

Title	Child Support: Protection of Obligor Social Security Number (revise form FL-480)
Summary	The proposed form revision would clarify changes made to the Family Code by Senate Bill 40 (Stats. 2009, ch. 552) regarding social security numbers on abstracts of support judgment.
Source	Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs
Staff	Anna Maves, 916-263-8624, anna.maves@jud.ca.gov

Form FL-480, *Abstract of Support Judgment*, would be revised at item 1.c. to instruct users to provide only the last four digits of the child support obligor’s social security number consistent with the requirements of Senate Bill 40 (Stats. 2009, ch. 552).

Senate Bill 40 requires that an abstract of judgment ordering a party to pay support contain only the last four digits of the social security number of the judgment debtor. FL-480 item 1.c. provides a space for the judgment debtor’s social security number. The proposal would clarify that only the last four digits of the social security number need to be provided on the form.

The proposed form is attached at page 2.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address):

Recording requested by and return to:

TELEPHONE NO.:

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

PETITIONER/PLAINTIFF:

RESPONDENT/DEFENDANT:

FOR RECORDER'S USE ONLY

**DRAFT 3 icb
01/25/10
Not approved by the
Judicial Council**

ABSTRACT OF SUPPORT JUDGMENT

CASE NUMBER:

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of a support judgment and represents the following:

a. Judgment debtor's

name and last known address

b. Driver's license no. and state:

Unknown

c. Social security number: XXX-XX-____ (provide only last four digits)

Unknown

d. Birth date:

Unknown

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

2. I CERTIFY that the judgment entered in this action contains an order for payment of spousal, family, or child support.

3. Judgment creditor (name):

whose address appears on this form above the court's name.

4. The support is ordered to be paid to the following county officer (name and address):

5. Judgment debtor (full name as it appears in judgment):

6. a. A judgment was entered on (date):

b. Renewal was entered on (date):

c. Renewal was entered on (date):

7. An execution lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

8. A stay of enforcement has

a. not been ordered by the court.

b. been ordered by the court effective until (date):

9. This is an installment judgment.

[SEAL]

This abstract issued on (date):

Clerk, by _____, Deputy

SB 40, Correa. Personal information: social security numbers.

Existing law requires any person, entity, or government agency that is presenting a document for recording or filing with a county recorder to only list the last 4 digits of a social security number. Existing law also requires a county recorder to use due diligence to truncate social security numbers in the public record version of official records.

This bill would provide that a document containing more than the last 4 digits of a social security number is not entitled for recording. This bill would also provide that a recorder shall be deemed to be in compliance if he or she uses due diligence to truncate social security numbers in documents recorded, as provided.

Existing law requires an abstract of judgment ordering a party to pay spousal, child, or family support to contain the social security number of the party who is ordered to pay.

This bill would instead require an abstract of judgment to contain only the last 4 digits of the social security number of the party who is ordered to pay.

The provisions of this bill would not apply to documents created prior to January 1, 2010.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1798.89 of the Civil Code is repealed.

SEC. 2. Section 1798.89 is added to the Civil Code, to read:

1798.89. (a) Unless otherwise required to do so by state or federal law, no person, entity, or governmental agency shall present for recording or filing with a county recorder a document that is required by any provision of law to be open to the public if that record displays more than the last four digits of a social security number. Unless otherwise authorized by state or federal law, a document containing more than the last four digits of a social security number is not entitled for recording.

(b) A recorder shall be deemed to be in compliance with the requirements of this section if he or she uses due diligence to truncate social security numbers in documents recorded, as provided in Article 3.5 (commencing with Section 27300) of Chapter 6 of Part 3 of Division 2 of Title 3 of the Government Code.

(c) This section shall not apply to documents created prior to January 1, 2010.

SEC. 3. Section 4506 of the Family Code is amended to read:

4506. (a) An abstract of a judgment ordering a party to pay spousal, child, or family support to the other party shall be certified by the clerk of the court where the judgment was entered and shall contain all of the following:

(1) The title of the court where the judgment is entered and the cause and number of the proceeding.

- (2) The date of entry of the judgment and of any renewal of the judgment.
- (3) Where the judgment and any renewals are entered in the records of the court.
- (4) The name and last known address of the party ordered to pay support.
- (5) The name and address of the party to whom support payments are ordered to be paid.
- (6) Only the last four digits of the social security number, birth date, and driver's license number of the party who is ordered to pay support. If any of those numbers are not known to the party to whom support payments are to be paid, that fact shall be indicated on the abstract of the court judgment. This paragraph shall not apply to documents created prior to January 1, 2010.
- (7) Whether a stay of enforcement has been ordered by the court and, if so, the date the stay ends.
- (8) The date of issuance of the abstract.
- (9) Any other information deemed reasonable and appropriate by the Judicial Council.

(b) The Judicial Council may develop a form for an abstract of a judgment ordering a party to pay child, family, or spousal support to another party which contains the information required by subdivision (a).

(c) Notwithstanding any other provision of law, when a support obligation is being enforced pursuant to Title IV-D of the Social Security Act, the agency enforcing the obligation may record a notice of support judgment. The notice of support judgment shall contain the same information as the form adopted by the Judicial Council pursuant to subdivision (b) and Section 4506.1. The notice of support judgment shall have the same force and effect as an abstract of judgment certified by the clerk of the court where the judgment was entered. The local child support agency or other Title IV-D agency shall not be subject to any civil liability as a consequence of causing a notice of support judgment to be recorded.

(d) As used in this section, "judgment" includes an order for child, family, or spousal support.

Item SPR10-27 Response Form

Title: **Child Support: Protection of Obligor Social Security Number**(revise form FL-480)

- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

- Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

To Submit Comments

Comments may be submitted online, written on this form, or prepared in a letter format. If you are *not* commenting directly on this form, please include the information requested above and the proposal number for identification purposes. Please submit your comments online or email, mail, or fax comments. You are welcome to email your comments as an attachment.

Internet: <http://www.courtinfo.ca.gov/invitationstocomment/>

Email: invitations@jud.ca.gov

Mail: Ms. Camilla Kieliger
Judicial Council, 455 Golden Gate Avenue
San Francisco, CA 94102

Fax: (415) 865-7664, Attn: Camilla Kieliger

DEADLINE FOR COMMENT: 5:00 p.m., Friday, June 18, 2010

Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee. All comments will become part of the public record of the council's action.