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373

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 5
JUNEAU, ALASKA 99811-0400
PHONE: (907) 465-2300
TELEFAX: (907) 465-2389

March 23, 1990

MAR 23 1990

The Honorable Paul Fischer
Alaska State Senate
Capitol, Room 508
Juneau, Alaska 98511

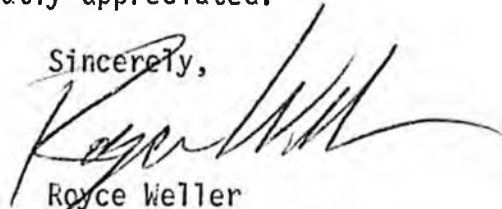
Dear Senator Fischer:

The passage of SB 373, currently residing in your committee, is very important to the State's Child Support Enforcement Program as well as its AFDC program. Enclosed is a brief statement as to the fiscal implications of failing to move on this important legislation.

I respectfully request that you schedule SB 373 for hearing in the near future.

Your attention to this request is greatly appreciated.

Sincerely,



Royce Weller
Assistant Commissioner

RW:sp

90-67

Enclosure

SB 373

Impact of Failure to Enact

SB 373 was requested by the Administration this year to implement changes in State child support law required by the U.S. Congress's enactment of welfare reform legislation.

The Federal government will pay for about 78% of Alaska's costs for child support enforcement, or \$5,301,600, based on FY91 estimates.

To receive this money from the Federal government, Alaska must operate its child support program under a plan (called the IV-D plan) that is written by the Federal government to stipulate the requirements and options each State must follow.

In addition to the money the Federal government provides for child support enforcement, it also pays for 50% of Alaska's AFDC costs. To receive this AFDC money, Alaska must operate its public assistance program under a similar plan (called the IV-A plan). One of the requirements of the IV-A plan is that Alaska have a child support enforcement program operating under an approved IV-D plan.

If SB 373 is not enacted in this session, Alaska will receive notice from the Federal Regional Administrator in early 1991 that the Regional office is recommending to the Secretary of Health and Human Services that the Alaska IV-D plan be disapproved. The State will have an opportunity for hearing and 60 days to request the hearing.

If the Secretary determines that the State IV-D plan is disapproved, all payments to the State for child support enforcement will be suspended, and child support enforcement activities in Alaska will cease. The State IV-A plan for AFDC will no longer be in compliance with Federal law (which requires a child support program), triggering a similar review by the Regional Administrator of Alaska's IV-A plan, with progressive financial sanctions eventually imposed against the State's AFDC grant.

In summary, if SB 373 (or similar legislation) is not adopted the state stands to lose significant federal dollars and the termination of its child support program.

The immediate financial and operating losses to the State in Fiscal Year 1991 will be:

* suspension of CSED grant and incentives	\$ 5,301,600
* loss of AFDC and Foster Care recoveries paid to Alaska	5,996,700
	<hr/>
	SUBTOTAL
	\$11,298,300
* suspension of child support recoveries from other states for Alaska residents	3,593,209
* suspension of child support collections for non-AFDC residents of Alaska and other States	20,428,273
	<hr/>
	TOTAL COMBINED LOSSES AND SUSPENSIONS
	\$35,319,782

In addition to this immediate impact, the Federal government will eventually begin to remove money from the State's AFDC grant in progressively greater amounts during each operating period in which the State IV-A plan is not in compliance with the requirement that the State have a child support enforcement program that complies with Federal laws and regulations.

STATE OF ALASKA

DEPARTMENT OF REVENUE

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STEVE COWPER, GOVERNOR

P.O. BOX 5
JUNEAU, ALASKA 99811-0400
PHONE: (907) 465-2300
TELEFAX: (907) 465-2389

March 9, 1990


The Honorable Paul Fischer
Alaska State Legislature
Capitol, Room 508
Juneau, Alaska 99811
Attention: David Moses

Dear Mr. Moses:

As requested, enclosed is a brief introduction and sectional analysis of SB 373. Committee consideration of this legislation would be greatly appreciated.

If you should have any further questions, please contact myself or Linda Langston, Director of the Child Support Enforcement Division.

Sincerely,



Royce Weller
Assistant Commissioner

RW:sp

SO-52

Enclosure

S.B. 373

EXPLANATION

Senate Bill 373 contains the provisions necessary for the Child Support Enforcement Division to meet the requirements for welfare reform in the Family Support Act of 1988.

The federal law requires states to have procedures for:

- * immediate wage withholding on support orders issued or modified after October 31, 1990;
- * periodic review and modification of all support orders enforced by CSED at the request of either parent (or at the state's request in public assistance cases);
- * prompt response to requests for assistance.

SB 373 will minimally fulfill the Federal requirements and maintain the State of Alaska's eligibility for Federal funding of CSED and the public assistance program. These improvements to the child support program have great potential for improving timely payment of support obligations and the effectiveness of other agency services to the public.

Here is how each section of SB 373 implements the subsections of the Family Support Act (FSA):

Section 1: Gives CSED specific authority to adopt regulations for immediate wage withholding in the circumstances specified in FSA subsection 101, and to establish procedures for periodic review and modification of support orders, as required by FSA subsection 103(c).

FSA subsection 101 requires immediate income withholding for support orders issued or modified after October 31, 1990, regardless of whether support payments are in arrears. There are two exceptions: if one of the parties demonstrates (and the court or agency finds) good cause not to require immediate income withholding, or if the parties reach a written agreement which provides for an alternate arrangement; however, income must be withheld if payments are one month's support in arrears or if a parent's request for withholding is approved.

Section 2: Allows CSED to appear in modification actions at the request of obligors as well as obligees, to meet the periodic review requirement. FSA subsection 103(c) requires procedures for periodic review of support orders at the request of either parent, and adjustment of such orders as appropriate in accordance with the child support guidelines.

Sections 3 - 6: Preserves a custodial parent's right to seek judicial wage withholding if support payments are in arrears. (CSED utilizes administrative income withholding provisions in AS 47.23.250.)

Section 7: Will allow the agency to meet the standards of prompt response by permitting administrative action on court orders from other states. FSA subsection 121 sets time limits for agencies to respond to requests for child support assistance.

Section 8: Extends notification of review of a support order to 30 days. FSA subsection 103(c) requires that the State notify each parent of a review of their child support order at least 30 days before the commencement of the review.

Sections 9 and 10: Necessary to give continuing effect to withholding orders for the duration of the support obligation. FSA subsection 101 requires income withholding on the effective date of support orders, regardless of whether payments are in arrears, subject to the exceptions described in Section 1.

Section 11: Allows the agency to terminate immediate income withholding if a party demonstrates good cause, as required by FSA subsection 101. This Section also extends the employer's responsibilities in judicial withholding orders (AS 47.23.065(f), (j), and (k)) to administrative orders.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 8, 1990

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to modify existing procedures used by the Department of Revenue's child support enforcement division (referred to in AS 47.23 and in this letter as "the agency") to establish and modify child support orders and to collect child support from wage-earners. The changes are necessary to allow the agency to comply with requirements imposed by the Family Support Act of 1988 (P.L. 100-485), including requirements regarding immediate wage withholding and review and adjustment of support orders. By making these changes, Alaska will remain in compliance with federal requirements under the Title IV-D program of the Social Security Act, 42 U.S.C. 651 -- 669, enabling the state to continue to receive substantial federal revenue. More importantly, these changes will facilitate the establishment of fair and adequate child support orders and will enhance the agency's ability to collect support in a timely manner.

The Family Support Act of 1988 imposes on states two requirements that must be met by the fall of 1990. First, under amended 42 U.S.C. 666(b)(3), by November 1, 1990 immediate wage withholding must be implemented, regardless of whether support payments are in arrears, in those cases in which the agency enforces orders that are issued or modified on or after that date (with certain limited exceptions). Section 1 of this bill adds new AS 47.23.020(a)(2)(D) to provide the agency with clear statutory authority to implement immediate wage withholding under the procedures in AS 47.23.250 and 47.23.255, as amended by secs. 9 and 11 of the bill. Existing AS 47.23.062, which sets out certain procedures, including some "waiting periods," regarding income withholding orders, is then amended so that it may be used by an

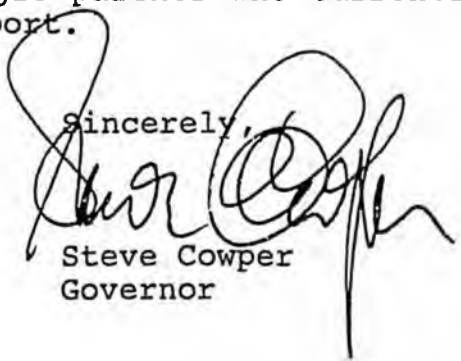
individual (without involvement of the agency) to put into effect an income withholding order. Sections 3 -- 6 of the bill. Amendments to AS 47.23.250(g) and 47.23.253, in secs. 9 and 10 of the bill, clarify that, to be consistent with amended 42 U.S.C. 666(b)(3), income withholding remains in effect until a support order is satisfied.

