

Chairman Bacon, Vice Chairman Dolan, Ranking Member Thomas, Members of the Committee, thank you for this opportunity to provide testimony concerning SB 125.

My name is Nathan Updyke and I am a father of two amazing boys. I attended the proponent hearing a few weeks ago and would have liked to have presented this testimony in person but prior commitments have prevented this. I have a strong sense of wrong and right. I am very analytical. I am also divorced. Through the divorce process I represented to minimize legal fees and have become better educated on the divorce process and child support system. I believe in child support and the value it presents to many children, the majority of those being lower income. I also see many holes in the system which allow it to be used as a vehicle for spite.

I agree with all the amendments proposed by the National Parents Organization. In addition, I believe we need to take more steps to make the process more fair for obligor and obligee. Below are a few examples, in order of importance to me...

- **Grandfathering "calculation standards"** in each case: When divorces initially happen, calculation principles/guidelines are established. These and guidelines are not locked in for parents. If a case was over the 150K cap initially and treated a certain way, it should continue to be treated in this manner for the duration of the child support obligation. Payments can go, but the cap should not be lifted. Lack of consistency often results in burdens on the obligor and their ability to plan for their personal finances and child.
  - How can people prepare for life and budgets if their payment suddenly changes dramatically?
- **"Actual Income Considerations"**: The current system treats gross income of each parent equal, dollar for dollar
  - **Retirement Income Needs**: Higher income parents typically need more money in retirement and therefore have to save more. Pooling Gross Incomes across parents treats all money the equally and does not account for this.
  - **Tax Rate Considerations**: The support calculation does not take current tax tables into consideration. This reduces the amount of money available to the higher income parent but is not considered as part of the calculation
  - **Medical Credit**: Credit for medical expenses is not equivalent to that actual cost of medical premiums
- **Establish limits to child support increases**: It's impossible to families to live on a budget based on the current support system. One day you can pay X per month in child support. The next day you can be ordered to pay any multiple of that amount. There should be limit in place on the percent child support can be raised at once in order to allow for fiscal stability across both homes.
- **Verifying expenses**: There is no burden of proof to validate the money paid to the obligee is actually used towards the benefit of the children. Documents and receipts should be provided to justify the expenses for which Child Support is being paid for.
- **Subjectivity**: The current process allows magistrates to be too subjective. If we implement standard rules and standard process for deviation, court proceedings won't be so drawn out and won't be able to be leveraged for spite. It took a year to finish an adjustment in my case, all the time incurring an arrearage.
- **Re-Marriage and its affect on the household**: When one gets re-married there is a positive impact on household income and expenses). This whole thing about child support is about the obligee's ability to provide for the children... There are positive impacts of doing this to the obligee which should be considered in the equation.
- **Arrearages** due to the time it takes to get through court should not cause the obligor to lose their rights to do things like get a passport. Parents who never miss a child support payment and are paying the court imposed 20% extra to recover the arrearage should not be penalized.

At the end of the day, we need to develop a system which is doesn't require obligors to object to the "standard" child support calculation every time a review comes up. This throws both families into court, increases stress levels at home, and damages our relationships with our children.

Thank you again for your time today.

Nathan Updyke