



## Legislation Details (With Text)

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**File created:** 5/31/2016 **In control:** Board of Supervisors

**On agenda:** 5/23/2017 **Final action:** 5/23/2017

**Title:** Child Support Services, Revenue Recovery Division, recommending the Board discharge the relevant department heads from further accountability to collect the debts listed on the attached Discharge of Accountability Report in the amount of \$117,187.46, pursuant to Government Code Sections 25257 through 25259. These debts date back as far as September 12, 1994 and are uncollectible due to expiration of statute of limitations, death or bankruptcy.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Discharge Report 5-23-17, 2. A - Discharge Report Summary 6-28-16, 3. B - Discharge Report Detail 6-28-16, 4. C - Government Code Sections 25257- 25259 6-28-16

Date	Ver.	Action By	Action	Result
5/23/2017	2	Board of Supervisors	Approved	Pass
6/28/2016	1	Board of Supervisors	Approved	Pass

Child Support Services, Revenue Recovery Division, recommending the Board discharge the relevant department heads from further accountability to collect the debts listed on the attached Discharge of Accountability Report in the amount of \$117,187.46, pursuant to Government Code Sections 25257 through 25259. These debts date back as far as September 12, 1994 and are uncollectible due to expiration of statute of limitations, death or bankruptcy.

**FUNDING:** N/A

### DEPARTMENT RECOMMENDATION

Child Support Services, Revenue Recovery Division, is requesting authorization to approve immediate discharge of the accounts listed on the attachments. The debts listed total \$117,187.46 and include a number of County departments.

### DISCUSSION / BACKGROUND

Pursuant to Board Policy B-4 dated 1/24/12, the Revenue Recovery Division is the agency responsible for collecting most of the delinquent debt owed to county departments, as well as delinquent fees and fines owed to the Superior Court. Government Code Sections 25257 through 25259 governs the discharge of accountability of debts due and payable to the County. The law allows the Board of Supervisors to make an order discharging the department, officer, or employee from further accountability and if appropriate may direct the County Auditor-Controller to adjust any charge against the department, officer or employee in the like amount.

When County debts are determined to be uncollectible because the amount owed is too small to justify the cost of collection, the debtor is deceased, the statute of limitations to collect the debt has

expired, or the debt was discharged in bankruptcy proceedings, the debt is included on the annual application for discharge.

The last countywide discharge of accountability was approved by the Board of Supervisors on June 28, 2016. This proposed discharge represents countywide accounts that have been referred to the Revenue Recovery Division for collection and have subsequently been deemed uncollectible.

The statute of limitations has expired on the majority of these unpaid debts that are being recommended for discharge. Also included are debts that are uncollectible due to bankruptcy or death and further collection efforts cannot be pursued.

Upon approval by the Board, the Revenue Recovery Division will take necessary steps to reflect the discharge of accountability in their respective collection systems and Revenue Recovery will notify the appropriate departments that accountability for the debt has been discharged. Affected departments will coordinate with the Auditor's Office as necessary to ensure appropriate recording of any financial transactions.

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Concurrence and signed confirmation forms from all affected Departments including: CDA; HHSA; Library; Probation; Public Defender; Risk Management; Recorder Clerk; and CAO-Rivers and Parks.

## **CAO RECOMMENDATION**

The Chief Administrative Office concurs with the Department's recommendation.

## **FINANCIAL IMPACT**

While there is a financial impact associated with the County providing services for which no compensation was received; there is no change to affected department budgets. These debts are considered uncollectible and have not been factored into fund balances or projected revenues for the departments.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

## **STRATEGIC PLAN COMPONENT**

Good Governance

## **CONTACT**

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