

Written Comments to Committee on HF980 2021 Child Support Bill

To: Minnesota House of Representatives, Human Services Policy and Finance Committee
From: Molly K Olson
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Subject: Written Comments on Child Support Bill HF980
HF980 heard on House Human Services Policy and Finance on 3-3-2021

This document will probably never matter. I am writing this because I missed the notice that a hearing was taking place until after it was too late to sign up to testify. For the general public, interested and affected, the hearing on this bill can easily catch people unaware, and it did. I have since learned that comments from the public are being allowed in writing up to 24 hours after the hearing, which is 24 hours *after* the committee vote. Consider this my written comments. This *committee has already voted YES* to move the bill forward to the next Committee. So I don't know what possible benefit there can be to me taking the time to write and submit this. But I am doing so for the record.

As an unpaid citizen lobbyist I have been attending hearings, attending task force meetings, participating on task forces, and seeking reform in Minnesota's family law statutes for 22 straight years. For 22 years I have tried to provide educational information to legislators about the problems in family law related to Chapter 518 (Dissolution) and 518A (child support). From the people's perspective, after watching how these legislative processes work, "the people" have little-to-no voice in any of these matters - even when they are organized and provide thoughtful, meaningful, educational, strategic, informational and collaborative and do-able solutions. Too often the people are ignored, and the government agencies are the ones writing the policies that affect the people. Yet the people feel ignored and dismissed. Isn't the legislature for the people? It often feels like there is no boundary regarding the separation of powers in Minnesota law making. With regard to Chapter 518 and Chapter 518A bills, nothing seems to be passed by the legislature unless the government IV-D agency or the Minnesota Bar Association approves the bills. Where are the people in this? Who is serving the people most affected by these laws?

- Child support, child support laws, and this child support bill is not "for the people."
- Child support, child support laws, and this child support bill is not "for parents."
- Child support, child support laws, and this child support bill is not "for the children."
- The federal government created child support, "to protect the government fisc and save taxpayer dollars."
- Child support agencies are paid for (66%) by the federal government. The rest of the cost is shared by the county and the state.
- No county or state or federal child support employee has any responsibility or authority to represent the children.
- County and state child support employees are authorized only to represent the public-fisc.
- Child support is authorized only under Federal Title IV-D law - it is a public welfare program.
- Under Title IV-D law and funding, NO state child support law using IV-D funding has any authority to impose anything on parents, unless they are on or at risk of public assistance, becoming a public charge, or (see 3 categories below).
- Too many times state legislature have been misled by the state and county Title IV-D agencies to believe child support is something that it is not.
 - It was once testified by Ramsey County Child Support Director in a Senate Committee that "child support is the number one crime prevention method." Not true.
 - When in reality the Minneapolis Department of Health said during the course of publishing a study a few years ago that "child support is the number one barrier to be an involved father." (*close but not exact quote*)
- The state laws that govern state and county child support are governed by Federal Title IV-D laws, because the state gets Title IV-D funding from the federal government.
- State legislators have not had any internal experts throughout the years how understand Title IV-D, so they have been easily misled.
- Federal IV-D history and purpose seem to have been "lost." By admission of several committee members during the recent House hearing on this bill, this committee has not been given the details to understand these laws, and the complexities are not understood - on the very laws the committee is voting on. This is deeply concerning to the public.

For those who mildly understand the federal state relationship, the federal laws have been used as a sword and a shield. Too often throughout the last 22 years I have seen and heard the county and state IV-D agency employees bring bills and testify and request policy changes in child support that have resulted in program creep, well beyond what the Federal government intended or what federal law authorizes. I have seen how they hide behind the excuse "we have to, the feds make us do it" or "we can't do that the feds won't allow it." Uninformed legislators too often believe the IV-D agency employees without question or further investigation. This has resulted in child support laws that are hurting not helping.

The state can't do whatever they want under the guise "child support" if they are getting federal funding. But the county and state employees often don't tell legislators about the limitations of the program or the leeway they have either.

