



Judicial Council of California

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INVITATION TO COMMENT

SPR26-22

Title

Family Law: Certification, Review, and Use of Computer Software to Assist in Determining Support

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rule 5.275

Proposed by

Family and Juvenile Law Advisory Committee
Hon. Tari L. Cody, Cochair
Hon. Stephanie E. Hulsey, Cochair

Action Requested

Review and submit comments by May 18, 2026, to invitations@jud.ca.gov

Proposed Effective Date

January 1, 2027

Contact

Marina Soto, 916-643-6906
marina.soto@jud.ca.gov

Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes circulating for comment amendments to rule 5.275 of the California Rules of Court that were previously approved without the benefit of public comment. The committee also proposes additional amendments to rule 5.275 to ensure the continued availability and accuracy of software used to assist courts in determining support, promoting transparency in the certification procedures, and ensuring all certified support calculators perform in a manner consistent with the Family Code and rules of court. In addition to substantive changes, the committee also proposes minor technical and grammatical changes.

Background

To assist parents, attorneys, and the courts in determining the correct support amount under California's complex child support guideline, various electronic calculators have been developed. However, Family Code section 3830 prohibits courts from using any software to assist in determining child support or spousal support unless it meets Judicial Council standards designed to ensure compliance with applicable statutes and rules of court.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Rule 5.275 sets forth standards as well as the requirements for the certification of support software. While parties, attorneys, and the courts are generally allowed to use any support calculator certified by the Judicial Council, rule 5.275(j) requires the use of the Department of Child Support Services' California Child Support Guideline Calculator (DCSS Calculator) in support actions involving the local child support agency.

The Judicial Council is required to test software submitted by developers to ensure it accurately calculates support and otherwise meets the standards provided in rule 5.275. In order to be certified for use by the courts, support calculator software must, among other things:

- Accurately compute each parent's net disposable income;¹
- Calculate child support that is accurate to within 1 percent of the correct amount;² and
- Display, on the first page of the generated results, the range of the low-income adjustment permitted by Family Code section 4055(b)(7).³

Under rule 5.275(c), the Judicial Council's certification of a support calculator for use by the courts automatically expires one year from the date of its issuance, typically March 31. However, the council is authorized to provide for earlier expiration if the provisions involving the calculation of tax consequences change or other provisions involving the calculation of support change.⁴ The Judicial Council also has discretion to require recertification if modifications are made to the software during the certification period.⁵

The Proposal

Recent amendments to rule 5.275

On December 12, 2025, the Judicial Council approved amendments to rule 5.275, without public comment, to allow courts and parties to use an alternate child support calculator in title IV-D child support actions (actions involving the local child support agency) to avoid the issuance of inaccurate child support orders resulting from DCSS's failure to update and submit its calculator for an out-of-cycle recertification review following retroactive changes made to federal tax law in 2025.⁶ The amendments also authorized the Judicial Council to revoke certification in certain

¹ Cal. Rules of Court, rule 5.275(b)(1).

² Cal. Rules of Court, rule 5.275(b)(2).

³ Cal. Rules of Court, rule 5.275(b)(6).

⁴ Cal. Rules of Court, rule 5.275(c)(1).

⁵ Cal. Rules of Court, rule 5.275(f).

⁶ The amendments approved in December are highlighted in gray in the rule text attached at pages 10–15. The committee welcomes comments on this previously approved content (gray highlighting) in addition to the changes shown in underline and strikethrough. For a detailed discussion of the urgent circumstances that led to these amendments, see Judicial Council of Cal., Advisory Com. Rep., *Family Law: Certification and Use of Computer Software Used to Assist in Determining Support* (Nov. 25, 2025), jcc.legistar.com/View.ashx?M=F&ID=14995251&GUID=08C83D34-171B-4EC8-9FA9-B01D63E1C43C.

circumstances. The committee now seeks public comment on the amendments approved in December, which are summarized below.

