

Date of Hearing: April 23, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 1643 (Nguyen) – As Amended April 16, 2026

**SUBJECT:** Child support

**SUMMARY:** Revises how and when specified personally identifiable and contact information is submitted to the court prior to filing a proposed judgment or order for child support. Requires the California Department of Child Support Services (DCSS) to establish a confidential electronic portal. Deems the submittal of specified information to the portal to be an application for child support services authorized under Title IV-D of the Social Security Act. Specifically, **this bill:**

- 1) Revises the requirement, in cases where the local child support agency (LCSA) is not providing child support services, when disclosing specified contact and personally identifiable information to the court for a judgment for paternity and an order for child support, for the child support obligor and obligee to file that information with the court and instead requires that information to be submitted via a confidential electronic portal.
- 2) Requires the child support obligor and obligee to submit specified information prior to filing the proposed judgment or order and include a receipt or confirmation of that submittal from the confidential electronic portal when filing the proposed judgment or order.
- 3) Requires the information from the confidential electronic portal to be sent to the Statewide Child Support Registry, as described in 11) below, and to the LCSA.
- 4) Removes the requirement for the parent in a private case to file the specified information in 2) above, with the court within 10 days of the court order, and instead requires new or different information to be submitted via the confidential electronic portal within 10 days after any event causing a change in the previously provided information.
- 5) Removes the requirement for a judgment for parentage and an order for child support in a private case entered or modified pursuant to any law, to include a provision requiring the child support obligor and obligee to file and keep updated the specified information in 2) above, with the child support registry.
- 6) Requires the portal to include information to inform the child support obligor and obligee about child support services under Title IV-D, including, but not limited to, all of the following:
  - a) The contact information of the LCSA in the county in which the support order was made;
  - b) The nature and scope of child support services authorized under Title IV-D, including information about all free services and information about any applicable fees;
  - c) A notification that the submittal of the information required under these provisions will be deemed to be an application for child support services authorized under Title IV-D;

- d) Information concerning the child support obligee's option to opt out of Title IV-D services, and a section to allow the child support obligee to opt out;
  - e) Information regarding the LCSA's obligation to maintain confidentiality of the parties' information pursuant to federal and state laws and regulations;
  - f) An option for the child support obligee to indicate if there is a domestic violence concern; and,
  - g) Any additional child support program notices, rights advisements, or disclosures deemed necessary.
- 7) Requires DCSS to establish a confidential electronic portal to implement the requirements above.
- 8) Revises the options that apply to the court in any proceeding where a court makes or has made an order requiring the payment of child support to the person having custody of a child for whom support may be ordered, to do all of the following:
- a) Require that all payment be directed to the State Disbursement Unit (SDU);
  - b) Require every child support obligee to submit the required personal information via the confidential electronic portal. Requires, notwithstanding any other law, the submittal of the special information to be deemed to be an application for child support services authorized under Title IV-D;
  - c) Authorize a support obligee to opt out of receiving Title IV-D child support services by indicating that in the confidential electronic portal, unless otherwise required to receive those services under state or federal law. Clarifies that opting out of receiving child support services shall not preclude the support obligee from submitting subsequent applications for child support services; and,
  - d) Permit the court to direct the LCSA to appear on behalf of the minor children in any proceeding to enforce the order.
- 9) Strikes obsolete language.

**EXISTING LAW:**

## State law:

- 1) Requires any child support order issued or modified under court-ordered child support to include a provision obligating both the obligor and the obligee to notify the other parent, or, where payment is routed through a Title IV-D agency, the named agency, of the name and address of the person's current employer. (Family Code [FAM] § 4014(a))
- 2) Requires, to the extent mandated by federal law and subject to applicable confidentiality protections, that any judgment for paternity or child support order entered or modified under

any law include a provision requiring both the obligor and the obligee to file the following information with the court:

