



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

12400 Imperial Highway – P.O. Box 1024, Norwalk, California 90651-1024 – www.lavote.net

DEAN C. LOGAN

Registrar-Recorder/County Clerk

March 31, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**REQUEST TO APPROVE MEMORANDUM OF UNDERSTANDING
WITH THE STATE OF CALIFORNIA DEPARTMENT OF CHILD SUPPORT
SERVICES FOR AN ELECTRONIC INTERFACE TO RECORD LIEN DOCUMENTS
(ALL DISTRICTS - 3 Votes)**

**CIO RECOMMENDATION: (X) APPROVE () APPROVE WITH MODIFICATION
() DISAPPROVE**

SUBJECT

Approve Memorandum of Understanding ("Agreement") between Los Angeles County Department of the Registrar-Recorder/County Clerk ("RR/CC") and the California Department of Child Support Services ("DCSS") for an electronic recording interface ("e-recording") to record real property lien documents. The Agreement would provide DCSS with an electronic interface for transmission, filing, and recording of liens against real properties of delinquent support obligors. The paperless transaction would expedite the lien recording process and assist in the compliance with Family Code section 17523. There is no net County cost.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and authorize the Registrar-Recorder/County Clerk, or designee to execute the attached Agreement with the State of California Department of Child Support Services to provide an e-recording interface. The term of the Agreement is for one year plus nine automatic one-year renewal options. The aggregate term of the Agreement will not exceed ten years.

2. Authorize the Registrar-Recorder/County Clerk, or designee to prepare and execute amendments to the Agreement, as necessary, provided that County Counsel approval is obtained prior to executing such amendment.
3. Authorize the Registrar-Recorder/County Clerk, or designee to terminate the Agreement pursuant to the termination provisions contained in the Agreement if needed, provided that: (i) County Counsel approval is obtained prior to terminating the Agreement; and (ii) the Board and CEO are notified in writing within fifteen (15) days of terminating the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The recommended Agreement will provide e-recording capabilities to DCSS for the purpose of transmitting real property lien documents electronically to RR/CC for recording and storage. The online lien recording service will also assist the County Child Support Services Department (“CSSD”) in the enforcement of child support cases and in the compliance with Family Code section 17523.5.

Implementation of Strategic Plan Goals:

This request supports the County strategic Plan as follows:

Goal No. 2: Service Excellence: Enhance the quality and productivity of the County workforce. E-recording capabilities will expedite recording of real property lien documents, reduce RR/CC staff processing time, eliminate mailing manual documents, and will assist County CSSD workforce in the enforcement of child support cases.

Goal No. 3: Organizational Effectiveness: Ensure that service delivery systems are efficient, effective and goal-oriented. E-recording is a paperless transaction between the County RR/CC and DCSS which would expedite the lien recording process and assist CSSD in processing child support enforcement cases timely. It is effective, efficient, and consistent with Board Order to reduce paper consumption.

FISCAL IMPACT/FINANCING:

There is no cost associated with providing DCSS with e-recording capabilities. The Agreement will not incur any costs of developing, maintaining, or modifying the electronic recording interface. There is no impact to net County cost. In addition, if County incurs any cost associated with specifically providing DCSS with e-recording capabilities, the cost will be reimbursed by DCSS.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

In 2007 DCSS approached various county recorders throughout the State, including RR/CC, regarding the feasibility of setting up an e-recording interface for the purpose of transmitting, filing, and recording liens against real properties of delinquent support obligors. . The lien documents would be transmitted electronically through a secure electronic recording system to each county recorder for recording. The transmission would be done through a secure electronic recording system between DCSS (sending lien information) and RR/CC (recording the lien). The interface would eliminate DCSS from sending the lien documents to CSSD and CSSD from sending the liens to the county recorder for recording. Once the real property lien is recorded, the information is available online to authorized users through the RR/CC Real Property Index. CSSD has the ability to view the Real Property Index online per a separate agreement between the two County departments. The e-recording interface will assist CSSD in complying with Family Code section 17523.5.

