

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee  
Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs  
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DATE: September 17, 2008

SUBJECT: Child Support: Revised Forms to Improve Quality of Translation  
for Non-English-Speaking Self-Represented Litigants (revise forms  
FL-615, FL-625, FL-626, and FL-663) (Action Required)

Issue Statement

A significant number of self-represented litigants in governmental child support cases do not speak English. The proposed revised forms are intended to enhance the comprehension of child support stipulations for non-English-speaking self-represented litigants. A declaration of the person providing interpretation/translation would be added to two forms to attest to the quality of the interpretation or translation being provided. The current Interpreter's Declaration in two other forms would be revised to add a statement that the person is competent to interpret or translate in the litigant's primary language, to revise the name of the declaration to include both oral and written language assistance, and to add bilingual attorneys to those who may provide interpretation and translation. Requiring the person providing the interpretation or translation to declare under penalty of perjury that he or she is competent to translate in the litigant's primary language is intended to improve the quality of translation for self-represented litigants.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2009:

1. Revise *Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment (Governmental)* (form FL-615) to include a statement of competency by the person providing interpretation or translation and improve the quality of language assistance for non-English-speaking self-represented litigants;

2. Revise *Stipulation and Order (Governmental)* (form FL-625) to add a Declaration of Person Providing Interpretation/Translation and enhance comprehension of child support stipulations for non-English-speaking self-represented litigants;
3. Revise *Stipulation and Order Waiving Unassigned Arrears (Governmental)* (form FL-626) to include a statement of competency by the person providing interpretation or translation and improve the quality of language assistance for non-English-speaking self-represented litigants; and
4. Revise *Stipulation and Order for Joinder of Other Parent (Governmental)* (form FL-663) to add a Declaration of Person Providing Interpretation/Translation and enhance comprehension of child support stipulations for non-English-speaking self-represented litigants.

The proposed forms are attached at pages 6–18.

#### Rationale for Recommendation

Acceptance of this recommendation would enhance the comprehension of child support stipulations for the significant number of self-represented litigants who do not speak English by requiring the interpreter to declare under penalty of perjury that he or she is competent to interpret or translate in the language indicated.

#### *Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment (Governmental)* (form FL-615)

Form FL-615 would be revised so that the current Interpreter’s Declaration would include a statement by the interpreter that he or she is competent to interpret or translate in the language indicated. This stipulation form is used in child support cases being provided services by local child support agencies. As part of the effort to resolve these cases without the need for a court hearing, the local agencies use written stipulations. If the parties agree to the terms, stipulations are often executed at the local child support agency. Local child support agency staff, who are hired for their bilingual capabilities, frequently provide translation or interpretation of the stipulation and then execute the Interpreter’s Declaration. In other instances, interpretation may be provided by someone brought by the litigant.

The revised form would provide the court with greater assurance as to the competency of the individuals providing interpretation or translation to the significant numbers of self-represented litigants in governmental child support cases who do not speak English. The declaration currently states that the interpreter has translated the stipulation to the best of his or her ability. The revised declaration would state that the interpreter is competent to perform the interpretation or translation. This revision is based on an issue raised by a trial court regarding the need for there to be at least a statement of competency by the person providing the interpretation or translation when the stipulation is signed outside the courtroom and later submitted to the court. When the stipulation is on the record in open court, the court can follow the rules and standards regarding interpreters adopted by the Judicial Council under Government Code section 68564. The proposed revisions also

include changing the heading of the declaration section to “Declaration of Person Providing Interpretation/Translation” to include both oral and written language assistance and the use of bilingual attorneys.

*Stipulation and Order (Governmental) (form FL-625)*

Form FL-625 does not currently include an Interpreter’s Declaration. It would be revised to add at page 3 the proposed revised Declaration of Person Providing Interpretation/Translation as in form FL-615. This addition would give the judicial officer greater confidence in the accuracy of the translation and make all governmental stipulation forms consistent as to the Declaration of Person Providing Interpretation/Translation.

*Stipulation and Order Waiving Unassigned Arrears (Governmental) (form FL-626)*

Form FL-626 would be revised so that its language on page 4 matches the language in the proposed revised Declaration of Person Providing Interpretation/Translation in form FL-615 regarding the interpreter being competent to perform the translation.

*Stipulation and Order for Joinder of Other Parent (Governmental) (form FL-663)*

Form FL-663 does not currently include an Interpreter’s Declaration. It would be revised to add to page 2 the proposed revised Declaration of Person Providing Interpretation/Translation in form FL-615.

All four forms would be translated into the five most common languages other than English spoken in California. Check boxes would be added to the forms so that a litigant could indicate that he or she read the form translated into his or her primary language (this assumes the language is one of these five). If the litigant has checked the box indicating that he or she has not read a form translated in his or her primary language, oral interpretation would have taken place.

Alternative Actions Considered

The Family and Juvenile Law Advisory Committee considered not making revisions regarding the interpreter’s declaration in child support stipulations but ultimately did so due to the importance of providing the court with assurance of the quality of interpretation or translation of the stipulations for non-English-speaking litigants and of improving practices intended to increase access to justice.

Comments From Interested Parties

The invitation to comment on the proposal was circulated from April 21, 2008, to June 20, 2008, to the standard mailing list for family and juvenile law proposals, as well as the regular rules and forms mailing list. This distribution list includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. In addition, this proposal was sent to child support commissioners, family law facilitators, court clerks, the California Department of Child

Support Services (DCSS), and the Child Support Directors Association Forms Committee, and title IV-D program directors.