- a) Residential and mailing address;
  - b) Social security number, individual taxpayer identification number, or other uniform identification number;
  - c) Telephone number;
  - d) Driver's license number or identification card number issued by the California Department of Motor Vehicles;
  - e) Name, address, and telephone number of the employer, and,
  - f) Any other information prescribed by the Judicial Council. (FAM§ 4014(a))
- 3) Specifies that the judgment or order must state that each parent is individually responsible for providing their own information, that the information must be filed with the court within 10 days of the order, and that any change in previously provided information must be filed with the court within 10 days of the change. Applies these requirements only to cases in which the LCSA is not providing child support services. (FAM § 4014(b))
- 4) Specifies that for any judgment for parentage or child support order entered or modified under any law must require both the obligor and the obligee to file and continuously update the information enumerated in 2) above, with the child support registry, rather than the court. (FAM § 4014(c))
- 5) Specifies an order for child support issued or modified pursuant to court-ordered child support is required to include a provision requiring the obligor and child support obligee to notify the other parent, or if the order requires payment through a Title IV-D agency, the agency named in the order, of the name and address of the person's current employer. (FAM § 4014(a))
- 6) Authorizes the court, in any proceeding where a court makes or has made an order requiring the payment of child support to the person having custody of a child for whom support may be ordered, to do either or both of the following:
- a) Direct all payments to the SDU instead of the county officer designated by the court; or,
  - b) Direct the LCSA to appear on behalf of the minor children in any proceeding to enforce the order. (FAM § 4201)
- 7) Requires each county to establish a county department of child support services, to be referred to as the LCSA and requires the LCSA to be separate and independent from any other county department and to be responsible for promptly and effectively establishing, modifying, and enforcing child support obligations, including medical support, enforcing spousal support orders established by a court of competent jurisdiction, and determining paternity in the case of a child born out of wedlock. Requires the LCSA to refer all cases

requiring criminal enforcement services to the district attorney to prosecute those cases, as appropriate. Requires the director of child support services to be responsible for implementing and administering all aspects of the state plan that direct the functions to be performed by the LCSAs relating to their Title IV-D operations. (FAM § 17304)

- 8) Makes legislative findings and declarations that there is a compelling state interest in having a simple, speedy, conflict-reducing system, that is both cost-effective and accessible to families, for resolving all issues concerning children, including support, health insurance, custody, and visitation in family law cases that do not involve enforcement by the LCSA. (FAM § 4250(a)(5))
- 9) States legislative intent to: (1) provide for commissioners to hear child support cases being enforced by the LCSA; (2) adopt uniform and simplified procedures for all child support cases; and, (3) create an Office of the Family Law Facilitator in the courts to provide education, information, and assistance to parents with child support issues. (FAM § 4250(b))
- 10) Establishes the legal requirement for a statewide child support case registry to keep track of all support orders issued or modified in California. Requires, for both private and Title IV-D cases, every child support order to include a provision requiring parents to notify each other or the designated enforcement agency of any changes to their employment status, including the name and address of their current employer. Requires, for private cases, both parents to provide the court with information, such as their residential and mailing addresses, Social Security, telephone numbers, and driver's license information. Specifies that for Title IV-D cases, the detailed filing and updating requirements are handled directly by LCSA through its existing case management systems. (FAM § 4014)
- 11) Mandates that an income withholding order, also known as an earnings assignment order, be issued in all support cases, requiring employers to deduct support directly from paychecks, which is typically processed through the SDU, including private cases. Specifies that while the income withholding order is required in private and Title IV-D cases, the LCSA is responsible for serving the order on the employer and managing the collection in Title IV-D cases, whereas in private cases the parents or their attorneys are typically responsible for ensuring the order is prepared and delivered to the employer. (FAM §§ 4201(a); 1204; 5230)
- 12) Establishes the Statewide Child Support Registry to track all support orders and modifications issued within the state. Specifies that for Title IV-D cases, the LCSA automatically uploads and manages this data as part of their standard services but that in private cases, the parents are responsible for providing the necessary information to the court, which then ensures the data is transmitted to the statewide registry for identification and monitoring at the state and federal levels. (FAM § 17391)

Federal law:

- 13) Establishes the child support program (Title IV-D) as a federal-state partnership for child support enforcement, requiring states to provide services to locate parents, establish paternity, and obtain or enforce support orders. Requires states, to receive federal funding, to operate a centralized program that manages both public assistance referrals and voluntary applications from private citizens. Mandates the creation of the Federal Parent Locator

Service (FPLS) and national registries to track and collect support payments across state lines. (42 United States Code [U.S.C.] § 651 *et seq.*)

