



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

Item No. 23-172

For business meeting on September 19, 2023

Title

Child Support: Implementing Amendments
to Family Code Section 4007.5

Agenda Item Type

Action Required

Effective Date

January 1, 2024

Rules, Forms, Standards, or Statutes Affected

Revise forms FL-192, FL-490, FL-676, and
FL-676-INFO

Date of Report

August 24, 2023

Recommended by

Family and Juvenile Law Advisory
Committee

Hon. Stephanie E. Hulse, Cochair

Hon. Amy M. Pellman, Cochair

Contact

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Executive Summary

The Family and Juvenile Law Advisory Committee proposes revising several forms in order to provide court users and the public with updated information regarding relief available to incarcerated or involuntarily institutionalized child support obligors. The proposed revisions are necessary to reflect recent amendments made to Family Code section 4007.5.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise the following forms, effective January 1, 2024, to provide court users and the public with updated information regarding relief available to incarcerated or involuntarily institutionalized child support obligors:

- *Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) and Information Sheet on Changing a Child Support Order* (form FL-192);
- *Application to Determine Arrears* (form FL-490);
- *Request for Determination of Support Arrears* (form FL-676); and
- *Information Sheet: Request for Determination of Support Arrears* (form FL-676-INFO).

The proposed revised forms are attached at pages 7–13.

Relevant Previous Council Action

Effective July 1, 2011, the Judicial Council revised forms FL-530, FL-615, FL-625, FL-630, FL-665, FL-676, FL-676-INFO, FL-687, and FL-692 in response to Senate Bill 1355 (Wright; Stats. 2010, ch. 495), which enacted Family Code section 4007.5¹ and provided a process for formerly incarcerated or involuntarily institutionalized obligors to petition the court for forgiveness of child support arrears that accrued during their incarceration or involuntary institutionalization. Section 4007.5 contained a sunset date and expired accordingly on June 30, 2015.

Effective January 1, 2017, the Judicial Council revised those same forms, along with forms FL-342, FL-350, FL-490, and FL-688, in response to Assembly Bill 610 (Jones-Sawyer; Stats. 2015, ch. 629), which enacted a new version of section 4007.5 that revived and expanded the relief previously available to child support obligors.

Effective January 1, 2020, the Judicial Council again revised those same forms to remove references to relief formerly available to child support obligors under section 4007.5, as the statute sunsetted effective January 1, 2020.

Effective January 1, 2022, the Judicial Council revised forms FL-192, FL-350, FL-490, FL-676, FL-676-INFO, and FL-688, as section 4007.5 was reenacted by Assembly Bill 2325 (Carrillo; Stats. 2020, ch. 217). Instead of listing the relief available to incarcerated or involuntarily institutionalized obligors on multiple child support order and judgment forms as the council had done in the past, these forms were revised so they all would indicate that form FL-192 is attached, with the relief available being listed on that form instead.²

Analysis/Rationale

Section 4007.5 (see Link A), which provides that, by operation of law, any money judgment or order for child support is automatically suspended for the time period an obligor is confined if they are incarcerated or involuntarily institutionalized for more than 90 consecutive days, was recently amended by Assembly Bill 207 (Stats. 2022, ch. 573). Because this legislation was enacted as a budget trailer bill without a delayed implementation date, the amendments were effective on September 27, 2022, the day Governor Newsom signed the bill into law. This section was originally put into place effective July 1, 2011, but was then sunsetted and later reenacted multiple times.

¹ All further statutory references are to the Family Code.

² Judicial Council of Cal., Advisory Com. Rep., *Family Law: Reenactment of Family Code Section 4007.5* (Sept. 3, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9785555&GUID=9292043B-3626-4778-9FB5-5F961FFE02A4>.

AB 207 made several amendments to section 4007.5, including:

- Removing the January 1, 2023, sunset date;
- Removing the exceptions for relief if a child support obligor was incarcerated or involuntarily institutionalized for failing to pay child support or domestic violence against the other parent or child;
- Expanding relief for child support orders entered or modified before the effective date of the amendments (prior versions only allowed for relief from support orders entered or modified on or after the law’s effective date); and
- Declaring relief may still be requested from the court if an obligor qualified for relief during the time frame the prior versions of the statute granting relief by operation of law were in effect (i.e., October 8, 2015, to December 31, 2019, and January 1, 2021, to September 26, 2022).

To comply with recent amendments to section 4007.5, the committee proposes revising forms FL-192, FL-490, FL-676, and FL-676-INFO so they accurately reflect the current law.

Including relief for prior confinement

These forms were last revised effective January 1, 2022, and when that proposal went out for public comment as part of the invitation to comment process, an issue arose of whether the forms should include information indicating that relief was still available for obligors who qualified for relief while the prior version of the statute was in effect (October 8, 2015, to December 31, 2019), prior to it sunseting, as obligors were entitled to this relief by operation of law.³

Although one commenter suggested the forms should include this information, based on the legal analysis conducted and the lack of clarity surrounding this issue, the committee instead recommended that the forms indicate that relief *may* be available and to allow a mechanism for that relief to be granted. Specifically, at that time the committee recommended that:

- Forms FL-192 and FL-676-INFO be revised to include the following language, with instructions to talk to the family law facilitator for more information: “If your child support order was entered or modified between October 8, 2015, and December 31, 2019, and you were confined against your will for more than 90 days in a row during the same time frame, you may also qualify for relief”; and
- Forms FL-490 and FL-676 be revised to include the following language that would allow a way for obligors to request this relief: “The child support order entered on *(date)*: _____ was stopped (suspended) because [] the order says it would stop [] **by operation of law**” (emphasis added).⁴

³ *Id.* at pp. 6–8.