A chart summarizing the comments and responses is attached at pages 19–27.<sup>1</sup> Twenty-four individuals and organizations submitted comments on this proposal. Eight of those submitted written comments concerning the proposed forms revisions. Of those 8, 3 agreed with the proposal in its entirety, 4 agreed if suggested modifications were made, and 1 did not state a position. Two commentators submitted written comments agreeing with both the proposed forms revisions and the proposed rule amendment. Four commentators indicated they agreed with the entire proposal, with no written comments. There were additionally 10 written comments on the proposed rule amendment. Of those, 3 disagreed with the rule amendment and 7 agreed if suggested modification were made. It is unclear whether the positions taken referred to only the specific forms or the rule or both. Those who agreed with the proposal in its entirety include the State Bar of California Standing Committee on the Delivery of Legal Services and the committee that represents the official position of the Child Support Directors Association and DCSS.

The comments on the proposed form revisions were generally favorable and suggested minor modifications, including changing the signature line of form FL-663 to be gender neutral. A suggestion was made to include the address of the added party in forms FL-615 and FL-625, but the committee did not recommend this as Family Code section 17212 prohibits local child support agencies from divulging the address of either party, absent court order.

The executive committee of the Judicial Council’s Access and Fairness Advisory Committee submitted a comment in which it supported the proposed revisions to the forms as long as they were translated into the five most common languages other than English spoken in California. The committee also suggested the addition of a check box and a revision to a signature line. The Family and Juvenile Law Advisory Committee agreed with these suggestions and incorporated them into this recommendation. The executive committee further suggested that child support commissioners should collaborate with local child support agencies to develop a compendium reflecting DCSS’s standards to qualify interpreters who will translate the stipulations and sign the declarations.

At the request of the Family and Juvenile Law Advisory Committee, the Court Interpreter Advisory Panel (CIAP) was asked to review the proposed revisions to all four forms. The chair of CIAP indicated that the panel’s charge is to advise the council on issues regarding court interpreter qualifications, training, and related issues. She indicated that

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<sup>1</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

language assistance provided by persons other than court interpreters outside of court proceedings is not in the panel's purview.

Implementation Requirements and Costs

Courts will incur standard reproduction costs for the revised forms. The Administrative Office of the Courts will incur costs for having the forms translated into the five most common languages other than English spoken in California. There may be costs to local child support agencies due to the hiring of additional bilingual employees.

Attachments



GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406):  <hr/> <p style="text-align: center;">TELEPHONE NO.: <span style="float: right;">FAX NO. (Optional):</span></p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p>	<b>FOR COURT USE ONLY</b>   <b>Draft 13</b> <b>091608 icb</b> <b>Not Approved by the</b> <b>Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT:	
<b>STIPULATION FOR <input type="checkbox"/> JUDGMENT <input type="checkbox"/> SUPPLEMENTAL JUDGMENT</b> <b>REGARDING PARENTAL OBLIGATIONS AND JUDGMENT</b>	CASE NUMBER:

**1. This matter proceeded as follows:**

- a.  By written stipulation without court appearance.
- b.  By court hearing, appearances as follows:
  - (1) Date: \_\_\_\_\_ Dept.: \_\_\_\_\_ Judicial officer: \_\_\_\_\_
  - (2)  Petitioner/plaintiff present  Attorney present (name): \_\_\_\_\_
  - (3)  Respondent/defendant present  Attorney present (name): \_\_\_\_\_
  - (4)  Other parent present  Attorney present (name): \_\_\_\_\_
  - (5) Local child support agency (Family Code, §§ 17400, 17406) by (name): \_\_\_\_\_
  - (6)  Other (specify): \_\_\_\_\_
- c. The obligor (the parent ordered to pay support) is the  petitioner/plaintiff  respondent/defendant  other parent.

2.  This order is based on the attached documents (specify):

**3. The parties agree that**

- a. obligor has read and understands the *Advisement and Waiver of Rights for Stipulation* on page 4 of this form. Obligor gives up these rights and freely agrees that a judgment may be entered in accordance with this stipulation.
- b. the amount of support payable by the obligor as calculated under the guideline is: \$ \_\_\_\_\_ per month.
  - We agree to guideline support.
  - The guideline amount should be rebutted because of the following:
    - (1)  We have been fully informed of the guideline amount of support; we agree voluntarily to child support in the amount of: \$ \_\_\_\_\_ per month; the agreement is in the best interest of the children; the needs of the children will be met adequately by the agreed amount; the children are not receiving public assistance; no application for public assistance is pending; and application of the guideline would be unjust and inappropriate in this case. We understand that if the order is below the guideline, no change of circumstances need be shown to raise this order to the guideline amount. If the order is above the guideline, a change of circumstances will be required to modify this order.
    - (2)  Other rebutting factors (specify): \_\_\_\_\_
- c.  Attached is a computer printout showing the parents' incomes and percentage of time each parent spends with the children. The printout, which shows the calculation of child support payable, will become the court's findings.

**NOTICE: Any party required to pay child support must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.**

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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3. d.  Petitioner/Plaintiff  Respondent/Defendant  Other parent are the parents of the children named in item 3e below.

e. Obligor must pay current child support as follows:

<u>Name</u>	<u>Date of birth</u>	<u>Monthly support amount</u>
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(1)  Other (*specify*):

(2)  For a total of: \$ \_\_\_\_\_ payable on the: \_\_\_\_\_ day of each month beginning (*date*):

(3)  The low-income adjustment applies.

The low-income adjustment does not apply because (*specify reasons*):

(4) Any support ordered will continue until further order of court, unless terminated by operation of law.

f.  Obligor must pay child support for the past periods and in the amounts set forth below.

