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November 5, 2018

Mendocino County Board of Supervisors
County Administration Center
501 Low Gap Road, Room 1070
Ukiah, CA 95482

Re: November 6, 2018 Board Agenda Item 5a
Proposed Reorganization of County Child Support Services Department

Chairman Hamburg and Supervisors Gjerde, Brown, McCowen and Croskey:

I am submitting this letter in opposition to Board Agenda Item 5a on November 6, 2018 which would result in adding several layers of administration to your county's Local Child Support Agency (LCSA) and the deletion of a critical position. I am the Supervising Child Support Attorney for the San Joaquin County Department of Child Support Services. I have worked in this department for over 18 years as both a staff attorney and in administration. Additionally, I am the Vice-Chair of the Legal Practices Committee for the Child Support Directors Association of California, a statewide committee that provides policy creation, review, direction and support for the legal arm of the IV-D Child Support Program in California.

California's Child Support system is a legally based, statewide program. While each LCSA has Board of Supervisors oversight, our primary directives come from the law in the form of federal and state statutes, regulations and case law. The need for legal expertise focused solely on child support law was recognized by the passage of legislation in 1999 mandating that all child support divisions become an entity separate and apart from the District Attorneys' offices statewide. Because our child support program is based in law, it is critical that employees of your LCSA have access to legal direction on a daily basis. A reorganization that eliminates the attorney positions and provides access only by way of a shared services agreement is ill-advised for a number of reasons.

The Mendocino County LCSA is considered a small agency by State standards. Your county's population and caseload size create a unique advantage for your residents. Unlike larger counties, the smaller counties have the ability to get to know their customer base in a way that can increase support to families. As you are aware, each county has its own unique needs and characteristics. Legal staff, including the attorney, who understand these needs, have the ability to create a strong relationship with the local courts and legal community. This knowledge and relationship are critical to making sure that your LCSA obtains orders that are fair and reasonable based upon the demographics of your community. This advantage can only be developed by daily interaction with your county.

All LCSAs are federally mandated with establishing paternity and child support and enforcing those child support orders. This includes orders that cross state and international boundaries. The establishment of paternity and child support is a legal function that requires access to an attorney by your case management staff on a daily basis to ensure the procedures, work product and legal documents they are creating are in compliance with the law. Parentage law in California is one of the most complex and rapidly changing in the United States. To expect your case managers to stay current and in compliance in this area without daily access to an attorney is unfair to them and more importantly, unfair to the public that this agency serves. Mistakes made in establishing paternity can have life-long financial and emotional consequences for children and parents.

Earlier this year, Governor Brown signed legislation that increased California's budget for child support agencies. This statute, Family Code §17705, requires that new funding methodology be created and implemented. The California Department of Child Support Services, along with the California Child Support Directors Association, are in the midst of creating the methodology and have agreed that funding will be, in part, based upon a ratio of cases to full time employees. The proposal before you creates additional administrative positions without creating any additional case manager positions. Case managers are an essential part of the organization and have a direct impact on performance, unlike an LCSA that is top-heavy with administrative positions such as the proposal before you does. They implement the orders obtained by the attorneys and collect much needed money for families in your county. Under the new funding methodology, your organization could be forced to reduce positions due to your small case size.

Creating new positions and entering into a shared services agreement without knowing exactly what the new funding methodology will be in less than one year seems to be shortsighted. Currently, most shared services agreements do not involve the payment of funds to the county providing the services. The new methodology being considered includes reduction of funds who are receiving the shared services with an increase in funds to the county performing the service. This untested shared services agreement risks the reduction of your LCSA budget and could force layoffs of those who do the vital work of collecting the support.

You may be reading this and asking why you should heed the warnings of someone who doesn't live or work in your county? Why do I feel entitled to comment on your county business? Those of us who work in this program feel very strongly that the work we do is an important service to the people of California, not just those in our own counties. When one LCSA struggles to function, it affects all of the LCSAs and the people we serve. As someone who has dedicated nearly two decades of her life to this program, I am extremely proud of the work that all LCSAs do in our State. The proposed plan is not going to improve services in Mendocino County. It is going to reduce services and hobble the dedicated line staff in your LCSA. As the Board of Supervisors, it is your responsibility to make sure that does not happen.

Sincerely,



Gina M. Johnston