Second, under new 42 U.S.C. 666(a)(10), the agency is required to follow certain procedures for review and adjustment of child support orders, beginning October 13, 1990. This review and adjustment process must be available at the request of either parent subject to a child support order. AS 47.23.020(a)(2)(E), added by sec. 1 of the bill, will allow the agency to adopt regulations to implement this review and adjustment requirement. Section 8 of the bill amends AS 47.23.190(d), which sets out the timeframe for an agency hearing regarding modification of a support order. The amendment will conform our statutory timeframe to the time limit imposed by new 42 U.S.C. 666(a)(10)(C)(iii). Two other amendments, in secs. 2 and 7 of the bill, will give obligors access to certain agency services in acknowledgement of that part of the new federal requirement in 42 U.S.C. 666(a)(10) regarding equal access by either parent.

In addition, AS 47.23.140(a) is amended by sec. 7 of the bill to specifically authorize the agency to administratively establish an order of support if no Alaska child support order already exists (even though there might be an out-of-state support order). This will allow the agency to meet the standards established under new 42 U.S.C. 652(h) regarding time limits to respond to a request for assistance.

The changes contained in this bill will preserve the substantial level of federal funding for our public assistance and child support programs and will allow the agency to function more effectively. The timely collection of an adequate award of child support should improve the lives of our children and reduce the need for public assistance by the many single parents who currently do not receive adequate child support.

Sincerely,



Steve Cowper
Governor

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 373

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the child support enforcement
7 agency's jurisdiction to administratively establish
8 and modify child support orders; and the appearance
9 by the agency in action; for modification of support
10 orders; and relating to procedures for income with-
11 holding and for orders to withhold and deliver."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 * Section 1. AS 47.23.020(a)(2) is amended to read:

14 (2) adopt regulations to carry out the purposes of this
15 chapter, including regulations that establish

16 (A) schedules for determining the amount an obligor is
17 liable to contribute toward the support of an obligee under this
18 chapter and under 42 U.S.C. 651 - 665 (Title IV-D, Social Securi-
19 ty Act);

20 (B) procedures for hearings conducted under AS 47.-
21 23.170; and

22 (C) subject to AS 47.23.025 and to federal law, a
23 uniform rate of interest on arrearages of support that shall be
24 charged the obligor upon notice if child support payments are 10
25 or more days overdue or if payment is made by a check backed by
26 insufficient funds; however, an obligor may not be charged inter-
27 est on late payment of a child support obligation, other than a
28 payment on arrearages, if the obligor is

29 (i) employed and income is being withheld from

1 the obligor's wages under an income withholding order;

2 (ii) receiving unemployment compensation and child
3 support obligations are being withheld from the obligor's
4 unemployment payments under AS 23.20.401; or

5 (iii) receiving compensation for disabilities under
6 AS 23.30 and child support obligations are being withheld
7 from the obligor's compensation payments;

8 (D) procedures for income withholding on child support
9 orders enforced by the agency, including immediate income with-
10 holding on orders issued or modified after October 31, 1990;

11 (E) procedures for review of support orders and ad-
12 justment, as appropriate, in accordance with guidelines for
13 determining child support;

14 * Sec. 2. AS 47.23.045 is amended to read:

15 Sec. 47.23.045. DETERMINATION OF SUPPORT OBLIGATION. The agency
16 may appear in an action seeking an award of support on behalf of a
17 child owed a duty of support, or to enforce a spousal support order if
18 a spousal support obligation has been established and if a support
19 obligation, established with respect to a child of that spouse, is
20 also being administered, and may also appear in an action for [SEEK-
21 ING] modification of a support order, decree or judgment already
22 entered. Action under this section may be undertaken upon application
23 of an obligee or obligor, or at the agency's own discretion if the
24 obligor is liable to the state under AS 47.23.120(a) or (b).

25 * Sec. 3. AS 47.23.062(b) is amended to read:

26 (b) An income withholding order must direct the obligor, the
27 obligor's employer, future employer, and any person, political subdi-
28 vision, or department of the state to withhold money due or to be due
29 the obligor and pay the money to the obligee [AGENCY], in an amount

1 determined under (i) of this section.

2 * Sec. 4. AS 47.23.062(c) is amended to read:

3 (c) If support payments are in arrears in an amount at least
4 equal to support payable for one month, the obligee may [AGENCY, ON
5 BEHALF OF AN OBLIGEE OR PERSON OR PUBLIC AGENCY DESIGNATED TO RECEIVE
6 SUPPORT PAYMENTS, SHALL] request an income withholding order against
7 the obligor to take effect by filing a sworn statement with the court
8 that alleges that the obligor is in arrears in an amount at least
9 equal to the support payable for one month.

10 * Sec. 5. AS 47.23.062(d) is amended to read:

11 (d) If an application is filed with the clerk of court, notice
12 shall be served upon the obligor [BY THE AGENCY] in the manner provid-
13 ed by Rule 5, Alaska Rules of Civil Procedure or any other method
14 permitted by law. The notice shall inform the obligor that the income
15 withholding order will take effect 15 days after the date on which the
16 notice is served unless the obligor requests a hearing within the 15
17 days after the notice is served. If the obligor requests a hearing, an
18 income withholding order may not take effect until the conclusion of
19 the hearing. The court shall hold a hearing requested under this
20 section within 15 days after the date the obligor requests the hear-
21 ing, to determine if there are any mistakes of fact that make the
22 withholding order improper. If the amount to be withheld is incorrect,
23 or if there are any other legal defenses. The court shall inform the
24 obligor, either at the hearing or within 15 days after the hearing,
25 whether or not the withholding will occur and of the date on which it
26 is to commence. It is not a defense under this section that less than
27 one full month's payment is due if at least one full month's payment
28 was due on the date notice was served under this section.

29 * Sec. 6. AS 47.23.062(e) is amended to read:

1 (e) The obligee or person or public agency that requested the
2 income withholding order shall immediately send a copy of the income
3 withholding order, a copy of AS 47.23.260 and this section, and an
4 explanation of the effect of the statutes by certified mail to persons
5 who may owe money to an obligor. An income withholding order made
6 under this section is binding upon a person, employer, political
7 subdivision, or department of the state immediately upon receipt of a
8 copy of the income withholding order. An employer shall begin with-
9 holding the specified amount from the employee's wages 14 days after
10 the mailing date on the notice of withholding or on the first day of
11 the next pay period, if earlier. The amount withheld shall be sent to
12 the obligee [AGENCY].

13 * Sec. 7. AS 47.23.140(a) is amended to read:

14 (a) ~~If no support order has been entered in the superior court~~
15 ~~of this state, the agency may establish a duty of support using~~
16 ~~[UTILIZING] the procedures prescribed in AS 47.23.160 - 47.23.220 and~~
17 ~~may enforce a duty of support using [UTILIZING] the procedure pre-~~
18 ~~scribed in AS 47.23.230 - 47.23.270. Action under this subsection may~~
19 ~~be undertaken upon application of an obligee or obligor, or at the~~
20 ~~agency's own discretion if the obligor is liable to the state under AS~~
21 ~~47.23.120(a) or (b).~~

22 * Sec. 8. AS 47.23.190(d) is amended to read:

23 (d) A hearing shall be set not less than 30 [15] nor more than
24 45 [30] days after [FROM] the date of mailing of notice of hearing,
25 unless extended for good cause.

26 * Sec. 9. AS 47.23.250(g) is amended to read:

27 (g) [DELIVERY TO THE AGENCY OF THE MONEY OR OTHER PROPERTY DUE,
28 OWING, OR BELONGING TO THE OBLIGOR SHALL SATISFY THE REQUIREMENT OF
29 THE ORDER TO WITHHOLD AND DELIVER.] Money [DELIVERY OF MONEY] due and

1 owing to the obligor under any contract of employment, express or
2 implied, or held by any person, political subdivision, or department
3 of the state, and subject to withdrawal by the obligor, shall be
4 delivered by remittance payable to the order of the agency.

5 * Sec. 10. AS 47.23.253 is amended to read:

6 Sec. 47.23.253. EARNINGS SUBJECT TO AN ORDER OR LIEN. (a)
7 Unless modified or terminated by the agency or the court, an order to
8 withhold and deliver remains in effect until the support order is
9 satisfied. A person, political subdivision, or department of the
10 state shall withhold the earnings of the obligor subject to an order
11 to withhold and deliver or a lien at each succeeding interval of
12 payment until the entire amount of the debt stated in the order to
13 withhold and deliver has been withheld. Upon satisfaction of a sup-
14 port order, the agency shall notify all persons served with the order
15 to withhold and deliver.

16 (b) Notwithstanding (a) of this section, an [AN] order to with-
17 hold and deliver issued to the Department of Revenue remains in effect
18 throughout the calendar year in which it is served, unless earlier
19 modified or terminated. [THAT ORDER APPLIES TO ANY TAX REFUND OR
20 OTHER DISBURSEMENTS TO WHICH THE OBLIGOR IS ENTITLED EVEN IF THE TAX
21 REFUND OR DISBURSEMENT IS ISSUED MORE THAN 30 DAYS AFTER SERVICE OF
22 THE ORDER.]

23 * Sec. 11. AS 47.23.255 is amended to read:

24 Sec. 47.23.255. ADMINISTRATION OF ORDERS TO WITHHOLD AND DELIVER
25 [INCOME WITHHOLDING ORDERS]. (a) The agency shall pay to the obligee
26 all money recovered by the agency from the obligor under an order to
27 withhold and deliver [INCOME WITHHOLDING ORDER] except for court costs
28 and money assigned to the agency under AS 47.23.120 - 47.23.130.

