
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

Effective Date: December 10, 2015 (PDU Dispatch)
Current Revision Date: April 6, 2018

Policy No.: D-0414

Credit Reports and Credit Resolution

Purpose To provide guidelines for obtaining credit reports for foster youth and Non-Minor Dependents (NMDs) and, when necessary, supporting foster youth and NMDs with credit resolution.

Approved This policy was approved by Anne Bloxom, CFS Director, on April 6, 2018. *Signature on file.*

Most Recent Revision New. This policy was initially released as a PDU Dispatch, due to awaiting a County agreement with TransUnion Credit Reporting Agency. It is now being implemented as a CFS Policy and Procedure (P&P).

Background Identity theft and a fraudulent credit record can significantly impact an individual's ability to obtain loans, make purchases, open lines of credit, secure rental housing, etc., and can lead to garnished wages and other financial hardships. Resolving a credit record is often a complicated and involved process.

Identity theft and a fraudulent credit record can be particularly damaging to emancipated foster youth, who often have minimal resources and supports.

To improve outcomes for foster youth and Non-Minor Dependents (NMDs), the Children and Family Services Improvement and Innovation Act (Public Law 112-34), was enacted in 2011 to require foster youth 16 years of age and older to receive a free copy of their credit report each year until dependency is terminated and to receive assistance interpreting the credit report and resolving inaccuracies.

In 2014, the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183) lowered the age at which foster youth are to receive a free copy of their credit report and credit assistance to 14 years of age.

In December, 2015, interim policy guidance was released via PDU Dispatch “Credit Reports and Credit Resolution” (D-0414-D) to support foster youth and NMDs with obtaining credit reports and with credit resolution, pending the Social Services Agency (SSA) finalizing agreements with each of the Credit Reporting Agencies.

This policy applies to foster youth in out-of-home placement and Non-Minor Dependents.

Definitions

Credit Record: When CDSS reports that a minor dependent’s name is listed with at least one of the three Credit Reporting Agencies (CRAs).

Credit Report: An organized list of information about an individual’s credit activity. Credit activity may include, but is not limited to, a list of businesses or companies providing an individual credit or loans, how much an individual owes to these businesses or companies, and payment history on credit or loans (including missed/late payments and bad debt).

Credit Reporting Agency (CRA): A national company that collects information on an individual’s bill payment history, loans, current debt, and other financial information to create a Credit Report, which the CRA then sells to creditors, insurers, and others. The three CRAs are Equifax, Experian, and TransUnion.

POLICY

Quarterly Reports

All County Letters (ACLs) 14-23 and 15-98 describe the responsibilities of the California Department of Social Services and counties.

California Department of Social Services (CDSS):

Every quarter, CDSS extracts information from CWS/CMS regarding dependent youth in out-of-home placement, 14 to 17 years of age. CDSS will:

- Run credit checks with the three major Credit Reporting Agencies (CRAs)
- Provide Children and Family Services (CFS) with a report, which indicates whether or not a dependent youth in out-of-home placement has a credit record with any of the CRAs

CDSS informs CFS if a credit record exists for a youth, but CDSS does not provide CFS a copy of the youth's credit report.

Orange County CFS:

The quarterly CDSS report will be received by the Transitional Planning Services Program (TPSP) Staff Specialist.

For youth in out-of-home placement, 14 to 17 years of age *without* a credit record, the TPSP Staff Specialist will provide the assigned Senior Social Worker (SSW) with notification the youth has no credit record.

For youth in out-of-home placement, 14 to 17 years of age *with* a credit record, the TPSP Staff Specialist will obtain a credit report directly from the applicable CRA(s) and provide the credit report(s) to the assigned SSW.

**Notification
and
Resolution**

- A. **Youth (14–17 years of age) in Out-of-Home Placement:**
Per All County Letters (ACLs) 14-23 and 15-98, CFS is required to notify a youth whether or not they have a credit record and to document this information in CWS/CMS.

Note: Credit cannot be obtained until 18 years of age. Thus, any credit report received for a minor may suggest fraudulent use of the child's identity.

The TPSP Staff Specialist will provide information obtained from the quarterly CDSS report to the assigned SSW.

Pursuant to WIC § 10618.6, the assigned SSW will notify the youth of the credit record results and facilitate assistance in interpreting and, if needed, resolving the credit report.

The assigned SSW is not required to provide the youth direct assistance to interpret or resolve the credit report; only to facilitate assistance.

Miscellaneous Order M-2017-4 authorizes CFS to refer foster youth to the Legal Aid Society of Orange County to provide assistance to interpret and resolve their credit record.

Per best practice, the assigned SSW will inform the youth's attorney if a youth's credit record necessitates referral to the Legal Aid Society of Orange County.

For additional guidelines regarding notification and resolution of credit records, refer to the following, as applicable:

- [Attachment 1—Suggested Guidelines – Youth with No Credit Record](#)

–Or–

- [Attachment 2—Suggested Guidelines – Youth with Credit Record](#)

B. NMDs:

Per ACL 14-23 and Welfare and Institutions Code (WIC) § 10618.6, the assigned SSW will, on an annual basis, assist a NMD with requesting a credit report and arrange for the NMD to receive assistance in interpreting the credit report and resolving an inaccurate credit report.

The assigned SSW is not required to provide the NMD direct assistance to interpret or resolve the credit report; only to facilitate assistance.