⁴ This proposed language was also responsive to another comment received that relief may be available based on other terms included in a child support judgment or order, as many counties use local forms or attachments that

The council approved these recommendations and adopted the revised forms as proposed. However, with the passage of AB 207, this issue has now been resolved by the Legislature by adding the following language to section 4007.5(i):

It is the intent of the Legislature to ensure qualified persons are provided the support suspension by operation of law for qualified periods of incarceration or involuntary institutionalization that existed during the operative terms of the earlier versions of this statute regardless of whether the judicial or administrative determination of arrears is made before or after the repeal of the statute, if the earlier version of the statute provided for the money judgment or order for support to be suspended by operation of law. This subdivision is declarative of existing law.

Consequently, because the Legislature has made it clear that relief can still be requested by an obligor who then qualified for relief under a prior version of the statute where relief was granted by operation of law, these sections of the forms must be revised. Specifically, relief is still available while the last two versions of the statute were in effect during the following time frames (prior to the adoption of AB 207): October 8, 2015, to December 31, 2019, and January 1, 2021, to September 26, 2022.

As stated above, AB 207 removed the exceptions for relief if an obligor was incarcerated for failing to pay child support or for domestic violence against the other parent or their child. However, this change only applies to obligors requesting relief for incarceration that occurred on or after the effective date of the amendments: September 27, 2022. In other words, these two exceptions to relief would still apply for obligors requesting relief for incarceration that occurred prior to adoption of AB 207 under the prior two versions of the statute.

It is now proposed that the first page of forms FL-192 and FL-676-INFO be revised to include information about relief still being available for these two time frames. Additionally, it is proposed that forms FL-490 and FL-676 be revised to include two separate check boxes to request relief under section 4007.5; one check box for requesting relief under the current statute and a separate check box for requesting relief under the prior two versions of the statute as shown in the screenshot below:

include certain standard orders in cases with local child support agency involvement (e.g., an order stating that child support will automatically be suspended if an obligor starts receiving Supplemental Security Income).

b. ☐ I could not pay child support because on or after **September 27, 2022**, I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).

(1) I was confined during the following dates:

(a) Start date: (b) Release date:

☐ Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)

(2) I had no ability to pay child support while I was confined.

c. ☐ I could not pay child support because from **October 8, 2015**, through **December 31, 2019**, or **January 1, 2021**, through **September 26, 2022**, my child support order was entered or modified, and I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).

(1) I was confined during the following dates:

(a) Start date: (b) Release date:

☐ Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)

(2) I had no ability to pay child support while I was confined.

(3) I was *not* confined for

(a) Domestic violence against the other parent or our child; or

(b) Failing to pay a child support order.

Finally, it is proposed that form FL-676 (a governmental child support form) still include the check box shown below, but that the language “by operation of law” be removed. That language was specifically added to allow obligors a way to request their arrears be adjusted if they qualified for relief while the prior version was in effect; however, it is no longer necessary with the new proposed check box in item 5c, shown above. (The remaining language on form FL-676 would still allow obligors to request relief if their order contains one of the standard orders used in cases with local child support agency involvement, as referenced in footnote 4 of this report.)

d. ☐ The child support order entered on (date): was stopped (suspended) because the order says it would stop (*specify the reasons why and attach applicable proof*):

Policy implications

This proposal has no major implications to any policies. It aligns with the Judicial Council’s policy to keep forms consistent with related statutes.

Comments

This proposal circulated for comment as part of the spring 2023 invitation-to-comment cycle, from March 30 to May 12, 2023, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, court administrators and clerks, attorneys, family law facilitators and self-help center staff, legal services attorneys, social workers, and other family law professionals. The proposal also went to the California Department of Child Support Services, the Legal Practices committee chair of the Child Support Directors Association of California, the Judicial Council’s Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee, and child support commissioners.

In total, the following nine organizations submitted comments: the Superior Court of Los Angeles, the Superior Court of Orange County, the Superior Court of San Bernardino, the Superior Court of San Diego, the California Department of Child Support Services, the California Child Support Directors Association, the California Lawyers Association, Family Law Section Executive Committee, the Trial Court Presiding Judge Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee, and the Orange County Bar Association. Commenters made thoughtful suggestions to improve the clarity of the forms with the use of more simplified language, where possible. The committee incorporated many of the suggested revisions. For example, three of the forms in the proposal initially used the term “after September 26, 2022” to describe the effective date of the most recent revisions to section 4007.5. However, multiple commenters suggested that it would be more clear and easier to understand if this phrase was changed to “on or after September 27, 2022.” Another suggestion made by multiple commenters was to allow litigants using forms FL-490 and FL-676 the ability to request relief for more than one period of confinement. The proposed revised versions of those forms now include checkboxes to indicate that “[a]dditional dates of confinement are listed on an attached page.” In conclusion, all nine commenters either agreed with the entire proposal, agreed if certain modifications were made, or did not indicate their position.

