

DEPARTMENT OF BENEFIT PAYMENTS
744 P Street, Sacramento, CA 95814

January 14, 1975

ALL-COUNTY LETTER NO. 75-16

TO: ALL DISTRICT ATTORNEYS
ALL COUNTY WELFARE DIRECTORS
ALL COUNTY AUDITOR-CONTROLLERS
ALL COUNTY BOARDS OF SUPERVISORS

SUBJECT: FEDERAL FUNDING FOR ENFORCEMENT OF CHILD SUPPORT

REFERENCE:

Program instructions have recently been received from the Department of Health, Education, and Welfare relating to the program of federal financial participation in the cost of enforcing child support obligations. These instructions are largely compatible with the tentative guidelines that were issued by this department and discussed at the statewide workshops earlier this year, although there are a few significant areas of difference. The federal instructions must, of course, prevail. To the extent that our guidelines are in conflict with these instructions, they are hereby superseded by these additions and deletions to the handbook. These changes in guidelines will be reflected in a revised handbook that will be printed soon after the first of the year. In the meantime, the following items are listed for your benefit, to advise you of items which change or clarify our handbook.

Personnel whose activities may qualify for reimbursement are those engaged in investigation, prosecution, corrections, probation, activities as "friends of the court" and their supportive and administrative staffs. (As to prosecution staff, District Attorneys do not qualify for reimbursement in a supportive role, but do when actually engaged in casework.)

Functions relating to active AFDC cases undertaken by the above personnel which may qualify for reimbursement are:

1. Conducting or obtaining pre-trial depositions when necessary;
2. Using reciprocal arrangements with other states to obtain or enforce court orders for support. (Initiating states should identify cases as being AFDC cases to claim for their costs);
3. Investigation and prosecution of fraud related to welfare child support.

OBSOLETE

GEN 654 (2/74)

Superseded by ACL # 77-15Issued 3-17-77

The federal program instructions specifically exclude from reimbursement:

1. Costs of arrest and apprehension.
2. Ordinary administrative costs of the judiciary system. (This would exclude even your county clerks as they are part of the administrative costs of the judiciary system.)

Except That:

Service of Process fees and court filing fees are reimbursable only if the law enforcement agency would normally be required to pay such costs. (Interpretation of "would normally be required to pay" is confusing. We will be asking for an official definition from DHEW. In the meantime, do not claim for service of process fees until clarification is received. We will advise you of the official interpretation of this instruction in the very near future.)

Once a method of computing direct costs is selected, it must be used consistently, and any subsequent changes must be approved by the Financial Planning staff of the Department of Benefit Payments. Both the annual time study method and the caseload percentage method of determining direct costs have been approved. Indirect costs of law enforcement agencies may be allocated and claimed, providing that such costs are included in an indirect cost allocation plan prepared on an annual basis. Such expenses as rent, utilities, supplies, equipment, etc., may either be identified as a direct cost or allocated as an indirect cost. Although these two items related to costing methods are not deletions or additions to our guidelines, they do confirm our instructions given in workshops and correspondence.

The cost of reasonable and essential training of law enforcement staff assigned either full time or part time to AFIC paternity/support activities in subjects unique to that functional area are reimbursable at the same rate of 50 percent federal funds and 25 percent state funds. Examples of this would be costs of training personnel in specific subjects related to investigative procedures and evidence required to prove paternity, or electronic data processing training costs for staff involved in accumulating essential data relating to child support. Because of this change in federal participation, these type costs should now be claimed on page 2 of your quarterly claims in Section III-B-3 as part of your total welfare child support costs rather than in Section IV-3. This will eliminate any erroneous claiming for 75 percent federal reimbursement.

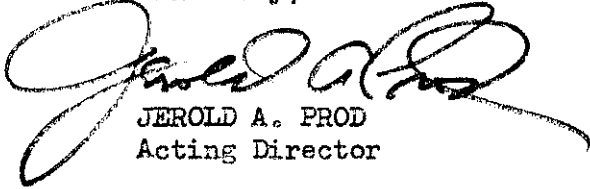
Federal instructions do not change the availability of reimbursement for data processing costs, but the approval process for claiming these expenses needs to be emphasized here. DHEW must approve any plans for the use of EDP before the fact wherein DHEW funds are being used. First step in the approval process is to contact Mel Picanco of our County EDP Systems Bureau at 916/445-0180 for plan submission information. Your completed plan would then come to County EDP Systems for their review, approval, and submission to DHEW for approval. The emphasis here is to gain HEW's approval before any such costs are eligible for federal and state reimbursement.

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I trust you will find the above information helpful in preparing your reimbursement claims. There are still questions unanswered and areas of uncertainty with regard to the federal funding program, and our staff is endeavoring to obtain definitive answers. As additional information is received from the Department of Health, Education, and Welfare, it will be made available to you.

Contact References: Jack Flanders (916/322-6384) on legal matters such as Plans of Cooperation or Norm Moe (916/445-7046) on funding matters.

Sincerely,



JEROLD A. PROD
Acting Director

cc: CWDA