Rule 5.275(c)

Rule 5.275(c)(1) allows the Judicial Council to advance an existing certification expiration date if there is a change in state or federal tax law that affects the calculation of tax consequences for the purposes of support. However, prior to the amendment that went into effect on December 13, 2025, the rule did not authorize the Judicial Council to revoke an existing certification for a calculator that has not been retested for accuracy when such a change occurs. To avoid ambiguity arising from a developer’s failure to submit its calculator for retesting by a provided deadline, the Judicial Council took action to amend the rule to add language at subdivision (c) that allows the Judicial Council to revoke any calculator’s certification if a developer fails to submit its calculator for review and testing, as requested by the council to ensure that the calculator continues to meet the accuracy standards under subdivision (b).⁷

Rule 5.275(j)

As a condition of federal funding of the child support program in California, the State of California, through DCSS, was required to develop a statewide automated case management system.⁸ One of the requirements for the automated system is that it include an integrated child support calculator.⁹ To be considered a statewide integrated computerized enforcement system, courts are required to use the DCSS Calculator in title IV-D support actions.¹⁰

In conformity with the federal mandate, rule 5.275(j) requires that the DCSS Calculator be used by the parties, attorneys, and courts in proceedings in which the local child support agency provides services. Before December 13, 2025, the rule was silent on what the parties, attorneys, and courts should do in the event DCSS fails to successfully renew its certification or the DCSS Calculator becomes inaccessible due to events such as a system outage. Given the complexity of the algebraic formula on which California’s child support guideline is based, the inability of courts to use an alternate calculator in title IV-D actions due to the unavailability of the DCSS Calculator would significantly impair a court’s ability to accurately, quickly, and efficiently establish or modify child support orders, contrary to state policy favoring timely and accurate

⁷ Judicial Council staff would provide notice of the revocation to all court executive officers and presiding judges. A separate notice would also be sent directly to the AB 1058 child support commissioners if the revocation involved the DCSS Calculator. In addition, notice of the revocation would be provided on the California Courts public website that provides information about which calculators are certified and the status of their certification (courts.ca.gov/programs-initiatives/families-and-children/family-law/ab-1058-child-support-program/guideline-support-calculators).

⁸ Family Support Act of 1988 (Pub.L. No. 100-485 (Oct. 13, 1988) 102 Stat. 2343); 42 U.S.C. §§ 602(a)(2), 654(16) & (24), 654a.

⁹ 45 C.F.R. §§ 302.56, 302.85(a)(1), 307.10(b), 307.11; U.S. Dept. of Health & Human Services, Administration for Children and Families, Office of Child Support Services, *Automated Systems for Child Support Enforcement: A Guide for States* (2017), p. 32, acf.gov/sites/default/files/documents/ocse/certification_guide_2017_final.pdf.

¹⁰ 45 C.F.R. §§ 307.1(h), 30.10(b), 307.11.

support determinations.¹¹ To avoid this negative outcome, the Judicial Council approved an amendment to rule 5.275(j) that allows for the use of an alternate calculator when the certification of the DCSS Calculator has been revoked or Judicial Council staff determines that the DCSS Calculator is inaccessible for use.¹² The rule additionally provides that alternative certified software may be used until council staff notify the courts that the DCSS Calculator has been recertified or is available for use again. Rule 5.275(j)(1) was also amended to correct the name of the DCSS Calculator to the “Department of Child Support Services’ California Child Support Guideline Calculator.”

New proposed amendments

In addition to inviting comment on the prior amendments discussed above, the committee proposes amendments to rule 5.275 to:

- Require that guideline calculators display, as the basic guideline child support result, the lowest child support amount within the low-income adjustment range to ensure all certified support calculators perform in a manner consistent with the Family Code;
- Give Judicial Council staff the ability to grant a short extension of the certification expiration date in limited circumstances;
- Clarify that the Judicial Council’s revocation authority applies when a calculator is not submitted for review and testing to ensure continued compliance with all standards under rule 5.275(b), not solely the 1 percent accuracy requirement;
- Authorize staff to require developers to submit their calculators for review when staff become aware, after certification, that a calculator is producing results inconsistent with the standards;
- Allow for the use of an alternate certified calculator in support actions involving the local child support agency when Judicial Council staff determines that review is necessary due to postcertification changes or discovered inaccuracies in the DCSS Calculator;
- Clearly identify actions that will be taken by council staff during the initial certification and recertification process.

