

TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 89-6

TRANSFER OF CHILD SUPPORT ENFORCEMENT
OFFICE FROM THE DEPARTMENT OF PUBLIC
HEALTH AND SOCIAL SERVICES TO THE
DEPARTMENT OF LAW

- WHEREAS,** Section 9(c) of the Organic Act of Guam provides that the Governor shall, from time to time, examine the organization of the executive branch of the government of Guam, and shall determine and carry out changes therein as are necessary to promote effective management and to execute faithfully the purposes of the Organic Act and the laws of Guam; and
- WHEREAS,** under the provisions of Title IV-D of the Social Security Act, the Family Support Act and related federal regulations, the government of Guam is responsible for the local administration of the public assistance and child welfare programs; and
- WHEREAS,** under Chapter 2 of Title 10 Guam Code Annotated, the Department of Public Health and Social Services is the governmental agency charged with administering the numerous and varied services that are provided for needy families of Guam by federal and local laws; and
- WHEREAS,** an integral and vital part of the child welfare program is the effective enforcement of the legal obligation of parents of dependent children to provide support for such children to the best of their ability so that they need not be supported by public funds; and
- WHEREAS,** under existing statutes, the Child Support Enforcement Office (CSEO) is a unit of the Department of Public Health and Social Services and, as such, performs duties such as locating and contacting absent parents, gathering factual information regarding a parent's ability to support his or her children, making arrangement for regular support and entering into support agreements; and
- WHEREAS,** support and paternity cases now are referred by the CSEO to the Attorney General's Office for necessary legal action to obtain appropriate orders for support and to enforce such orders; and



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WHEREAS, the volume of child support cases in recent years has steadily increased to the point at which it will be more efficient and cost-effective to combine the investigative and fact-finding role of the CSEO with the law enforcement role of the Attorney General; and

WHEREAS, the Director of the Department of Public Health and Social Services and the Attorney General both agree that the CSEO should be transferred to the Department of Law in order that all facets of child support enforcement may be administered more effectively; and

WHEREAS, time is of the essence in order that such transfer can be accomplished so as to ensure full compliance with the mandatory child support enforcement requirements of the federal IV-D and Family Support programs; and

WHEREAS, the complete and permanent transfer of the CSEO operations from the Department of Public Health and Social Services to the Office of the Attorney General will require substantial changes in the enabling statutes contained in Article 8, Chapter 2 of 10 GCA, preliminary and significant steps towards effecting such transfer can be immediately undertaken by those two departments; and

WHEREAS, a more effective and efficient CSEO operation will directly aid those members of our society who most need the government's help and, that, in turn, will indirectly benefit all of the people of Guam.

NOW, THEREFORE, I, JOSEPH F. ADA, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order as follows:

1. The Attorney General and the Department of Public Health and Social Services shall take all necessary steps to administratively transfer the CSEO to the Office of the Attorney General no later than March 1, 1989. Upon completion of the transfer of the CSEO to the Department of Law, the management of the CSEO and the supervision of its personnel shall be under the authority of the Attorney General.



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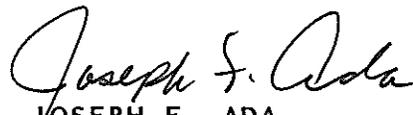
2. The above two department heads and their respective staffs shall coordinate on the planning, logistics, personnel, funding, budget changes and requests and all other necessary administrative matters to accomplish the CSEO transfer in accordance with the above target date.

3. The Attorney General shall draft the necessary implementing legislation for review by the Legislative Review Committee and submission to the 20th Guam Legislature.

4. The transfer of the CSEO shall be accomplished in full compliance with the requirements of Public Law 17-81 relating to government reorganization and no classified employee of either department shall be removed from his or her position or downgraded as a result of the transfer of the CSEO to the Office of the Attorney General.

5. The Department of Administration and the Bureau of Budget and Management Research shall assist in implementing the provisions of this Executive Order without unnecessary delay.

SIGNED AND PROMULGATED at Agana, Guam this 31st day of March, 1989.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor of Guam