Courtroom Clerking

21st Annual AB 1058 Child Support Training Conference September 12-15, 2017

Kathryn Whitney

Court Clerk III
Calaveras Superior Court

kwhitney@Calaveras.courts.ca.gov (209) 754-5967

Please feel free to contact me.

NRPS, NCRM's & Registration -

What is the difference?

NOTICE RE PAYMENT OF SUPPORT (NRPS)

FL-632

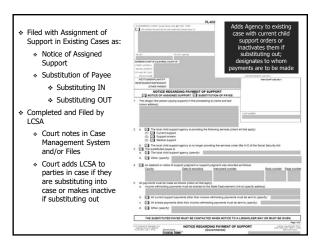


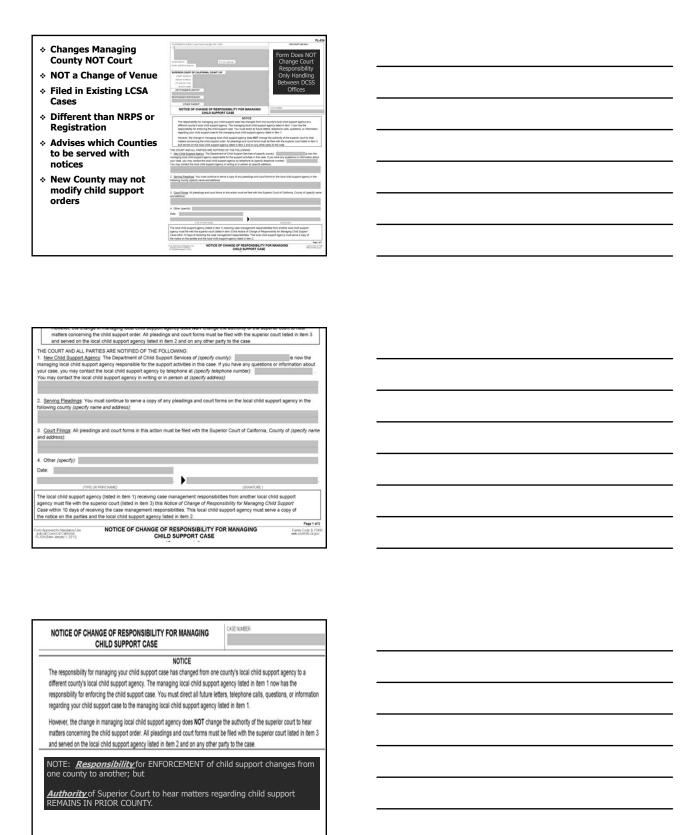
Table Discussion

- How does your court handle this form?
- How are counties and/or parties entered in your Case Management System?

Family Code Sections ❖4200 & 4201– The court shall direct payments made to State Disbursement Unit (SDU); direct LCSA to appear on behalf of welfare recipient in any proceeding to enforce order **Family Code Sections** ❖4204 – In any proceeding where the court has made an order for child support and child support has been assigned to the county, the LCSA may issue a notice directing payments made to SDU; LCSA shall file the notice in action in which support ordered **Family Code Sections** ❖4350 - The court may include in its order made pursuant to this section any service charge imposed under authority of Section 279 of the Welfare and Institutions Code

Family Code Sections ❖4351 – if the court has entered an order pursuant to Section 4350, the court may also refer the matter of enforcement of the spousal support order to the LCSA. The LCSA may bring those enforcement proceedings it determines to be appropriate..... **Family Code Sections** ❖4506.3 – Judicial Council shall develop a single form for sub of payee, for notice directing payment of support to the LCSA, and for notice that support has been assigned **Notice of Change** of Responsibility for Managing Case

FL-634



different county's local child support agency." responsibility for enforcing the child support of	NOTICE poport case has changed from one country's local child support agency to a The managing local child support agency listed in item 1 now has the ase. You must direct all future letters, telephone calls, questions, or informatio aging local child support agency listed in item 1.	_		
matters concerning the child support order. Al	support agency does NOT change the authority of the superior court to hear ill pleadings and court forms must be filed with the superior court listed in item listed in item 2 and on any other party to the case.	6		
managing local child support agency responsible for	thid Support Services of (specify county): Tulare is now the the support activities in this case. If you have any questions or information aboring gency by telephone at (specify telephone number): 408-273-0073			
following county (specify name and address): Kern County Department of Chi 1300-18th Street, Bakersfield	, CA 93301			
Court Filings All pleadings and court forms in this and address): 1215 Truxtun Avenue Bakersfield, CA 93301	s action must be filed with the Superior Court of California, County of (specify i		 	
4. Other (specify):				
Date: 07/28/2016				
Tulare County DCSS	[SOMETHER	II.		
	iving case management responsibilities from another local child support in 3) this Notice of Change of Responsibility for Managing Child Support			
	ent responsibilities. This local child support agency must serve a copy of			

Table Discussion

- How does your court handle this form?
- How are counties and/or parties entered in your Case Management System?

Family Code §17000 (excerpts)

- *(n)(1)(A) Venue shall be in the court in the county that is currently expending public assistance
- *(n)(1)(B) If public assistance not being expended, venue shall be in court in county where child who is entitled to support resides
- *(n)(1)(C) If support no longer payable through or enforceable by the LCSA, venue shall be in court in county that last provided public assistance to enforce arrearages (Welfare & Institutions Code §11477)

Family Code §17000 (excerpts cont.)