Rule 5.275(b)(6)

Rule 5.275(b)(6) provides that one of the standards for computer software to assist in determining the appropriate amount of support is that “[t]he printout of the calculator results must display, on the first page of the results, the range of the low-income adjustment as permitted by Family Code section 4055(b)(7), if the low-income adjustment applies.” The rule is silent, however, on which end of the range must be displayed on calculators as the basic guideline child support result.

¹¹ See Fam. Code, § 4250(a)(3).

¹² If the Judicial Council revokes the certification of the DCSS calculator or determines that the DCSS Calculator is “inaccessible,” the council will follow the notification process used for revocations (see *supra* note 7), with a separate notice being sent directly to the AB 1058 child support commissioners, to notify the courts and public that an alternate calculator may be used until further notice.

The guideline calculators vary in the basic child support amount displayed when the low-income adjustment applies: three calculators display the high end of the low-income adjustment range as the basic child support amount, while two calculators (including the currently uncertified DCSS Calculator) display the support amount at the lowest end of the range. Family Code section 4055(b)(7) provides that the low-income adjustment presumption applies to the lowest amount permitted for the adjustment. Therefore, the basic guideline child support amount displayed on the calculators should be the amount at the lowest end of the range.

To ensure support calculators correctly comply with the requirements of Family Code section 4055(b)(7), the committee proposes amending rule 5.275(b)(6) to include a requirement that a support calculator must, in its default setting, display the lowest child support amount within the low-income adjustment range as the basic guideline child support result. This amendment will also promote consistency among certified guideline calculators to avoid confusion.

The committee also proposes amending rule 5.275(b)(6) to replace “printout of the calculator results” with the phrase “generated calculator results.” The change is necessary to update terminology to reflect the move away from paper to electronic documents.¹³

Rule 5.275(c)

Rule 5.275(c) currently provides for the expiration or revocation of a support calculator’s certification. Although the certification of a support calculator typically expires within one year of its issuance, rule 5.275(c) gives the Judicial Council the authority to advance a certification expiration date or revoke a calculator’s certification under certain circumstances. The Judicial Council does not, however, have the ability to extend the expiration date during recertification review even if circumstances would otherwise warrant an extension—for instance, when a developer is working diligently to correct an issue discovered by council staff during recertification review but the release of the corrected program and retesting cannot be completed by the existing expiration date.

Amending rule 5.275 to authorize Judicial Council staff to grant developers a short extension of the certification expiration date would benefit the courts and public because they would be able to continue to use their calculator of choice, rather than spend time becoming familiar with another support calculator program, when the recertification process for their usual calculator can be completed within an additional short amount of time with limited impact on the public and courts due to deviations in the support results.¹⁴ Allowing a short extension would also

¹³ The committee also recommends minor technical or grammatical changes in subdivisions (b)(1), (b)(4), (b)(6), (b)(8), (c)(1), and (d)(5).

¹⁴ The committee acknowledges that this option would not have been viable in the recent situation concerning the DCSS Calculator due to the length of time DCSS was seeking an extension (six months from the time the retroactive federal tax changes for 2025 went into effect). That incident, however, illustrated the need for some flexibility in working with developers to ensure that accurate calculators can be made available to the courts and public in a timely manner during both out-of-cycle reviews and the annual recertification review that occurs in March.

provide a financial benefit to attorneys and the public because they could avoid the additional cost associated with purchasing a license for an alternate calculator.