Alternatives considered

The committee considered not revising any forms as legislation is currently pending that would amend section 4007.5 and cause various forms to be revised yet again.⁵ However, the committee instead proposes revising the forms described above in order to provide information to court users—including self-represented litigants—and the public about the relief available to child support obligors if they are or were incarcerated or involuntarily institutionalized for longer than 90 days.

Fiscal and Operational Impacts

As with any revisions to forms, the committee anticipates that courts would incur some costs to revise forms and add them to their case management systems, train court staff about the revised forms included in this proposal, and possibly revise local court rules and forms so they are consistent with the changes adopted by the Judicial Council.

Attachments and Links

1. Forms FL-192, FL-490, FL-676, and FL-676-INFO, at pages 7–13
2. Chart of comments, at pages 14–26
3. Link A: Fam. Code, § 4007.5,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=4007.5

⁵ See Assem. Bill 1148 (2023–2024 Reg. Sess.),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1148.

NOTICE OF RIGHTS AND RESPONSIBILITIES

DRAFT

Health-Care Costs and Reimbursement Procedures

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If you have a child support order that includes a provision for the reimbursement of a portion of the child's or children's health-care costs and those costs are not paid by insurance, the **law says**:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Going to court. Sometimes parents get into disagreements about health-care costs. If you and the other parent cannot resolve the situation after talking about it, you can request that the court make a decision.

a. Disputed charges. If you dispute a charge made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay that charge before filing your request.

b. Nonpayment. If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable.

c. Attorney's fees. If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.

d. Court forms. Use forms [FL-300](#) and [FL-490](#) to get a court date. See form [FL-300-INFO](#) for information about completing, filing, and serving your court papers.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

a. Burden to prove. The parent claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.

b. Cost of additional coverage. If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any parent uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the parent incurring those costs.

Information About Child Support for Incarcerated or Confined Parents

1. Child support. As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

Exception. Child support does not automatically stop if the parent who has to pay has money available to pay child support.

2. Past confinement. Child support also stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

Exceptions for past confinement. Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

3. Timing. Child support automatically **restarts** the first day of the first full month after the parent is released. If you need to change your child support order, see page 2.

4. More info. For more information about child support and incarcerated parents, see [Family Code section 4007.5](#) or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>.

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NOTICE OF RIGHTS AND RESPONSIBILITIES

Information Sheet on Changing a Child Support Order

General Info

The court has made a child support order in your case. This order will remain the same unless one of the parents requests that the support be changed (modified). An order for child support can be modified by filing a request to change child support and serving the other parent. If both parents agree on a new child support amount, they can complete, sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350). (Note: If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.)

Online Self-Help Guide

For more information about how child support works, visit: <https://selfhelp.courts.ca.gov/child-support>.

When a Child Support Order May Be Changed

The court considers several things when ordering the payment of child support.

- First, the number of children is considered, along with the percentage of time each parent has physical custody of the children.
- Next, the net disposable incomes of both parents are determined (which is how much money is left each month after taxes and certain other items like health insurance, union dues, or other child support ordered and paid are subtracted from a parent's paycheck). The court can also look at earning ability if a parent is not working.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising a child of another relationship who lives with a parent.

A parent can request to change an existing order for child support when **circumstances change significantly**. For example, if the net disposable income of one of the parents changes, parenting time changes, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. **Remember:** You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- [Form FL-300, Request for Order or](#)
- [Form FL-390, Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support](#)

You must also fill out one of these forms, and attach proof of income for the past two months (like your paycheck stubs):

- [Form FL-150, Income and Expense Declaration or](#)
- [Form FL-155, Financial Statement \(Simplified\)](#)

What if I am not sure which forms to fill out?

Contact the family law facilitator in your county. You can find them here: <https://www.courts.ca.gov/selfhelp-facilitators.htm>.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk may ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- [Form FW-001, Request to Waive Court Fees and](#)
- [Form FW-003, Order on Court Fee Waiver \(Superior Court\)](#)

You must serve the other parent. If the local child support agency is involved, serve it too.

- This means someone 18 or over—not you—must **deliver** copies of your filed court forms **to the other parent**, at least **16 court days** before the hearing. Add **5 calendar days** if **delivered** by mail within California (see Code of Civil Procedure section 1005 for other situations).
- **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to www.courts.ca.gov/holidays.htm.

Blank copies of both of these forms must also be served:

- [Form FL-320, Responsive Declaration to Request for Order](#)
- [Form FL-150, Income and Expense Declaration](#)

Then the server fills out and signs a *Proof of Service*. Take this form, plus one copy, to the clerk and file it at least one week before your hearing.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- [Form FL-340, Findings and Order After Hearing and](#)
- [Form FL-342, Child Support Information and Order](#)

Need help?

Contact the [family law facilitator](#) in your county or call your county's bar association and ask for an experienced family lawyer.