- 14) Requires states to provide child support services if an individual applies and requires state child support programs to provide full enforcement services to any individual who does not receive public assistance. Requires the state, once a parent submits that application, to use the full range of federal and state tools to locate the other parent, establish paternity, and enforce support orders. (42 U.S.C. 654(4))
- 15) Requires every state to include in its state plan for child and spousal support, a provision that imposes an annual fee of \$35 for cases where the individual has never received assistance under a state program such as Temporary Assistance for Needy Families or California Work Opportunity and Responsibility to Kids (CalWORKs). Requires the collection of at least \$550 of support in a federal fiscal year before the annual fee can be levied. (42 U.S.C. 654(6)(B)(ii))
- 16) Establishes the FPLS to provide a national information network to assist authorized persons in locating individuals regarding child support and parentage, child custody and visitation, child welfare and foster care or parental kidnapping. Requires that all child support orders be reported to the State Case Registry, which then feeds this data into the federal system to facilitate interstate locating and coordination and includes private child support cases which are placed in the Federal Case Registry as part of the FPLS. Authorizes the FPLS to obtain and transmit an individual's Social Security number, most recent address, employer details, and information regarding their wages, benefits, and assets. (42 U.S.C. § 653)

**FISCAL EFFECT:** Unknown, this bill has not been analyzed by a fiscal committee.

**COMMENTS:** This bill only discusses policy issues germane to the Assembly Committee on Human Services.

**Background:** *Private Child Support Cases and Title IV-D Cases.* Child support cases generally fall into two categories: Title IV-D cases and private cases, with the latter administered by the LCSA. Within Title IV-D, cases are further distinguished as assigned or unassigned. An assigned case is one where a parent receiving public assistance, such as CalWORKs, must legally transfer their support rights to the state in exchange for aid. Because participation in the Title IV-D system is a mandatory condition for receiving such public assistance, the provisions of *this bill* do not apply to assigned cases.

Title IV-D cases are also opened when a parent voluntarily applies for services. The LCSA manages these cases and represents the public interest and not either parent, which means there is no attorney-client relationship. Services are provided for a \$35 federal annual service fee.

Private cases are usually initiated through divorce, legal separation, or private paternity action. Parents may hire their own attorneys or represent themselves and generally have more flexibility to negotiate agreements than the Title IV-D system, though all court orders, both private and Title IV-D, must comply with the statewide uniform child support guidelines. While the term “private” is used, an order for child support is still a legal proceeding, and the state is required to track it to comply with the federal Social Security Act.

To establish a child support order in Title IV-D cases, the LCSA handles the entire process of finding the other parent, establishing parentage if necessary, and obtaining the support order through an administrative or court process, often before a child support commissioner rather than general family law judges. In private cases, support is established during general family law proceedings. As noted, while judges must follow the statewide uniform guideline, parents have more flexibility in private cases to stipulate different amounts if the court approves.

In Title IV-D cases, the SDU processes all payments and maintains a formal record of every payment made and any past-due amounts. In private cases, payments made through wage withholding are required to go through the SDU, but the SDU acts only as an intermediary and does not keep a record of the total obligation or past due amounts. Parents must track their own payment history.

The biggest difference between Title IV-D and private cases is enforcement. In Title IV-D cases, the LCSA can use automated enforcement tools without needing a new court order, including intercepting tax refunds, suspending driver's or professional licenses, placing liens on property, and reporting to credit bureaus. In private cases, enforcement is entirely the responsibility of the parents. If one parent stops paying, the receiving parent must seek court intervention, such as filing a contempt of court motion or requesting a specific enforcement order like a bank levy or property lien. As a result, many parents convert their private case to a Title IV-D case to get enforcement assistance. All child support orders, whether private or through an LCSA, require parents to share their current employer's name and address to ensure child support can be tracked and enforced.

In private cases, both parents must complete the Child Support Case Registry Form (FL-191), which includes detailed personal information such as home and mailing addresses, Social Security numbers, phone numbers, and driver's license numbers. This form must be delivered to the court clerk at the same time the support order is filed. The information from the FL-191 is entered into the California State Case Registry, and the court is required to send these forms at least once per month to update the registry. To protect privacy, this form is kept in a confidential state file rather than the public court record. Parents are also legally responsible for filing a new FL-191 form with the court within 10 days of any change to their employment or personal information. In Title IV-D cases, parents report this information directly to the LCSA named in the order, which then updates the state case registry on their behalf.