To balance the benefit to be gained by an extension with the goal of ensuring that support obligations are being calculated accurately, the committee proposes that rule 5.275(c) be amended to authorize Judicial Council staff to grant an extension of the certification expiration date under two conditions: (1) the extension does not exceed 45 calendar days and (2) Judicial Council staff finds, after taking into consideration the extent of the inaccuracy and impact on the public and courts, that the developer is making reasonable efforts to correct any inaccuracies.¹⁵

The committee also proposes amending the Judicial Council's revocation authority under rule 5.275(c)(2) to allow the Judicial Council to revoke a certification if a developer fails to submit their calculator for review to ensure compliance with any of the standards under (b), and not just when the calculator fails to conform to the 1 percent accuracy standard required by (b)(2).

Rule 5.275(f)

The certification issued by the Judicial Council imposes a duty on support calculator developers to promptly notify the Judicial Council of all changes made to the calculator software during the certification period.¹⁶ Rule 5.275(f) also authorizes the Judicial Council to require that a calculator be recertified after receipt of information concerning changes made to the software. The notice requirement and ability to require recertification due to a modification made to a calculator are essential to ensure that support calculators remain accurate after certification.

In the past, Judicial Council staff have on occasion received information from the courts and public regarding potential inaccuracies in results generated by certified support calculators. Because it is impossible to test for every possible scenario during recertification review, such information is invaluable to ensure continued accuracy. Rule 5.275 does not currently provide a mechanism for the council to require review and, if necessary, recertification of a calculator when council staff become aware that a calculator may be producing results inconsistent with the standards set by the council. The committee proposes amending rule 5.275(f) to add a new subdivision expressly authorizing Judicial Council staff to require that certified software be submitted for review and, if necessary, recertification when staff become aware that the calculator may be producing results inconsistent with the standards under subdivision (b), to ensure that the software continues to meet those standards.

Rule 5.275(j)(2)

As mentioned above, subdivision (j) was amended in December to ensure courts can continue to accurately establish or modify support orders in title IV-D actions without interruption and to

¹⁵ If Judicial Council staff grants an extension, staff would follow the same notification process used for revocations (see *supra* note 7). The notice of extension would give the parties, attorneys, and the courts an opportunity to determine on a case-by-case basis whether to use the calculator to determine support as a permanent or temporary order, continue the matter, or use an alternate calculator pending completion of recertification review.

¹⁶ Cal. Rules of Court, rule 5.275(f).

maintain the public's trust and confidence in the courts. Because modifications made to the DCSS Calculator or inaccuracies discovered after certification can affect the courts' ability to enter accurate support orders, the committee proposes amending rule 5.275(j)(2) to also allow for the use of an alternate certified calculator when Judicial Council staff determine that review under rule 5.275(f) is necessary.

General amendment for transparency

The committee also proposes amending various provisions in rule 5.275 to clearly identify actions that will be carried out by council staff. These clarifications reflect that Judicial Council staff are expressly authorized under the rule to develop internal testing scenarios and determine accuracy under subdivision (b)(2); provide for earlier expiration under subdivision (c)(1); grant limited extensions under subdivision (c)(3); request, under subdivision (d)(5), that a developer provide a new statement of certified public accountant as often as necessary to ensure accuracy of the calculator; require postcertification review under subdivision (f); request that a developer explain discrepancies in calculation results before denying certification under subdivision (h); and determine accessibility or review status for purposes of subdivision (j). The committee believes this amendment will further foster transparency in the process related to the certification and recertification of guideline calculators.

Alternatives Considered

The committee did not consider the alternative of taking no action with regard to the amendments approved by the Judicial Council on December 12, 2025. With regard to rule 5.275(b)(6), the committee considered not recommending a change to the rule since the low-income range is required to be displayed on the generated calculator results. However, the committee recently became aware that some inconsistency exists among the certified calculators in what is displayed as the basic child support amount. Because some support calculators incorrectly display the amount at the high end of the low-income adjustment range as the basic child support amount, the committee determined that action must be taken to ensure calculators properly comply with Family Code section 4055(b)(7). Taking no action would perpetuate inconsistency in results among the calculators and continue to foster confusion.

