



30 Bank Street
PO Box 350
New Britain
CT 06050-0350
06051 for 30 Bank Street

(860)223-4400
fax (860)223-4488

Testimony of Edith McClure, Member, Executive Committee,
Family Law Section of the Connecticut Bar Association
House Bill 5816
An Act Permitting Employers to Collect Administrative Fees
For Processing Income Withholding Orders For Child Support Payments
Judiciary Committee
March 24, 2006

Senator McDonald, Representative Lawlor and members of the Judiciary Committee, thank you for the opportunity to appear before the Committee to comment on House Bill 5816, an Act Permitting Employers to Collect Administrative Fees For Processing Income Withholding Orders For Child Support Payments.

My Name is Edith McClure. I am a member of the Executive Committee of the Family Law Section of the Connecticut Bar Association and a Fellow in the American Academy of Matrimonial Lawyers. My practice, for over 25 years, has been concentrated in the area of family law. The CBA Family Law Section consists of over 700 members who have a great interest in bills affecting family law procedures and issues concerning dissolution of marriage. On behalf of the section, I respectfully request that the Judiciary Committee not act on House Bill 5816.

The Family Law Section has opposed this legislation each year such a bill has been introduced. I believe that we have testified before this Committee five to six times. Our reasons remain the same. The Act would require that an administrative fee be withheld from the employee's income. Any fee charged would be limited by Statute and would probably be nominal (Colorado limits its administrative fee to \$5.00 per month); California allows a fee of \$1.00 per pay period. This fee, even though nominal, would further reduce the income available to the person paying child support. The imposition of such a flat fee would have a greater impact on lower income obligors.

Connecticut, in accordance with Federal directives, requires the withholding of child support payments, but permits the parties to a Child Support Order to opt out of an immediate Wage Withholding Order by agreeing to a Contingent Wage Withholding Order. Often the spouse who is paying child support will agree to an immediate Wage Withholding Order because it is easier. If there were an administrative fee charged, such a fee would discourage such agreements.

Thank you for allowing me the opportunity to comment on House Bill 5816. The CBA Family Law Section respectfully requests that the Judiciary Committee reject this Bill.

I would be happy to answer any questions you may have.