**Not approved by
the Judicial Council**

1. I ask that the amount of past due support payments (arrearages) be decided in this case because (check all that apply):
 - a. ☐ I have already paid ☐ some ☐ all of the support ordered. Proof of payment is attached.
 - b. ☐ The children for whom support is to be paid were living with me full time for the period from: _____ to: _____. I provided all of their support during that period. I am attaching a detailed declaration explaining these facts and supporting documentation, including any proof that the children were living with me.
 - c. ☐ I could not pay child support because on or after **September 27, 2022**, I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (attach proof).
 - (1) I was confined during the following dates:
 - (a) Start date: _____
 - (b) Release date: _____☐ Additional dates of confinement are listed on an attached page. (Form MC-025 may be used for this purpose.)
 - (2) I had no ability to pay child support while I was confined.
 - d. ☐ I could not pay child support because from **October 8, 2015**, through **December 31, 2019**, or **January 1, 2021**, through **September 26, 2022**, my child support order was entered or modified, and I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (attach proof).
 - (1) I was confined during the following dates:
 - (a) Start date: _____
 - (b) Release date: _____☐ Additional dates of confinement are listed on an attached page. (Form MC-025 may be used for this purpose.)
 - (2) I had no ability to pay child support while I was confined.
 - (3) I was *not* confined for
 - (a) Domestic violence against the other parent or our child; or
 - (b) Failing to pay a child support order.
 - e. ☐ Other (specify): _____
2. ☐ I have previously asked the other parent for payment and provided the other parent with an itemized statement of the unreimbursed ☐ childcare expense ☐ medical expense. (Attach copies of all bills being claimed and proof of any payments that you have made on these bills.)
3. ☐ I request the other person pay my attorney's fees and costs. My Income and Expense Declaration (form FL-150) is attached.
4. I have attached (check all that apply):
 - a. ☐ a Declaration of Payment History (form FL-420).
 - b. ☐ a Payment History Attachment (form FL-421).
 - c. ☐ Other (specify): _____
5. Facts in support of the relief requested are (specify): _____

Date:

(SIGNATURE OF DECLARANT)

NOTICE: This form must be attached to *Request for Order (form FL-300)*.
For help completing this form, talk to the [family law facilitator](#) or [self-help center](#) in your county.

Page ____ of ____

PARTY WITHOUT ATTORNEY OR ATTORNEY (name, state bar number, and address): NAME: _____ STATE BAR NO.: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: _____ RESPONDENT: _____ OTHER PARTY: _____	
REQUEST FOR DETERMINATION OF SUPPORT ARREARS	CASE NUMBER: _____

INSTRUCTIONS

- Use this form if you disagree with the local child support agency about how much back support (arrear) is owed.
- Complete items 4–7. For more information about completing this form, see *Information Sheet: Request for Determination of Support Arrear* ([form FL-676-INFO](#)).
- After you fill out the request and any attachments, take the originals plus three copies to the court clerk to file.
- After you file, copies of your court papers must be "served" on the local child support agency and the other party in the case, and you must file a proof of service with the court. See [form FL-676-INFO](#) for more information about serving the request.
- Make sure you go to the court hearing listed in item 1.
- For help completing this form, talk to the [family law facilitator](#) in your county.

NOTICE OF HEARING

1. A hearing on this application will be held as follows:

a. Date: _____ Time: _____ Dept: _____ Div: _____ Room: _____

b. The address of the court is ☐ same as noted above ☐ Other (specify): _____

2. **WARNING to the person served with this request:** The court may make the requested orders without you if you do not file a *Response to Governmental Notice of Motion or Order to Show Cause* ([form FL-685](#)) and appear at the hearing. See [form FL-676-INFO](#) for more information about filing a response.

3. The local child support agency is providing support enforcement services in this case.

4. **Person making this request**

a. My name is: _____

b. I am the:

(1) ☐ Petitioner

(2) ☐ Respondent

(3) ☐ Other (specify): _____

5. a. I ☐ did ☐ did not request an administrative review of support received by the local child support agency.

b. A printout listing support payments received by the local child support agency ☐ is ☐ is not attached.

PETITIONER: RESPONDENT: OTHER PARTY:	CASE NUMBER:
--------------------------------------------	--------------

6. I ask that the amount of past due support payments (arrears) be adjusted in this case (*check all that apply*).

- a. ☐ I disagree with how much support the local child support agency says was paid. I am attaching my own payment history with a monthly breakdown of how much was ordered and how much was paid.
- b. ☐ I could not pay child support because **on or after September 27, 2022**, I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).
- (1) I was confined during the following dates:
- (a) Start date: (b) Release date:
- ☐ Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)
- (2) I had no **ability** to pay child support while I was confined.
- c. ☐ I could not pay child support because from **October 8, 2015**, through **December 31, 2019**, or **January 1, 2021**, through **September 26, 2022**, my child support order was entered or modified, and I was confined against my will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution (*attach proof*).
- (1) I was confined during the following dates:
- (a) Start date: (b) Release date:
- ☐ Additional dates of confinement are listed on an attached page. (*Form MC-025 may be used for this purpose.*)
- (2) I had no ability to pay child support while I was confined.
- (3) I was *not* confined for
- (a) Domestic violence against the other parent or our child; or
- (b) Failing to pay a child support order.
- d. ☐ The child support order entered on (date): was stopped (suspended) because the order says it would stop (*specify the reasons why and attach applicable proof*):
- e. ☐ Other (*specify*):

7. I have attached (*check all that apply*):

- a. ☐ a Declaration of Payment History ([form FL-420](#)).
- b. ☐ a Payment History Attachment ([form FL-421](#)).
- c. ☐ a printout listing support payments received by the local child support agency.
- d. ☐ **proof of incarceration or confinement.**
- e. ☐ Other (*specify*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(TYPE OR PRINT NAME)

(SIGNATURE)

This case may be referred to a court commissioner for hearing. By law, court commissioners do not have the authority to issue final orders and judgments in contested cases unless they are acting as temporary judges. The court commissioner in your case will act as a temporary judge unless, *before the hearing*, you or any other party objects to the commissioner's acting as a temporary judge. If a party objects, the court commissioner may still hear your case to make findings and a recommended order to a judge. If you do not like the recommended order, you must object to it within **10 court days** in writing (use *Notice of Objection* ([form FL-666](#))); otherwise, the recommended order will become a final order of the court. If you object to the recommended order, a judge will make a temporary order and set a new hearing.