<u>Name</u>	<u>Date of birth</u>	<u>Period of support</u>	<u>Amount</u>
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(1)  Other (*specify*):

(2)  For a total of: \$ \_\_\_\_\_ payable: \$ \_\_\_\_\_ on the: \_\_\_\_\_ day of each month beginning (*date*):

(3)  Interest accrues on the entire principal balance owing and not on each installment as it becomes due.

g. If this is a judgment on a *Supplemental Complaint*, it does not modify or supersede any prior judgment or order for support or arrearages, unless specifically provided.

h. No provision of this judgment 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. All payments ordered are subject to modification.

i. All payments must be made to (*name and address of agency*):

j. **An *Income Withholding for Support* (form FL-195/OMB No. 0970-0154) will issue.**

k.  Obligor  Obligee must (1) provide and maintain health insurance coverage for the children if it is available through employment or a group plan, or otherwise available at no or reasonable cost, and keep the local child support agency informed of the availability of the coverage; (2) if health insurance is not available, provide coverage when it becomes available; (3) within 20 days of the local child support agency's request, complete and return a health insurance form; (4) provide to the local child support agency all information and forms necessary to obtain health-care services for the children; (5) present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health-care services for the children; (6) assign any rights to reimbursement to the other parent or caretaker who incurs costs for health-care services for the children. If the "Obligor" box is checked, a health insurance coverage assignment will issue.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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3. *l.* The parents must notify the local child support agency in writing within 10 days of any change in residence or employment.
- m.* The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.
- n.*  Obligor must pay costs of: \$ \_\_\_\_\_ to *(specify):* \_\_\_\_\_ on the following terms and conditions *(specify):* \_\_\_\_\_
- o.*  The following person (the "other parent") is added as a party to this action under Family Code section 17404 *(name):* \_\_\_\_\_
- p.*  Other *(specify):* \_\_\_\_\_

Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF ATTORNEY FOR LOCAL CHILD SUPPORT AGENCY)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF PETITIONER)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF ATTORNEY FOR PETITIONER)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF RESPONDENT)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF ATTORNEY FOR RESPONDENT)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF OTHER PARENT)
Date: _____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF ATTORNEY FOR OTHER PARENT)

**JUDGMENT**

**4. THE COURT SO ORDERS.**

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

5. Number of pages attached: \_\_\_\_\_

SIGNATURE FOLLOWS LAST ATTACHMENT

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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**ADVISEMENT AND WAIVER OF RIGHTS FOR STIPULATION**

- |   |  |  |
|---|--|--|
| <p><b>1. RIGHT TO BE REPRESENTED BY A LAWYER.</b> I understand that I have the right to be represented by a lawyer of my choice at my expense. If I cannot afford a lawyer to represent me, I can ask the court to appoint one to represent me free of charge only if I dispute that I am the parent of the children named in this action and only on the issue of parentage. I understand that the attorney for the local child support agency does not represent me.</p> <p><b>2. RIGHT TO A TRIAL.</b> I understand that I have a right to have a judicial officer: (1) determine if I am the parent of the children named in the stipulation, (2) decide how much child support I must pay, and (3) decide how much I owe for arrearages (unpaid support).</p> <p><b>3. RIGHT TO CONFRONT AND CROSS-EXAMINE WITNESSES.</b> I understand that in a trial any allegations made against me must be proved. At the trial I may be present with a lawyer when witnesses testify, and I may ask them questions. I may also present evidence and witnesses.</p> <p><b>4. RIGHT TO HAVE PARENTAGE TESTS WHERE THE LAW PERMITS.</b> I understand that, where the law permits, I have the right to have the court order parentage tests. The court will decide on the tests. The court could order that I pay none, some, or all of the costs of the tests.</p> | <p><b>5. ADMISSION AND WAIVER OF RIGHTS.</b> I understand that by agreeing to the terms of this stipulation, I am admitting that I am the parent of the children named in the stipulation and I am giving up the rights stated above.</p> <p><b>6. WHERE THE STIPULATION INCLUDES CHILD SUPPORT.</b></p> <p>a. I understand that I will have the duty to obey the support order for the children named in the stipulation until the order is changed by the court or ended by law.</p> <p>b. I also understand that the court will order any support payments to be paid directly from my wages or other earnings and sent to the local child support agency if they are assigned to collect the support.</p> <p>c. I have been advised of the amount of guideline child support and how the proposed child support amount was determined.</p> <p><b>7. WHERE THE STIPULATION INCLUDES A PROVISION FOR HEALTH INSURANCE.</b> I understand that I must keep health insurance coverage for the minor children if insurance is available or becomes available to me at no or reasonable cost. A health insurance coverage assignment/<i>National Medical Support Notice</i> may be ordered to get health insurance for my children.</p> | <p><b>8.</b> I agree to the terms of this stipulation freely and voluntarily.</p> <p><b>9.</b> I understand that the local child support agency is required by state law to enforce the duty of support.</p> <p><b>10. I UNDERSTAND THAT IF I WILLFULLY FAIL TO SUPPORT MY CHILDREN, CRIMINAL PROCEEDINGS MAY BE INITIATED AGAINST ME.</b></p> <p><b>11. COLLECTION OF SUPPORT.</b> I understand that any support I owe may be collected from any of my property. This collection may be made by intercepting money owed to me by the state or federal government (such as tax refunds, unemployment and disability benefits, and lottery winnings), by taking property I own, by placing a lien on my property, or by any other lawful means.</p> <p><b>12. IF I AM REPRESENTED BY AN ATTORNEY, MY ATTORNEY HAS READ AND EXPLAINED TO ME THE TERMS OF THE STIPULATION AND THIS ADVISEMENT AND WAIVER OF RIGHTS, AND I UNDERSTAND THESE TERMS.</b></p> |
|---|--|--|

