March 31, 2014

Dear Judiciary Committee,

Thank you for taking time to read my testimony. My name is Michelle Tolmoff. I work with a family support group for divorced parents, am a trained Guardian Ad Litem and work as a professional for 10 years in financial services. I am against what raised bill H.B. No. 5526 is proposing. I feel many parents behind in child support have a legitimate reason why and if given a fair chance are willing to work towards catching up. The focus should be on ways to help parents not make a bad situation worse. Child support is in the best interest of the child. It is imperative that a parent financially supports their child but if the state goes too far in punishments they may actually make it more difficult to do so. I believe that a parent behind in child support is already punished enough with possible contempt of court, interest, jail, fines, credit reporting, liens, IRS tax levy, and having to report for licensing requirements such as if you work as a professional in the life, health, property & causality industry that is very large here in CT. This reporting may already make it difficult in today's economy to remain employed or to get hired in these positions. If I parent has difficulty obtaining employment and maintaining that employment child support payments may be lowered or fall further behind. If you put these individuals on a public internet list you are potentially causing more harm then good as now employers and potential employers may be looking at it and not know all the circumstances surrounding it and make hiring decisions based off of the information. I also fear the Guardian Ad Litem (GAL) will take unfair advantage of this system by reporting what a parent may owe them because there is already some very blurred lines between the two child support and GAL fees.

Personally I have seen parents use child support as a weapon to hurt the other parent. If you have an angry parent from the high conflict pool of cases you hear about everyday regarding the custody and care of minor children they will use everything at their disposal to attack the other parent including but not limited to visitation and access, the child, and child support. A tactic the child support receiving parent does is go to the Department is Social Services or Child Support Enforcement and fill out the very old state worksheet claiming child support is owed from the date the divorce was finalized and the amount is ordered until present. This may be 10 years worth of arrearages being reported or longer. These parties may have been in court on many other post judgement matters never having brought this up then they learn about this flaw and use it as a weapon. As soon as that spreadsheet is filled out it's assumed credible without verification and the "remedies" begin. Wage garnishment, income tax return attachment, credit reporting, the risk of jail, and interest accrual. The judge sees 10 years times 52 weekly child support payments and doesn't want to look at the stacks of evidence that comes walking through the door because of the other 100s of cases they have to make time for and ask parent paying how much they owe and parent collecting how much they feel is owed and just rule in the middle awarding a party something that is not owed and punishing the other party with no verification of evidence on the matter. It takes a very long time for a fair hearing and

all the while the parent paying is looked at very negatively. There is no remedy when the collecting parent is found to have been dishonest.

Instead of internet reporting of these individuals behind a verification system should be put in place. A statute of limitations of 3 years for asking for back due child support should be enacted or else they estoppel/lachee their rights to collection of the funds. Banks only have to keep records for 7 years and with consolidations and bank closures this sometimes becomes even more difficult for the paying parent to prove they've paid. If these parents end up in this situation of having to prove payments and they didn't keep good records they end up stuck in the unfortunate flaw that could be and should be fixed.

We don't have a list of parents not allowing visitation because if a child found out about this list it may make them think poorly of their parent. Why is it ok to do this on child support? We look down on parents that use social media to disparage the other parent and now the state is going to do exactly that? I really think we should think very carefully about this list. Do the benefits really outweigh the risks?

Thank you,

Michelle Tolmoff, MBA