

AB 1058 Timekeeping

22nd Annual AB 1058 Child Support
Training Conference
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Overview

- Title IV-D Funding and Accountability
- DCSS Audit Results
- Reimbursable IV-D activities
- Hypotheticals (table discussion)
- Timekeeping techniques
- A glimpse into the future



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Title IV-D Funding and Me

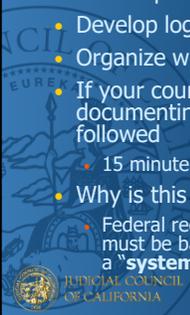
- Social Security Act, Title IV, Part D, requires that every state to have a child support enforcement program.
- Judicial Council enters into a contract with DCSS for funding and to provide AB1058 services
- Judicial Council enters into a contract with each court (one for CSC and one for FLF) with flow-down requirements for compliance, services and to provide court funding
- All contracts require compliance with federal law



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Tips for Keeping Track

- Contemporaneously document time
- Develop logs, scratch sheets, database, etc.
- Organize work in a way that is easy track
- If your court has an established practice for documenting time, this practice must be followed
 - 15 minute vs. 6 minute increments
- Why is this important?
 - Federal regulations require that charges to grant must be based on records that are supported by a **"system of internal control"**



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Why Are There AB 1058 Program Audits?



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What Are Auditors Looking For?

- Compliance with all Program accounting procedures, policies and regulations
 - Federal Regulations (Title IV-D and general Federal Grant provisions) Code of Federal Regulations (CFR)
 - Any federal guidance interpreting relevant CFR provisions
- Fiscal Provision Requirements of Program Contracts
 - JCC-state DCSS Contract
 - JCC-Court Contracts
- Judicial Branch Fiscal Policies
 - AB 1058 Grant Accounting Manual and Forms Instructions
 - Judicial Branch Contracting Manual
 - Trial Court Financial Policies and Procedures Manual



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DCSS AB 1058 Program Audits Update

- Department of Child Support Services Audit Update
 - Total of 18 on-site audits of the AB 1058 CSC and FLF court programs have been completed by DCSS and published by the Judicial Council from November 2016 through September 2018.
 - 8 audits were completed and published since the last AB 1058 Conference.
 - Where there have been audit findings, courts have submitted corrective action plans. DCSS reviews status of implementation of those corrective action plans within 6 months of the plan submission.
 - DCSS has submitted a letter to the Judicial Council regarding Superior Court Audits—Corrective Action Plan.
 - The Judicial Council is required to respond no later than December 31st.



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Significant Audit Findings

- Documentation of Time Working on the Grant
 - Federal grant rules require that individuals working on the grant identify the actual time worked on the AB 1058 grant and only submit time worked for reimbursement.
 - Most common finding was “court did not have sufficient support for personnel expenses claimed”.
 - Court staff did not report actual direct labor hours worked in AB 1058 activities but instead used some other unauthorized method that included:
 - Filling out timesheet based upon proportion of budget rather than actual hours (for example, if funding for FLF was 50% grant and 50% self-help just recorded ½ of hours to the grant).
 - Filling out timesheets based upon what a manager “thought” or projected the AB 1058 workload to be.
 - Reporting all hours worked as AB 1058 even though individual staff worked on both AB 1058 and other activities.



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Corrective Action Plan

- Training: IV-D reimbursable or not
- Training: accurately reporting employee time
- Standard contract template for contracted FLFs & CSCs
- Ensure adoption of federal grant requirements