29 (b) [NOTWITHSTANDING AS 47.23.250, AN INCOME WITHHOLDING ORDER

1 CONTAINED IN A DECISION OF THE AGENCY THAT HAS NOT BEEN SET ASIDE BY
2 THE SUPERIOR COURT UNDER AS 47.23.220 SHALL BE ENFORCED UNDER THE
3 PROCEDURE ESTABLISHED IN AS 47.23.062.]

4 (c) An obligor may petition the agency to terminate or modify an
5 order to withhold and deliver if there are no support payments in
6 arrears in an amount that equals or exceeds the support payable for
7 one month [INCOME WITHHOLDING ORDER IF THE OBLIGOR HAS MADE PAYMENTS
8 UNDER THE ORDER FOR AT LEAST 12 MONTHS AND ALL ARREARAGES HAVE BEEN
9 PAID]. Upon receipt of the petition under this subsection, the agency
10 may terminate or modify the [INCOME WITHHOLDING] order upon a showing
11 of good cause [UNLESS THE AGENCY FINDS GOOD CAUSE TO DENY THE PETITION
12 DUE TO THE OBLIGOR'S PAYMENT HISTORY OR OTHER GROUNDS]. The agency
13 may not terminate or modify an order to withhold and deliver [INCOME
14 WITHHOLDING ORDER] solely on the ground that the obligor has paid all
15 arrearages. The agency shall notify the obligor in writing of the
16 reason for denying a petition under this subsection.

17 (d) An employer may not discharge, discipline, or refuse to
18 employ an obligor on the basis of an order to withhold and deliver.
19 If an employer discharges, disciplines, or refuses to employ an
20 obligor because of an order to withhold and deliver, the court may
21 order rei statement or restitution, or both. A person who violates
22 this subsection, or a regulation adopted to implement it, is liable
23 for a civil penalty of not more than \$1,000.

24 (e) An employer may combine into a single payment to the agency
25 amounts withheld from more than one obligor if the employer specifies
26 the portion of the payment attributable to each obligor.

27 (f) At the time an obligor terminates employment with an employ-
28 er then in receipt of an unsatisfied income withholding order regard-
29 ing the obligor, the employer shall immediately inform the agency of

Can the agency

Handle this.

Back log

It is worth it to

not hire. Right?

More Expense

to business.

1 the obligor's name and last known address and the name and address of
2 all other known employers of the obligor.

3 * Sec. 12. AS 47.23.062(j) and (k) are repealed.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Welfare Reform
 Sponsor: Rules Committee
 Requestor: Governor

Agency Affected: Revenue
 BRU: Child Support Enforcement
 Components: Child Support Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91*	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	202.3	347.0	347.0	347.0	347.0	347.0
TRAVEL						
CONTRACTUAL	223.1	249.1	248.5	248.5	248.5	248.5
SUPPLIES						
EQUIPMENT	181.9	57.8				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	607.3	653.9	595.5	595.5	595.5	595.5

CAPITAL						
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REVENUE	1,139.2	1,230.3	1,343.1	1,180.4	1,281.6	1,391.5
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FUNDING: (Thousands of Dollars)

GENERAL FUND	206.5	222.3	202.5	202.5	202.5	202.5
FEDERAL FUNDS	400.8	431.6	393.0	393.0	393.0	393.0
OTHER						
TOTAL	607.3					

POSITIONS:

FULL-TIME	6	10	10	10	10	10
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

SEE ATTACHED

Prepared by: LINDA LANDOLTAN Phone: 713-1270
 Division: Child Support Enforcement Division Date: 11/10/89
 Approved by Commissioner: [Signature] Date: 11/13/89
 Agency: REVENUE

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

* FY91 Expenditures have been included in the FY91 operating budget request.

need for the Child Support Enforcement Division from FY92 through FY96. The FY91 funding need is being requested as an increment in the FY 91 operating budget submission, but is included in the detail below:

	FY91*	FY92	FY93-FY96
<u>PERSONAL SERVICES:</u>			
(2) Child Support Enforcement Officer III;			
(2) Clerk IV;			
(2) Accounting Clerk III	202.3	202.3	202.3
(3) Child Support Enforcement Officer III;			
(1) Clerk IV		144.7	144.7
Total Personal Services	<u>202.3</u>	<u>347.0</u>	<u>347.0</u>
<u>CONTRACTUAL:</u>			
Economic Research Study	50.0**		
Telephone Installation for new positions	3.1**		
Public Education	50.0	50.0	50.0
Advertising and Printing	50.0	50.0	50.0
RSA-Department of Law	70.0	140.0	140.0
Telephone Installation for new positions		0.6**	
Postage and Printing Costs		7.0	7.0
Lease/Maintenance		1.5	1.5
Total Contractual	<u>223.1</u>	<u>249.1</u>	<u>248.5</u>
<u>EQUIPMENT:</u>			
Two Remote Job Entry Stations	80.0**		
Six IBM Terminals	9.0**		
Central Processing Unit (CPU)	13.0**		
Printer	6.5**		
FY91 Modular furniture units for new positions	73.4**		
FY92 Modular furniture units for new positions		45.3**	
IBM Terminals for new positions		5.8**	
One Printer		6.7**	
Total Equipment	<u>181.9</u>	<u>57.8</u>	<u>0.00</u>
Total Operating	607.3	653.9	595.5
PFT	6.0	10.0	10.0
Staff Months	72.0	120.0	120.0

**The cost of one-time items does not carry forward.

SEN. FISCHER

ALASKA FAMILY SUPPORT GROUP

Lugh Malone, Commissioner
Dept. of Revenue
P.O. Box S
Juneau, Ak. 99811

FEB 0

February 3, 1990

Dear Commissioner Malone,

As a parent, as a member of the Child Support Enforcement Subcommittee of the Family Support Task Force, and as President of the Alaska Family Support Group on behalf of the membership, I am disappointed and surprised that the Department of Revenue apparently did not request the \$1.6 million legislative appropriation for recommendations 35 & 36 of the Task Force in the Governors Budget.

The central goal of the Family Support Act of 1988 was to enable families to get off and stay off welfare rolls. Of all the Task Force Recommendations, #35 and #36 will contribute most to the financial independence of post - AFDC families. If implemented, both recommendations would mean cash in the hands of between 1700 and 6000 custodial families - from payments BEING MADE by noncustodial parents, including fathers who are being blamed for not supporting their children.

Linda Langston and Royce Weller, (whom I commend for collecting child support payments when those collections are done fairly, legally, and in compliance with our Constitution), agreed to both Recommendations.

Please consider this a request for the following information:

1. Why didn't the Department of Revenue request funding for Recommendations 35 and 36?
2. Will the Department of Revenue support a request for funding both recommendations so that children get the back support their dads and moms are paying and so that Public Assistance and Support Enforcement can continue their services at current budget levels?
3. Please send a IV-D plan to me, to Sandy Armstrong, and to Rep. Max Gruenberg. Sandy's address is 5974 North St. Juneau 99801.

Sincerely,

Steven P. Strube
Steven P. Strube, President
POB 521155 Big Lk. Ak. 99652
892 7760

cc: State Senate
House of Representatives
Senators Stevens, Murkowski
Congressman Don Young
Federal Office of Child Support Enforcement

ALASKA FAMILY SUPPORT GROUP

FEB 01 1990

Senator Paul Fischer, Chair
Senate H.E.S.S. Committee
Box V
Juneau, Ak. 99801

Re: SB 373

January 27, 1990

Dear Senator Fischer,

This letter is a follow - up to the P.O.M. that I sent you last week regarding Senate Bill 373. The only portion of this bill that we approve of at this time is on page 2 regarding the change in AS 47.23.045 that will give obligors equal protection of the law with obligees, a federal requirement of the Family Support Act of 1988.

As a member of the Child Support Subcommittee of the Family Support Task Force I was directly involved with the drafting of the recommendations of the task force to the legislature. Not only was I disappointed that the Dept. of Revenue submitted the list of proposed changes to state law to the Governors Office without giving the Subcommittee the chance to review those proposed changes, (which we had the opportunity to do eventually after it became known to us that the action had already taken place), Senate Bill 373 was introduced by the Governors Office without extending the Alaska Family Support Group the courtesy of reviewing the bill prior to its introduction.

Had we been given the opportunity to review the bill, we would have proposed, and do propose a change at this time, to Section 1. AS 47.23.020(a)(2)(C), to eliminate interest on arrearages.

There are parents in Alaska who have lost their jobs or have had salary reductions who cannot afford attorneys and have been denied equal protection of the law by State Government, consequently, they are unable to get their court orders modified per Civil Rule 90.3. These parents, who often have second families to support, then go into arrears and are subject to interest payments in addition to child support payments. As time marches on those second families suffer because as their arrearages increase, the interest on the arrearages increase. Wages are garnished, taking food away from their children. In these cases, interest on arrearages is punitive. These families are being punished financially for an action they have no control over.

Another group of parents and children that interest on arrearages adversely effects is addressed in recommendation #37 of the Task Force Recommendations, attached. In these cases parents are notified, often years after the fact, that their ex - spouse has been on Aid To Families With Dependent Children, and that the State wants to be paid back, and soon. We have members that were sent bil's in excess of \$10,000 with no prior notification that a debt was accruing. Of course they cannot pay the debts off overnight so interest begins to accrue. The interest on these debts will prevent the principle from ever being paid off. In

addition, the case will most likely go into arrears resulting in wage garnishment that will have an adverse effect on the family. We believe interest on arrearages is putting many noncustodial parents below the poverty level. In the "Survey of Absent Parents Pilot Results" published in July 1988, by the U.S. Department of Health and Social Services, statistics show on page iii, attached, that in Florida 38 percent of noncustodial parents, and in Ohio 49 percent of noncustodial parents live below the poverty level.