On August 27, 2008 the RR/CC notified your Board of the State's request (Attachment II). County Counsel worked closely with State Counsel and the RR/CC in the development of the e-recording interface Agreement. The RR/CC worked closely with the Chief Information Office (CIO) and the Chief Information Security Officer (CISO), to ensure all system security measures were addressed. In consultation with CIO and CISO, the RR/CC set up a secure connection process using an encrypted transfer of data. The process ensures only one connection is allowed. The incoming connection was monitored and logged, and penetration tested to prevent any intrusion from an outside source.

The Agreement will commence upon execution by the parties, and run consecutively for one (1) year unless sooner terminated, with nine (9) automatic one-year extension options, for an aggregate term of ten (10) years.

The Chief Executive Office and Chief Information Office have reviewed and approved this Board letter. County Counsel has reviewed this Board letter and approved as to form the attached Agreement.

CONTRACTING PROCESS:

This is a government to government agreement. There was no contracting process associated with this Agreement.

IMPACT ON CURRENT SERVICES:

Approval of the Agreement will provide a fast, efficient, and effective method of providing DCSS with the ability to transmit and file real property liens against delinquent support obligors. It will also provide the RR/CC with the ability to record paperless

documents and have them available sooner for electronic viewing by CSSD. These actions will assist CSSD in compliance with Family Code section 17523.5 and support the enforcement of child support cases for families within Los Angeles County.

CONCLUSION


Upon approval of the recommendation, it is requested that the Executive Officer/Clerk of the Board return one original stamped copy of the adopted Board letter to:

County of Los Angeles Registrar-Recorder/County Clerk
12400 Imperial Highway, Room 7201
Norwalk, CA 90650
Attention: Ngozi Ume, Manager
Finance and Management Division

Respectfully submitted,


Dean C. Logan
Registrar-Recorder/County Clerk

Reviewed by


Richard Sanchez
Acting Chief Information Officer

DCL:NU:RL:yt

Attachment (2)

c: County Counsel
Chief Executive Office
Chief Information Office
State Department of Child Support Services
Child Support Services Department

ATTACHMENT I

CIO ANALYSIS

REQUEST TO APPROVE MEMORANDUM OF UNDERSTANDING WITH THE STATE OF CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES FOR AN ELECTRONIC INTERFACE TO RECORD LIEN DOCUMENTS

CIO RECOMMENDATION: **APPROVE** **APPROVE WITH MODIFICATION**
 DISAPPROVE

Contract Type:

New Contract **Contract Amendment** **Contract Extension**
 Sole Source Contract **Hardware Acquisition** **Other**

New/Revised Contract Term: **Base Term:** 1 Yr. **# of Option Yrs:** 9

Contract Components:

Software **Hardware** **Telecommunications**
 Professional Services

Project Executive Sponsor: Dean C. Logan, Registrar-Recorder/County Clerk

Budget Information :

| | |
|-----------------------------|-----|
| Y-T-D Contract Expenditures | \$0 |
| Requested Contract Amount | \$0 |
| Aggregate Contract Amount | \$0 |

Project Background:

| Yes | No | Question |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is this project legislatively mandated? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is this project subvented? If yes, what percentage is offset? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is this project/application applicable to (shared use or interfaced) other departments? If yes, name the other department(s) involved. Child Support Services. |

Strategic Alignment:

| Yes | No | Question |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is this project in alignment with the County of Los Angeles Strategic Plan? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is this project consistent with the currently approved Department Business Automation Plan? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project's technology solution comply with County of Los Angeles IT Directions document? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project technology solution comply with preferred County of Los Angeles IT standards? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | This contract and/or project and its milestone deliverables must be entered into the Information Technology Tracking System (ITTS). |

Project/Contract Description:

The Registrar-Recorder/County Clerk (RR/CC) is requesting Board approval to:

- Enter into an Agreement with the State of California Department of Child Support (DCSS) Services to provide an e-recording interface to record real property lien documents.
- Prepare and execute amendments to the Agreement, as necessary, provided that County Counsel approval is obtained prior to executing such amendment.
- Terminate the Agreement pursuant to the termination provisions contained in the Agreement if needed, provided that: (i) County Counsel approval is obtained prior to terminating the Agreement; and (ii) the Board and CEO are notified in writing within fifteen (15) days of terminating the Agreement.

