

REQUEST FOR STATE HEARING

YOUR HEARING RIGHTS:

You have the right to request a state hearing if you are not satisfied with the local child support agency's resolution of your complaint, or if the local child support agency has not responded to you or resolved your complaint within 30 days of when you made your complaint. You have only 90 days to request a state hearing. The 90 days starts after you receive the local child support agency's written resolution to your complaint. If the local child support agency has not responded to your complaint in writing, the 90 days starts the day you made your complaint.

TO ASK FOR A STATE HEARING:

- o Fill out this form.
- o Keep a copy of this form for your records.
- o Send this form to: _____

OR

Call toll free: 1-866-289-4714

Fax: 916-464-5069

Email to: StateHearings@dcss.ca.gov



**Department of Child Support Services
Office of Legal Services
State Hearings
P.O. Box 419087
Rancho Cordova, CA 95741-9087**

HEARING REQUEST INFORMATION:

COMPLAINANT NAME (Last) _____ (First) _____ (M.I.) _____			TELEPHONE NUMBER _____
MAILING ADDRESS _____			FAX NUMBER _____
CITY _____	COUNTY _____	STATE _____	ZIP CODE _____
E-MAIL ADDRESS _____		DATE OF BIRTH _____	SOCIAL SECURITY NUMBER _____

Note: The Department of Child Support Services will not schedule a State Hearing unless you have first gone through the local child support agency complaint resolution process and it has been at least 30 days since you filed your complaint.

Please answer the following questions:

1. Have you gone through the complaint resolution process? Yes No
 If no, you must complete the complaint resolution process before you can request a state hearing.
2. Has it been more than 30 days since you requested complaint resolution? Yes No
3. Did you receive a resolution notice (Form LCR 006) from the local child support agency? Yes No
4. What county is your complaint against? _____
5. In what county do you want your hearing held? _____

I want a state hearing because: *(If you need more room, you may continue on another page and attach it to this form.)*

REQUEST FOR STATE HEARING Page two

- I need the State to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing). My language or dialect is: _____
- I have a disability and need the State to provide me the following reasonable accommodation to participate at my hearing: _____
- I want the person named below to represent me at this hearing. I give my permission for this person to have access to my records or attend the hearing for me. (This person can be a friend or relative but cannot interpret for you).

NAME		TELEPHONE NUMBER
STREET ADDRESS		
CITY	STATE	ZIP CODE
COMPLAINANT'S SIGNATURE		DATE

RIGHT TO A STATE HEARING:

- 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.**
- 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.**
- You can request a State Hearing in writing by sending a Request for State Hearing form (SH001) to the Department of Child Support Services, or you can call the Department of Child Support Services toll free at 1-866-289-4714.
- The Department of Child Support Services will let you know the date, time, and place of your State Hearing.
- The Department of Child Support Services will provide an interpreter or disability accommodation for you at the hearing if you need one.
- **IMPORTANT: Not all complaints can be heard at a State Hearing.**

State Hearings will only be granted for the following issues:

- An application for child support has been denied or has not been acted upon within the required time.
- 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, including services for the establishment, modification, and enforcement of child support orders and child support accountings.
- 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.
- The local child support agency's decision to close a child support case.

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

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

OMBUDSPERSON SERVICES:

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