We strongly oppose the portions of this bill that are und lined on page 2. We believe procedures for income withholding and for period review of child support orders MUST be done by statute NOT by regulation. Both these issues are substantive that effect tens of thousands of Alaskans, and with a 70% divorce rate, will effect tens of thousands more in the near future. These issues MUST be dealt with by elected officials and effected parents in public, NOT behind closed doors by the insulated nobility. The clandestine revision of Civil Rule 90.3 raised our hackles, in part because substantive public policy was made by a select few behind closed doors for the benefit of government, not in the best public interest. We need to be part of the procedure making process otherwise we will continue to be victims of government tyranny.

In our opinion, if the State is going to accept federal dollars to violate our Constitution Rights by confiscating our property on the premise that we might not, at a future date pay child support, we have the right, at least, to observe those who are selling us out to government tyranny - in public.

And finally, on page 4. Section 7. AS 47.23.140(a) The addition of " in the superior court of this state" is, in our opinion, contradictory to Recommendation #29, attached, which states in part that Alaska not develop new laws addressing interstate child support enforcement issues until.....

The addition of the superior court clause will directly effect interstate cases, and will violate Recommendation #29. We request that "in the superior court of this state " be deleted from this bill.

This bill as written, promotes injustice. We believe it is the duty of government to prevent injustice - not to promote it, and it is our hope that your committee will work with us for passage of a fair and equitable bill.

Sincerely,

St. P. Strube

Steven P. Strube, President

POB 521155 Big Lk Ak 99652

hm 892 7760 wk 892 6027

cc: Mat-su Legislative Delegation Senate H.E.S.S. Committee
Alaska Congressional Delegation
Reps. Ulmer, Foster, Brown, Boyer, Davis, Ellis

Profiles of Matched Custodial and Noncustodial Parents

Descriptive profiles of the 203 custodial mothers and noncustodial fathers with matched interviews were prepared. Since the sample sizes are very small and representative of the sampling frames in the 3 Ohio and the 3 Florida counties, findings cannot be generalized to populations beyond these sampling frames.

a. Demographic Characteristics:

Custodial parents in the samples were on average 2-3 years younger than noncustodial parents, but they were similar in terms of education, ethnicity and religion. Respondents whose cases originated in the courts were slightly older than respondents from the CSE case load; in addition the court samples had a lower proportion of black respondents. On average the current households of custodial parents were larger in size than those of noncustodial parents, and while all the custodial parent households contain children under the age of 18, only 20-30 percent of the noncustodial parent households contained children. Remarriage rates varied from 19 to 32 percent among custodial parents and from 24 to 40 percent among noncustodial parents.

b. Work and Income:

Across the samples the noncustodial parents had more work experience and higher wage rates than custodial parents. These differences translated into lower median annual incomes among custodial parents, even after child support transfers had occurred. The differences in income levels were most evident when poverty status was examined. Among the court samples approximately 40 percent of the custodial parents had household incomes below the poverty level compared to 15 percent of their former partners. Among the CSE samples the overall incidence of poverty was higher. While 76 percent of the Florida CSE custodial parents lived below the poverty line, 38 percent of noncustodial parents did. In Ohio, 69 percent of the CSE custodial parent households were poor compared to an incidence of 49 percent among noncustodial parents. While high proportions of the custodial parent samples lived in poverty, the incidence of AFDC participation was lower particularly in the court samples. Between 43 and 58 percent of the CSE custodial parents reported that they had been on AFDC in the past year; the proportions were 17 and 27 percent for the court sample custodial parents.

c. Child Support Awards:

Practically all of the court sample reported that child support awards were in force while 12 percent of the CSE cases in Florida and 34 percent of the CSE cases in Ohio did not have awards. The average levels of the recorded annual awards were \$1869 for CSE parents and \$3212 for court parents in Florida and \$2312 for CSE parents and \$3019 for court parents in Ohio. As a proportion of the noncustodial parents' income these award levels ranged from 14 to 21 percent. About 12 percent of noncustodial parent income was earmarked for the support of 1 child and from 14 to 26 percent for the support of 2 children.

RECOMMENDATION 29:

ALASKA SHOULD NOT DEVELOP NEW LAWS ADDRESSING INTERSTATE CHILD SUPPORT ENFORCEMENT ISSUES UNTIL AFTER REVIEWING THE REPORT TO BE ISSUED BY THE FEDERAL COMMISSION ON INTERSTATE CHILD SUPPORT ISSUES.

IF THE COMMISSION IS NOT CONSTITUTED AND FUNDED IN A TIMELY FASHION, OUR LEGISLATURE, ADMINISTRATION, AND COURT SYSTEM SHOULD REVIEW THE REVISIONS TO THE UNIFORM RECIPROCAL ENFORCEMENT SUPPORT ACT (URESA) TO BE COMPLETED BY THE NATIONAL CONFERENCE OF COMMISSIONERS IN 1990, AND RESPOND APPROPRIATELY.

THE COMMISSIONERS SHOULD CONSIDER PROMULGATION OF A UNIFORM CHILD SUPPORT ACT.

RECOMMENDATION 30.

Notify Obligor within 30 Days

RECOMMENDATION 37:

THE TASK FORCE RECOMMENDS THAT IN CASES WHERE THE UNCONTESTED IDENTITY AND THE ADDRESS WITHIN ALASKA OF THE NON-CUSTODIAL PARENT ARE KNOWN, THE CHILD SUPPORT ENFORCEMENT DIVISION MUST NOTIFY OBLIGORS THAT A SUPPORT OBLIGATION HAS BEEN ACCRUING BECAUSE OF NON-PAYMENT OF COURT-ORDERED SUPPORT AND/OR BECAUSE OF PAYMENT OF AID TO FAMILIES WITH DEPENDENT CHILDREN BENEFITS FOR WHOM THE PARENT HAS A DUTY OF SUPPORT, WITHIN 30 DAYS AFTER THE DATE THAT THESE FACTS BECOME KNOWN TO THE DIVISION.

Issue

Sometimes government agencies take a long time to notify non-custodial parents that the custodial parent of their children is receiving AFDC benefits. Because of this, non-custodial parents can build a large debt to the state without knowing that the debt is being incurred, with interest. How can this be avoided?

FSA Criteria

The Act strengthens the relationship between the public assistance and Child Support Enforcement agencies, both of which operate on the assumption that parents are responsible for the support of their children, even if they don't live in the same house.

AFDC benefits can sometimes be viewed as child support payments paid by the government on behalf of the non-custodial parent. Just because the parents don't make the payments doesn't mean they are not still responsible for some or all of the payments. Therefore AFDC cash benefits can be considered a loan to the non-custodial parent, which must be repaid, with interest. This debt and interest accrual begins when the first AFDC check is issued for a parent's children.

Therefore when single parents apply for AFDC, they must provide the name and address of the children's other parent, so that child support payments can be collected to offset the government-paid AFDC benefits. The government then notifies the non-custodial parent that the other parent is receiving AFDC benefits for their children and that a debt is therefore developing.

Rationale

Neither the Act nor existing regulations provide guidelines for when the State must notify the non-custodial parents that costs are being incurred for which they are responsible. This recommendation provides a reasonable time frame. The intent is to allow the non-custodial parent as much time as possible to repay or make plans for repaying AFDC debts.

ALASKA FAMILY SUPPORT GROUP

Senator Paul Fischer
Box V
Juneau, Ak. 99811

FEB 01 1990

January 28, 1990

Re: Family Support Task Force Recommendations 35 & 36

Dear Senator Fischer,

During the week of January 22 through January 26 you received a large number of P.O.M.'s from your constituents and from many other Alaskans, regarding funding of Recommendations 35 & 36 of the Family Support Task Force. You also received a letter from DADS AGAINST DISCRIMINATION on January 26 that specifically described the purpose for the recommendations - that children will receive the back support their Dads and Moms are paying and so that Public Assistance and CSED can continue their vital services at current budget levels.

Sandy Armstrong researched and discovered, on her own time and money, that noncustodial parents are paying an estimated \$1.6 million in back (arrearage) support payments annually, over and above the current monthly child support owed. That \$1.6 million is earned by the State first to reimburse public assistance provided to the custodial family, even though "Mom and the Kids" are also owed a back support bill. Again, on her own time and money, Sandy worked on the Child Support Enforcement Subcommittee to get both recommendations adopted.

The Governor did not put funding for the Recommendations in his budget. The State agencies who agreed to the Recommendations on the Task Force did not request funding to implement the Recommendations in their budget requests.

On behalf of the hundreds of Moms, Dads, and Kids that I represent as President of the Alaska Family Support Group I ask you: Will you begin work immediately on implementation and funding of Recommendations 35 & 36?

Sincerely,



Steven P. Strube, President
POB 521155 Big Lk, Ak 99652
hm 892 7760 wk 892 6027

March 10, 1990

Senator Paul A. Fischer
Chair, Senate Health, Education
and Social Services Committee
Alaska Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811



Dear Senator Fischer:

This letter is a respectful, but urgent, request that you schedule SB 373 for hearing in the Senate HESS Committee as soon as possible.

