

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



September 22, 1988

ALL-COUNTY LETTER NO. 88-125

FSD LETTER NO. 88-13

TO: ALL DISTRICT ATTORNEYS
ALL TITLE IV-D DIRECTORS
ALL WELFARE PROGRAM DIRECTORS
ALL COUNTY AUDITORS
ALL FISCAL OFFICERS

SUBJECT: DATE OF COLLECTION CLARIFICATION

This is to provide revised instructions on the date of collection for distribution of child/spousal support payments collected by Title IV-D Agencies.

Prior regulations at 45 CFR 302.51 required States to consider the date of collection as the date the payment was received by the IV-D Agency. For interstate collections, the date of collection was the date the payment was received by the IV-D Agency in the State where the family was receiving aid. The State Department of Social Services' (SDSS) Manual of Policies and Procedures (MPP), Division 25-905, further defined the date of collection as the date that the money was received by the collection unit in the County in which the money was to be distributed.

Federal regulations at 45 CFR 307.51 were revised on June 9, 1988 to change the collection date of child/spousal support payments in order to assure uniformity in distributing collections and to prevent disadvantaging AFDC recipients with respect to disregard payments. The AFDC recipient could be disadvantaged when a collecting (responding) IV-D Agency receives a current child/spousal support payment on a timely basis but transmits the payment in the following month to the initiating IV-D Agency responsible for final distribution. The AFDC recipient could potentially lose entitlement of one month's disregard payment if two current payments are received in one month but the distributing agency applies one payment to arrearages.

To remedy inequities resulting from the prior definition, the Federal Government redefined the collection date. Effective June 9, 1988, the new definition of the collection date is the date the payment is received by the IV-D Agency or the legal entity of any State or political subdivision actually making the collection, whichever is earliest. This provision applies to both welfare and non-welfare child/spousal support collections.

This means that for intracounty collections (collections made by your County, for your County) the date of collection is the date that your County receives the money. If your County, however, has contracted with another County agency to perform the collection function (i.e., the Probation Department, County Auditor, etc.) the collection date is the date that the money is received by the contracted agency. For intercounty collections (support payments made by another California County for your County) the receipt date is the date that the responding County first received the payment before forwarding to the initiating County. For interstate collections (payments made by another State IV-D agency for your County) the receipt date is the date that the other State IV-D Agency initially collected the payment.

In order to ensure proper distribution, responding Counties/States should provide sufficient information to identify the case, the Federal Information Processing Standards (FIPS) Code and the receipt date when forwarding each support payment to the initiating jurisdiction (45 CFR 303.7).

The revised definition of the date of collection will be included in SDSS' draft fiscal handbook, MMP 25-905.323, which will be forwarded to Counties in the near future.

If you have any questions, please contact your Child Support Operations Bureau analyst at (916) 322-6384.



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