<input type="checkbox"/> I have read and understand the <i>Advisement and Waiver of Rights for Stipulation</i> ; or <input type="checkbox"/> Attached is a translation of this <i>Advisement and Waiver of Rights for Stipulation</i> in (specify language): <input type="checkbox"/> I understand the translation.	<input type="checkbox"/> I understand the translation.
Date: _____ _____ (TYPE OR PRINT NAME) _____ (PARTY'S SIGNATURE)	Date: _____ _____ (TYPE OR PRINT NAME) _____ (PARTY'S SIGNATURE)

**DECLARATION OF PERSON PROVIDING INTERPRETATION/TRANSLATION:** The party/parties indicated below is/are unable to read or understand this *Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment* because

<input type="checkbox"/> (Insert name) _____'s primary language is (specify): _____ and he or she <input type="checkbox"/> has <input type="checkbox"/> has not read the form stipulation translated into this language.	<input type="checkbox"/> (Insert name) _____'s primary language is (specify): _____ and he or she <input type="checkbox"/> has <input type="checkbox"/> has not read the form stipulation translated into this language.
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I certify under penalty of perjury under the laws of the State of California that I am competent to interpret or translate in the primary language indicated above and that I have, to the best of my ability, read to, interpreted for, or translated for the above-named party the *Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment* in the party's primary language. The above-named party said he or she understood the terms of this *Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment* before signing it.

Date: _____ _____ (TYPE OR PRINT NAME) _____ (SIGNATURE)	Date: _____ _____ (TYPE OR PRINT NAME) _____ (SIGNATURE)
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PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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3. c.  Attached is a computer printout showing the parents' incomes and percentage of time each parent spends with the children. The printout, which shows the calculation of child support payable, will become the court's findings.

d. Obligor must pay current child support as follows:

Name Date of birth Monthly support amount

(1)  Other (*specify*):

(2)  For a total of: \$ \_\_\_\_\_ payable on the: \_\_\_\_\_ day of each month  
 beginning (*date*): \_\_\_\_\_

(3)  The low-income adjustment applies.  
 The low-income adjustment does not apply because (*specify reasons*):

(4) Any support ordered will continue until further order of court, unless terminated by operation of law.

e.  Obligor owes support arrears as follows, as of (*date*):

(1)  Child support: \$ \_\_\_\_\_  Spousal support: \$ \_\_\_\_\_  Family support: \$ \_\_\_\_\_

(2)  Interest is not included and is not waived.

(3)  Payable: \$ \_\_\_\_\_ on the: \_\_\_\_\_ day of each month  
 beginning (*date*): \_\_\_\_\_

(4)  Interest accrues on the entire principal balance owing and not on each installment as it becomes due.

f. No provision of this judgment 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. All payments ordered are subject to modification.

g. All payments must be made to (*name and address of agency*):

h. **An Income Withholding for Support (form FL-195/OMB No. 0970-0154) will issue.**

i.  Obligor  Obligees must (1) provide and maintain health insurance coverage for the children if it is available through employment or a group plan, or otherwise available at no or reasonable cost, and must keep the local child support agency informed of the availability of the coverage; (2) if health insurance is not available, provide coverage when it becomes available; (3) within 20 days of the local child support agency's request, complete and return a health insurance form; (4) provide to the local child support agency all information and forms necessary to obtain health-care services for the children; (5) present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health-care services for the children; (6) assign any rights to reimbursement to the other parent or caretaker who incurs costs for health-care services for the children. If the "Obligor" box is checked, a health insurance coverage assignment will issue.

j. The parents must notify the local child support agency in writing within 10 days of any change in residence or employment.

k. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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3. l.  The following person (the "other parent") is added as a party to this action under Family Code section 17404 (*name*):

m.  Other (*specify*):

Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF ATTORNEY FOR LOCAL CHILD SUPPORT AGENCY)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF PETITIONER)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF ATTORNEY FOR PETITIONER)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF RESPONDENT)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF ATTORNEY FOR RESPONDENT)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF OTHER PARENT)
Date: _____ _____ (TYPE OR PRINT NAME)	▶	_____ _____ (SIGNATURE OF ATTORNEY FOR OTHER PARENT)

**ORDER**

**4. THE COURT SO ORDERS.**

Date: \_\_\_\_\_

\_\_\_\_\_

JUDICIAL OFFICER

5. Number of pages attached: \_\_\_\_\_  SIGNATURE FOLLOWS LAST ATTACHMENT

**DECLARATION OF PERSON PROVIDING INTERPRETATION/TRANSLATION:** The party/parties indicated below is/are unable to read or understand this *Stipulation and Order* because

<input type="checkbox"/> ( <i>Insert name</i> ) _____'s primary language is ( <i>specify</i> ): _____	<input type="checkbox"/> ( <i>Insert name</i> ) _____'s primary language is ( <i>specify</i> ): _____
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and he or she  has  has not read the form stipulation translated into this language.

and he or she  has  has not read the form stipulation translated into this language.

I certify under penalty of perjury under the laws of the State of California that I am competent to interpret or translate in the primary language indicated above and that I have, to the best of my ability, read to, interpreted for, or translated for the above-named party the *Stipulation and Order* in the party's primary language. The above-named party said he or she understood the terms of this *Stipulation and Order* before signing it.