Understanding that a developer would only need an extension if the calculator were operating outside the standards established by the council, the committee considered whether the rule should provide a cap on a range of inaccuracy for an extension to be granted. (The committee considered something less than a 2.5 percent difference from the correct amount.) The committee decided, however, to leave the determination of whether an extension should be granted to the discretion of Judicial Council staff, as the impact of a calculator's inaccuracy can vary widely based on the circumstances and, therefore, should be considered by council staff as a whole before deciding to grant an extension. Moreover, since the public and the courts would be given notice of any extension granted to a calculator developer, a determination can also be made on a case-by-case basis of whether it is prudent to utilize the calculator and what, if any, steps need to be taken to minimize any negative impact.

The committee considered only proposing the amendment to rule 5.275(b)(6) to clarify the requirements in the Family Code related to application of the low-income adjustment and to add the extension provision to rule 5.275(c). However, council staff occasionally receive information from the courts and public regarding potential inaccuracies in results generated by certified support calculators. The rule currently lacks a provision that would require developers to take immediate steps to correct discovered inaccuracies. The committee, therefore, determined that action should be taken to propose an amendment to rule 5.275(f) that would allow staff to require a calculator be submitted for postcertification review and possible recertification when potential inaccuracies come to the attention of Judicial Council staff.

The committee also considered whether rule 5.275(b)(5) should be amended to require that the generated calculator results display the amount ordered for additional support and the allocation percentage between parents for additional support. The Judicial Council's family law judgment and order forms currently give the courts the option of entering an amount or the allocation percentage for additional support, so the committee determined that having both displayed on the calculator results may be helpful to calculator users. However, before proposing to amend rule 5.275(b)(5) to require that both figures for additional support be displayed on the generated results, the committee decided to first seek specific public comment regarding the need for such an amendment.

Fiscal and Operational Impacts

Many courts utilize at least one certified commercial support calculator in addition to the DCSS Calculator. The committee anticipates no fiscal or operational impacts on the courts by the proposed amendments other than the possible need to train court staff in the use of an alternate calculator if one of the calculators typically utilized by the courts becomes unavailable under the provisions of rule 5.275.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Would an express requirement in subdivision (b)(5) that the guideline calculators display both the amount and apportionment percentages for additional support on the generated calculator results be helpful to users? If so, please explain.

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rule 5.275, at pages 10–15
2. Link A: Fam. Code, § 4055,
leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=4055
3. Link B: Fam. Code, § 3830,
leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=FAM&division=9.&title=&part=1.&chapter=9.&article=
4. Link C: Fam. Code, § 4059,
leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=4059

Rule 5.275 of the California Rules of Court would be amended, effective January 1, 2027, to read:

1 **Rule 5.275. Standards for computer software to assist in determining support**

2
3 **(a) Authority**

4
5 This rule is adopted under Family Code section 3830.

6
7 **(b) Standards**

8
9 The standards for computer software to assist in determining the appropriate
10 amount of child or spousal support are:

- 11
12 (1) The software must accurately compute the net disposable income of each
13 parent as follows:
- 14
15 (A) Permit entry of the “gross income” of each parent as defined by Family
16 Code section 4058;
 - 17
18 (B) Either accurately compute the state and federal income tax liability
19 under Family Code section 4059(a) or permit the entry of a figure for
20 this amount; this figure, in the default state of the program, must not
21 include the tax consequences of any spousal support to be ordered;
22
 - 23 (C) Ensure that any deduction for contributions to the Federal Insurance
24 Contributions Act or as otherwise permitted by Family Code section
25 4059(b) does not exceed the allowable amount;
 - 26
27 (D) Permit the entry of deductions authorized by Family Code ~~sections~~
28 section 4059(c) through (f); and
 - 29
30 (E) Permit the entry of deductions authorized by Family Code section
31 4059(g) (hardship) while ensuring that any deduction subject to the
32 limitation in Family Code section 4071(b) does not exceed that
33 limitation.
34
- 35 (2) The software must calculate a child support amount, using its default settings,
36 that is accurate to within 1 percent of the correct amount. To determine the
37 accuracy of the software, ~~the~~ Judicial Council staff will develop scenarios for
38 internal use to test the software, calculate the correct amount of support for
39 each scenario, and then calculate the amount for each scenario using the
40 software program. Each person seeking certification of software must supply
41 a copy of the software to the Judicial Council. If the Judicial Council does not
42 have the computer hardware or operating system necessary to use and test the

