



Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

Barry C. Hawkins
Commissioner, Connecticut

**Testimony of Barry C. Hawkins
Connecticut Uniform Law Committee
In Support of Raised H.B. 6973
Uniform Interstate Family Support Act of 2008
March 17, 2015
Human Services Committee**

Co-Chair Moore, Co-Chair Abercrombie, and Members of the Committee:

My name is Barry C. Hawkins. I am a resident of Bridgeport, Connecticut and practice law as a Partner in the firm of Shipman & Goodwin LLP, in its Stamford office. I am a Uniform Law Commissioner for the State of Connecticut, serving in that position since 1999, at the pleasure of the Governor.

The Uniform Law Commission (ULC) has a long history of developing uniform acts intended to ensure the more universal recognition and enforcement of child support orders.

Since 1998, the Uniform Interstate Family Support Act (UIFSA) has been the law of every state in the country. Since its initial adoption in 1992, UIFSA has provided uniform rules for the enforcement of family support orders in the states, and has served as the basis for interstate establishment and enforcement of support obligations. UIFSA is used daily in the numerous interstate cases which are processed through the child support system in the United States.

In an age of globalization, the international expansion of consistent rules for enforcement of child support, such as those provided under UIFSA, seems a natural development and one which the ULC believes will be advantageous to all American citizens. In 2007, the United States signed the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. The Convention will provide a mechanism whereby support orders of Courts of the United States will be recognized and enforced in other countries. Although Courts in the United States, as a general matter, already recognize and enforce the orders of foreign Courts, the reverse is not always the case.

In time, it is anticipated that the Convention will be adopted by many other countries. This will help assure acceptance of American Court orders in other lands. No longer will American citizens have to re-litigate support matters in a distant country or forego support altogether.

The establishment, enforcement, and modification of family support orders are basically matters of state law. Thus, UIFSA was deemed a logical vehicle for implementing the provisions of the Convention that impact state law. The ULC was well positioned to carry out this approach because of its experience with the subject matter and its mission of fostering uniformity in state law.

The ULC worked closely with representatives of the federal government and child support organizations to draft amendments that would implement the Convention provisions without imposing burdensome changes to existing state practices. Accordingly, the changes made to UIFSA in 2008 were limited to only those necessary to accommodate the Convention.

Congress, as an important part of the 2014 Preventing Sex Trafficking and Strengthening Families Act, is now requiring that all states update their version of UIFSA to reflect changes made to the act by the ULC as of 2008. Specifically, the new federal law requires that all states enact the 2008 version of UIFSA by the end of their 2015 legislative session in order to continue receiving federal funds supporting state child support programs. Simply stated, Connecticut must adopt the 2008 Amendments or lose valuable federal funding.

Recognizing the importance of the changes for international child support orders, twelve states have already enacted UIFSA 2008. It is expected that all remaining states will enact the updated version of UIFSA by the end of this year. We are not aware that anyone is opposing enactment of HB6973.

I urge a positive vote on HB 6973 to update Connecticut's version of UIFSA. Doing so will improve the enforcement of American child support orders abroad, ensuring that more children residing in the United States will receive the financial support due from parents, wherever the parents reside.

Thank you for your time and attention. I am happy to answer any questions you may have.