Date: _____ _____ (TYPE OR PRINT NAME)	Date: _____ _____ (TYPE OR PRINT NAME)
_____ _____ (SIGNATURE)	_____ _____ (SIGNATURE)



ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  <hr/>  TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> : _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	<b>FOR COURT USE ONLY</b>   <b>Draft 11</b> <b>10/08/08 mc</b> <b>Not Approved by the</b> <b>Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT:	
<b>STIPULATION AND ORDER WAIVING UNASSIGNED ARREARS</b> <b>(Governmental)</b>	CASE NUMBER:
<b>Instructions:</b> This form is to be filled out if the party to whom support is owed wishes to give up the right to past-due support that is owed to him or her. If either party has any questions about the possible consequences of this waiver, he or she should ask an attorney. If either party has any questions about the case or the information on this form, he or she should ask the Family Law Facilitator or the local child support agency.	

**PARTIES**

1. The party waiving past support is  
 petitioner/plaintiff    respondent/defendant    other parent    other *(specify)*:
  
2. The party ordered to pay support is  
 petitioner/plaintiff    respondent/defendant    other parent    other *(specify)*:
  
3. The party ordered to pay support and the party waiving past support are the parties to this agreement.

**RIGHT TO AN ATTORNEY**

4. The parties understand their right to be represented by an attorney, at their expense, in connection with these proceedings.

**NO TIME LIMIT FOR COLLECTION**

5. The parties understand that the amounts owed for Non-Aid arrears (past-due child support ordered to be paid personally to the party waiving support) remain owed until paid. There is no time limit for the collection of past-due support.

**CONTINUING COLLECTION EFFORTS**

6. All methods to collect or enforce the amounts past due may be used until the past due support is paid in full, including, but not limited to, wage assignments, levy on assets, tax refund interception, license suspension, property liens, and contempt. The parties understand that a waiver of support will stop all collection efforts of the support waived.

**RIGHT TO DETERMINATION OF DISPUTED PAST SUPPORT**

7. If the amount of past-due support is unknown or uncertain, the parties understand that they have the right to have the local child support agency review and audit the amount due, including all amounts ordered, all payments, and all credits. The parties also understand that if they are not satisfied with the agency's audit, they have the right to have a court hearing to determine the amount due.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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**CONSEQUENCES OF WAIVING PAST SUPPORT**

8. The parties understand that once the party waiving past support gives up his or her right to past-due support, he or she can never request payment of the amount given up or ask the local child support agency or court to reinstate the amount given up, UNLESS he or she has specifically retained the right to do so as part of item 16.
9. The parties understand that the party waiving past support cannot give up the right to collect Aid arrears (past-due child support that belongs to the county in exchange for receipt of public assistance benefits), nor can he or she give up the right to future child support. **The parties understand that this stipulation does not affect the current child support order. If there is a current child support order, that order still remains in full force and effect.**
10. The parties have had sufficient time to read and think about this stipulation and to discuss it with any and all advisors, counselors, or attorneys of their choosing.
11. The party waiving past support has not been promised anything by the party ordered to pay support, the local child support agency, the court, or anyone else, to induce him or her to give up amounts owed to him or her, except as specifically set forth in writing in this stipulation.
12. The party waiving past support has not been threatened in any way (physically, emotionally, or otherwise) by the party ordered to pay support, the local child support agency, the court, or anyone else, to force him or her to give up support amounts.
13. The party waiving past support has thought about and decided that it is in his or her best interest and the best interest of his or her children to give up this support arrearage.

**AMOUNT OF PAST-DUE SUPPORT**

14. As of *(date calculated)*:

a.  **NON-AID ARREARS** *(these are the amounts owed personally to the party waiving past support before this waiver becomes effective):*

<u>Type</u>	<u>Principal</u>	<u>Interest</u>	<u>Time Period</u>
(1) <input type="checkbox"/> Child support:	\$ _____	\$ _____	_____ through _____
(2) <input type="checkbox"/> Spousal/family support:	\$ _____	\$ _____	_____ through _____
(3) <input type="checkbox"/> Other <i>(specify)</i> :	\$ _____	\$ _____	_____ through _____
(4) <b>TOTAL:</b>	\$ _____	\$ _____	
<input type="checkbox"/> See attachment 14a.			

b.  **AID ARREARS** *(these are the amounts assigned and owed to a public agency and cannot be waived by the parties):*

<u>Type</u>	<u>Principal</u>	<u>Interest</u>	<u>Time Period</u>
(1) <input type="checkbox"/> Child support:	\$ _____	\$ _____	_____ through _____
(2) <input type="checkbox"/> Spousal/family support:	\$ _____	\$ _____	_____ through _____
(3) <input type="checkbox"/> Other <i>(specify)</i> :	\$ _____	\$ _____	_____ through _____
(4) <b>TOTAL:</b>	\$ _____	\$ _____	
<input type="checkbox"/> See attachment 14b.			

c.  The parties agree that the amounts in items 14a and 14b will be considered a final determination by the court of the amount of past-due support.

**WARNING: If the box at item 14c is checked you may be prohibited from any future challenge regarding the amount of past-due support indicated at items 14a and 14b.**

d.  The parties agree that the amounts stated above represent the amount of past-due support indicated by the local child support agency records. However, in agreeing to this waiver of Non-Aid arrears, the parties have not reached an agreement regarding the accuracy of the amount of past-due support as stated.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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**WAIVER OF PAST-DUE SUPPORT**

15. In consideration of the payment by the party ordered to pay support of the sums set forth below, and the performance of any other condition stated below, the parties agree as follows (*check and complete either a or b, but not both, and add other applicable provisions*):

- a.  Upon payment by party ordered to pay support of the sum of \$ \_\_\_\_\_ to the local child support agency on or before (*date*): \_\_\_\_\_, the Non-Aid arrears set forth in paragraph 14a above shall be deemed paid in full.
- b.  Upon payment by party ordered to pay support of the sum of \$ \_\_\_\_\_ to the local child support agency on or before (*date*): \_\_\_\_\_, the parent ordered to pay support shall owe the following sums for Non-Aid support.

