



National Child Support Enforcement Association (NCSEA)

Testimony by

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on

No Cost Improvements to Child Support Enforcement

Submitted to the

**House Committee on Ways and Means
Subcommittee on Human Resources**

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Chairman Davis and members of the Subcommittee, thank you for the opportunity to speak with you today. My name is Marilyn Stephen and I am the director of the Michigan Office of Child Support. I am speaking to you today on behalf of the child support professionals across the country who are members of the National Child Support Enforcement Association.

The first child support law in Michigan was passed in 1919 to permit local government to assure support for children in their communities. The drafters would never have dreamt that in 2012 there would be 750,000 court ordered child support cases in Michigan and that one in three children nationwide would spend some part of their childhood living with only one parent.

Those same drafters would not recognize a world where a something oddly named a 'tweet' can circle the globe in seconds and American citizens can travel thousands of miles from home in just a few hours. In the last sixty years, it has become commonplace for parents and families to move from state to state. In many ways, the child support program has kept pace with these changes in society. First Congress required states to enact the Uniform Reciprocal Enforcement of Support Act in the 1950s that set some ground rules for assuring financial support for children no matter where in the country the parent lived. As the migration of families across country continued and child support programs in the states swelled, problems arose with the processing of interstate cases

that finally precipitated a complete redesign in the late 1990s resulting in the Uniform Interstate Family Support Act. This law has been a great success in helping states to provide coordinated services consistently and efficiently to ensure that children receive the support they need.

Now we are on the verge of the next big step forward with the Hague Convention and implementing the legislation we are discussing today. To help you understand how important this step is to the states, I'd like to tell you a little about the problems we face in trying to assure support for the children of Americans around the world. There are basic issues related to translation of documents and currency exchange rates, but there are also fundamental differences in processes, jurisdictional understandings, the services provided in different countries and even the basic definitions of who will be served. My front line staff report constant issues with trying to locate parents in other countries who owe child support, concerns about how notice to that parent or what we in the US call service of process is accomplished and the amount of time it takes to start the support payments flowing to the parent who is raising the child. It is commonplace to hear that families have had to wait five years or more for a support obligation to be established, and this is in countries that we've agreed to work with through bi-lateral agreements.

To me, the bi-lateral agreements are analogous to the old interstate law from the 50s. They are better than nothing, but they do not establish any rules or mutual understandings about the work that needs to be done or the goals that should be

accomplished. When our workers attempt to coordinate with officials in countries where we lack bi-lateral agreements, we generally receive no response or we are instructed to hire a lawyer in that country. Because most parents cannot afford that path, the child support case ends up being closed until the support obligor leaves the safe haven of that country. The Hague Convention would fix this problem by requiring free services in most instances.

In Michigan we estimate that we have between four and five thousand cases where a parent lives in another country. That includes more than a thousand cases with Canada with whom we share a 700 mile border. International cases can be challenging and very time consuming for workers because there are no agreed upon standard proofs, forms or methods of communication. For this reason, I believe that adoption of the Hague Convention and enabling legislation would actually result in cost savings to the states.

Earlier I called this a big step, but all the states understand that we will not see instant benefits from these improvements. We also know with certainty that not moving down this road to international cooperation will likely mean that more American children will lack the basic support that every parent should provide and that more obligors will seek out safe havens. Simply put, children need the support of both parents no matter where in the world their lives take them.

Thank you for your consideration of this important children's issue.

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