SB 373 is the Governor's omnibus Child Support Enforcement bill for this session. It contains, however, one amendment to Alaska statutes, which, if not passed this session, will mean that the Alaska Child Support Enforcement Division will not be in federal compliance with a mandated provision of the Family Support Act of 1988. The failure to comply with all mandated provisions of the Family Support Act, in the area of child support enforcement, could easily cost the State of Alaska millions of dollars in lost federal incentives payments, the state now receives, which I am sure you are aware of as a member also of the Senate Finance Committee.

Section 2. on page 2 of SB 373 contains a two word amendment at line 23 which would bring the State of Alaska into compliance with Title I, Section 103 (c) of the Family Support Act. The amendment adds the words "or obligor" to the child support modification section of Alaska statutes, thus allowing obligors also to receive agency modification services under uniform child support guidelines, just as obligees now enjoy under state law...equal access to modification of support order agency services is now mandated by federal law, Senator Fischer.

I am attaching a copy of Recommendation 43 of the Family Support Task Force, which fully explains the above Alaska law change which is required. As an appointed public member of the Child Support Subcommittee of the Alaska Family Support Task Force, I can assure you that the above Alaska statute amendment was unanimously supported by both subcommittee members and by members of the Task Force itself.

We are at the half-way mark in the Sixteenth Legislature. Senate HESS is the first of three committee referrals in the Senate. Time is of the essence in obtaining a federally mandated change to state law, which will finally introduce some balanced justice to the child support modification process for child support obligors. Please act quickly to move this bill.

Sincerely,

Sandy Armstrong

Sandy Armstrong, Member
Child Support Subcommittee
Family Support Task Force
Phone: 780-4684

cc: Members, Senate HESS Committee
Members, Senate Judiciary Committee
Members, Senate Finance Committee
Rep. Max Gruenberg Chair
Child Support Subcommittee
Family Support Task Force

Encl 1

Allow Obligor To Request Support Order Modifications

RECOMMENDATION 43:

THE LEGISLATURE SHOULD AMEND ALASKA STATUTE 47.23.045 TO READ:

The agency may appear in an action seeking an award of support on behalf of a child owed a duty of support, or to enforce a spousal support order if a spousal support obligation has been established and if a support obligation, established with respect to a child of that spouse, is also being administered, and may also appear in an action seeking modification of a support order, decree or judgment already entered. Action under this section may be undertaken upon application of an obligee or obligor, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b).

Issue

What do we need to change so that obligors can obtain State assistance in requesting child support order modifications?

FSA Requirement

Section 103(c) of the Family Support Act requires states to review and adjust child support orders upon request of either parent beginning in November, 1990.

Rationale

Alaska law currently allows CSE to assist obligees requesting modifications to support orders, but provides no State assistance in obtaining changes in ways for obligors to request changes. One of the most common criticisms of the existing child support system we heard during our public process was this lack of a mechanism for State assistance to obligors seeking child support order adjustments. Prior federal law contained no requirement for these services, and Alaska statutes do not currently provide clear authority for CSED to offer them.

Cost

There will be staff costs required to provide adequate services.

Benefits

This is part of a larger requirement for periodic reviews of support orders, which as a whole, should increase support collections in Alaska. The specific provision for State assistance to obligors requesting modification should alleviate concerns about unfair procedures, and facilitate greater cooperation by all parents.

, ALASKA'S FAMILY SUPPORT TASK FORCE

RECOMMENDATION 29:

ALASKA SHOULD NOT DEVELOP NEW LAWS ADDRESSING INTERSTATE CHILD SUPPORT ENFORCEMENT ISSUES UNTIL AFTER REVIEWING THE REPORT TO BE ISSUED BY THE FEDERAL COMMISSION ON INTERSTATE CHILD SUPPORT ISSUES.

IF THE COMMISSION IS NOT CONSTITUTED AND FUNDED IN A TIMELY FASHION, OUR LEGISLATURE, ADMINISTRATION, AND COURT SYSTEM SHOULD REVIEW THE REVISIONS TO THE UNIFORM RECIPROCAL ENFORCEMENT SUPPORT ACT (URESA) TO BE COMPLETED BY THE NATIONAL CONFERENCE OF COMMISSIONERS IN 1990, AND RESPOND APPROPRIATELY.

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Therefore when single parents apply for AFDC, they must provide the name and address of the children's other parent, so that child support payments can be collected to offset the government-paid AFDC benefits. The government then notifies the non-custodial parent that the other parent is receiving AFDC benefits for their children and that a debt is therefore developing.

Rationale

Neither the Act nor existing regulations provide guidelines for when the State must notify the non-custodial parents that costs are being incurred for which they are responsible. This recommendation provides a reasonable time frame. The intent is to allow the non-custodial parent as much time as possible to repay or make plans for repaying AFDC debts.

1
ALASKA FAMILY SUPPORT GROUP

TO SENATOR SZYMANSKI
Senator Paul Fischer, Chair
Senate H.E.S.S. Committee
Box V
Juneau, Ak. 99801

Re: SB 373

January 27, 1990

Dear Senator Fischer,

This letter is a follow - up to the P.O.M. that I sent you last week regarding Senate Bill 373. The only portion of this bill that we approve of at this time is on page 2 regarding the change in AS 47.23.045 that will give obligors equal protection of the law with obligees, a federal requirement of the Family Support Act of 1988.

As a member of the Child Support Subcommittee of the Family Support Task Force I was directly involved with the drafting of the recommendations of the task force to the legislature. Not only was I disappointed that the Dept. of Revenue submitted the list of proposed changes to state law to the Governors Office without giving the Subcommittee the chance to review those proposed changes, (which we had the opportunity to do eventually after it became known to us that the action had already taken place), Senate Bill 373 was introduced by the Governors Office without extending the Alaska Family Support Group the courtesy of reviewing the bill prior to its introduction.

Had we been given the opportunity to review the bill, we would have proposed, and do propose a change at this time, to Section 1. AS 47.23.020(a)(2)(C), to eliminate interest on arrearages.

There are parents in Alaska who have lost their jobs or have had salary reductions who cannot afford attorneys and have been denied equal protection of the law by State Government, consequently, they are unable to get their court orders modified per Civil Rule 90.3. These parents, who often have second families to support, then go into arrears and are subject to interest payments in addition to child support payments. As time marches on those second families suffer because as their arrearages increase, the interest on the arrearages increase. Wages are garnished, taking food away from their children. In these cases, interest on arrearages is punitive. These families are being punished financially for an action they have no control over.

Another group of parents and children that interest on arrearages adversely effects is addressed in recommendation #37 of the Task Force Recommendations, attached. In these cases parents are notified, often years after the fact, that their ex - spouse has been on Aid To Families With Dependent Children, and that the State wants to be paid back, and soon. We have members that were sent bills in excess of \$10,000 with no prior notification that a debt was accruing. Of course they cannot pay the debts off overnight so interest begins to accrue. The interest on these debts will prevent the principle from ever being paid off. In

addition, the case will most likely go into arrears resulting in wage garnishment that will have an adverse effect on the family. We believe interest on arrearages is putting many noncustodial parents below the poverty level. In the "Survey of Absent Parents Pilot Results" published in July 1988, by the U.S. Department of Health and Social Services, statistics show on page iii, attached, that in Florida 38 percent of noncustodial parents, and in Ohio 49 percent of noncustodial parents live below the poverty level.

We strongly oppose the portions of this bill that are underlined on page 2. We believe procedures for income withholding and for period review of child support orders MUST be done by statute NOT by regulation. Both these issues are substantive that effect tens of thousands of Alaskans, and with a 70% divorce rate, will effect tens of thousands more in the near future. These issues MUST be dealt with by elected officials and effected parents in public, NOT behind closed doors by the insulated nobility. The clandestine revision of Civil Rule 90.3 raised our hackles, in part because substantive public policy was made by a select few behind closed doors for the benefit of government, not in the best public interest. We need to be part of the procedure making process otherwise we will continue to be victims of government tyranny.

In our opinion, if the State is going to accept federal dollars to violate our Constitution Rights by confiscating our property on the premise that we might not, at a future date pay child support, we have the right, at least, to observe those who are selling us out to government tyranny - in public.

And finally, on page 4. Section 7. AS 47.23.140(a) The addition of " in the superior court of this state" is, in our opinion, contradictory to Recommendation #29, attached, which states in part that Alaska not develop new laws addressing interstate child support enforcement issues until.....

The addition of the superior court clause will directly effect interstate cases, and will violate Recommendation #29. We request that "in the superior court of this state " be deleted from this bill.

This bill as written, promotes injustice. We believe it is the duty of government to prevent injustice - not to promote it, and it is our hope that your committee will work with us for passage of a fair and equitable bill.

Sincerely,

St. P. Strube

Steven P. Strube, President
POB 521155 Big Lk Ak 99652
hm 892 7760 wk 892 6027

cc: Mat-su Legislative Delegation Senate H.E.S.S. Committee
Alaska Congressional Delegation
Reps. Ulmer, Foster, Brown, Boyer, Davis, Ellis

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: DAVID BERTRAND
TITLE: ST COORDINATOR FOR AK FAMILY SUPPORT GRO
ADDRESS: P.O.BOX 583
CITY: GIRWOOD ZIP: 99587
PHONE: 783-2513
BILL NO: SB 373
SUBJECT: CHILD SUPPORT ENFORCEMENT
MESSAGE: BECAUSE OF A RECENT COMPROMISE TO JOIN SB 373 AND HB 472 TOGETHER,
PLEASE DISREGARD MY REQUEST FOR A HEARING IN THE SENATE HES COMMITTEE MAILED
MARCH 27TH. ALSO, PLEASE DISREGARD AN ESTIMATED 20 POMS FROM GIRWOOD DISTRICT
7 CONCERNING THE SAME REQUESTS. /CMR

POMID: 03131304
DATE: 03/28/90
TIME: 13:13:04
LIONAME: ANCHORAGE LIO

MAR 28 1990

A F S G

"Uniting Parents In Alaska"

(907) 892-7760

Statewide Membership
1-800-835-2246 ext 94

Dave Bertrand
Girdwood Coordinator AFSG
P.O. Box 583
Girdwood, Alaska. 99587

Senator Paul Fischer
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska. 99811

March 27th, 1990

Re: Senate Bill 373

Dear Senator:

Due to recent developments concerning the spirit of the bill, request a scheduling of this bill for hearing in the Senate HESS Committee. A hearing is essential for a fair and equitable child support system.