<u>Type</u>	<u>Principal</u>	<u>Interest</u>	<u>Time period</u>
(1) <input type="checkbox"/> Child support:	\$ _____	\$ _____	as of ( <i>date</i> ): _____
(2) <input type="checkbox"/> Spousal/family support:	\$ _____	\$ _____	as of ( <i>date</i> ): _____
(3) <input type="checkbox"/> Other ( <i>specify</i> ):	\$ _____	\$ _____	as of ( <i>date</i> ): _____
(4) <b>TOTAL:</b>	\$ _____	\$ _____	

- c.  Other (*specify*):  
 See attachment 15 for additional provisions.

**CONDITIONS OF WAIVER**

16.  This waiver of past-due support is conditioned on the party ordered to pay support agreements set forth in this document. If the party ordered to pay support fails to perform any condition, then this waiver is NULL and VOID and of no force or effect whatsoever. However, if box 14c is checked, the setting of support arrears in items 14a and 14b will continue to be valid as the court's determination of the amount of support arrearage. Specific conditions of this waiver are as follows:

a. Additional conditions of this waiver (*optional*) (*i.e., lump-sum payment, timely payment of current support, etc.*):  
\_\_\_\_\_  
\_\_\_\_\_

b.  See attachment 16 for additional conditions of waiver. **Each party must initial or sign all additional pages.**

17. This stipulation and order does not modify or affect the duty of the party ordered to pay current support that accrues, or any support arrears that may accumulate, after the date set forth in item 14.

18. Each party understands that the local child support agency does not represent him or her in this matter. Neither party has been given legal advice from the local child support agency, or any of its attorneys, or the family law facilitator, in regard to this stipulation.

19. This form contains the entire understanding and agreement of the parties, and there have been no verbal or other written promises or conditions by anyone, except as stated in this form.

Date:  
\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF PARTY WAIVING PAST SUPPORT)

Date:  
\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF PARTY ORDERED TO PAY SUPPORT)

**ATTORNEY'S STATEMENT**

I am the attorney of record for the party identified in this waiver. I have gone over this form and any attachments with my client. I have explained each provision of this form to my client and answered the client's questions with regard to this form. I have discussed the facts of the case with my client and possible alternatives to and conditions for waiver. I have explained the consequences of the waiver and benefits and detriments of any agreement.

Date:  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY FOR PARTY ORDERED TO PAY SUPPORT)

Date:  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY FOR PARTY WAIVING PAST SUPPORT)

**LOCAL CHILD SUPPORT AGENCY**

Date:  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME, TITLE, AND COUNTY)

▶ \_\_\_\_\_  
 (SIGNATURE OF REPRESENTATIVE OF LOCAL CHILD SUPPORT AGENCY)

**DECLARATION OF PERSON PROVIDING INTERPRETATION/TRANSLATION (if applicable)**

The party/parties indicated below is/are unable to read or understand this *Stipulation and Order Waiving Unassigned Arrears* because

The party waiving past support's primary language is (*specify*): \_\_\_\_\_ and he or she  has  has not read the form stipulation translated into this language.

The party ordered to pay support's primary language is (*specify*): \_\_\_\_\_ and he or she  has  has not read the form stipulation translated into this language.

I certify under penalty of perjury under the laws of the State of California that I am competent to interpret or translate in the primary language indicated above and that I have, to the best of my ability, read to, interpreted for, or translated for the above-named party/parties the *Stipulation and Order Waiving Unassigned Arrears* in the party's primary language. The above-named party/parties stated he or she understood the terms of the *Stipulation and Order Waiving Unassigned Arrears* before signing it.

Date:  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

Date:  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
 (SIGNATURE)

▶ \_\_\_\_\_  
 (SIGNATURE)

**COURT'S FINDINGS AND ORDER**

The court, having reviewed and considered this stipulation, and any attachments, finds that the party owed support expressly, knowingly, voluntarily, and intelligently has waived past-due support as more specifically set forth in this document. The court accepts this stipulation, approves it, and orders that all further enforcement is terminated as to the waived support.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_  
 (JUDICIAL OFFICER OF THE SUPERIOR COURT)



**DECLARATION OF PERSON PROVIDING INTERPRETATION/TRANSLATION:** The party/parties indicated below is/are unable to read or understand this *Stipulation and Order for Joinder of Other Parent* because

(Insert name) \_\_\_\_\_'s primary language is (specify): \_\_\_\_\_

(Insert name) \_\_\_\_\_'s primary language is (specify): \_\_\_\_\_

and he or she  has  has not read the form stipulation translated into this language.

and he or she  has  has not read the form stipulation translated into this language.

I certify under penalty of perjury under the laws of the State of California that I am competent to interpret or translate in the primary language indicated above and that I have, to the best of my ability, read to, interpreted for, or translated for the above-named party the *Stipulation and Order for Joinder of Other Parent* in the party's primary language. The above-named party said he or she understood the terms of this *Stipulation and Order for Joinder of Other Parent* before signing it.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE)

▶ \_\_\_\_\_  
(SIGNATURE)

### INFORMATION SHEET FOR **STIPULATION AND ORDER FOR JOINDER OF OTHER PARENT**

Please follow these instructions to complete the *Stipulation and Order for Joinder of Other Parent* (form FL-663) if you do not have an attorney representing you. Your attorney, if you have one, should complete this form.

