

COMPLAINT RESOLUTION - STATE HEARING INFORMATION

RIGHT TO COMPLAINT RESOLUTION:

- o If you have a complaint against a local child support agency for any action or inaction regarding your child support case, you have the right to request complaint resolution from the local child support agency.
- o You can make a complaint in writing by completing the Request for Complaint Resolution form, or you can call the local child support agency.
- o ***IMPORTANT: Your request for complaint resolution must be made within 90 days from the date you knew, or should have known, about the subject of your complaint.***
- o The local child support agency has 30 days from the date it receives your complaint to give you a written resolution of your complaint, unless the local child support agency needs more information or time to resolve your complaint. The local child support agency will contact you if it needs more information or time to resolve your complaint.

RIGHT TO A STATE HEARING:

- o If the local child support agency **does not** respond to you within 30 days from receiving your complaint, you have the right to request a State Hearing before an Administrative Law Judge. ***IMPORTANT: Your request for a State Hearing must be made within 90 days after you complained to the local child support agency.***
- o If the local child support agency **does** respond to you within 30 days of making your complaint, and you are not satisfied with the local child support agency's complaint resolution or response, you have the right to request a State Hearing before an Administrative Law Judge. ***IMPORTANT: Your request for State Hearing must be made within 90 days after you received the local child support agency's written response to your complaint.***
- o You can request a State Hearing in writing by sending a Request for State Hearing form to the State Hearing Office, or you can call the State Hearing Office toll free at 1-866-289-4714.
- o The State Hearing Office will let you know the date, time, and place of your State Hearing.
- o The State Hearing Office will provide an interpreter or disability accommodation for you at the hearing if you need one.
- o ***IMPORTANT: Not all complaints can be heard at a State Hearing.***

State Hearings will only be granted for the following issues:

- o An application for child support has been denied or has not been acted upon within the required time frame.
- o The child support services case has been acted upon in violation of federal or state law or regulation, or California Department of Child Support Services policy letter, or has not been acted on within the required timeframe, including services for the establishment, modification, and enforcement of child support orders and child support accountings.
- o Child support collections have not been distributed, or have been distributed or disbursed incorrectly, or the amount of child support arrears, as calculated by the local child support agency is inaccurate.
- o The local child support agency's decision to close a child support case.

IMPORTANT: The following issues cannot be heard at a State Hearing:

- o Child support issues that must be addressed by motion, order to show cause, or appeal in a court.
- o A review of any court order for child support or child support arrears.
- o A court order or equivalent determination of paternity.
- o A court order for spousal support.
- o Child custody determinations.
- o Child visitation determinations.
- o Complaints of alleged discourteous treatment by a local child support agency employee, unless such conduct resulted in a hearable action or inaction.

OMBUDSPERSON SERVICES:

- o Every local child support agency has an Ombudsperson available to help you through the complaint resolution and/or State Hearing process.
- o The Ombudsperson can help you obtain information regarding your complaint to help you prepare for your State Hearing.
- o ***IMPORTANT: The Ombudsperson cannot represent you at the State Hearing or give you legal advice.***