

## COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300  
SACRAMENTO, CA 95814  
PHONE: (916) 323-3562  
FAX: (916) 445-0278  
E-mail: csminfo@csm.ca.gov



December 20, 2012

Ms. Lizanne Reynolds  
Office of the County Counsel  
Santa Clara County  
70 West Hedding Street,  
9th Floor, East Wing  
San Jose, CA 95110

Ms. Jill Kanemasu  
Division of Accounting and Reporting  
State Controller's Office  
3301 C Street, Suite 700  
Sacramento, CA 95816

Re: **Notice of Complete Filing and Schedule for Comments**  
Incorrect Reduction Claim  
*Child Abduction and Recovery Program*, 12-4237-I-03  
Family Code Sections 3060-3064, 3130-3134.5, 3408, 3411, and 3421;  
Penal Code Sections 277, 278, and 278.5;  
Welfare and Institutions Code Section 11478.5  
Fiscal Years: 2003-2004, 2004-2005, 2005-2006, and 2006-2007  
Santa Clara County, Claimant

Dear Ms. Reynolds and Ms. Kanemasu:

On November 29, 2012, the County of Santa Clara filed an incorrect reduction claim (IRC) with the Commission on State Mandates (Commission) based on the *Child Abduction and Recovery Program* for fiscal years 2003-2004 through, 2006-2007, for a total of \$296,732. Commission staff determined that the IRC filing is complete.

Government Code section 17551(b) requires the Commission to hear and decide claims by local agencies and school districts that the State Controller's Office (SCO) has incorrectly reduced payments to the local agencies or school districts.

**SCO Review and Response.** Please file the SCO response and supporting documentation regarding this claim within 90 days of the date of this letter. Please include an explanation of the reasons for the reductions and the computation of reimbursements. All documentary evidence must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and be based on the declarant's personal knowledge, information or belief. The failure of the SCO to respond within this 90-day timeline shall not cause the Commission to delay consideration of this IRC.

**Claimant's Rebuttal.** Upon receipt of the SCO response, the claimant and interested parties may file rebuttals. The rebuttals are due 30 days from the service date of the response.

**Process for Filing Responses and Rebuttals.**

The Commission's regulations require that the responses and rebuttals filed with the Commission be simultaneously served on all parties and interested parties on the mailing list, and accompanied by a proof of service (Cal. Code Regs., tit. 2, 1181.2 and 1185.1).

Ms. Reynolds and Ms. Kanemasu  
December 20, 2012  
Page Two

However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. For instructions on electronic filing, please see the Commission's website at [http://www.csm.ca.gov/dropbox\\_procedures.shtml](http://www.csm.ca.gov/dropbox_procedures.shtml). The comments will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2.

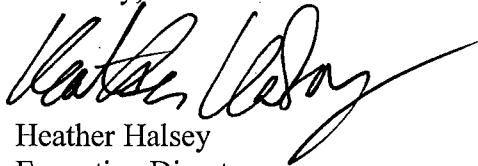
**Prehearing Conference.** A prehearing conference will be scheduled if requested.

**Public Hearing and Staff Analysis.** The public hearing on this claim will be scheduled after the record closes. A staff analysis will be issued on the IRC at least eight weeks prior to the public hearing.

**Withdrawal of Incorrect Reduction Claims.** Under section 1185.6(a) of the Commission's regulations, an IRC may be withdrawn by written application any time before a decision is adopted or by oral application at the time of hearing. If such an application is made, the Executive Director shall issue a letter dismissing the claim.

Please contact Heidi Palchik at (916) 323-3562 if you have any questions.

Sincerely,



Heather Halsey  
Executive Director