

Testimony
House Concurrent Res. 3004 – Department Of Human Services
House Human Services Committee
Clara Sue Price, Chairman
January 10, 2007

Chairman Price, members of the House Human Services Committee, I am Mike Schwindt, Director of the Child Support Enforcement Division of the Department of Human Services. I am here to testify on House Concurrent Resolution 3004.

The Department does not oppose House Concurrent Resolution 3004. We support the sustained collection of affordable child support, because of the benefit to kids and taxpayers. You cannot collect what the obligor cannot afford to pay. It is also much easier to collect support from an obligor who has a healthy relationship with his or her children and is willing to pay support for the children. Thus, we, quite often with prior legislative concurrence, have recently made several significant changes to promote fairness and flexibility regarding child support enforcement, including:

- Allowing obligors to pay support on their own through the State Disbursement Unit rather than through an income withholding order issued to their employer;
- Writing off assigned arrears for obligors who are unable to pay;
- Suppressing and forgiving interest on arrears as an incentive or reward to pay support in full and on time;
- Amending the child support guidelines to better balance the resource allocation between parents when an obligor owes support to multiple

families, or when an obligor is awarded extended visitation with the child;

- Negotiating payment plans where an obligor can avoid license suspensions and other enforcement activities in exchange for making sustained payments of current support and arrears, even if the obligor is not able to pay the full arrears balance;
- Reviewing child support obligations more frequently than the federally required minimum three year review cycle in some situations where the obligor has an indefinite loss of income and can no longer pay the current support obligation; and
- Intervening early in a case when an obligor owes two months of support or \$2,000, before the obligor gets too far behind to catch up.

If the resolution is passed and selected for study, it will very likely include a discussion of the income shares model for child support guidelines.

Any discussion of the child support guidelines should include some of the refinements that have been made in our existing guidelines to address obligors' concerns, such as deductions for multiple families and extended visitation. This trend of "pro-obligor" changes is continued in the pending proposed amendments to the child support guidelines, which will significantly reduce the number of cases in which income is imputed to an obligor based on earning capacity rather determining a child support amount based on the obligor's actual income.

Nevertheless, we hear the same complaints you do. We struggle with the impression many obligors still have today that the goal of the child support enforcement program is simply to collect the maximum amount of child support possible. It is a reputation that is hard to shake. Many

people, including legislators, are not aware that an obligor can apply for our services, request review and adjustment services, and if the obligor's income warrants a reduction, we will file the necessary court documents to make that change.

In conclusion we support and welcome legislative attention on ways the family law system, including child support enforcement, can be more fair and responsive to everyone.

I would be happy to answer questions.