In private cases where no public assistance is involved, child support payments may be made directly between parents if the court approves the agreement. However, if support is paid via wage withholding, existing law mandates that those payments go through the SDU. If parents want the LCSA to enforce the order or provide oversight, one parent must open a case with them. Once an LCSA enforces a case, all payments must go through the SDU to ensure an accurate record, and direct payments between parents are typically no longer allowed.

Functionally, the distinction between Title IV-D and private cases is who manages enforcement and how data gets into the registry. Both pathways are court-ordered, both are public legal proceedings, and both ultimately feed into the same statewide registry with the same data elements.

*This bill, as proposed to be amended,* would require, once a child support order has been made in a private case, the case to be automatically converted into a Title IV-D case. As a result, all

ordered payments would be directed to SDU for enforcement and collection, unless the custodial parent opts out by submitting a voluntary case closure request to the LCSA to decline services. In practice, this shifts responsibility for payment processing, recordkeeping, and enforcement to the LCSA, which can also initiate and review support modifications at no cost to the custodial parent for as long as the case is open.

*Process to Close a Title IV-D Case.* Currently, to close a Title IV-D case, the parent who opened the case is required to submit a written request to the LCSA. The LCSA must provide written notice and wait 60 days before closing the case. Once the 60-day notice period passes without objection, the LCSA may close the case, at which point enforcement actions and payment tracking cease.

*The California State Case Registry* is a mandatory, confidential database that stores identifying information for every person involved in a child support order established or modified since 1998, including private cases. Maintained by the state in compliance with federal law, the registry acts as a central hub that links local county court records to a national tracking system, the FPLS, which helps locate parents across state lines and prevents the creation of duplicate support orders. In addition to tracking case participants and employer details, the registry allows the SDU to accurately process and distribute support payments, particularly those collected through automated wage withholding. While the registry contains sensitive data like Social Security and driver's license numbers, this information is shielded from the public and is only accessible to authorized government agencies and the parties named in the case. The registry is a record of court orders, not of active enforcement activity.

*Federal Parent Locator Service.* The FPLS is a national matching system used to locate parents and their assets to establish and enforce child-related legal obligations operated by the federal Office of Child Support Enforcement. Its primary functions include child support enforcement, asset discovery, custody and visitation, helping locate parents or relatives for children in foster care and aiding law enforcement in investigating cases of parental kidnapping. The FPLS interfaces with numerous federal agencies including the Social Security Administration, Internal Revenue Service (IRS), and Department of Defense to provide nearly instantaneous data to state child support agencies.

While private cases are not automatically managed by a government agency, federal law requires that information from all child support orders issued or modified on or after October 1, 1998, be reported to the registry. In California, private cases are added to the system through a specific process that requires parents to file a Child Support Case Registry Form with the court clerk when a private court order is created or changed. The court clerk sends this form to DCSS, which then uploads the abstract of the case into the Federal Case Registry. For private cases, the FPLS helps other states identify that a support order exists in California even if there is no active enforcement agency involved. Inclusion of private cases serves several federal and state purposes, such as preventing multiple conflicting orders from being issued in different states for the same child. A parent's attorney can request "locate-only" searches through the California Parent Locator Service, embedded in each LCSA, to find a non-paying parent's address or employer. The information is used to help the IRS verify dependencies and tax credits. Although private cases are in the database, the level of access is different from Title IV-D cases. LCSAs get proactive alerts if a parent in a Title IV-D case gets a new job; however, in a private case, the state generally does not monitor the data or trigger enforcement unless a parent specifically applies for full services. *This bill, as proposed to be amended,* would remove the

obligation for a parent to apply for full services and would automatically enroll all cases with orders for child support into child support services.

In California, Title IV-D child support cases are entered into the FPLS through an automated, state-managed process. This system ensures that case data is continuously shared between state and federal authorities to assist in locating parents and enforcing support orders. Generally, the type of information entered into the FPLS is the same for private and Title IV-D cases except that in a private case there are only minimal details on the support amount that has been ordered and just an indication that an order exists. However, safety data to include whether a family violence indicator exists is viewable for both private and Title IV-D cases, when applicable.