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The (2-part) Question

1. Was the activity IV-D **reimbursable**?
2. How much **time** was spent?



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Title IV-D Reimbursable

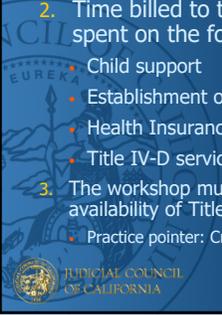
| | |
|--|---|
| <p><u>All Court Staff</u></p> <ul style="list-style-type: none"> • Required training • Active child support case with LCSA, AND it's related to: <ul style="list-style-type: none"> • Child Support • Parentage • Companion Spousal support • Health insurance | <p><u>FLF Only</u></p> <ul style="list-style-type: none"> • Bar dues • NO active case with LCSA → outreach re: <ul style="list-style-type: none"> • Providing info, brief explanation of court process & referrals (i.e. triage) • Distributing court forms • Some Workshops* <small>(* See next slide)</small> |
|--|---|



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FLF Workshops

1. Must be delivered to more than one person,
2. Time billed to the grant must be limited to time spent on the following issues:
 - Child support
 - Establishment of parentage
 - Health Insurance issues
 - Title IV-D services, **AND**
3. The workshop must provide information about the availability of Title IV-D services
 - Practice pointer: Create workshop script or video



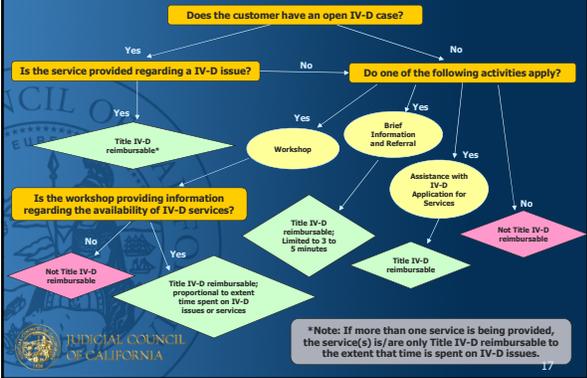
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Reimbursability Principles

- No "magic wand"
- Proportionality
- Reasonableness/Balance
- Transparency
- Documentation

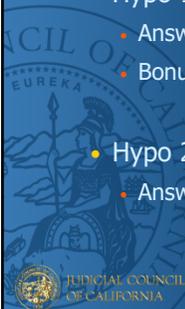


FLF Reimbursability Decision Tree



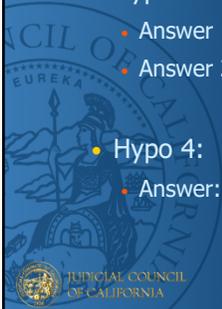
Reimbursability Hypos

- Hypo 1:
 - Answer:
 - Bonus Q: How many STARS entries?
- Hypo 2:
 - Answer:



Reimbursability Hypos

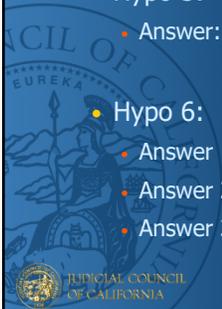
- Hypo 3:
 - Answer 1:
 - Answer 2:
- Hypo 4:
 - Answer:



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Reimbursability Hypos

- Hypo 5:
 - Answer:
- Hypo 6:
 - Answer 1:
 - Answer 2:
 - Answer 3:



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Time Tracking Log

Weekly Time Tracking Log (FLF) Name: _____

| Example | Self-Help | IV-D | Brief Info: # | Total time |
|---------|-----------|---------------|---------------|------------|
| Monday | 1+2+6=3.6 | 1+2+7+1.3=3.3 | 1111 | 3.6 |

(Note 1: For self-help and IV-D hours, 6 minutes = 0.1 hours)
(Note 2: Briefs, referrals, traps, & interviews.)

| Week 1 (___ to ___) | Self-Help | IV-D | Brief Info: # / Total time |
|-----------------------|-----------|------|----------------------------|
| Monday | | | |
| Tuesday | | | |
| Wednesday | | | |
| Thursday | | | |
| Friday | | | |

Non IV-D Time

IV-D Time

of People (daily stats)

IV-D Outreach Time



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Proportionality

- If an expense benefits more than one program, the costs must be shared proportionally to each program
- Example: A CSC travels from one court location to another location to handle a court calendar. If $\frac{3}{4}$ of the time is spent hearing IV-D cases and $\frac{1}{4}$ of the time hearing non IV-D cases, the travel time and expenses must be billed $\frac{3}{4}$ to the IV-D program and $\frac{1}{4}$ to the other program
- This rule also applies to shared equipment.



