



*Written Testimony before the Judiciary Committee
Department of Social Services
February 27, 2017*

H.B. No. 7131 - AN ACT EXPEDITING CHILD SUPPORT MODIFICATION ORDERS FOR INCARCERATED OR INSTITUTIONALIZED OBLIGORS

The Department of Social Services thanks the Judiciary Committee for hearing HB 7131, An Act Expediting Child Support Modification Orders for Incarcerated or Institutionalized Obligor. As the state agency responsible for administering the Child Support/ IV-D program in Connecticut, the Department of Social Services strongly supports HB 7131.

The purpose of this bill is to create an accelerated process to modify a child support order by suspending payments of an incarcerated obligor, who has no means of meeting the obligation. The bill also implements a procedure to expeditiously reinstate the original order once the obligor is released from incarceration.

Section 1 of the bill eliminates a full judicial proceeding for incarcerated obligors when Support Enforcement Services (SES) of the Judicial Branch confirms, via a formally filed affidavit, that (1) a modification of the order is warranted under section 46b-215e and (2) the custodial party (i.e., the party entitled to the child support benefit) has no objection to the modification. The bill requires the support enforcement officer to investigate income and assets to determine if the obligor has any ability to pay such support while incarcerated. If the incarcerated obligor has no present income or assets, the support enforcement officer will file an affidavit and, in turn, modify the support order. The current modification process creates unnecessary strain on state resources. It requires, for example, convening a full judicial hearing, delivery of service of process, and document preparation, as well as the engagement of clerks, courtroom monitors, SES employees, Assistance Attorney Generals and Department of Correction resources to ensure inmate availability. Automating this process will save staff time and resources across numerous state agencies.

Creation of an expedited process will also avoid accumulating arrearages, charges, and decrease child support debt. The process will improve the ability of the state's Child Support/IV-D program to meet federal performance and incentive measures. When child support orders go unmodified and are not collected, delinquencies result and the overall child support debt balance increases. Both of these have a negative impact on IV-D performance and the associated federal incentive funding.

Outside of monetary and economic-based research and results, there are sociological factors that also support moving this bill forward. Research in the field has shown that accruing child support delinquencies can cause harm to obligors' relationships with their children and conflict with the State of Connecticut's principles on fatherhood. In addition, child support delinquencies and

uncollectable debt have shown to complicate a released obligor's ability to re-enter society successfully.

This bill also seeks to implement an automatic process to reinstate the child support order 90 days after the obligor is released from incarceration. Currently, obligors released from incarceration are ordered to notify Judicial's SES within 48 hours of release. However, if an obligor does not contact SES, SES must then initiate an investigation to locate the obligor and serve him or her with paperwork to re-initiate legal proceedings to, again, establish the child support obligation. This bill would streamline this process by automatically reinstating the child support order.

HB 7131 will conserve agency resources, create cost savings, and ensure custodial families receive timely child support payments. For these reasons the Department strongly supports this bill.