1 software, the person seeking certification of the software must make available
2 to the Judicial Council any hardware or operating system required to use and
3 test the software. The person seeking certification must also grant or obtain
4 all licenses necessary for the Judicial Council to use and test the software.
5 The Judicial Council may delegate the responsibility for the calculation and
6 determinations required by this rule.

- 7
- 8 (3) The software must contain, either on the screen or in written form, a glossary
9 defining each term used on the computer screen or in printed hard copy
10 produced by the software.
- 11
- 12 (4) The software must contain, either on the screen or in written form,
13 instructions for the entry of each figure that is required for computation of
14 child support using the default setting of the software. These instructions
15 must include but ~~not be limited to~~ are not limited to the following:
- 16
- 17 (A) The gross income of each party as provided for by Family Code section
18 4058;
- 19
- 20 (B) The deductions from gross income of each party as provided for by
21 Family Code section 4059 and (b)(1) of this rule;
- 22
- 23 (C) The additional items of child support provided for in Family Code
24 section 4062;
- 25
- 26 (D) The factor rebutting the presumptive guideline amount under Family
27 Code section 4057(b)(2) (deferred sale of residence); and
- 28
- 29 (E) The income of a subsequent partner as provided for in Family Code
30 section 4057.5.
- 31
- 32 (5) In making an allocation of the additional items of child support under
33 (b)(4)(C) of this rule, the software must, as its default setting, allocate the
34 expenses for each additional item of child support to each parent in
35 proportion to the parents' net incomes, as adjusted under Family Code
36 section 4061(c) and (d). The software must also provide, in an easily selected
37 option, an alternative allocation of the expenses as provided for by Family
38 Code section 4061(a).
- 39
- 40 (6) The ~~printout of the generated~~ calculator results must display, on the first page
41 of the results, the range of the low-income adjustment as permitted by Family
42 Code section 4055(b)(7), if the low-income adjustment applies. If the
43 software generates more than one report of the calculator results, the range of

1 the low-income adjustment ~~only~~ must be displayed on the report that includes
2 the user inputs. The calculator must also, in its default setting, display the
3 lowest child support amount within the low-income adjustment range as the
4 basic guideline child support result.

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6 (7) The software or a license to use the software must be available to persons
7 without restriction based on profession or occupation.

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9 (8) The sale or donation of software or a ~~license to use the software~~ license to a
10 court or a judicial officer must include a license, without additional charge, ~~to~~
11 ~~the court or judicial officer~~ to permit an additional copy of the software to be
12 installed on a computer to be made available by the court or judicial officer to
13 members of the public.

14
15 (c) **Expiration, ~~or~~ revocation, or extension of certification**

16
17 (1) Any certification provided by the Judicial Council under Family Code section
18 3830 and this rule must expire one year from the date of its issuance unless
19 another expiration date is stated in the certification. ~~The~~ Judicial Council staff
20 may provide for earlier expiration of a certification if:

21
22 (A) The provisions involving the calculation of tax consequences change; or

23
24 (B) Other provisions involving the calculation of support change.

25
26 (2) The Judicial Council may revoke any certification provided if a calculator is
27 not submitted, as requested, for review and testing to ensure its accuracy it
28 continues to meet the standards under (b)(2).

29
30 (3) Judicial Council staff may grant an extension of the certification expiration
31 date of no more than 45 calendar days for any calculator if council staff find,
32 taking into consideration the extent of the inaccuracy and impact on the
33 public and courts, that the developer is making reasonable efforts to correct
34 any inaccuracies.

