

Multi-cultural Studies – Perspectives from the National Hispanic Work Group



CSE Hispanic Work Group

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What is the Need

Changing Child Support Eligible Population

- 1 in 5 children in U.S. is a child of an immigrant
- Hispanics- almost half (1.4 m) of the national population growth (2005 – 2006).
- Asian custodial parents to increase by over 80%

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CSE Hispanic Work Group Vision

Promote greater access so all Hispanic children and families receive child support services regardless of language and culture.

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Mission Statement

➤ The purpose of the Hispanic Work Group is to engage child support agencies, court systems, public and private agencies to create greater access and services for diverse language and cultural communities

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Guiding Principles

- 1. Well-being of children first.
- 2. Recognize and respect diversity within the Hispanic Community
- 3. Collaboration between LCS, Courts, CBOs
- 4. Customized outreach and services
- 5. Needs and evaluation of services will be supported by research data.

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Do our Services Reach Families with Linguistic/Cultural Diversity?

Check out Local Demographic:

- Census website: www.census.gov
click on "American FactFinder"
click on "Data Sets"
select data set you want, e.g. Census 200 Summary File 3 (SF3)
- "Minority Links" - easy for latest data:
<http://www.census.gov/pubinfo/www/hotlinks.html>

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Barriers to Accessing Services

- Language
- Immigrant status – Fear of deportation
- Distrust of government
- Guilt, Anxiety,
- Cash-based economy
- Hispanic mothers less likely to seek CS order

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Policies

Title VI Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency (LEP)

- Health and Social service providers must
 - ✓ take adequate steps to ensure
 - ✓ meaningful access to services
 - ✓ free of charge

[Regulation 45 C.F.R. Part 80, DOJ Guidance; DHHS Guidance; OCSE Information Memorandum]

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Hispanic Communities Need Child Support Services

- Accessible
- Language appropriate
- Culturally relevant
- Credible

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CSE Hispanic Work Group Strategies

- 1. Promote a presence in Hispanic Community
- 2. Promote confidence & increase access
- 3. Build Collaborations to benefit Hispanic families and children
- 4. Resources, Tools, Training & Technical Assistance for LCS, and partners

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Need to Work with Community Based Organizations

- Provide information and education to sources where Hispanic go for information.
 - CBOs are trusted
 - Faith based are important
- Community Outreach and Visibility
 - Develops Trust and Credibility
 - Creates source of information about community for the LCS

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Products

1. Best Practices
2. Templates
3. Web-based “Resource Kit” and “How To” manuals
4. Leveraging resources
5. *IT3*
6. Partnerships w/CBOs

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Web-based Tool Kit

- **Goal:** The goal of the web-based tool kit is to assist a variety of partners, the courts and CSE offices in providing child support services.
- **Approach:** To offer strategies and material that can be easily downloaded and adapted by state and local offices, courts and partners.

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Downloadable Products

- ✓ Brochures and Posters
- ✓ Translation and interpretation services
- ✓ Communications material
- ✓ Testimonials

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Downloadable Products

- ✓ Partnerships and collaboration – “how to”
- ✓ Presentations and speeches
- ✓ Handout material
- ✓ Fact Sheets
- ✓ Special events

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Downloadable Products

- ✓ Advertising
- ✓ Public Service Announcements
- ✓ Media Advisories
- ✓ Press Releases
- ✓ Other

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Intended Outcomes

- ✓ Raise child support awareness
- ✓ Access to services
- ✓ Greater establishment of child support orders

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The CSE Hispanic Work Group
is working hard to provide

- ✓Resources needed for state and local offices and the courts
- ✓Partnerships needed to refer Hispanic parents – Directory of Service Providers.

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Questions ??