**This form should be used when both parents and the local child support agency agree to the joinder of the other parent.** You must file the completed stipulation with the court clerk. The address of the court clerk is the same as the one shown for the superior court on your most recent support order or judgment. You may have to pay a filing fee. If you cannot afford to pay the filing fee, contact the court clerk. **Keep three copies of your filed stipulation. Serve one copy on the Other Parent, serve the second copy on the local child support agency, and keep the third copy for your records. (See *Information Sheet for Service of Process*, form FL-611.)**

#### INSTRUCTIONS FOR COMPLETING THE **STIPULATION AND ORDER FOR JOINDER OF OTHER PARENT** (TYPE OR PRINT IN BLACK INK)

Front page, first box, top of form, left side: Print your name, address, and phone number in this box.

Front page, second box on left side: Print the name of the county in which the legal action is filed and the court's address in this box. Use the same address for the court that is on your most recent support order or judgment.

Front page, third box on left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on your most recent support order or judgment. In the space for "other parent," print the parent who is being joined as a party.

Front page, first box, top of form, right side: Leave this box blank for the court's use.

Front page, second box on right side: Print the case number in this box. This number is also stated on your most recent support order or judgment.

1. This states that you agree to an order joining the other parent as a party to the action.
2. a. Check this box if neither parent has filed a dissolution action against the other parent or any other action, such as a restraining order involving custody or visitation of the children and, to the best of your knowledge, the parents are not both parties in any other family law case.
- b. Check this box if the parents are both parties in another case that involves custody or visitation of the children, such as a dissolution action. Fill in the name and county of the court and the court case number for any other family law cases involving both parents. You can get this information from the order or judgment from those actions. If you do not have a copy of the order or judgment, you may go to the court clerk's office to get a copy.

Fill in the date and sign your name on the line designated.

**You cannot file this stipulation form until everyone signs it. Leave the Order for Joinder section of the form blank for the court to complete after you file the stipulation.**

When you file the stipulation, ask the court clerk how to obtain a copy once it is signed by the judicial officer. You are responsible for mailing signed copies of the stipulation to the petitioner/plaintiff, respondent/defendant, and other parent.

*If you need additional assistance with this form, contact the family law facilitator in your county.*

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Grace Andres Program Manager Superior Court of Solano County	A	N	On forms FL-615, item 3-O, and FL-625, item 3-1: Consider including the address of the added party.	The committee does not recommend including the address of the added party since the confidentiality provisions of Family Code section 17212 prohibit local child support agencies from divulging the address of either party, absent order of the court.
2.	Hon. Louise Bayles-Fightmaster Child Support Commissioner Superior Court of Sonoma County	N	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
3.	Child Support Directors Association/Judicial Council Forms Committee George O. Nielsen Vice-Chair	A	Y	Revise forms FL-615, FL-625, FL-626, and FL-663 to improve access to justice for non-English-speaking self-represented litigants.  The remainder of this comment addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required.  No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
4.	Executive Committee of the Access and Fairness Advisory Committee	AM	Y	The Executive Committee of the Access and Fairness Advisory Committee submits the following comments to the Family/Juvenile Law Advisory Committee’s proposal regarding the proposed amendments to forms FL-615, FL-625, FL-626, and 663. The advisory committee	

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>understands that these form stipulations and orders are intended to facilitate the legislative intent of Family Code section 4250, particularly with respect to establishing and enforcing child support orders quickly and efficiently and in “creating an expedited process in the courts that is cost-effective and accessible to families.” Therefore, the committee’s comments are limited by the provisions of that code section. However, the committee strongly believes that due process considerations should not be dismissed or set aside in favor of expedited resolutions to matters governed by this section.</p> <p>It is also concerned that the courts should not endorse any procedure that permits relatives of non-English speaking parties to translate the stipulations and sign the declarations. The committee otherwise supports the proposed amendments if the following conditions are included or required:</p> <p>1. The form stipulations and accompanying declarations should be in plain language and as soon as feasible, translated into the five most common languages spoken in California other than English. Additional language translations should be added periodically, as determined by the Judicial Council. Each form should include</p>	<p>This proposal does not endorse any procedure permitting relatives of non-English-speaking parties to translate the stipulations and sign the declarations. It is intended to give the court greater assurance regarding the competency of the persons providing interpretation or translation.</p> <p>1. The committee agrees, and AOC staff intend to translate the forms into the five most common languages other than English spoken in California as soon as is feasible. The committee agrees in concept with the suggested third</p>

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>a third box below the “Advisement and Waiver of Rights For Stipulation” that states, “I read the form of stipulation that was translated into my primary language.” *The signature lines on the declaration of interpreter/translator should be modified to include bilingual attorneys by adding: “or attorney providing translation.”</p> <p>2. Not later than 90 days after the effective date of the proposed amendments to the forms, child support commissioners should collaborate with their respective counties’ Department of Child Support Services (DCSS) representatives to develop or agree upon written compendiums that reflect the standards utilized to qualify the DCSS interpreters who will translate the stipulations and sign the accompanying</p>	<p>box below the “Advisement and Waiver of Rights For Stipulation” that states “I read the form of stipulation that was translated into my primary language,” but changed the language to “and he or she has/has not read the form stipulation translated into this language” and put it within the text of the Declaration of Person Providing Interpretation/ Translation. The committee agrees that bilingual attorneys should be allowed to sign the form. To accommodate this, the heading has been changed to “Declaration of Person Providing Interpretation/ Translation.” This will prevent the need for a separate signature, which would have expanded the length of the form.</p> <p>2. No response required.</p>