Again, no government state or county child support agency under Title IV-D “represents the children.” The ONLY purpose of federally funded child support employee or agency is to represent “the taxpayer/public fisc” and go after uninvolved non-custodial parents (NCP) to garnish their wages to REDUCE THE COST TO TAXPAYERS and PROTECT THE PUBLIC FISC by getting child support to either:

- 1) Public assistance cases: collect child support from the (absent) non-custodial parent when the custodial parent is on public assistance because the custodial parent can't financially support their child on their own. The “child support” is NOT intended to go to the custodial parent, it is intended to REPAY the government for the public assistance paid out to the custodial parent. The federal Child support is not intended to be in addition to public assistance. The county and state agency will tell you “things have changed.” Federal law governing this program has not changed.
 - a. The federal law allows for a nonpublic assistance parent to step-up and say they will take custody of the child so that the child does not have to be on public assistance. This federal law is ignored.
- 2) Former public assistance cases: collect child support from the non-custodial parent and give it directly to the custodial parent so they have enough to provide for the child for one reason only: so that a single custodial parent gets just enough money according to the NCPs ability to pay so they don't fall back on public assistance. No more. No less.
- 3) Never public assistance cases. This category of cases DOES NOT include every parent in the universe as the Minnesota IV-D employees would have the legislature believe. This category only authorizes the county/state IV-D agency to collect child support from the non-custodial parent and give it directly to the custodial parent so they have enough to provide for the child for one reason only: so that a single parent gets enough so they don't qualify for public assistance. No more. No less.
 - a. Throughout the years, the MN IV-D agency or representatives of that agency have mislead legislators to believe that ALL parents (and/or all those that request or ordered) must be under the authority and collection and enforcement of their agency and their welfare/public assistance law and/or policies.

The child support has gone so far askew from its intended purpose, it has turned into a juggernaut of over-reach and misinformation - and that is what is making it “so complex” - and way more complex than it needs to be.

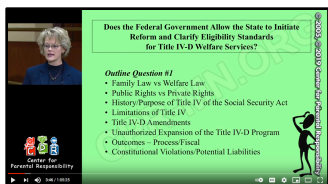
Ramsey County employees who are bringing this bill forward are paid for by Title IV-D funds. Their role is support the federal IV-D goals - I am not even sure they know or see that they have any limitations to their authority. The state IV-D agency - mysteriously silent in this effort to pass this bill - is also paid for by federal IV-D funds. Both are responsible to stick with the parameters of federal IV-D law. Neither of them represent the people.

The Child Support Task Force was authorized by the legislature. They met for 2.5 grueling years of monthly meetings. I attended over 75% of those meetings. Very little notice was given to the public for these meetings. A few public meetings were held. Based on what is seen in this bill, compared to the actual needs for reform addressed by “the people,” so very little compared to all the problems brought up by the public during the course of the task force, very little change is occurring compared to what needs to get changed. A laundry list of problems should be provided by the people to the legislature. To serve the people, it is imperative that legislators understand this issue from the people's perspective - to better serve the people rather than a history of just serving the agency.

This child support bill is for the state and county child support agencies to correct the mistakes they made to the child support formula in 2005. They are now only trying to correct mistakes they are responsible for creating, that they have known for 15 years are a problem, and that have resulted in Minnesota citizens have been jailed and drivers licenses taken away. Mistakes in law have lingered 15 years - knowingly and willfully ignoring mistakes. And still, it was clear by all this bill is inadequate and doesn't go far enough. The consequences for peoples lives when poorly and inaccurate and inadequate laws are written and left to linger this long is criminal. How many people have gone to jail the last 15 years because of these laws that were inaccurately written 15 years ago or gotten their drivers license taken away because the law forces orders that are beyond their ability to pay? Ramsey County testified they have put people in jail over these laws.

In my attempt to limit my comments to one page (2 sides). I will conclude by saying that instead of having task forces that are for the agency, and dominated by the agency, there needs to be ongoing tasks forces that include THE PEOPLE (equally representing obligors and obligees) and legislators who take on this effort (equally supporting each party), and they bring in the IV-D agencies only for “technical advice.”

Please consider taking the time to learn more about Title IV-D by watching this educational presentation on youtube. This presentation was given to a small group of Minnesota legislators in 2005. This is only a high level overview. There is much more information that can be provided. Further information and training about Title IV-D can be provided.



History of Title IV D Child Support Secrets – Molly K Olson

Link: <https://www.youtube.com/watch?v=dqHvLYh4MEs&t=195s>

Thank you for taking the time to read this.

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