



COMMONWEALTH of VIRGINIA

Office of the Attorney General
Richmond 23219

900 East Main Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 371 - 8946 TDD

January 17, 2012

Ms. Karin Clark, Policy and Planning Manager
Office of Legislative and Regulatory Affairs
Department of Social Services
801 East Main Street
Richmond, Virginia 23219

Re: Proposed Regulation 22 VAC40-880-10 *et seq.* Child Support Program

Dear Ms. Clark:

I have considered the proposed regulation and related documents based on the review of the Child Support Enforcement Program regulation found at 22 VAC40-880-10 *et seq.* I have reviewed these actions to determine if the State Board of Social Services (State Board) has the statutory authority to amend the proposed regulation and if the proposed regulation comports with applicable state law.

Virginia Code §§ 63.2-217 mandates that the State Board promulgate "regulations as may be necessary or desirable to carry out the purpose of this title." It appears the State Board has the authority to amend 22 VAC40-880-10 *et seq.*, as proposed, subject to compliance with the provisions of Article 2 of the Administrative Process Act and Executive Order 14 (2010), and has not exceeded its authority.

Should you have any questions, please do not hesitate to contact me at 786-4362.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Craig M. Bursnem".

Craig M. Bursnem
Senior Assistant Attorney General

c: Martin D. Brown
Nathaniel L. Young, Jr.