FL-676-INFO**Information Sheet: Request for Determination of Support Arrears****When do I use form FL-676?**

Use this form if the local child support agency is involved in your child support case and you:

- Disagree with how much in back support (arrears) the agency says is owed; or
- The agency refused to adjust the back support (arrears) for the time you were incarcerated or confined against your will for longer than 90 days and couldn't pay child support.

Do NOT use form FL-676 to change the order

If you want to change the support order, you need to file a *Request for Order* (form [FL-300](#)) and an *Income and Expense Declaration* (form [FL-150](#)). See [form FL-300-INFO](#) for more information.

How do I get a court date?**Step 1: Fill out the form (in black or blue ink)**

- 1 Put your name, address, and contact information at the top of the form. Next, enter the court name and address. Then insert the names of the Petitioner, Respondent, and Other Party, and the case number. (You can find this information on your child support order.)
- 2 Tell the court why you want the back child support (arrears) changed.
 - **Item 1:** Leave blank. The court will fill this out.
 - **Item 5a:** Tell the court if you asked for the local child support agency to conduct an administrative review of support payments received.*
 - **Item 5b:** Tell the court if you've attached a printout listing payments received by the local child support agency.*

(*Note: You can file this request without first asking for an administrative review or attaching a printout from the local child support agency.)

- **Item 6a:** Attach your own support payment history, breaking down how much was owed and how much was paid each month. (You can use forms [FL-420](#) and [FL-421](#) for this purpose.)
- **Item 6b:** Tell the court if on or after **September 27, 2022**, you were confined against your will for more than 90 days in a row and had no money available to pay child support.

- **Item 6c:** Tell the court if from **October 8, 2015**, through **December 31, 2019**, or from **January 1, 2021**, through **September 26, 2022**:
 - (1) your child support order was made or modified,
 - (2) you were confined against your will for more than 90 days in a row during that time frame,
 - (3) you had no ability to pay support, AND
 - (4) you were *not* confined for failing to pay child support or domestic violence against the other parent or the child.
 - **Items 6b & 6c:** List the start and release dates of your confinement. If you have additional dates of confinement, check the box and list the dates on an attached page. (You can use [Form MC-025](#) for this purpose.) Attach proof for each time period. If you have questions about getting proper proof or concerns about presenting sensitive information to the court, talk to the [facilitator in your county](#).
 - **Item 6d:** Tell the court if the order gives other reasons for stopping (suspending) child support.
 - **Item 6e:** If the other items don't apply, tell the court why the back support should be adjusted.
 - **Item 7:** Tell the court what paperwork (evidence) you have attached to your request.
- 3 Enter the date, print your name, and sign the form to tell the court that everything in your paperwork is true and correct.

Step 2: Make copies of your court papers

Make three sets of copies of your request, including any attachments, and keep the signed originals.

Step 3: File your request with the court

- 1 Take your originals, plus the three sets of copies, and file them with the court clerk. Find your court here: www.courts.ca.gov/find-my-court.htm
- 2 The court clerk will fill out item 1 with information about your court hearing date and return the three sets of copies to you with a "filed" stamp in the top right corner.



Tip: Check your [local court's website](#) to see if you can file your request electronically (e-file).

- 3 You will *not* be charged a fee to file this request.



Step 4: Have someone “serve” your request

- 1 Service is the act of giving your court papers to the local child support agency and the other party in the case. Service can be done in person or by U.S. mail.
- 2 A “server” (someone else 18 years or older) must serve your request. You can *not* serve your own court papers.
- 3 Give two sets of copies of your request, plus any attachments, to your server.
- 4 There are two options for service:

Option 1

Your server must hand-deliver or mail both sets of copies to the local child support agency, which will then send one set to the other party. To do this option, your server must deliver the papers at least **30 days** before the court date.

Option 2

Your server must hand-deliver or mail one set of copies to the local child support agency and one set to the other party. To do this option, your server must deliver the papers at least **16 court days** before the court date. (Add **5 more days** if served by mail.)

- 5 Your server must then complete, sign, and date a *Proof of Service* form to tell the court where and when your request was delivered.

In person: Have your server fill out [form FL-330](#).

By mail: Have your server fill out [form FL-335](#).

- 6 Double check the *Proof of Service* form to make sure your server correctly completed and signed the form. File the original form, plus one copy, with the court at least one week before your court date.

Go to your court hearing

- 1 You must appear at your court hearing or else your request can be denied. Check your [local court's website](#) to see if the court is conducting hearings in person or remotely (by videoconference). Complete and file [form RA-010](#) if you want to appear **remotely**.



- 2 For information about what to expect at the hearing: <https://selfhelp.courts.ca.gov/request-for-order/LCSA/hearing>.

How can I get free help?

Every county has a family law facilitator that can:

- Explain the legal process;
- Give you free legal forms; and
- Help you fill out court papers.