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				declarations. DCSS should attach the compendium to each order or group of orders submitted to the commissioner for signature.	
5.	Stephen Goldberg Staff Attorney Legal Services of Northern California	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
6.	JoAnn Johnson Family Law Facilitator Superior Court of Ventura County	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
7.	Hon. Kathleen E. O’Leary Associate Justice Court of Appeal, Fourth Appellate District	A	N	In civil cases where there is no right to the services of a court interpreter, it is critical that the individual who is providing the language assistance be competent. Requiring the individual to state that he or she is competent seems like a good idea and would provide a judicial officer with a greater level of confidence in the translation.	No response required.
8.	Orange County Bar Association Cathrine Castaldi President	N	Y	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
9.	Rebecca Prater Superior Court of San Diego County	AM	N	On FL-663, the signature lines should be gender neutral. My suggestion is “Signature of Respondent/Defendant” and “Signature of Other Parent.”	The committee agrees that the signature lines should be gender neutral. To be consistent with conventions used in other governmental child support forms, the forms have been revised to read: “Signature of Respondent” and “Signature of Other Parent.”
10.	Hon. Marshall Rieger Child Support Commissioner Superior Court of Los Angeles County	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
11.	State Bar of California, Standing Committee on the Delivery of Legal Services Sharon Ngim Staff Liaison	A	Y	No narrative comments submitted.	No response required.
12.	Superior Court of Fresno County Patty Wallace Rixman Director of Court Operations	AM	Y	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
13.	Superior Court of Kern County Kern County Family Law Courts	AM	Y	In regard to form FL-615, Declaration of Interpreter/Translator (on page 4 of 4): who or what defines the translator’s competence to translate in the primary language? Would the lack of a clear definition of “competent” open	The committee discussed this comment but continues to recommend that the forms be revised as proposed. The issue of whether a stipulation was a

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				the matter to challenge?	“knowing and voluntary” agreement is always potentially at issue, as is the competence of the translation provided. The committee’s recommendation, if approved, would put the translator on notice of the competency standard and that he or she must attest to being competent. The typical translation of a stipulation in a child support matter would be done by an employee of the local child support agency. Generally local child support agencies have established standards for bilingual employees. The staff providing the translations were hired because of their language abilities in addition to their skills in performing normal duties. In some cases, when bilingual staff are not available, language assistance may be provided by an individual brought by the litigant.
14.	Superior Court of Los Angeles County	A	Y	No narrative comments submitted.	No response required.
15.	Superior Court of Orange County Linda Daeley Family Law Unit Manager	A	Y	Form FL-615: The Judicial Council should provide a translation of this document in the most common languages to be included as attachments, and not rely on DCSS employee translation.	The committee agrees and AOC staff intend to translate FL-615 into the five most common languages other than English spoken in California.

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
16.	Superior Court of Riverside County David Gutknecht Supervising Management Analyst	A	Y	<p>The proposed revisions to forms FL-615, FL-625, FL-626, and FL-663 are designed to promote access to justice for the significant numbers of self-represented litigants in child support cases who do not speak English and are therefore appropriate.</p> <p>The remainder of this comment addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.</p>	<p>No response required.</p> <p>No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.</p>
17.	Superior Court of Sacramento County Ed Pollard Chief Deputy Executive Officer	A	Y	No narrative comments submitted.	No response required.
18.	Superior Court of San Bernardino County Debra Meyers Director of Staff Counsel Services and Self-Help Division	A	Y	No narrative comments submitted.	No response required.
19.	Superior Court of San Diego County Michael M. Roddy Executive Officer	AM	Y	<p>Form FL-663: <i>Stipulation and Order for Joinder of Other Parent</i></p> <p>The signature lines should be changed to gender-neutral language. For example, the signature lines could be labeled “Signature of Parent ‘A’” and “Signature of Parent ‘B.’”</p>	The committee agrees that the signature lines should be gender neutral but prefers using “Signature of Respondent” and “Signature of Other Parent” as they are consistent with the conventions used in other governmental child support forms.

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services’ automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
20	Hon. B. Scott Thomsen Child Support Commissioner Superior Court of Nevada County	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
21	Thomson Reuters Heather Skinner, Managing Editor, California Family Law Report	N	Y	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.
22	Maria Tortorelli Self-Help Services Manager Superior Court of Orange County		N	Would it make sense to indicate if the court will be putting the stipulation on the record? Whether the interpreter is certified? Whether the stipulation was executed at the court or at the DCSS office. All may be useful for data collection.	The committee discussed the comment but deferred taking action until the California Court Case Management System, which may include protocols that provide for improved data collection from forms, is functional. The certified interpreter program is for those interpreting in the courtroom. The Declaration of Person Providing Interpretation/Translation is typically completed by those who interpret outside the courtroom.
23	Hon. Rebecca L. Wightman Child Support Commissioner Superior Court of San Francisco County	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services' automated child support calculation program. The proposal has now been divided into two separate items.

Child Support: Revised Forms to Improve Quality of Translation for Non-English Speaking-Self-Represented Litigants (revise forms FL-615, FL-625, FL-626, and FL-663)<sup>†</sup>

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

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				5.275.	
24.	Lauren Zorfas Supervising Attorney, Family Law Facilitator/Self-Help Center Superior Court of San Mateo County	AM	N	All comments from this commentator addressed the proposed revisions to rule 5.275—which circulated for comment with this proposal—and are not relevant to this report. See the comment chart in the Judicial Council report on rule 5.275.	No response required in this report. See the comment chart in the Judicial Council report on the proposed revisions to rule 5.275.

<sup>†</sup> These forms were circulated for comment with a proposed rule amendment to comply with a federal mandate related to the state Department of Child Support Services' automated child support calculation program. The proposal has now been divided into two separate items.