

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

L.K.,

Plaintiff and Appellant,

v.

STEVEN J. GOLIGHTLY as Director, etc.,
et al.,

Defendants and Respondents.

B228426

(Los Angeles County
Super. Ct. No. EC051868)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:

IT IS ORDERED that the opinion filed herein on September 27, 2011, be modified in the following particulars:

1. On page 2, fifth paragraph, delete the first sentence and replace it with the following:

On July 10, 2008, L.K. filed a “request for Complaint Resolution” with the CSSD, contending that her account had been mishandled and that she was “owed more money.”

2. On page 2, delete the last paragraph starting with “The administrative hearing” and ending on page 3 with “complaint,” and replace it with the following:

The administrative hearing on L.K.'s complaint was conducted telephonically on November 4, 2008. The administrative law judge issued a proposed decision on November 20, 2008, and the California Department of Child Support Services (DCSS) adopted it as the final decision on December 1, 2008. The decision states that evidence introduced at the hearing showed that from August 2007 through June 2008, the CSSD collected from Father and disbursed to L.K. child support arrears in the amount of \$47,161.56. The CSSD contended that interest accounted for the difference between the \$43,104.02 in arrears previously determined by the court and the \$47,161.56 that was actually collected, but the CSSD did not prepare an audit. The evidence further showed that the CSSD began closure of L.K.'s account on June 24, 2008, because all arrears had been paid in full, and the account was finally closed on August 25, 2008. The DCSS decision determined that the CSSD had violated California regulations by failing to prepare a final audit of L.K.'s account, and the decision directed the CSSD to prepare the required audit. In all other respects, however, the DCSS decision denied L.K.'s complaint.

3. On page 3, first line of the first full paragraph, delete the acronym "CSSD" between the words "The" and "decision" and replace it with "DCSS."

4. On page 3, second line of the first full paragraph, delete the acronym "CSSD" and replace it with the phrase "California Department of Social Services."

5. On page 4, first paragraph under Discussion, delete the acronym "CSSD" in brackets and replace it with a bracketed "DCSS."

6. On page 4, last paragraph, third sentence, delete the possessive acronym "CSSD's" and replace it with "DCSS's."

This modification does not constitute a change in the judgment.

ROTHSCHILD, Acting P. J.

CHANEY, J.

JOHNSON, J.