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CSC Typical Week

- Monday:
 - 8 – 5: AB 1058 Court Calendar (including hearing 3 custody issues in the morning, which took a total of 45 minutes)
- Tuesday:
 - 8 – 5: General Family Law Court Calendar
- Wednesday:
 - 8 – 12: AB 1058 Court Calendar
 - 1 – 2: Mid-day travel from one court location to another – 1 hour
 - 2 – 5: Mixed Court Calendar (1.5 hour – AB 1058, 1.5 hours – Small Claims)
- Thursday:
 - 8 – 11: Review of case files (1 hour of review of non IV-D cases)
 - 11 – 12: Plan of Cooperation Meeting with LCSA
 - 1 – 5: Mandatory Training (Required as condition of employment by court)
- Friday:
 - Vacation



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Sample CSC Scratch Sheet

- Monday:
 - 8 – 5: AB 1058 Court Calendar (including hearing 3 custody issues in the morning, which took a total of 45 minutes)

Name: Candace Commissioner Week of: 6/19

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|---------------------|---------|---------|-----------|----------|--------|
| IV-D | 3:15, 4 | | | | |
| Total IV-D Time | 7:15 | | | | |
| Other Non IV-D Time | 45 min. | | | | |
| Total Non IV-D Time | 45 min. | | | | |
| Leave | | | | | |



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Sample CSC Scratch Sheet

- Tuesday:
 - 8 – 5: General Family Law Court Calendar

| Name: Candace Commissioner | | Week of: 6/19 | | | | |
|----------------------------|---------|---------------|-----------|----------|--------|--|
| | Monday | Tuesday | Wednesday | Thursday | Friday | |
| IV-D | 3:15, 4 | | | | | |
| Total IV-D Time | 7:15 | | | | | |
| Other Non IV-D Time | 45 min. | 8 | | | | |
| Total Non IV-D Time | 45 min. | 8 | | | | |
| Leave | | | | | | |



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Sample CSC Scratch Sheet

- Wednesday:
 - 8 – 12: AB 1058 Court Calendar
 - 1 – 2: Mid-day travel from one court location to another – 1 hour
 - 2 – 5: Mixed Court Calendar (1.5 hour – AB 1058, 1.5 hours – Small Claims)

| Name: Candace Commissioner | | Week of: 6/19 | | | | |
|----------------------------|---------|---------------|------------------|----------|--------|--|
| | Monday | Tuesday | Wednesday | Thursday | Friday | |
| IV-D | 3:15, 4 | | 4, 30 min., 1:30 | | | |
| Total IV-D Time | 7:15 | | 6 | | | |
| Other Non IV-D Time | 45 min. | 8 | 30 min., 1:30 | | | |
| Total Non IV-D Time | 45 min. | 8 | 2 | | | |
| Leave | | | | | | |



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Sample CSC Scratch Sheet

- Thursday:
 - 8 – 11: Review of case files (1 hour of review of non IV-D cases)
 - 11 – 12: Plan of Cooperation Meeting with LCSA
 - 1 – 5: Mandatory Training (Required as condition of employment by court)

| Name: Candace Commissioner | | Week of: 6/19 | | | | |
|----------------------------|---------|---------------|------------------|----------|--------|--|
| | Monday | Tuesday | Wednesday | Thursday | Friday | |
| IV-D | 3:15, 4 | | 4, 30 min., 1:30 | 2, 1, 4 | | |
| Total IV-D Time | 7:15 | | 6 | 7 | | |
| Other Non IV-D Time | 45 min. | 8 | 30 min., 1:30 | 1 | | |
| Total Non IV-D Time | 45 min. | 8 | 2 | 1 | | |
| Leave | | | | | | |