35
36 (d) **Statement of certified public accountant**

37
38 If the software computes the state and federal income tax liability as provided in
39 (b)(1)(B) of this rule, the application for certification, whether for original
40 certification or for renewal, must be accompanied by a statement from a certified
41 public accountant that:

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43 (1) The accountant is familiar with the operation of the software;

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- (2) The accountant has carefully examined, in a variety of situations, the operation of the software in regard to the computation of tax liability;
- (3) In the opinion of the accountant the software accurately calculates the estimated actual state and federal income tax liability consistent with Internal Revenue Service and Franchise Tax Board procedures;
- (4) In the opinion of the accountant the software accurately calculates the deductions under the Federal Insurance Contributions Act (FICA), including the amount for social security and for Medicare, and the deductions for California State Disability Insurance and properly annualizes these amounts; and
- (5) States which calendar year the statement includes and ~~must~~ clearly indicates any limitations on the statement. ~~The~~ Judicial Council staff may request a new statement as often as ~~it determines~~ necessary for the Judicial Council to ensure accuracy of the tax computation.

(e) Renewal of certification

At least three months prior to the expiration of a certification, a person may apply for renewal of the certification. The renewal must include a statement of any changes made to the software since the last application for certification. Upon request, the Judicial Council will keep the information concerning changes confidential.

(f) Modifications to the software and postcertification review

- (1) The certification issued by the Judicial Council under Family Code section 3830 and this rule imposes a duty on the person applying for the certification to promptly notify the Judicial Council of all changes made to the software during the period of certification. Upon request, the Judicial Council will keep the information concerning changes confidential. ~~The~~ Judicial Council staff may, after receipt of information concerning changes, require that the software be recertified under this rule.
- (2) If Judicial Council staff becomes aware that a certified calculator may be producing results inconsistent with the standards for support calculators, council staff may require that the software be submitted for review and, if necessary, recertification to ensure the software continues to meet the standards under (b).

1 **(g) Definitions**

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3 As used in this chapter:

- 4
5 (1) “Software” refers to any program or digital application used to calculate the
6 appropriate amount of child or spousal support.
7
8 (2) “Default settings” refers to the status in which the software first starts when it
9 is installed on a computer system. The software may permit the default
10 settings to be changed by the user, either on a temporary or a permanent
11 basis, if (1) the user is permitted to change the settings back to the default
12 without reinstalling the software, (2) the computer screen prominently
13 indicates whether the software is set to the default settings, and (3) any
14 printout from the software prominently indicates whether the software is set
15 to the default settings.
16
17 (3) “Contain” means, with reference to software, that the material is either
18 displayed by the program code itself or is found in written documents
19 supplied with the software.
20

21 **(h) Explanation of discrepancies**

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23 Before the Judicial Council denies a certificate because of failure to comply with
24 the standards in (b)(1) or (b)(2) of this rule, ~~the~~ Judicial Council staff may request
25 the person seeking certification to explain the differences in results.
26

27 **(i) Application**

28
29 A person seeking certification of software must apply in writing to the Judicial
30 Council.
31

32 **(j) Acceptability in the courts**

- 33
34 (1) In all actions for child or family support brought by or otherwise involving
35 the local child support agency under title IV-D of the Social Security Act, the
36 Department of Child Support Services’ California Child Support Guideline
37 Calculator software program must be used by:
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39 (A) Parties and attorneys to present support calculations to the court; and
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41 (B) The court to prepare support calculations.
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(2) In the event the certification of the California Child Support Guideline Calculator is revoked under (c) or the calculator is determined by Judicial Council staff to be inaccessible or requires review under (f), the parties, attorneys, and court may use an alternate software program certified by the Judicial Council until the courts are notified by Judicial Council staff that the California Child Support Guideline Calculator has been recertified or is available for use again.

(3) In all nontitle IV-D proceedings, the court may use and must permit parties or attorneys to use any software certified by the Judicial Council under this rule.