- (D) If (A), (B) & (C) do not apply, venue shall be in the court in the county of residence of support <u>oblique</u>
- (E) If support <u>obligee</u> does not reside in California and (A), (B), (C) and (D) to not apply, venue shall be in the court of the county of residence of <u>obligor</u>

Family Code §17000 (excerpts cont.)

- (E)(2) if the child becomes a resident of another county, venue may remain in the county where the action was filed until the action is completed
- (o) The LCSA of one county may appear on behalf of the LCSA of any other county in an action or proceeding under this part

Registration of California Support Order

FL-650

Cover sheet for new county registering a different county's/ies' prior and current child support orders	Palements celebriques resperits de l'inter, l'est per BERGEROCHO D'OT O' CALIFORNA. COMPROY BE	Pergunant Celeviers popylis a Mached The Celebras Department of Rocus
		nent, and any modifications, are eightered
1	None, or unimown.	
	1. You have 20 days after the date of maling of this Sebese-or Progistration of court to-cancel (yearsh) this inguistration of cother clear. (Family Code, § 500 to department the date of availability.) 2. The local child upport agency may seeks health in unance covering a signm appropriate teath in numence on the Parish Code certificial Trials.	0.) (See the accompanying document
	For Adoptic Makery Use STATEMENT EGO DEGISTO ATION	Print Lail L. Frank Code, 5 Stort

Table Discussion

- How does your court handle this form?
- How are counties and/or parties entered in your Case Management System?

Notice of Registration of California Support Order

FL -651

Notice page for prior county(ies) of	JUST REGISCOURT OF CALIFORNIA COUNTY OF MANUAL COUNTY OF	To leep other people from seining what you enforced on your form, please press the Clear This Form button at the and of the form when finished.
new county	NOTICE OF REGISTRATION OF CALIFORNIA SUPPORT ORDER	COLUMN .
registering (and thus enforcing) prior child support	To any planting out or former production of a manager any production of the case nation. It is not considered to the case of the case nation of the case nation. It is not case out of the case of the case nation of the case nation. It is not of the case of the case is not case of the case nation. It is not on the case of the case is not case. It is not on the case nation. It is not on the case nation.	Pay State Assault to the State
orders within the State of California	A California Support Order California Order for Earnings Assign the Boxes action in the Boxes registered with this coult. A copy of the Jobanical Support Order (FL-40), cruste FL-80 if the dollage that registered the order (st. 1).	e for Pingi seration of California stached.
New county may modify child	CLERYS CERTIFICATE OF MAK. 2. Identify that I am not a party to this cause and other a copy of the notice of registration with portinge tilly prepaid. This revealige was address reducted the court named in the Capacit Criter (* 1,450°, or f 1,440°), maked, and deposited with the United States P (* 1,650°, or f 1,440°), maked, and deposited with the United States P (* 1,650°) or (* 1,440°), maked, and deposited with the United States P (* 1,650°) or (* 1,440°).	on and statement for registration were sent by n. The orgins were endoused in an envelope of orthe Statement Proprietary of California
support	 Copies were sent to the following local child support agencies and courts on dialey (Modes must be sent to the Josef child support agency in each country and courts sp 	
	Date: Clark, by	, Deputy
	NOTICE: Such court that receives this notice must file it in the court fit proceedings regarding the registered support order must be filed in the Code section 5001.	
	NOTICE OF REQUISTRATION OF CALLEGRAL	A SUPPORT ORDER THOUSAND

Table Discussion

- How does your court handle this form?
 - *When you are sending out? Attached as cover page to Statement of Registration?
 - *When you are receiving it? Does it come as two separate documents?

Family Code §5601(a)

When the LCSA is responsible for the enforcement of a support order pursuant to Section 17400, the LCSA may register a support order made in another county by utilizing the procedures set forth in Section 5602 or by filing all the following in the superior court of his or her county:

Family Code §5601 (excerpts)

- Documents to be included with Registration Statement:
 - Endorse-filed copy(ies) of most recent support orders or copy thereof
 - Statement of arrearages
 - Statement of LSCA showing address of LCSA, last known place of residence of obligor, most recent address of obligor, all prior courts where child support has been ordered

Family	/ Code	§5601

(excerpts cont.)

- * LCSA to serve obligor
- Upon registration, clerk shall forward notice to the courts in other counties and states in which original orders were issued/registered & to the LCSA's in counties listed on FL-651, Item #3.
- No further proceedings regarding obligor's support obligations shall be filed in the other counties

Family Code §5602 excerpts

- (a) An obligee... may register an order issued in this state using the same procedures specified in subdivision (a) of Section 5601, except that the obligee shall prepare and file the statement of registration...
- (b) Upon receipt of the documents described in subdivision (a) of Section 5601, the clerk of the court shall file them without payment of a filing fee or other cost to the obligee...

Family Code §5602

• (c) Promptly upon registration, the clerk of the court shall send, by any form of mail requiring a return receipt from the addressee only, to the obligor at the address given a notice of the registration with a copy of the registered support order and the post office address of the obligee. Proof shall be made to the satisfaction of the court that the obligor personally received the notice of registration by mail or other method of service. A return receipt signed by the obligor shall be satisfactory evidence of personal receipt.

•			