Depending on your county, the facilitator may help you in person, online, or by phone. You can find the facilitator in your county here: <https://www.courts.ca.gov/selfhelp-facilitators.htm>.

Ask for a Disability Accommodation Request

If you have a disability and need an accommodation while you are at court, you can use [form MC-410](#) to make your request. For more information, see [form MC-410-INFO](#).

What if I need a court interpreter?

If you don't speak or understand English very well, you may need a court interpreter to help you in court. You can use [form INT-300](#) to request an interpreter for your court hearing. Ask the court clerk or [family law facilitator in your county](#) for more information.

I got served with a Request for Determination of Support Arrears. Now what?

If you disagree with the requests made by the other party in form FL-676, you need to:

- File and serve your own court papers, at least **9 court days** before the court date; and
- Appear at the court hearing.

To respond to the request, file and serve:

- *Response to Governmental Notice of Motion or Order to Show Cause* ([form FL-685](#)); and
- Your own payment history. (You can use forms [FL-420](#) and [FL-421](#) for this purpose.)

See Step 4 for more information about serving court papers and use Option 2.

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	California Department of Child Support Services by Selis Koker, Chief Counsel Rancho Cordova, CA	NI	The proposal does address the changes in the law and provides that information on the forms accurately. However, the department feels that there are some revisions which may assist individuals completing the forms and improve the effectiveness of the forms by making the information easier to understand [underlined text denotes newly added/revised language]:	No response required.
			Effective Date: All proposed forms use the date of “after September 26, 2022” for relief under the current version of FC §4007.5. While technically correct, the department feels that the language “ <u>On or after September 27, 2022</u> ” is easier to understand as the statute became effective September 27, 2022.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption on forms FL-490, FL-676, and FL-676-INFO. This change is not needed on form FL-192 as it already uses similar language: “As of September 27, 2022.”
			FL-192: Item 4 Past Confinement. The “Additional exception for past confinement” language could be confusing to laypersons. Suggestion: consider explicitly stating that the exception under past confinement is in addition to the exception listed in item 2. Proposed language: Additional exceptions for past confinement. <u>In addition to the exception listed in item 2</u> , child support would not automatically stop if the parent was in jail or prison for not paying child support or for domestic violence against the other parent or the child.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		FL-490:	
		1. While this form is adopted for mandatory use, it is the department's experience that LCSAs do not utilize this form when filing requests to determine arrears. Typically, LCSAs use the standard governmental Notice of Motion form (FL-680) to seek a determination of arrears. Our comments on this form are therefore limited to how an individual may complete the form, not an LCSA.	No response required.
		2. It has been our experience that individuals who have been incarcerated and asking for relief may have multiple periods of incarceration. To accommodate these persons seeking relief, the department suggests having a space for multiple entries of incarceration/institutionalization periods, or otherwise have a box indicating that additional periods are on an attachment. In addition, utilizing the term " <u>Release Date</u> " instead of "End Date" is preferred. Suggested adding under subdivisions 1(c)(1) and 1(d)(1) the following additional lines: (c) <u>Start Date</u> : (d) <u>Release Date</u> : <u>[] Additional periods of incarceration or institutionalization are on an attached page.</u> This comment is also applicable to form FL-676.	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
		3. At new proposed paragraphs 1(c)(1) and 1(d)(1) there is a direction to "(attach proof)". While the	The committee appreciates this suggestion. However, proof of confinement is required for the

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Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>court will require proof of confinement at the time of hearing, it may be difficult for someone who was institutionalized (whether in jail, juvenile detention or a mental health facility) to place this very personal and specific information in the application itself. The direction/mandate to “attach proof” may deter individuals from seeking appropriate relief.</p> <p>Suggestion: Soften the language so that it does not appear required at the application phase but make it strong enough to ensure the participants know they will have to provide proof at the court hearing.</p> <p>Proposed Language: <u>(Proof will be required. Either attach or bring to the hearing.)</u></p>	<p>court to be able to grant the requested relief, and like other relevant evidence raised in court proceedings, it should be properly served on the other party prior to the hearing. Nevertheless, in order to balance the legitimate privacy concerns raised by the commenter, the following instruction has been added to form FL-676-INFO, “If you have questions about getting proper proof or concerns about presenting sensitive information to the court, talk to the facilitator in your county.”</p>
		<p>FL-676:</p> <p>1. While this form is adopted for mandatory use, it is the department's experience that LCSAs do not utilize this form when filing requests to determine arrears. Typically, LCSAs use the standard governmental Notice of Motion form (FL-680) to seek a determination of arrears. Our comments on this form are therefore limited to how an individual may complete the form, not an LCSA.</p>	<p>No response required.</p>
		<p>2. At paragraphs 5(b) and 5(c) there is a direction to “(attach proof)”. While the court will require proof of confinement at the time of hearing, it may be difficult for someone who was institutionalized (whether in jail, juvenile detention or a mental</p>	<p>The committee appreciates this suggestion. However, proof of confinement is required for the court to be able to grant the requested relief, and like other relevant evidence raised in court proceedings, it should be properly served on the</p>