*Decline in Title IV-D Cases.* Data published in 2023 from DCSS<sup>1</sup> shows a downward trend in Title IV-D cases between 2017 and 2021, with cases decreasing by 12% over that period. Previous estimates from the Judicial Council of California suggest that a substantial share of all child support cases are private cases, although that data point is harder to track because in private cases, the child support order is normally accompanied by other orders related to a divorce or custody. Recent policy shifts aimed at reducing the burden on low-income families can be attributed to some of the decline in cases. For example, fewer foster care cases are being referred to LCSAs as well as more cases being closed due an increase in formerly assisted CalWORKs pass-through amounts that shift child collections away from government recoupment and toward families, and debt reduction programs like the Compromise of Arrears Program have increased the number of closed cases.

*Parents with Informal Arrangements.* The provisions of *this bill* only apply to those who have court orders for child support through a private case and are not receiving public assistance.

For those families whose court orders do allow for direct payments between each other, and those orders deviate from the statewide uniform guideline, those terms are still documented in the court order and require the filing of official forms with the court to be on the record. For those families who wish to keep their less formal court orders for child support as is, enrollment into a Title IV-D case may not be the best fit for their family. *This bill, as proposed to be amended,* would allow the custodial parent to opt out of enrollment in a Title IV-D case by submitting a voluntary case closure form to the LCSA of the county in which the order was issued once the court has ordered child support.

The provisions of *this bill* would not apply to families who do not wish or are not required to establish official child custody or child support agreements. There are many instances of families with children who have unmarried parents and who subsequently choose to address custody and visitation issues outside of the purview of the court and the LCSA. There are also families who have not pursued official separation or divorce proceedings but are also managing custody and support outside of the courtroom and LCSA. The provisions of *this bill* also would not apply to them.

**Author’s Statement:** According to the Author, “[This bill] makes changes to the child support application process by making it the default that custodial parents be automatically enrolled into child support services once a court decides payment is owed to the custodial parent. This bill

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<sup>1</sup> [https://dcss.ca.gov/wp-content/uploads/sites/345/2023/03/AnnualReportLegislature\\_AB1811\\_FFY2021.pdf](https://dcss.ca.gov/wp-content/uploads/sites/345/2023/03/AnnualReportLegislature_AB1811_FFY2021.pdf)

helps alleviate the hardship experienced by custodial parents, who are more likely to be women, and their children by helping them remain out of poverty, which leads to improved health, development, and educational outcomes for these children. Replacing the need to opt-in to child support services with an opt-out option instead, increases the likelihood that custodial parents will collect payment and promotes equity by balancing responsibility for children on both parents.”

**Equity Implications:** The provisions of *this bill, as proposed to be amended*, seek to automatically direct all child support cases to the LCSA for enforcement and collection, unless the custodial parent decides to opt out. Automatically designating all private child support orders as Title IV-D cases upon a court order for support would provide equity for custodial parents experiencing poverty by removing the financial and bureaucratic hurdles of applying for state services if the other parent fails to pay. This change shifts the burden of enforcement from the individual to the state, ensuring that parents do not have to personally track payments, file legal motions, or confront a non-paying co-parent. For survivors of domestic violence or those in high-conflict relationships, this model offers a safety buffer, as the LCSA acts as a neutral intermediary, eliminating the need for direct financial negotiations that could otherwise trigger further abuse or retaliation.

**Policy Considerations:** April 16, 2026, amendments substantially changed this bill to include provisions that now create a portal where obligors and obligees in private child support cases, prior to filing a proposed judgment or order, must submit personally identifying information, and other contact information. *This bill* requires the portal to include notices about Title IV-D services, LCSA contact information, fee disclosures, confidentiality protections, and a domestic violence concern disclosure option. Further, deems submission of information through the portal, rather than the court order itself, to be an application for Title IV-D services, and changes the opt-out mechanism to allow the obligee to opt out directly through the portal at the time of initial submission, rather than as a separate subsequent action to the LCSA.