This bill has obligor modifications, interest issues, periodic review for obligor income and other issues vital to a fair system. Added language to the bill after the sub-committee hearings and behind closed doors is not conducive to the efforts put forth so far.


To assure equal consideration, please afford obligee representatives ample time to prepare for a hearing. Ruth Lister's comment at the teleconference March 26th was unacceptable, reference HB 472 and insufficient notification to prepare obligee parents for testimony.

The Alaska Family Support Group in affiliation with the National Legal Support Bureau NLSB have worked very hard to better the child support system and un-funded by the state no less, while the Alaska Women's Commission and C.S.E.D. Directors change the spirit of Senate Bill 373 without notifying us is deplorable. As you know, AFSG Director Steve Strube is a member of the 16th Legislature Child Support Sub-Committee and should have been notified immediately of Ms. Langston's intervention.

We would appreciate your concern for this matter and schedule a hearing.

cc: Steve Strube
Rep. Jim Zawacki
Rep. Mike Szymanski
Senate HESS Comm.

Sincerely,



Dave Bertrand
AFSG/NLSB
Girdwood District 7

MEMBER

National Legal Support Bureau

"Uniting Parents Nationwide"

FEB 05 1990

1-31-90

SENATOR PAUL FISCHER
CHAIRMAN, SENATE H.E.S.S.
BOX V
JUNEAU, AK 99811
RE: SB 373

Dear Senator Fischer,

please consider the following comments regarding interest on arrearages:

On 3-12-87, CSED informed me that I owed \$665.00/month on a total debt of \$31,101.00. This was my first notification that this debt was accruing. On Feb 1, 1988 I was ordered to pay \$384.00 instead of \$665.00/month, and that for the period 7-82 thru 1-88 my arrearages totalled \$25,439.27 and interest accrued was \$1615.00.

CSED reduced the total debt from \$31,101.00 to \$25,439.27 because I was unable to pay.

My latest payment receipt (attached) shows a total owed of \$31,371.46, and that the payment due is \$384, of which \$291.57 is interest.

You can see that at the current rate of payment - with interest - I can never pay off this debt. This interest is punitive and should not be charged to me. Please change SB 373 so that in cases like mine, obligors are not charged interest on arrearages that accrue without obligors knowledge.

Please schedule a teleconference on this ~~Wade~~ Bill, hook up Mat-Sec.

Sincerely,

Mike Kalnoki

STATE OF ALASKA
Department of Revenue
Child Support Enforcement Division
550 West 7th Ave, 4th floor
Anchorage, Alaska 99501-3556
(907) 276-3441

Team/MS 03

Michael A. Kalnoski
957 DELLWOOD #2
WASILLA, AK 99687

December 22, 1989

Dear Michael A. Kalnoski:

This statement replaces the C.S.E.D. receipt letter and is a summary of the accounting activity on your case within the period specified below. A statement will be sent to you monthly.

The following is a detailed accounting summary of your child support case, 3AE-87-05640. This summary covers the period November 22, 1989 to December 22, 1989 .

<u>Date</u>	<u>A c t i v i t y</u>	<u>Amount</u>	<u>Total Due</u>
12/01/89	PRIOR ARREARAGE ACCRUED (cf Stmt: 11/22/89)		\$30,695.89
12/01/89	Scheduled payment due.....	384.00	31,079.89
12/12/89	Interest on arrs (1 % of 29,157.39).....	291.57	31,371.46
	***** END OF DETAILS *****		

C.S.E.D. charges interest in accordance with Alaska Statute 47.23.020 (a)(2)(c). Should you have any questions, please contact our office between the hours of 8:00am and 1:00pm.

Statement Summary follows:

State of Alaska

Committees

CO-CHAIR, HOUSE JUDICIARY
VICE-CHAIR, HOUSE LABOR AND COMMERCE
HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES



P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4712
465-4968/4986
(SESSION)

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 276-6844

Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

MEMORANDUM

TO: Ardith Lynch
FROM: Andy Hemenway
SUBJECT: SB 373
DATE: February 20, 1990

I've taken a stab at language to insert in SB 373 on wage withholding:

Page 2, lines 8-10, delete current language and insert:

(D) procedures for income withholding on child support orders enforced by the agency in cases in which:

(i) new or modified orders are issued judicially or administratively on or after November 1, 1990;

(ii) the absent parent requests that immediate wage withholding begin;

(iii) the custodial parent requests that immediate wage withholding begin and the agency determines the request should be approved; or

(iv) payments are in arrears in an amount at least equal to support payable for one month.

The intent here is simply to put into law the Child Support Subcommittee's Recommendation #11, that wage withholding be limited to those cases in which it is required by federal law under the Family Support Act of 1988. I think this does it, but let me know if you think it needs revision. Thanks.

MEMORANDUM

State of Alaska

TO: Andy Hemenway

DATE: February 26, 1990

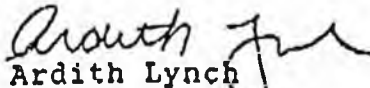
FILE NO:

TELEPHONE NO.

THRU:

SUBJECT: SB 373

FROM:


Ardith Lynch
Deputy Director
CSED

I've reviewed your proposal to the language to insert in SB 373 on wage withholding, and suggest that it be clarified as follows:

(D) procedures for income withholding on child support orders enforced by the agency in cases in which:

- (i) new or modified orders are issued judicially or administratively after October 31, 1990, regardless of whether support payments are in arrears;
- (ii) the absent parent requests that withholding begin;
- (iii) the custodial parent requests that withholding begin and the agency determines the request should be approved; or
- (iv) payments are in arrears in an amount at least equal to the support payable for one month.

The Department of Law changed "on or after November 1, 1990" to "after October 31, 1990" when the bill was reviewed. The statute should specify that immediate wage withholding applies to new and modified orders, regardless of arrearages, in accordance with the Family Support Act. I understand your intent to mirror the subcommittee recommendation; however, the recommendation was drafted in the context of the Family Support Act, and that context will not be readily apparent to people reading the statute without legislative history. For the same reason, i.e. consistency with language of the federal law, I deleted "immediate wage" from (ii) and (iii).

Let me know what you think of these revisions.

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possible. The general public also needs to be educated about mandatory wage withholding, and the possible benefits of that approach, she added.

Ms. Armstrong suggested that the subcommittee recommend that mandatory wage withholding not be extended beyond the IV-D caseload. Mr. Cotton agreed, since there already exists wage withholding for those who fall into arrears. Ms. Rich stated she supports an automatic provision to have wage withholding if there are arrears. Ms. Langston said this already is the case, even if the parties have previously agreed between themselves to pay support directly, but only if one of the parties requests it.

Staff was requested to draft language recommending that wage withholding be limited as per the discussion.

Mr. Hemenway stated that the federal requirement for Periodic Review of Child Support Orders, agenda item IV-D, is that the IV-D agency formulate a plan for discretionary review of all IV-D support orders, and that the agency must review at the request of either parent, but that there is no requirement at this time that non-IV-D orders be reviewed.

Ms. Langston pointed out that the new law will allow CSED to accept applications for modifications from non-custodial parents. She stated that her planning process assumes that the guideline to be applied would be Civil Rule 90.3, although she recognizes that may not be the case. She stated that the agency anticipated reviewing all AFDC cases, by checking information regarding income from the Department of Labor, but that it would review other cases only on request of a parent.

Mr. Strube asked if the agency could implement the practice of doing modifications on behalf of either parent at this time. Ms. Langston noted that state law prevents the agency from seeking modifications on behalf of an obligor, because persons can only use the agency to provide IV-D services, and under federal regulations modification for an obligee is not a IV-D service. Ms. Langston stated that legislation has been drafted that would permit the CSED to pursue modifications on behalf of obligors prior to November, 1990. The change to be made is in AS 47.23.045, but not AS 47.23.100. Rep. Gruenberg stated that AS 47.23.100 should be changed as well.

Ms. Langston stated that the agency only provides IV-D services. Rep. Gruenberg stated that the agency could provide other services, so long as the State paid for them. Ms. Langston agreed, but pointed out that the agency must also stay in compliance with its IV-D plan. She stated that the federal government currently provides 70% of CSED's funding.

Rep. Gruenberg asked if the CSED could assess attorneys fees in its cases, so that the parties, rather than the government,

Family Support Task Force
Subcommittee on Child Support

MINUTES

August 9, 1989

Subcommittee members present:

Linda Langston, co-chair
Sandy Armstrong
Bill Cotton
Ardith Lynch
Judith Rich
Jan Strandberg
Steve Strube

The meeting was called to order by co-chair Langston at 2:00.