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STANDARD ORDERS ATTACHMENT

All payments must be made to:

DEPARTMENT OF CHILD SUPPORT SERVICES
P.O. 45383
SAN FRANCISCO, CA 94145-0383

1. Child support payments are payable by Order/Notice to Withhold Income for Child Support (form FL-195). An Order/Notice to Withhold Income for Child Support (form FL-195) will issue.
2. Each parent must: (a) provide and maintain health insurance coverage for the children as obligated by law; (b) complete and return a Health Insurance Form within twenty (20) days of Tulare County Dept. of Child Support Services request. Each parent is responsible for one-half (1/2) of all medically necessary uninsured or unreimbursed medical costs. A Health Insurance Coverage Assignment (form FL-470) will issue.
3. No provision of this judgment/order may operate to limit any right to collect the principal (total amount of unpaid support) or to charge and collect interest and penalties as allowed by law. Interest will accrue on the entire principal balance owing and not on each liquidation installment as it becomes due. Any liquidation ordered is subject to modification.
4. Each obligated parent must notify the Tulare County Department of Child Support Services; 8040 Doe Avenue; Visalia, CA 93291 within three (3) business days in writing of any change in residence, income, or employment.
5. Each obligated parent is responsible for paying all child support payments as of the effective date of the order, whether or not an Order/Notice to Withhold Income for Child Support is in place.
6. Current child support shall be modified and set at \$zero per month starting on the first day of the month following the grant of SSI to an obligor, who has no other source of income.
7. Current child support shall be temporarily modified and set at \$zero per month starting on the first day of the month following the incarceration of an obligor, if that incarceration is for thirty (30) or more days consecutive and the obligor has no other source of income. Current child support shall resume as previously set by court order on the first day of the second month after the obligor's release.
8. Current child support shall be conditionally modified and set at \$zero per month starting on the first day of the month following the entrance of an obligor into a live-in drug or live-in alcohol treatment program that lasts for at least thirty (30) consecutive days and the program terms prevent the obligor from working outside the program, except for income that is paid to the program as a term of the program, and the obligor has no other source of income. This reduction shall only apply if obligor successfully completes the treatment program. Current child support shall resume as previously set by court order on the first day of the second month following obligor's completing the live-in program.
9. The current child support ordered shall be temporarily set at \$zero any month the obligor is receiving cash aid from TANF or General Relief. The child support shall reinstate to the previously ordered amount the first day of the first month the obligor is no longer receiving cash aid.
10. Except for court ordered visitation, a parent shall not have an obligation to pay court ordered child support during any full month when the obligor lived with and solely supported the child/children who is/are the subject of the obligation.

NOTICE: Any party required to pay child support must pay interest on overdue amounts (arrears) at the statutory rate, which is currently ten (10) percent simple interest per year on California orders.

ARREARS AND RELEASE OF DRIVING PRIVILEGE

- The obligor has been advised that monthly payments of liquidation on arrears in the amount set will prevent the revocation of the obligor's California driver's license by the Tulare County Department of Child Support Services, but will not pay the monthly interest due on the balance of the arrears, and the obligor agrees to this rate being set.
- The obligor's California driving privilege is to be released by the Department forthwith on the condition that the obligor remains current each month with any monthly ongoing support due and the monthly payment of liquidation as set by the court. If the obligor fails to keep current, the Department may summarily report the obligor for revocation of the driver's license.

TRANSFER OF EXEMPTIONS

- As of December 31st of each year, if the obligor was current with each monthly ongoing support and the monthly rate of liquidation for the year, the obligor will be allowed to take the tax exemption(s) for the following child(ren) for that tax year, unless the child takes a personal exemption

The custodian of the child shall execute an IRS Form 8332 for each qualifying year within ten (10) days of submission of the form.

Anexo de Norma para Ordenes

Remitir todo pago a: DEPARTMENT OF CHILD SUPPORT SERVICES
P.O. 45383
SAN FRANCISCO, CA 94145-0383

