

WORKING CHILD SUPPORT CASES WITH MEXICO

Overview: Have built partnerships and formalized agreements with the Mexican federal government and the state of Baja California's child support agency and judicial system to increase reliability of services.

Challenge: Due to the county's close proximity to Mexico, we face many barriers in accessing child support services when one parent lives across the border, or moves across the border during the pendency of a child support proceeding. Due to the inability to locate noncustodial parents living in Mexico for purposes of establishing and collecting on child support orders for families in Imperial County that need it, the Imperial County Department of Child Support Services (Imperial DCSS) attempted to find a solution and a quicker way to establish California child support orders for families living in Mexico. Prior to the establishment of these partnerships, going through the process was cumbersome and doubts remained as to whether an order that was established would even be able to be enforced.

Innovative Solution: To address these challenges, Imperial DCSS decided to take a tiered approach by building collaborative partnerships and opening up channels of communication with child support stakeholders along the border. First, Imperial reached out to the Mexican Consulate in Calexico, CA, and solidified an existing close working relationship by executing an MOU with them in 2012. This MOU was the first ever (known) MOU between an American child support agency and a Mexican Consulate, which established a written procedure between the agencies involved in order to efficiently process child support applications and payments for their mutual clients. This MOU also delineated responsibilities for the Consulate to act as a liaison between the Imperial child support agency and the Mexican courts as it pertained to registering and enforcing foreign support orders and assistance with locating noncustodial parents in California, which merely paved the way for Imperial to find more ways to perfect the process. Next, Imperial DCSS found a way to speed up the establishment procedure by cutting down on processing times of child support applications. Imperial DCSS reached out to State DIF of Baja California (*Sistema para el Desarrollo Integral de la Familia*) – California's child support agency counterpart – in hopes of establishing another procedure allowed under Mexican federal law where child support applications would be processed directly between the two border state child support agencies, bypassing the Mexican federal Central Authority. The expectation was that by processing applications directly between the two state child support agencies, speedier establishment of orders and payments would follow. After numerous meetings, Imperial DCSS and State DIF of Baja California

executed an interinstitutional agreement with an effective date of February 1, 2015, detailing a procedure where DIF's prosecution unit would handle child support establishment and enforcement needs for Imperial by filing legal actions in the Mexican family courts and assisting Imperial with locating absent parents by forwarding those requests to the Mexican courts. Following the establishment of these two agreements, the next step was to find a way to collaborate with the Mexican courts. On May 26, 2016, Imperial DCSS entered into an interinstitutional agreement with the highest court of the state of Baja California (*Tribunal Superior de Justicia de Baja California*). This agreement promotes communication between Imperial DCSS and the Baja California courts and includes provisions for training respective staff on internal processes and international child support laws. With the premise in mind that requests for assistance made by child support agencies and California courts shall be given priority over all other legal matters, the expectation from this agreement is that absent parents located in Mexico will be found quicker, and consequently, that their financial obligations as it pertains to their children will not be forgotten.

Originality: This program is unique among California counties given that these types of agreements are the first of their kind in the nation.

Cost-effectiveness: Costs for these programs are absorbed through staff's normal work schedules and its cost-effectiveness is being reviewed at this time by the California Department of Child Support Services, in anticipation of Imperial DCSS managing all Mexico/California child support cases for all local child support agencies throughout the State of California by Imperial entering into shared services agreements with them.

Results: Since the execution of these agreements, Imperial DCSS has increased in establishment of child support cases in Mexico, and has assisted various California counties and states in the United States in working cases with Mexico. In addition, Imperial DCSS has presented on these topics at the national and state levels (National Child Support Enforcement Association and Child Support Directors Association), and has had the opportunity to provide training for Mexican family court judges and attorneys handling these cases. Lastly, the new streamlined process between Imperial and DIF (which removed the extra step of sending documents to Mexico's federal Central Authority in Mexico City) has decreased case establishment timeframes from an average of 196 days to 64 days.

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