Frank Price testified from Juneau that his wife had asked CSED to increase the amount of child support in his case, but CSED had determined that actually the amount of support should be decreased. However, the agency did not go into court to try to get his support reduced, even though his income was at the federal poverty level. As a result, he testified, he has accumulated arrearages of \$5000. Alaska Legal Services would not represent him, because it had previously represented his wife. Mr. Price attempted to obtain a modification in court himself, but was unable to obtain documents the court system requested, so his case was dismissed.

The subcommittee turned to a discussion of the CSED's draft legislative proposals for the 1989-90 legislative session. Ms. Lynch, who has taken a position as Deputy Director of CSED, reviewed the proposed changes, which she stated the agency believes are the minimum changes needed to comply with the Family Support Act. Ms. Langston stated that the changes were prepared at the request of the governor's office, as part of the overall legislative package to be prepared by the Department of Law for submission by the Governor at the beginning of the session.

AS 47.23.045: changed to give the CSED discretion to accept applications for requests for child support modification by obligors.

AS 47.23.062: several changes to make judicial income withholding orders a private remedy, and to remove CSED's authority to use this remedy.

AS 47.23.140: allows agency to administratively enforce out of state support orders, in a fashion analagous to URESA; the change is necessary to enable CSED to meet the standards for prompt response in Sec. 121 of the Family Support Act.

AS 47.23.253(a): clarifies that income withholding orders remain in effect as long as there is a support order, unless modified by the agency; also requires agency to inform all persons served with an order when it has been satisfied.

AS 47.23.255(b): repealed; unnecessary because now agency is using the administrative withholding process, rather than the judicial process.

AS 47.23.255(c): changes the wording on the standard for the obligor to meet when requesting exemption from wage withholding to "good cause", to conform with the Family Support Act.

AS 47.23.255(d)-(f): adds sanctions against employers who discriminate against persons subject to wage withholding to include administrative wage withholding. The same sanctions are currently in effect for judicially-ordered wage withholding.

Ms. Armstrong stated the language of AS 47.23.045 could be construed as broadening the agency's authority to impose wage withholding, in the absence of an arrearage, to cases other than just new and modified orders enforced by the agency. Ms. Langston and Ms. Lynch indicated that the language was not intended to give the agency authority to impose wage withholding in the absence of an arrearage, except in the case of new and modified IV-D orders.

Ms. Armstrong asked if the question of compliance with due process on wage withholding was up to the state. Ms. Lynch stated it was, and that the CSED did not contemplate any changes from current practice in regards to notice. She stated that she expected CSED would issue a regulation indicating wage withholding would be used in existing IV-D cases when support payments are in arrears, the obligor or obligee so requests, or the agency chooses to do so; and in all new and modified IV-D cases (after November 1, 1990) unless the obligor, obligee or the agency shows good cause not to do so, or there is a written agreement not to do so. Also, the regulation would define "good cause".

Ms. Armstrong stated that under this language, CSED would have the option of imposing mandatory wage withholding in the absence of an arrearage in any IV-D case. Ms. Lynch stated that the language she had drafted simply reflects the Family Support Act, and that it was not an agency proposal at this point. Ms. Langston stated that the Family Support Act was unclear on this issue. Ms. Rich pointed out that the CSED should have flexibility to use wage withholding in the absence of an arrearage, to prevent persons from delaying payment, short of creating a 30 day arrearage, or from making partial payments at irregular times. Ms. Armstrong stated that often payments get to the family later when they go through wage

8/9/89 Family Support Subcommittee

withholding, because of the administrative delay, or employer errors. Ms. Strandberg recommended that Ms. Lynch and Ms. Armstrong work on alternative language for the subcommittee's consideration.

Mr. Mher Vartanian testified that the subcommittee should not go too far in protecting children, without sufficient regard for the impacts on the noncustodial parent. He felt that if a parent is not entitled to visitation, he should not have to pay child support. He stated that sometimes a noncustodial parent without any control over a child might be liable for debts of a child, and this is not right.

Mr. Jack Ryfeul testified that he wanted his case investigated.

Mr. Floyd Turner, a representative of the National Organization of Men, working with the Men's Support Network, testified next. He stated that the Alaska court system is perceived by men as not responsive to their needs, and that the refusal to recognize agreements between the parents regarding child support is a violation of human rights.

Mr. Strube asked if CSED could accept applications for modifications from obligors right now. Ms. Lynch stated that without a change in AS 47.23.045, CSED would not have authority to accept applications from obligors. Ms. Langston added that the federal government does not define IV-D services to include requests for modification from obligors, and therefore it could not be paid by the federal government for such a service.

Ms. Armstrong asked if a bill enacting the change in AS 47.23.045 should be introduced separately, with an immediate effective date. Ms. Langston stated that the agency wanted to implement the new policy as soon as possible. Mr. Cottor asked if there was a specific date on which federal funding for such requests would be available. Ms. Langston was unaware of any specific date for federal funding.

Ms. Lynch stated that under current AS 47.23.045, if a custodial parent is receiving AFDC payments for which the noncustodial parent is liable, the CSED has discretion to modify the order prospectively, but not with respect to an arrearage.

Mr. John Grames testified subcommittee meeting agendas were being sent out too late. He stated that the Family Council, chaired by Mr. Strube, had been through the subcommittee's Issue Agenda prior to a subcommittee meeting. The public testimony at that meeting was cut back to only three hours, and did not begin on schedule at 5:00. He stated the subcommittee should hear from Mr. Grob. He stated that his general concern was that the subcommittee should take action

ALASKA'S FAMILY SUPPORT TASK FORCE

FINAL REPORT

December 1989

Co-Chairmen:
Senator Rick Uehling
Representative Johnny Ellis



CHILD SUPPORT ENFORCEMENT

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	30. Appoint Obligor and Alaskan	67
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RECOMMENDATION 40:

THE CHILD SUPPORT ENFORCEMENT DIVISION (CSED) SHOULD LIMIT WAGE WITHHOLDING TO CASES IN WHICH:

- (1) new and modified orders are issued on or after November 1, 1990, by the Superior Court or administratively by the Division; or
- (2) the absent parent requests that immediate withholding begin; or
- (3) the custodial parent requests that immediate withholding begin, if the State determines in accordance with such procedures and standards as it may establish that the request should be approved; or
- (4) payments are in arrears in an amount at least equal to support payable for one month.

RECOMMENDATION 41:

CSED SHOULD ACTIVELY SEEK THE ASSISTANCE OF THE BUSINESS COMMUNITY IN EVALUATING EXISTING MECHANISMS FOR WAGE WITHHOLDING AND IN DEVELOPING MECHANISMS THAT WILL PROVIDE ACCURATE, UP TO DATE INFORMATION FOR CSED WITHOUT IMPOSING UNNECESSARY OR UNREASONABLE BURDENS ON THE BUSINESS COMMUNITY.

RECOMMENDATION 42:

CSED SHOULD DEVELOP AND INITIATE A PROGRAM TO INFORM THE BUSINESS COMMUNITY AND THE PUBLIC AT LARGE ABOUT THE IMMEDIATE WAGE WITHHOLDING PROVISIONS OF THE FAMILY SUPPORT ACT. THE PROGRAM SHOULD HAVE TWO BASIC GOALS:

- (1) to remove any stigma associated with wage withholding as a means of enforcing child support; and
- (2) to underscore the importance of wage withholding as a means of ensuring that children receive child support benefits on a timely basis.

Issue

Should the State impose across-the-board immediate wage withholding of child support payments without regard to payment history or arrearages? How can we implement such a large new effort?

FSA Requirements

Section 101 of the Family Support Act requires states to begin immediate wage withholding (i.e., mandatory wage withholding without any prior arrearages) by November, 1990, for all new and modified child support orders enforced by the state child support enforcement agency, unless both parties agree to the contrary or the state finds "good cause" not to require it in individual cases.

Section 101 also requires all states to begin immediate wage withholding for all new and modified orders not being enforced by the child support enforcement agency (i.e. by the court system), by January, 1994.

Finally, Section 101 calls for the federal government to study and within three years to report on the administrative feasibility, cost implications, and other effects of making immediate wage withholding mandatory in all cases.

Rationale

These provisions of the Act drew a significant amount of comment and discussion. Current state and federal law limit mandatory wage withholding to cases in which the obligor is at least thirty days in arrears in payments.

The subcommittee heard testimony that immediate wage withholding offends many obligors who regularly make their support payments, because it is associated with being delinquent with payments. Under existing law, wage withholding is typically used when obligors default on their obligations. In addition, the subcommittee was told that employers often do not comply with current withholding requirements. This can be harmful to both the employee-obligor, and the family entitled to the payments.

At the same time, the subcommittee heard testimony that immediate wage withholding is an important safeguard for the protection of families in cases where the obligor is unable or unwilling to make timely payments.

CSED supports a cautious approach to implementation of immediate wage withholding, in view of the administrative and other problems such a program will raise.

Although some members of the subcommittee opposed immediate wage withholding in any case, the subcommittee agreed that the State must comply with federal law. The significant financial penalties that would be applied if Alaska rejected the federal mandate are too severe, particularly in their impact on lower income families, to justify such an approach.

However, in view of the substantial opposition expressed to the policy, the administrative difficulties, and the fact that a federal study will be forthcoming on this topic, the subcommittee agreed that for the time being the State should

limit application of the policy of immediate wage withholding to cases in which federal law requires that policy to begin by November, 1990.