1. Pagos de manutencion de menores (child support) seran procesados a traves de un embargo salarial (formulario FL-195). Una orden de Transferencia de Salario sera emitida (formulario FL-195).
2. Todo deudor debe: a) proveer (y mantener en vigor) seguro medico para los ninos tal como exige la ley, b) completar y entregar un formulario sobre el seguro medico dentro de veinte(20) dias al Departamento de Mantenimiento de Ninos del Condado de Tulare, segun se exiga. Todo deudor es responsable pagar la mitad (1/2) de todo gasto medico necesario no pagado o reembolsado por el seguro medico. Se llevara a cabo la expedicion de asigno de cobertura de seguro medico (formulario FL-470).
3. Ninguna disposicion de esta orden puede interponer limites sobre el derecho de recuperar el principal(monto total no pagado), porcentaje de interes acumulado, al igual a recargos tal como permita la ley. El porcentaje de interes se basa en el monto total, y no en la cantidad asignada mensual del saldo. Toda cantidad de liquidacion es sujeta a modificacion..
4. Todo deudor de manutencion debe notificar por escrito al Departamento de Mantenimiento de Ninos del Condado de Tulare: 8040 Doe Avenue, Visalia, CA 93291 dentro de los primeros tres(3) dias(laborables) cualquier cambio de domicilio, ingresos, o trabajo.
5. Todo deudor de manutencion tiene la responsabilidad de hacer su pago desde la fecha en que la orden entro en vigor, aun se halla procesado, o no, un embargo salarial.
6. La orden vigente de manutencion de menores sera modificada a cero dolares comenzando el primer dia del siguiente mes de haberle concedido beneficios por medio del Seguro Social(SS)I) hacia aquellos deudores que no tengan otros recursos economicos.
7. La manutención actual sera modificada provicionalmente por la cantidad mensual de cero dolares. Quedara en espera comenzando el primer dia del mes siguiendo la encarcelacion del deudor de manutencion siempre y cuando dicha encarcelacion se extienda treinta (30) dias consecutivos, o mas, y si el deudor carece de otros recursos economicos. La orden de manutencion al menor previamente citada por el juez entrara en vigor el primer dia del segundo mes que el deudor quede en libertad.
8. La manutención actual sera modificada condicionalmente por la cantidad de cero dolares comenzando el primer dia del mes al seguir el ingreso del deudor obligado pagar manutencion en un programa de tratamiento anti-droga/alcohol, como paciente interno, cuya duracion sea un minimo de treinta(30) dias consecutivos y en el cual condiciones de dicho programa prohíbe al deudor trabajar fuera del programa, a menos que ingresos sean pagados directamente al programa como condicion de dicho programa, y que el deudor no tenga otros recursos economicos. Esta condicion se implementa si el deudor completa exitosamente el programa de tratamiento. La orden de manutencion, previamente citada, entrara en vigor el primer dia del segundo mes que el deudor halla completado la fase del programa como paciente interno.
9. La orden de manutencion actual sera provicionalmente citada por la cantidad de cero dolares cada mes en que el deudor obligado pagar manutencion reciba beneficios de los programas TANF o General Relief. La orden de manutencion entrara en vigor una ves mas por la cantidad previamente citada el primer dia del primer mes que el deudor obligado pagar manutencion no este recibiendo asistencia en efectivo..
10. A menos que sea visitacion por orden de la corte; El deudor no tendra la obligacion de pagar manutencion dictada por el juez durante aquellos meses completos en el cual el deudor halla convivido y halla completamente mantenido nino/s sujeto/s a dicha obligacion.

AVISO: Toda persona que se le requiere pagar manutencion a menores de edad debe pagar intereses sobre el monto atrasado segun la tarifa establecida por ley. Actualmente al diez(10%) por ciento sencillo anual, segun las ordenes del estado de California.

PAGOS ATRASADOS Y REPOSICION DEL PRIVILEGIO DE CONDUCIR

El deudor queda notificado sobre pagos mensuales de liquido del monto fijo, previamente citado, evita revocacion de su licencia de conducir en el estado de California por medio del Departamento de Mantenimiento de Ninos del Condado de Tulare, pero este pago no pagara los intereses acumulados de la cantidad total atrasada, y el deudor esta de acuerdo en que se fije dicha tarifa.

El privilegio de conducir en el estado de California sera re-activado por el Departamento de Mantenimiento de Ninos, inmediatamente, bajo la condicion en que el deudor se mantenga al dia con sus pagos mensuales de manutencion y los pagos de liquido de su cuenta atrasada tal como fue dictada por el juez. Si el deudor no cumple en mantenerse al dia, el Departamento de Mantenimiento de Ninos, sumariamente, pudiera ordenar la suspension de su licencia de conducir.

DERECHO AL DECLARO DE PRIVACIONES

A partir del dia 31 de diciembre de cada ano, si el deudor se ha mantenido al dia con sus pagos de manutencion, al igual que los pagos del monto atrasado se le permitira declarar privaciones en su declaracion a rentas internas(taxes) por el ano correspondiente por los siguiente menor/es, a menos que el menor se declare privacion propia.

La persona que tenga tutela del menor tendra que presentar el formulario 8332 del IRS por cada ano que califique dentro de diez (10) dias de entrega de la forma.