The Legal Aid Society of Orange County has been identified to provide support to NMDs regarding credit resolution. Due to their adult status, NMDs will be advised to contact the Legal Aid Society directly, as needed.

Refer to [Attachment 3—Suggested Guidelines – Non-Minor Dependents \(NMDs\)](#) for further guidelines.

Documentation

The following methods will be used to document efforts pertaining to credit reports and credit resolution:

A. Designated Forms:

The assigned SSW will complete and obtain signatures using the appropriate form.

- For youth 14 years of age and older: *Notification of Credit Record/No Record (F063-25-764)*
- For NMDs: *Credit Report Information/Non-Minor Dependent (F063-25-765)*

Note: Additional guidance regarding the above forms is available in the corresponding attachments of this policy.

B. Credit Report Notebook in CWS/CMS:

The Credit Report notebook in the Client Management section of CWS/CMS provides audit confirmation of activities associated with Credit Reports. The TPSP Program Specialist or program designee will update the Credit Report notebook per [CWS/CMS Data Entry Standards—Identity Theft Protection for](#)

[Youth in Foster Care](#), using information documented on the completed designated forms (see above) provided by the assigned SSW.

C. **Associated Contacts in CWS/CMS:**

The assigned SSW will document efforts as an “Associated Contact” using, as applicable, the following “Case Management Services:”

- Credit Results Reviewed with Youth
- Discuss Credit Counseling
- Referred for ID Theft Services

Refer to [CWS/CMS Data Entry Standards—Transitional Planning Services Instructions](#) and [CWS/CMS Data Entry Standards—Identity Theft Protection for Youth in Foster Care](#) for guidelines to enter Associated Services in CWS/CMS.

D. **Case Plan:**

ACL 16-30 and WIC § 16501.1 provide for the inclusion of credit report and credit resolution requirements in the case plan for the youth/NMD.

The following “Case Management Services” may be used, as applicable:

- Credit Results Reviewed with Youth
- Discuss Credit Counseling
- Referral for ID Theft Services

Refer to [Attachment 4—Case Plan Autotext Options: Case Management Services](#) of CFS P&P [Case Plans \(D-0101\)](#), for mandatory autotext associated with the above referenced “Case Management Services.”

E. **Court Reports:**

Credit resolution efforts may be detailed in subsequent court reports.

Note: To preserve confidentiality, do not include a copy of the credit report with the court report.

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [Attachment 1—Suggested Guidelines – Youth with No Credit Record](#)
 - [Attachment 2—Suggested Guidelines – Youth with Credit Record](#)
 - [Attachment 3—Suggested Guidelines – Non-Minor Dependents \(NMDs\)](#)
 - [CWS/CMS Data Entry Standards—Transitional Planning Services Instructions](#)
 - [CWS/CMS Data Entry Standards—Identity Theft Protection for Youth in Foster Care](#)
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Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on the link provided.

- Annual Credit Report requests: www.annualcreditreport.com
 - Orangewood Foundation: <http://ocf4you.org>
 - [Legal Aid Society of Orange County](#)
 - CFS P&P [Case Plans \(D-0101\)](#), [Attachment 1—Suggested Case Plan Elements](#)
 - CFS P&P [Case Plans \(D-0101\)](#), [Attachment 4—Case Plan Autotext Options: Case Management Services](#)
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Other Sources

Other printed references include the following:

None.

FORMS

Online Forms

Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Notification of Credit Record/No Credit Record	F063-25-764
Credit Report Information Non-Minor Dependent	F063-25-765

Hard Copy Forms

Forms that may be completed in hard copy (including multi-copy NCR forms) are listed below. **For reference purposes only**, links are provided to view these hard copy forms, where available.

Form Name	Form Number
None.	

CWS/CMS Forms

Forms that may **only** be obtained in CWS/CMS are listed below. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
None.	

Brochures

Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
Credit Reports and Foster Youth/Young Adults	F063-25-828

LEGAL MANDATES

[U.S. Code Title 15, Chapter 41, Subchapter III, Section \(§\) 1681](#) addresses accuracy and fairness in credit reporting and provides for an annual free disclosure of credit reports by the three major Credit Reporting Agencies (CRAs).

[All County Letter \(ACL\) 14-23](#), replaces ACL 13-31, to inform counties of credit report/credit resolution requirements and protocols.

[ACL 15-98](#) informs counties that the requirements and procedures for requesting credit reports and assistance with credit resolution have been lowered from 16 to 14 years of age.

[ACL 16-30](#) provides that foster youth 14 years of age and older and NMDs be provided documentation of the right to receive free copies of credit reports, receive assistance in interpreting and resolving any inaccuracies in the report, and details that these requirements be included in the case plan developed on behalf of the foster youth/NMD.

[Welfare and Institutions Code \(WIC\) § 10618.6](#) requires the credit record of dependent youth in out-of-home placement 14 years of age and older be checked annually and that a NMD receive assistance annually in requesting a credit report. Assistance is to be facilitated, as needed, to interpret and resolve credit records.

[WIC § 16501.1](#) details case plan documentation requirements for credit reports and credit resolution services.

[Orange County Superior Court Misc. Order M-2017-4](#) authorizes CFS to refer foster youth (14 years of age and older) with consumer credit history to the Legal Aid Society of Orange County.

REVISION HISTORY

Since the Effective Date of this P&P, and prior to the Current Revision Date, the following revisions of this P&P were published:

None.