* happen automatically and it is the responsibility of one of the parents to submit the new Income Withholding Order to the court for approval and then have it delivered to the employer of the parent listed in item 1a on form FL-632.
- Each parent must also complete and deliver to the court a *Child Support Case Registry Form* (form [FL-191](#)) within 10 days of receiving a *Notice Regarding Payment of Support* (form [FL-632](#)) stating that the local child support agency has stopped enforcing current support or back support (arrears) owed to the parent listed in item 1b.

How can parents change the order?

The current child support order will remain the same unless one of the parents (or the local child support agency if they are enforcing current support) requests that the support order can be changed. Parents can change the support order in two different ways:

- If the parents agree to a new amount, they can complete, sign, and submit to the court a *Stipulation to Establish or Modify Child Support and Order* (form [FL-350](#)).
- If the parents don’t have an agreement, one of the parents can request a court hearing by filing a *Request for Order* (form [FL-300](#)) and an *Income and Expense Declaration* (form [FL-150](#)) and then having the papers served on the other parent. The judge will decide at the hearing how much support must be paid.

Note: If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.

Is the case assigned to a child support commissioner or a judge?

The following hearings will be in front of a child support commissioner, unless one is not available due to exceptional circumstances:

- A request to modify ongoing child support if the local child support agency is involved in your case and item 3a(1) is checked on form FL-632.
- A request to determine back support (arrears) if the local child support agency is involved in your case and item 3a(2) or 3a(3) is checked on form FL-632.
- A request regarding medical support if the local child support agency is involved in your case and item 3a(4) is checked on form FL-632.

A judge or other judicial officer will hear your case if the local child support agency is no longer providing any enforcement services in your case and item 3b is checked on form FL-632.

For information about hearings involving a child support commissioner and the local child support agency, visit: <https://selfhelp.courts.ca.gov/request-for-order/LCSA/hearing>.



FL-632

FL-632-INFO Information Sheet: Notice Regarding Payment of Support

How can parents get free help?

Every county has a family law facilitator who can:

- Explain the legal process;
- Give you free legal forms; and
- Help you fill out court papers.



Depending on your county, the facilitator may help you in person, online, or by phone. You can find the facilitator in your county here:

www.courts.ca.gov/selfhelp-facilitators.htm.

How do I contact the local child support agency?

If you have questions about form FL-632 or about your case with the local child support agency in general, call the Child Support Customer Connect line for more information: 866-901-3212.



Changes Effective January 1, 2026

- **Eliminated Presumed Income, But Allows Pleading Based on Earning Capacity**
- **If Proposed Judgment is Based on Earning Capacity Requires Default Hearing**
- **Allows for Set Aside Order Established by Default and Based on Earning Capacity**



Changes to Family Code 17400

- Three-Tiered Income Approach for Summons and Complaints.
 - Actual income
 - Earning capacity for under employed NCP's, and
 - Earning capacity where NCP's income is unknown using the 14 factors
- ~~Presumed Income~~
- Minimum search efforts for LCSA
- Earning capacity factors must be stated in the S & C



Defaults and Prove Up Hearings

- Actual income + no answer filed = default
- Earning capacity + no answer is filed = motion for judgment.
 - If NCP appears:
 - Participation is allowed.
 - Testimony and evidence can be considered.
 - Order a higher, lower, or the same guideline order.
 - If NCP does not appear:
 - Earning capacity factors considered
 - May inquire of the LCSA regarding the factors or anything relevant
 - State findings on the record
 - Order a lower or the same support order.
 - Enter a default judgment.



Additional Protections

- Extends Family Code 17432 protections to earning capacity orders entered by default
- Relief time period extended from one year to two years after LCSA's first collection via Income Withholding Order.
- Set aside not precluded by subsequent prospective modification



Questions



Thank you!

anna.maves@jud.ca.gov

oliver.greene@jud.ca.gov