Background:

In 2007, DCSS approached several County recorders throughout the State, including RR/CC, regarding the feasibility of implementing an e-recording interface for the purpose of transmitting, filing, and recording liens against real properties of delinquent support obligors. The documents would be transmitted electronically through a secure connection to each county recorder for recording.

Project Justification/Benefits:

The electronic interface would eliminate the need for DCSS to send the lien documents to the Child Support Services Department (CSSD), and for CSSD to send the liens to the county recorder for recording. Once the real property lien is recorded, the information will be available on-line to authorized users through the RR/CC Real Property Index. The RR/CC worked with our office to ensure all system security measures were addressed. The RR/CC set up a secure connection using data encryption.

This proposal supports County Strategic Plan Goal No. 2 (Service Excellence) and Goal No. 3 (Organizational Effectiveness).

Project Metrics:

The RR/CC will track how many lien documents are filed electronically through this interface and calculate the time and cost savings.

Impact On Service Delivery Or Department Operations, If Proposal Is Not Approved:

Approval of the Agreement will provide an efficient method of providing DCSS with the ability to transmit and file real property liens against delinquent support obligors. It will also provide the RR/CC with the ability to record paperless documents and make them available sooner for electronic viewing by CSSD. If this proposal is not approved, manual processes would continue to be used.

Alternatives Considered:

Because this is a government-to-government Agreement, there were no other alternatives considered.

Project Risks:

None.

Risk Mitigation Measures:

None.

Financial Analysis:

There is no net County cost associated with providing DCSS with e-recording capabilities. If the County incurs any costs associated with providing DCSS with e-recording capabilities, the costs will be reimbursed by DCSS.

CIO Concerns:

None.

CIO Recommendations:

Based on our review of the Board Letter and discussions with the Department, this office recommends approval of the Agreement.

CIO APPROVAL

Date Received: February 2, 2009

Prepared by: Henry Batta 

Date: February 20, 2009

Approved: 

Date: 2-3-09

ATTACHMENT II

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES
AND
COUNTY OF LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK
FOR
ELECTRONIC RECORDING INTERFACE**

This Memorandum of Understanding ("Agreement") is made and entered into effect as of _____, 2009 by and between the County of Los Angeles, a political subdivision of the State of California ("County"), by and through its Department of the Registrar-Recorder/County Clerk ("RRCC") and the California Department of Child Support Services ("DCSS"). RRCC and DCSS are hereinafter referred to collectively as the "Parties" and each individually as a "Party."

WHEREAS, pursuant to Family Code section 17523.5, it is the duty of DCSS to promptly and effectively collect and enforce child support obligations under Title IV-D;

WHEREAS, the transmission, filing, and recording of a lien against the real property of a support obligor in a digital or digitized electronic form is permitted pursuant to said code section;

WHEREAS, DCSS has established the Child Support Enforcement ("CSE") System, which provides a secure and reliable electronic method for transmission of lien filings;

WHEREAS, DCSS desires to establish an electronic interface with RRCC for the purpose of transmitting real property lien information for recording;

WHEREAS, DCSS and RRCC wish to establish guidelines to ensure compliance with security measures and technical requirements necessary to deliver and maintain the electronic interface;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and the mutual benefits to be derived therefrom, the Parties agree as follows:

A. PURPOSE

The DCSS and the RRCC are entering into this collaboration for the purpose of transmitting real property lien information for recording through an electronic format, thereby reducing paper transactions. The Child Support Enforcement ("CSE") System enables the DCSS to electronically

process lien filing records and transmit them to the RRCC for recording and storage.

