



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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**Testimony of the Honorable Lynda B. Munro
Chief Administrative Judge for Family Matters
Judiciary and Human Services Committee Joint Public Hearing
March 15, 2010**

**Senate Bill 446, An Act Concerning Child Support Orders,
Enforcement And Reports**

Thank you for the opportunity to testify, on behalf of the Judicial Branch, in regards to *Senate Bill 446, An Act Concerning Child Support Orders, Enforcement and Reports*. This bill, proposed by the Department of Social Services (DSS), makes various changes to the law regarding child support orders and their enforcement. The Branch supports some provisions of this bill, but has concerns with others.

The Judicial Branch strongly supports sections 1 and 10 of the bill. Section 1 authorizes DSS to share information with the Department of Correction (DOC) and the Judicial Branch's Court Support Services Division (CSSD) in order to identify inmates, parolees, or probationers who could benefit from educational, training, skill building, work, rehabilitation or similar programming. This is consistent with recent efforts by the legislature to engage noncustodial parent and improve their skills, so that they will be in a better position to fulfill their court-ordered child support and play a more meaningful role in the lives of their children.

We also support section 10 of the bill. This section would authorize the Judicial Branch's Support Enforcement Officers to acknowledge legal instruments necessary for the review and adjustment of child support orders. By way of background, when parties agree to a modification, their signature must be acknowledged as their free act and deed. If the officer is not a notary public, a notary public must be located. Passage of this section would facilitate the agreement process and save money otherwise spent on notary public fees.

While the Judicial Branch respectfully requests that the Committee act favorably on this bill, we must note our concern with sections 4 and 5 of the bill. Section 4 would require the court to make paternity findings, even in cases where the child or children are born to married parents. This is unnecessary since paternity is presumed in this instance. Furthermore, in instances where there is no such presumption of paternity, the court is already compelled to make paternity findings before custodial or visitation orders are entered, thus making this section needless.

As for section 5, which, in part allows for past-due child support to be pursued in the context of a divorce action, we believe that this will create an additional burden on the court. If passed, it will mean that in every divorce action the parties will be able to add a whole new area to litigate - a claim that support prior to the dissolution of marriage being filed was inadequate. I know that this provision is meant to provide parallel language to provisions for support to children of parents who never married. The problem is that the court will now be asked to resolve additional litigation over whether, for instance, payment of rent or mortgage of the marital home is adequate payment of support or not. As a trial court judge experienced in handling dissolution of marriage matters, I can assure you that this will lead to additional hearings and acrimony. Not only will the burden be felt by the court, but it will also adversely effect children of parents who are locked in conflict.

Again, we would respectfully request the Committee to act favorably on this bill. As it moves forward, we will work with the proponents to address our concerns.

Thank you for the opportunity to testify on this bill.