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			<p>health facility) to place this very personal and specific information in the application itself. The direction/mandate to “attach proof” may deter individuals from seeking appropriate relief.</p> <p>Suggestion: Soften the language so that it does not appear required at the application phase but make it strong enough to ensure the participants know they will have to provide proof at the court hearing.</p> <p>Proposed Language: <u>(Proof will be required. Either attach or bring to the hearing.)</u></p>	<p>other party prior to the hearing. Nevertheless, in order to balance the legitimate privacy concerns raised by the commenter, the following instruction has been added to form FL-676-INFO, “If you have questions about getting proper proof or concerns about presenting sensitive information to the court, talk to the facilitator in your county.”</p>
			<p>FL-676-INFO: Assuming this suggestion is adopted, Item 6 should be modified as follows:</p> <p>Item 6: Tell the court what paperwork (evidence) you have. <u>You must either attach this to the FL-676 document before filing or bring it to the court hearing.</u></p>	<p>The committee does not recommend adopting the suggested language as the proposed revision suggested above was not adopted. However, the following instruction was added to the form, “If you have questions about getting proper proof or concerns about presenting sensitive information to the court, talk to the facilitator in your county.”</p>
2.	California Lawyers Association, Family Law Section Executive Committee (FLEXCOM)	A	<p>FLEXCOM agrees with this proposal, with the following suggestion.</p> <p>Form FL-490 at item 1.d.(1), Form FL-676 at item 5.c.(1), and in Form FL-676-INFO in the second column, the language is clarified to include the beginning and end dates.</p> <p>For example: <u>On a date from Between October 8, 2015, through and December 31, 2019, or January 1, 2021, through and September 26, 2022...</u></p>	<p>The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.</p>

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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	Commenter	Position	Comment	Committee Response
3.	Child Support Directors Association by Shauna Day, Executive Director Sacramento, CA	NI	The Workgroup generally supports the proposed changes. However, the Workgroup is concerned that the proposed revisions are not clear enough for the general public to understand. The Workgroup believes the following proposed changes will make the forms easier and clearer to understand:	No response required.
			FL-192	
			In page 1, section 4, Past Confinement: Change “between...December 31 2019 or January 1, 2021...” to “between...December 31 2019 <u>and/or</u> January 1, 2021...”	The committee does not recommend using the term “and/or” as this term can be imprecise and can cause confusion. Additionally, the word “or” usually includes the sense of “and” as used in the following sentence: “No food or drink allowed.” This warning does not suggest that food or drink by itself is disallowed while food and drink together would be permitted. In other words, the use of “or” in this way encompasses both “or” and “and.”
			In page 2, column 1, paragraph 4: Add the underlined text, “A parent can request to change an existing order for child support when <u>there is a material change of circumstances, including...</u> ”	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
			In page 2, column 2, paragraph 4: Add or edit the underlined text “ Service is the act of <u>delivering the court papers to other parties.</u> You must serve the other parent. If the local child support agency is involved, <u>they must also be served</u> This means someone 18 or over-not you-must <u>hand deliver or mail</u> the other parent (<u>and the local</u>	While the committee does not recommend adopting all the suggested language, elements of the proposed verbiage have been incorporated into the revisions that it is recommending for adoption.

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		child support agency if they are involved) copies of your filed court forms..."	
		FL-490	
		In item 1.c.(1): Add "On or after" before September and change the date "26" to "27" after September.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		In item 1.c.(1)(b): Change the word "End" to "Release". Add "(c) Start date:" and "(d) Release date:" below (a) and (b).	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
		In item 1.c.(2): Change "I had no money available" to "I had no ability".	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		In item 1.d.(1): Add a "check box" and "(a)" between the words "Between" and "October". Replace the word "or" before the word January with a "check box" and "(b)".	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
		In item 1.d.(1)(b): Change the word "End" to "Release". Add "(c) Start date:" and "(d) Release date:" below (a) and (b).	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
		In item 1.d.(2) Change "I had no money available" to "I had no ability".	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.

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Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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Commenter	Position	Comment	Committee Response
		FL-676	
		In item 4: Remove the word "received" between the words "support" and "by".	The committee does not recommend adopting the suggested language as it could cause confusion.
		In item 5.b.(1): Add "On or after" before September and change the date "26" to "27" after September.	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		In item 5.b.(1)(b): Change the word "End" to "Release". Add "(c) Start date:" and "(d) Release date:" below (a) and (b).	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
		In item 5.b.(2): Change "I had no money available" to "I had no ability".	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		In item 5.c.(1): Add a "check box" and "(a)" between the words "Between" and "October". Replace the word "or" before the word January with a "check box" and "(b)".	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
		In item 5.c.(1)(b): Change the word "End" to "Release". Add "(c) Start date:" and "(d) Release date:" below (a) and (b).	The committee agrees with these suggestions and has incorporated them, with certain alterations, into the revisions that it is recommending for adoption.
		In item 5.c.(2): Change "I had no money available" to "I had no ability".	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		In item 6.d.: Change "Other (specify):" to "Proof of involuntary confinement:" and Add a 6.e. with language "Other (specify):".	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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Commenter	Position	Comment	Committee Response
		FL-676-INFO	
		In page 1, section 1: Change “They refused to adjust the back support (arrear) for the time you were in jail, prison, juvenile detention, or a mental health facility...” to “They refused to adjust the back support (arrear) for the time you were <u>incarcerated or had an involuntary placement in a mental health facility...</u> ”	The committee agrees with this suggestion and has incorporated it, with certain alterations, into the revisions that it is recommending for adoption.
		In page 1, section 3: <ul style="list-style-type: none"> Change “Start with item 4 to tell the court why you want the back support (arrear) changed...” to “Tell the court why you want the back support (arrear) changed... <u>Item 1: Leave blank for the court to complete...</u>” 	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		<ul style="list-style-type: none"> Add “On or after” before September and change the date “26” to “27” after September. 	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		<ul style="list-style-type: none"> Change “had no money available” to “had no ability” 	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
		<ul style="list-style-type: none"> Change “between...December 31 2019 or January 1, 2021...” to “between...December 31 2019 and/or January 1, 2021...” 	The committee does not recommend using the term “and/or” as this term can be imprecise and can cause confusion. Additionally, the word “or” usually includes the sense of “and” as used in the following sentence: “No food or drink allowed.” This warning does not suggest that food or drink by itself is disallowed while food and drink together would be permitted. In other words, the

