



JUDICIAL COUNCIL  
OF CALIFORNIA

455 Golden Gate Avenue  
San Francisco, CA  
94102-3688  
Tel 415-865-4200  
TDD 415-865-4272  
[www.courts.ca.gov](http://www.courts.ca.gov)

February 2023

---

## Background, Policy, and Services of the Child Support Commissioner and Family Law Facilitator Program (AB 1058 Program)

### **Background**

Assembly Bill 1058 (Stats. 1996, ch. 957), signed by Governor Wilson in September 1996, established the Child Support Commissioner and Family Law Facilitator Program (AB 1058 Program) in California. The legislative findings in support of the bill found that the system in place at the time for obtaining, modifying, and enforcing child and spousal support orders was inadequate, and that the success of California's child support enforcement program depends on its ability to establish and enforce child support orders quickly and efficiently. The legislature found a compelling state interest in having a simple, speedy, conflict-reducing system that is both cost-effective and accessible to families. The bill required that each court provide a child support commissioner to hear child support cases being enforced by the local child support agency, created uniform and simplified procedures for establishing and modifying child support orders, and created the Office of the Family Law Facilitator in each court to provide education, assistance, and information to parents with child support issues. This program is funded through a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. The council allocates funding to each court based on approved methodologies and enters into standard agreements with each trial court for services.

Prior to the establishment of the AB 1058 Program, the judicial officers hearing child support cases were generalists who did not have a child support background. Under the AB 1058 program, the judicial officers who hear child support cases have specific training in child support. Each local court is required to have a child support commissioner to hear cases brought by the local child support agency. Over the years, specialized legal procedures have been developed that are a mix of streamlined judicial and nonjudicial processes, the latter being subject to judicial review.

## *Background, Policy, and Services of the Child Support Commissioner and Family Law Facilitator Program*

Page 2 of 4

---

Having judicial officers who are well trained and skilled in these procedures is a critical component in maintaining an efficient program and providing accurate and appropriate support orders. The system is cost-effective and flexible while still providing litigants with due process and the ability to participate in a hearing with a neutral decision maker.

AB 1058 also provides funds for and requires each superior court to establish and maintain an Office of the Family Law Facilitator to provide education, information, and assistance to parents who have child support issues. The basic duties of the family law facilitator are to:

- Make available educational materials;
- Distribute court forms;
- Give assistance with completing forms;
- Prepare child support calculations consistent with the state child support guidelines; and
- Provide referrals to the local child support agency, family court services, and other community agencies.

Each superior court has a family law facilitator's office. Frequently, these offices are located in or very near the superior court departments that handle family law and IV-D cases<sup>1</sup>. Some larger counties also staff offices at other branch courts to improve access. By law, facilitators do not represent parents, but they can help with filling out court forms and offer information to parents on support issues. Facilitators are a valuable resource to demystify courtroom procedures and help humanize the court system. Some offices see people individually, others provide services to groups of parents in a workshop setting, and others provide a combination of both individual and group services. Since the onset of the COVID-19 pandemic, facilitator offices have greatly increased the use of remote services via telephone, videoconferencing, e-mail, live chat, and other means.

The commissioners and facilitators have made a significant impact on increasing parents' access to the courts and allowing child support cases to be heard in a timely manner.

Family law facilitators' offices throughout California report more than 849,636 incidents of IV-D service and brief information and referral encounters each year.

---

<sup>1</sup> "IV-D" refers to part D of Title-IV of the Social Security Act (42 U.S.C. §§ 651-669b), which enables government child support programs, including local child support agencies in California, to establish and enforce child support orders

### **Policy and Standards of Practice**

To implement the legislative findings that were the basis for creating the AB 1058 Program, the Judicial Council has adopted numerous rules of court. These rules:

- Give the court, in its discretion, the authority to allow parties to appear remotely in title IV-D child support hearings and conferences.
- Require parties and attorneys to present support calculations to the court and by the court to prepare support calculations in all IV-D matters using the DCSS's California Guideline Child Support Calculator, which is available for free [online](#).
- Provide a definition of exceptional circumstances when a judge can hear title IV-D cases; and
- Enumerate the training requirements for child support commissioners, family law facilitators, and court clerks.

The council has also adopted, approved, or amended many court forms as needed to implement the intent of the legislation. Three of the more significant forms are a combined simplified summons and complaint form, an answer form, and a proposed judgment form. Other forms include those to join the parent who is not yet a party to the action, to assist in processing interstate cases, and to determine support arrearages. In addition, many forms include instruction sheets to assist persons filling them out, especially parents who do not have attorneys.

There is a high level of cooperation between the Judicial Council and DCSS, including cochairing a monthly judicial stakeholders' meeting where updates are provided on pending policies and procedures. This forum also allows for a policy and implementation discussion between the judicial and executive branches regarding proposed program changes and new legislation. The judicial stakeholders consist of a group of child support commissioners, family law facilitators, Judicial Council staff, and DCSS executive staff. Other coordination efforts include collaborating on reports to the Legislature, having representatives from each agency participate in the others' workgroups, and working together to resolve local issues. The Judicial Council also requires each superior court to have a plan of cooperation with their local child support agency that includes having quarterly meetings between the agency and the court to resolve any local program administrative issues.

## *Background, Policy, and Services of the Child Support Commissioner and Family Law Facilitator Program*

Page 4 of 4

---

### **Services**

Through the statutory mandates and contractual agreements detailed above, the AB 1058 Program provides the following services.

### **Program Administration**

AB 1058 Program staff at the Center for Families, Children & the Courts (CFCC) provide ongoing assistance to the courts to ensure proper program administration. Such aid includes training, budgeting, handling reimbursement claims, allocating funds for commissioners and facilitators, conducting research, developing or amending Judicial Council forms, updating the low-income adjustment for California's child support guidelines, creating and updating online content, providing technical assistance, and performing other duties as needed.

### **Rules and Forms**

Program staff conduct periodic review and updates to rules of court and forms to respond to legislative changes related to child support and to increase access to justice for self-represented litigants and other court users.

### **Research and Reports**

To comply with federal, state, and contractual requirements, AB 1058 Program staff conduct research and submit reports to monitor the program's performance and make recommendations for improvement. Every four years, the Judicial Council is required by federal and state law to review the statewide uniform child support guideline (prior guideline studies can be found [here](#)). Additionally, reports are submitted to the Legislature as required by statute or based on ad hoc requests. Furthermore, annual reports are submitted to DCSS to capture staffing levels and services provided by the courts. The information acquired through research and reporting is used to create innovative practices to better serve the public

### **Training**

AB 1058 program staff at CFCC are actively engaged in training efforts to assist courts in administering and improving the AB 1058 Program. Annually, AB 1058 program staff hold the AB 1058 Child Support Training Conference which provides training for child support commissioners, family law facilitators, court administrators, accounting staff, court clerks, and paralegals working in the title IV-D program (more information and materials from past conference can be found [here](#)). Trainings are also conducted for new Child Support Commissioners and Family Law Facilitators to get them oriented to the program.

Please send any questions or requests for more information to [ab1058@jud.ca.gov](mailto:ab1058@jud.ca.gov).