JUDICIAL COUNCIL OF CALIFORNIA

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M E M O R A N D U M

Date	**Action Requested**
December 12, 2014	Action Required
To	**Contact**
Family and Juvenile Law Advisory Committee	Michael L. Wright
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From

Michael L. Wright, Supervising
  Attorney/Program Manager
Center for Families, Children & the Courts

Subject

Child and Spousal Support Calculator
Software: Applications for Judicial Council
Certification from Legal+Plus Software
Group, Inc. and from Family Law Software

Family Code section 3830 required the Judicial Council, on or before January 1, 1994, to adopt a rule of court prescribing standards for software that calculates child or spousal support. It also states that no court shall use software to calculate support unless it conforms to the rule of court. The Judicial Council complied with section 3830 by adopting California Rules of Court, rule 1258 in December 1993. (Subsequently, rule 1258 was renumbered as rule 5.275.) The Judicial Council delegated its authority and the duty to certify software programs pursuant to rule 1258(b)(2) to the Family Law Subcommittee of the Family and Juvenile Law Advisory Committee at its November 30, 1993 meeting.

Two companies have applied for certification of their support calculation software, which requires the committee to make recommendations to the Judicial Council. Each is discussed below, with staff comments provided.

The first company is Legal+Plus Software Group, Inc. which has created a program called "FamilySoft" that calculates child and spousal support. Legal+Plus Software Group has developed child support guideline software for eight states, including California.

The second company is Family Law Software and its program is called by this name. Family Law Software has developed child support guideline software for 21 states, including California, as well as for Canada.

Webinar demonstrations were held on May 8, 2014 of Legal+Plus's program and on May 19, 2014 of Family Law Software's program. At the webinars, each applicant company made their software available for committee members to download to do their own hands-on testing and calculations.

In order to provide analysis and information to committee members in formulating its recommendations, Judicial Council staff completed a review of each calculator to determine compliance with the standards under rule 5.275. Staff activities included the following:

- Review of California Rules of Court, rule 5.275 to identify all standards and requirements for certification
- Developing certification checklist template incorporating these certification requirements
- Obtaining access to the software and review completed for each element of the rule
- Reviewing test scenarios submitted by the developers and running independent calculations to determine accuracy
- Developing additional test scenarios and running calculations using the software proposed for certification and independent calculations and reviewing results to determine accuracy
- Contacting developers regarding any areas needing clarification or any deficiencies
- Follow-up review and/or testing on any updates provided by the developers

Issue 1: Should the committee recommend to the Judicial Council that it certify Legal+Plus's support calculation program FamilySoft?

As indicated by the certification checklist, the FamilySoft program does satisfy all California Rules of Court, rule 5.275 elements. Therefore, staff recommends that the committee recommend Judicial Council certification.

Issue #2: Should the committee recommend to the Judicial Council that it certify the Family Law Software support calculation program?

As indicated by the certification checklist, the Family Law Software program does satisfy all California Rules of Court, rule 5.275 elements. Therefore, staff recommends that the committee recommend Judicial Council certification.

Additional Information: Judicial Delegation of Authority to Family and Juvenile Law Advisory Committee. In 1993, the Judicial Council delegated its authority regarding certification of child support calculator software to the Family and Juvenile Law Advisory Committee. The most recent certification of a child support calculator was initial certification of the DCSS Calculator in 2006.

Additional Information: Qualitative Calculator Features Beyond Certification Standards. The calculator certification process focuses exclusively on the technical standards set out in California Rules of Court, rule 5.275. While not a certification issue, individual software users evaluate any given calculator product based on what optional functions are available, user friendly features, screen layout including drop down menus, quality of help functions, and whether the calculator addresses the specific needs of a category of users such bench officers, attorneys, self-represented litigants and other users. These issues have typically been addressed in two ways (1) feedback to the particular developer regarding modification to include desired features or (2) exercise user discretion to use any of the other certified calculators whose features are a better match to the user's needs. Both of the developers who have submitted requests for software certification have indicated a willingness to accept input from users including judges, commissioners and attorneys and to consider modifications on non-certification features of the software. Under rule 5.275 courts may use any certified calculator of their choice in doing their own calculations and courts must accept any calculation from parties or attorneys that uses any certified calculator. Based on input from members of the advisory committee, it would be helpful to developers going forward for the committee to be able to contribute to development and staff would be happy to assist with coordinating that effort.