These provisions raise questions about how DCSS would operationalize a portal including a timeline for implementation, how users without internet access would utilize the portal, and how DCSS would safeguard personally identifiable information.

*This bill* creates an opt-out process that would be required to simultaneously occur while applying for child support services. This would likely create confusion and unnecessary, duplicative work on both the obligee's end and DCSS’.

Furthermore, *this bill* lacks specificity on an opt-out process including how and when someone can opt out of this system.

*Should this bill move forward, the Author may wish to revert to the introduced version of the bill and create a clear opt out process.*

**Proposed Committee Amendments:** The Committee proposes amendments to address policy considerations stated above to do the following:

- Clarify that every court order for payment of child support shall be deemed to be an application for child support services authorized pursuant to Title IV, unless the support obligee makes a timely election to decline those services.

- Specify that the court is required to transmit a copy of the child support order and the contact information of the support obligor and support obligee to the LCSA of the county where the order was issued within five business days of the expiration of the election window specified above, if no timely election has been made.
- Require the court to advise the support obligee at the time a child support order is entered, on the record, or in writing of all the following:
  - That the court order will be deemed an application for Title IV-D child support enforcement services unless the obligee elects to decline those services.
  - That Title IV-D services include, but are not limited to, issuance and service of an earnings assignment order on the obligor's employer, payment processing through the SDU, and other enforcement actions authorized under Division 17.
  - That the obligee may decline Title IV-D services and simultaneously request a stay of service of the earnings assignment order, by making an election on the record at the time of the hearing or by submitting a written election within 10 business days of the date the order is served on the obligee.
  - That declining Title IV-D services does not affect the validity or enforceability of the underlying support order, and that the obligee may request enforcement services at any time in the future.
  - That if the obligor fails to make timely payments, the obligee may lift the stay and serve the earnings assignment order on the employer without further court action, or may request that the LCSA open a case and provide enforcement services.
- Require the court, if the support obligee is present at the hearing and elects on the record to decline Title IV-D services, to do all of the following:
  - Note the election in the court order;
  - Stay service of the earnings assignment order, subject to the parties' compliance with the support order; and,
  - Not transmit the order to the LCSA.
- Authorize, if the support obligee is not present at the hearing, or the order is entered by stipulation without a hearing, the obligee to make a written election to decline Title IV-D services within 10 business days of the date the order is served on the obligee. Require a written election to be submitted simultaneously to the court, at no cost to the obligee, and to the LCSA on a form prescribed by the Judicial Council.
- Require the Judicial Council, on or before January 1, 2028, to adopt or modify its forms as needed to implement.
- Upon receipt of a timely written election:

- The court shall stay service of the earnings assignment order;
- The LCSA shall not open a case, take any enforcement action, or issue an earnings assignment order during the 10-business-day election window or upon receipt of a timely written election; and,
- If the LCSA has already issued an earnings assignment order to the employer prior to receipt of a timely written election, the agency shall issue a termination of that order to the employer within five business days of receipt of the election.

**Double referral:** This bill was previously heard in the Assembly Committee on Judiciary on March 10, 2026, and was approved on a 9-1 vote.

**Arguments in Support:** The Child Support Directors Association of California, the sponsor, states, “[This bill] is one of the most effective and proven tools for advancing child well-being, and [this bill] represents an important step forward in ensuring more children receive the financial support they deserve. California’s local child support agencies work every day to help families navigate complex circumstances with dignity, fairness, and a focus on the best interests of children. [This bill] advances that mission by promoting access to support while preserving appropriate safeguards and respecting parental choice.”

**Arguments in Opposition:** None on file.

#### **RELATED AND PRIOR LEGISLATION:**

*AB 739 (Jackson), Chapter 387, Statutes of 2003*, established the needed funding structure and banking considerations for the collection and distribution of millions of dollars of child support payments that will be handled by California's SDU.

*AB 1358 (Shelley), Chapter 808, Statutes of 2000*, made numerous technical changes to various California codes relating to child support enforcement necessary to accommodate California's new child support enforcement organizational structure effective on January 1, 2000. Replaced the references to "district attorney" with "local child support agency" and "Department of Social Services" with "Department of Child Support Services," the successor agency and department, respectively.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Child Support Directors Association of California (Sponsor)

##### **Opposition**

None on file.

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