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Sample CSC Scratch Sheet

- Friday
- Vacation

Name: Candace Commissioner Week of: 6/19

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|---------------------|---------|---------|---------------------|----------|--------|
| IV-D | 3:15, 4 | | 4, 30 min., 1:30 | 2, 1, 4 | |
| Total IV-D Time | 7:15 | | 6 | 7 | |
| Other Non IV-D Time | 45 min. | 8 | 30 min., 1:30 | 1 | |
| Total Non IV-D Time | 45 min. | 8 | 2 | 1 | 8 |
| Leave | | | | | |



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Sample CSC Timesheet

STATE OF CALIFORNIA
JUDICIAL COUNCIL OF CALIFORNIA
GRANT TIMESHEET

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

EMPLOYEE NAME: PAY PERIOD START: PAY PERIOD END:

EMPLOYEE STATUS: FULL TIME PART TIME

Federal regulations require that all hours worked by an employee must be accounted for, regardless of whether or not it is reimbursable by the grant.

| A | B | C | D | E | F | G | H | I | J = (B+H+I) | K | L | M = (J+K) |
|--------------------|-----------------------|------------------------|----------------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-------------------|----------------|---------------------------|
| Date | Time In/Out CSC Hours | Time In/Out FFLP Hours | Time In/Out Outreach Hours | Self-Help Center | Grant Program Name | Grant Program Name | Grant Program Name | Other Hours Worked | Total Hours Worked | Unpaid Leave Time | Total PTO Used | Total Hours Including PTO |
| 06/15/18 | 7:35 | | | | | | | 0:35 | 8:00 | | | 8:00 |
| 06/20/18 | | | | | | | | 2:00 | 8:00 | | | 8:00 |
| 06/21/18 | 8:00 | | | | | | | 2:00 | 8:00 | | | 8:00 |
| 06/22/18 | 7:00 | | | | | | | 1:00 | 8:00 | | | 8:00 |
| 06/23/18 | | | | | | | | | | 8:00 | | 8:00 |
| Total Hours | 20:25 | | | | | | | 11:75 | 32:00 | | 8:00 | 40:00 |
| Percentage: | 69.18% | | | | | | | 36.72% | 80.00% | | 20.00% | 100.00% |

COMMENTS:
I hereby certify under penalty of perjury that this time sheet accurately represents actual time worked and any leave time charged or authorized to any grant included does not exceed leave time earned while working on the grant.

Employee Signature: _____ Date: _____ Supervisor Signature: _____ Date: _____



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It's About Time...

- Bill to the grant based on time spent on IV-D work rather than the number of encounters
- Example: One morning, FLF assists 10 people in total: 5 litigants with IV-D issues (1 hour) and 5 with non-IV-D issues (3 hours). Even though half of the customers had IV-D issues, only 1 hour can be billed to the grant based on the actual time spent



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It's About Time...

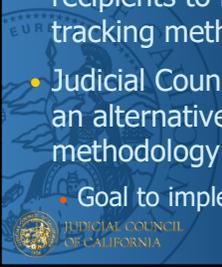
- Bill to the time, not to the budget
- Example: Court hires new commissioner to be 0.5 CSC, with rest of funding coming from trial court funds to hear general family law matters. One month the commissioner hears 20% IV-D matters and 80% non-IV-D. The next month, she hears 70% IV-D matters and 30% non-IV-D...
 - Month 1: Only **20%** of time can be billed to grant
 - Month 2: Up to **70%** of time can be billed to grant, **if approved** by the court **and** AB 1058 manager



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Alternative Timekeeping Methodologies

- New federal regulations allow grant recipients to implement new time-tracking methods
- Judicial Council is currently considering an alternative timekeeping methodology to simplify for courts
 - Goal to implement in FY 2019-2020*



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