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	Commenter	Position	Comment	Committee Response
				use of “or” in this way encompasses both “or” and “and.”
			<ul style="list-style-type: none"> Add “AND” after items (1) to (3) to add emphasis 	While the committee does not recommend adopting all the suggested language, elements of the proposed verbiage have been incorporated into the revisions that it is recommending for adoption.
			<ul style="list-style-type: none"> Add “Items 5(b) & (c): List the start and release dates of your confinement and attach proof <u>for each period.</u>” 	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.
			<ul style="list-style-type: none"> Add “Item 5(e): If the other items don't apply, tell the court why the <u>child support arrears</u> should be adjusted.” 	The committee does not recommend adopting the suggested language as the term “back support” is easier to understand.
			<ul style="list-style-type: none"> Add “<i>Tip</i>: Check your local court's website to see if you can file your request electronically (e-file) <u>and follow the procedures of your local court.</u>” 	The committee does not recommend adopting the suggested language as it is not necessary.
4.	Orange County Bar Association by Michael A. Gregg, President	A		No response required.
5.	Superior Court of Los Angeles County by Bryan Borys, Director of Research and Data Management	AM	Regarding FL-192 Notice of Rights and Responsibilities form:	
			Page 1, Information About Child Support for Incarcerated or Detained Parents, Section 4: Suggest adding “between” before January 1, 2021 to make the language more clear for self-represented litigants	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
			Page 2, Second column, You must serve the other parent: Suggest replacing “it” with “them” when	The committee does not recommend adopting the suggested language. While it may be common to

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(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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Commenter	Position	Comment	Committee Response
		referring to the child support agency in the sentence “If the local child support agency is involved, serve it too.”	refer to a singular, individual agency using “they,” the correct grammar calls for the use of “it.”
		Regarding FL-490 Application to Determine Arrears form:	
		Page 1, Section 1d(1): Suggest adding “between” before January 1, 2021 to make the language more clear for self-represented litigants	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
		Regarding FL-676 Request for Determination of Support Arrears form:	
		<ul style="list-style-type: none"> Page 2, Section 5c(1): Suggest adding “between” before January 1, 2021 to make the language more clear for self-represented litigants 	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
		Regarding FL-676-INFO Information Sheet: Request for Determination of Support Arrears form:	
		<ul style="list-style-type: none"> Page 1, Second column under 5c: Suggest adding “between” before January 1, 2021 to make the language more clear for self-represented litigants 	While the committee does not recommend adopting the suggested language per se, based on suggestions from multiple commenters, this section has been revised to be clearer and easier to understand.
		<ul style="list-style-type: none"> Page 1, Second column under 5c(1): Suggest replacing “entered” with “made” to be more understandable for self-represented litigants 	The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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	Commenter	Position	Comment	Committee Response
6.	Superior Court of Orange County by Jenny Diaz Avendano, Operations Analyst, Family Law and Juvenile Divisions	NI	Does the Proposal appropriately address the stated purpose? Yes.	No response required.
			Would the proposal provide cost savings? If so, please quantify. No.	No response required.
			What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? The implementation would require creating a procedure for the Court Child Support Unit (CCSU) to outline the process of form FL-676.	No response required.
			Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes.	No response required.
			How well would this proposal work in courts of different sizes? Our court is a large court, and this could work for Orange County.	No response required.

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SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

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	Commenter	Position	Comment	Committee Response
7.	Superior Court of San Bernardino County by Anita Morales, Legal Processing Assistant II	A		No response required.
8.	Superior Court of San Diego County by Michael M. Roddy, Executive Officer	A	Does the Proposal appropriately address the stated purpose?	No response required.
			Yes.	
			Would the proposal provide cost savings? If so, please quantify.	No response required.
			No.	
			What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?	No response required.
			Minimal to none.	
			Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?	No response required.
			Yes.	
			How well would this proposal work in courts of different sizes?	No response required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

SPR23-33

Child Support: Implementing Amendments to Family Code Section 4007.5

(revise forms FL-192, FL-490, FL-676, and FL-676-INFO)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
			It appears the proposal would work for courts of various sizes.	
9.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee (JRS)	A	The JRS notes that the proposal is required to conform to a change of law.	No response required.
			<p>The JRS also notes the following:</p> <p>The proposal does address the stated purpose. It would promote cost savings to the court by informing litigants of potential remedies available to them that could streamline or prevent litigation of issues. It does not appear to affect staffing or require additional training because some of the changes have previously been implemented, and then re-implemented after having been “sunsetting”.</p>	No response required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.