Extending immediate wage withholding to all cases required by federal law in 1994, should be reviewed at a later date. That review can consider those cases in which immediate wage withholding will have been imposed, and the forthcoming federal study.

Successful implementation of any immediate wage withholding program rests in large degree on the willing cooperation of employers and of employees subject to such withholding. A public education program to remove the stigma of immediate wage withholding and to emphasize its value to families receiving child support payments is essential.

Cost

Funds will be needed for the program design and an education campaign. CSED will require additional staff to administer the program.

Benefits

This program should secure greater rates of compliance with support orders, resulting in more money returned to the State to offset public assistance costs, and more money going to the families. It should remove the stigma attached to wage withholding, and procedures for employer compliance should remove current problems associated with late payment of withheld wages.

Allow Obligor To Request Support Order Modifications

RECOMMENDATION 43:

THE LEGISLATURE SHOULD AMEND ALASKA STATUTE 47.23.045 TO READ:

The agency may appear in an action seeking an award of support on behalf of a child owed a duty of support, or to enforce a spousal support order if a spousal support obligation has been established and if a support obligation, established with respect to a child of that spouse, is also being administered, and may also appear in an action seeking modification of a support order, decree or judgment already entered. Action under this section may be undertaken upon application of an obligee or obligor, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b).

Issue

What do we need to change so that obligors can obtain State assistance in requesting child support order modifications?

FSA Requirement

Section 103(c) of the Family Support Act requires states to review and adjust child support orders upon request of either parent beginning in November, 1990.

Rationale

Alaska law currently allows CSE to assist obligees requesting modifications to support orders, but provides no State assistance in obtaining changes in ways for obligors to request changes. One of the most common criticisms of the existing child support system we heard during our public process was this lack of a mechanism for State assistance to obligors seeking child support order adjustments. Prior federal law contained no requirement for these services, and Alaska statutes do not currently provide clear authority for CSED to offer them.

Cost

There will be staff costs required to provide adequate services.

Benefits

This is part of a larger requirement for periodic reviews of support orders, which as a whole, should increase support collections in Alaska. The specific provision for State assistance to obligors requesting modification should alleviate concerns about unfair procedures, and facilitate greater cooperation by all parents.

Family Support Task Force
Subcommittee on Child Support

REVISED REPORT TO THE TASK FORCE

September 20, 1989

Subcommittee Co-Chairs:

Rep. Max F. Gruenberg, Jr.

Linda Langston, Director, Child Support Enforcement Division

INTRODUCTION

The Subcommittee on Child Support met seven times, beginning with an organizational meeting at the Task Force's June 12 meeting. It heard testimony from thirty witnesses, and developed an issue agenda covering more than two dozen topics. The issues included matters directly related to implementation of the Family Support Act, as well as a variety of policy questions arising out of a consideration of the broader context of the child support system in the State and the family-oriented goals of the Family Support Act.

The subcommittee decided to address issues directly related to implementation of the Family Support Act before turning to the implications of the Act for other elements of the child support system. In this report, the subcommittee presents thirteen specific recommendations for action it views as appropriate for implementation of the mandatory provisions of the Family Support Act in Alaska. In addition, Recommendation #1 relates to interstate issues raised by the Act.

In the coming weeks, we plan to develop specific legislative proposals to implement these recommendations, and to develop additional recommendations addressing other issues identified by the subcommittee. In particular, the subcommittee will be considering in depth issues related to the State's current child support guideline, embodied in Civil Rule 90.3.

Immediate Wage Withholding

ISSUE:

Should the State institute a policy of across-the-board imposition of immediate wage withholding of amounts due as child support, without regard to payment history or arrearages?

FSA PROVISIONS:

Section 101 of the Family Support Act requires by November, 1990, all states begin immediate wage withholding (i.e., mandatory wage withholding without any prior arrearages) for all new and modified child support orders enforced by the state child support enforcement agency, unless both parties agree to the contrary or the state finds "good cause" not to require it in individual cases.

Section 101 also requires all states to begin immediate wage withholding for all new and modified orders not being enforced by the child support enforcement agency, by January, 1994.

Finally, Section 101 calls for the federal government to study and within three years to report on the administrative feasibility, cost implications, and other effects of making immediate wage withholding mandatory in all cases.

SUBCOMMITTEE RECOMMENDATIONS:

SB 372

#11

The subcommittee recommends that the Child Support Enforcement Division limit wage withholding to cases in which:

(1) new and modified orders are issued on or after November 1, 1990, by the Superior Court or administratively by the Division; or

(2) the absent parent requests that immediate withholding begin; or

(3) the custodial parent requests that immediate withholding begin, if the State determines in accordance with such procedures and standards as it may establish that the request should be approved; or

(4) payments are in arrears in an amount at least equal to support payable for one month.

#12

~~The subcommittee recommends that the Child Support Enforcement Division actively seek the assistance of the business community in evaluating existing mechanisms for wage withholding and in developing mechanisms that will provide accurate, up to date information for the Division without imposing unnecessary or unreasonable burdens on the business community.~~

The subcommittee recommends that the Division of Child Support Enforcement develop and initiate a program to inform the business community and the public at large about the immediate wage withholding provisions of the Family Support Act. The program should have two basic goals: (1) to remove any stigma associated with wage withholding as a means of enforcing child support; and (2) to underscore the importance of wage withholding as a means of ensuring that children receive child support benefits on a timely basis.

EXPLANATION:

These provisions of the Family Support Act elicited a significant amount of comment and discussion. Current state and federal law limit mandatory wage withholding to cases in which the obligor is at least thirty days in arrears in payments. The new federal requirement is that beginning in 1990, wage withholding also be used on new and modified orders enforced by the Child Support Enforcement Division where there is no arrearage, and in all cases within the agency's caseload in which the recipient requests that immediate wage withholding be implemented, unless the State finds "good cause" not to do so. Beginning in 1994, similar requirements apply for cases outside the agency's caseload (i.e., in cases enforced through the Alaska Court System).

The subcommittee heard testimony that immediate wage withholding is perceived by many obligors who regularly fulfill their support obligations as an affront, because under existing law wage withholding is typically used in cases involving obligors who have defaulted on their obligations. In addition, the subcommittee was told that the compliance of employers with current wage withholding law is often unsatisfactory, and can be harmful to both the employee-obligor, and the family entitled to the payments.

At the same time, other testimony indicated that immediate wage withholding is an important safeguard for the protection of families in cases where the obligor is unable or unwilling to make timely payments. In addition, the subcommittee was informed that the Child Support Enforcement Division supports a cautious approach to implementation of immediate wage withholding, in view of the administrative and other problems such a program would raise.

Although some members of the subcommittee opposed the policy of immediate wage withholding in any case, the subcommittee agreed that the significant financial penalties that would attach if the federal mandate were rejected are too severe, particularly in their impact on lower income families, to justify such an approach. However, in view of the substantial opposition expressed to the policy, the administrative

difficulties, and the fact that a federal study will be forthcoming on this topic, subcommittee agreed that for the time being the State should limit application of the policy of immediate wage withholding to cases in which federal law requires that policy to begin by November, 1990.

The subcommittee felt that the question of extension of the policy of immediate wage withholding to cases in which it will be required by federal law beginning in 1994 should be reviewed at a later date, in light of Alaska's experience in the limited number of cases in which immediate wage withholding will be required prior to that time, and in light of the forthcoming federal study.

At the same time, the subcommittee recognized that successful implementation of any program of immediate wage withholding rests in large degree on the willing cooperation of employers and of employees subject to such withholding. The subcommittee therefore recommended a public education program aimed at destigmatizing immediate wage withholding as a means of enforcing child support, and underscoring its value to families receiving child support payments.

Periodic Review of Child Support Orders

ISSUE:

What provision should be made for processing requests by obligors for modification of child support orders?

FSA PROVISION:

Section 103(c) of the Family Support Act requires states to review and adjust child support orders upon request of either parent beginning in November, 1990.

SUBCOMMITTEE RECOMMENDATION:

SB 375 #14

The subcommittee recommends that AS 47.23.045 be amended to read:

The agency may appear in an action seeking an award of support on behalf of a child owed a duty of support, or to enforce a spousal support order if a spousal support obligation has been established and if a support obligation, established with respect to a child of that spouse, is also being administered, and may also appear in an action seeking modification of a support order, decree or judgment already entered. Action under this section may be undertaken upon application of an obligee or obligor, or at the agency's own discretion if the obligor is liable to the state under AS 47.23.120(a) or (b).

This amendment is necessary to fulfill the requirements of Section 103(c) of the Family Support Act.

EXPLANATION:

One of the most common criticisms of the existing child support system that the subcommittee heard was its lack of a mechanism for State assistance to obligors who seek an adjustment in the level of the child support they are required to pay. Under prior federal law, there was no requirement that such services be offered to obligors, and Alaska statutes do not provide clear authority for the Child Support Enforcement Division to offer them.

The Family Support Act now requires states to provide modification services to obligors. In order to meet this requirement, and to alleviate the concerns expressed regarding the lack of availability of those services to obligors, the subcommittee has recommended that the legislature amend Alaska law to provide modification services to obligors through the Child Support Enforcement Division.

major
3 req:
need
CS support

Welf Ref

impl immed wage withholding

" pgm standards

(time frames all agencies must
adhere to)

so need operational technical
DS which more housekeeping

Sec 2

periodic review + modification