B. GENERAL TERMS AND CONDITIONS

1. The term of this Agreement will be effective on the date this MOU is signed by DCSS and County's Registrar-Recorder/County Clerk and run consecutively for one (1) year. The MOU will automatically renew in one (1) year increments unless one or both Parties object or there are modifications to the MOU which would require mutual agreement and signatures by both Parties. The term of the Agreement, including renewal periods, shall not exceed ten (10) years.
2. This Agreement may be modified or amended only upon the mutual written consent of the Parties.
3. This Agreement may be terminated without penalty by either party for any reason upon providing ninety days (90) days prior written notice thereof to the other Party.
4. DCSS shall create an electronic file of the lien information and electronically provide that information to RRCC as set forth in Attachment A (IDD for Sending Lien Information) attached hereto and incorporated herein by this reference.
5. RRCC shall import the lien data received from DCSS onto a document image for recording and storage and return an XML file to DCSS with data about the filing as set forth in Attachment B (IDD for Receiving Lien Information) attached hereto and incorporated herein by this reference.
6. Each party will appoint a person to serve as the official contact and coordinate the activities to carry out this Agreement.

- a. The DCSS contact for this Agreement is:

Ruby Tumagan
Department of Child Support Services
Technology Services Division
11120 International Drive
Rancho Cordova, CA 95741-9064
Telephone Number:(916) 464-3223
E-Mail Address: ruby.tumagan@dcss.ca.gov
Alternate contact :

Kelly York, Supervisor Operational Interfaces Section
E-Mail Address: kelly.york@dcss.ca.gov

b. The RRCC contact for this Agreement is:

Kai Ponte, Manager
County of Los Angeles
Registrar-Recorder/County Clerk
Recorder & Management Systems Division
12400 Imperial Hwy., Norwalk, 90650
Telephone Number: (562) 462-2706
Fax Number: (562) 864-8013
E-Mail Address: KPonte@rrcc.lacounty.gov
Help Desk: (562) 462-2455 or (562) 462-2456

C. DCSS RESPONSIBILITIES

1. Use an Extensible Markup Language (XML) file type and file Transfer Protocol (FTP) as the transmission method. Definitions of the content of the XML file to be defined by both the DCSS and LA County. Any variations on this content definition will be agreed upon and tested prior to implementation.
2. Provide the RRCC with templates in Portable Document Format (PDF) to be used by the RRCC when it is necessary to produce a paper copy or image. Any changes to the template will need to be reviewed and tested prior to implementation.
3. Provide electronic lien files to the RRCC for recording at a maximum of once-per-day.

D. RRCC RESPONSIBILITIES

1. Establish network connectivity to the CSE application at the e-Business Hosting Center (eBHC) in San Jose through the Department of Technology Services (DTS) Post Office Protocol (POP) router and Wide Area Network (WAN).
2. Provide a single, static environment designed for the transmission. This environment will include a recognized IP address to which data will be delivered, servers that are password protected and installed in a locked physical environment, as well as opening of appropriate ports in the firewall. All changes to be reviewed by both parties and tested prior to implementation.

3. Exchange files daily with DCSS via Secure File Transfer Protocol (SFTP).

E. INDEMNIFICATION

1. DCSS shall indemnify, defend and hold harmless the RRCC, its Special Districts, elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the DCSS's acts and/or omissions arising from and/or relating to this Agreement.
2. RRCC shall indemnify, defend and hold harmless the DCSS its officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the RRCC's acts and/or omissions arising from and/or relating to this Agreement.

F. FISCAL PROVISIONS

1. DCSS shall provide the real property lien information for recording to the RRCC at no cost. However, in the event of any unforeseen additional cost or fees incurred in connection with the DCSS interface, including but not limited to, any modifications, upgrades, or any licensing fees or costs which may be imposed by software manufacturers, RRCC shall notify DCSS in advance of imposing said fees/costs and a negotiated Amendment shall be executed between both parties in accordance with Section B (General Terms and Conditions), Paragraph 2 of the Agreement.
2. This Agreement is not intended to encumber any funds for any costs to develop, maintain, or modify the interface.
3. In the event that costs arise to develop, maintain, or modify the interface, each Party agrees to bear its own costs.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES
AND
COUNTY OF LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK
FOR
ELECTRONIC e-RECORDING INTERFACE**

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding on the date first indicated above.

**STATE OF CALIFORNIA
DEPARTMENT OF CHILD
SUPPORT SERVICES**

JOAN OBERT
Deputy Director

**COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/
COUNTY CLERK**

DEAN C. LOGAN
Registrar-Recorder/County Clerk

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By _____
Patrice Salseda
Senior Deputy County Counsel