
HOUSE CONCURRENT RESOLUTION

REQUESTING THE CONVENING OF A TASK FORCE ON CHILD SUPPORT
RESPONSIBILITY.

1 WHEREAS, child support orders are issued for the necessary
2 support and maintenance of a child, including monetary support,
3 health care, and other related costs; and
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5 WHEREAS, although child support problems mainly relate to
6 parents who are delinquent in making child support payments, in
7 some cases a custodial parent may cause financial harm to the
8 obligor parent who makes child support payments if the custodial
9 parent fails to responsibly handle the finances involved in
10 supporting the child; and
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12 WHEREAS, the obligor parent responsible for child support
13 payments may sustain financial harm, including negative effects
14 on the parent's credit rating, when, without receiving prior
15 notice or providing consent, they are assigned financial
16 responsibilities by the custodial parent in excess of the terms
17 of the child support order; and
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19 WHEREAS, the potential for a custodial parent to
20 financially harm the obligor parent can add further strain to
21 complicated parent-child relationships; and
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23 WHEREAS, at present, an obligor parent in such situation
24 has little recourse available to resolve such disputes and
25 protect the parent's credit rating without considerable expense
26 and effort; now, therefore,
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28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-seventh Legislature of the State of Hawaii, Regular
30 Session of 2013, the Senate concurring, that the Chief Justice
31 of the Supreme Court is requested to convene a task force on
32 child support responsibility to:



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2 (1) Identify specific issues and problems, gauge the
3 degree of prevalence, and quantify the social and
4 financial consequences in child support cases in which
5 the obligor parent may be subject to financial harm
6 from the improper assignment of financial
7 responsibilities by the custodial parent, without the
8 provision of notice or obtainment of consent and in
9 excess of the terms of the child support order; and
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- 11 (2) Develop solutions to address the matters identified in
12 paragraph (1), including recommendations to:
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 - 14 (A) Ensure that child support orders reasonably allow
15 custodial parents to meet their financial
16 obligations;
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 - 18 (B) Encourage a custodial parent who is having
19 difficulty in financially supporting a child to
20 seek appropriate means of obtaining assistance or
21 other recourse, such as a review and modification
22 of an existing child support order;
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 - 24 (C) Increase enforcement or penalties to discourage
25 or prevent a custodial parent from resorting to
26 improperly assigning financial responsibility to
27 the obligor parent;
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 - 29 (D) Expand non-litigious processes and resources for
30 an obligor parent who has been harmed by the
31 improper assignment of financial responsibility
32 by the custodial parent to remedy the harm and
33 avoid any further adverse consequences; and
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 - 35 (E) Encourage, assist, or require creditors and
36 collection agencies to improve verification of a
37 parent's financial responsibility under a child
38 support order to avoid, or expediently identify
39 and cancel, collection processes commenced in
40 error; and
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42 BE IT FURTHER RESOLVED that the Chief Justice of the
43 Supreme Court is requested to invite the following parties to
44 serve as members of the task force:



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- (1) A representative from the family court of any circuit of the State;
- (2) A representative from the Child Support Enforcement Agency within the Department of the Attorney General;
- (3) A representative from the Family Law Section of the Hawaii State Bar Association;
- (4) A representative from the Department of Commerce and Consumer Affairs; and
- (5) Any other individual that the Chief Justice deems appropriate; and

BE IT FURTHER RESOLVED that the task force is requested to report its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the 2014 Regular Session; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chief Justice of the Supreme Court; the Administrative Director of the Courts; the Attorney General; the Administrator of the Child Support Enforcement Agency; the Chair of the Family Law Section of the Hawaii State Bar Association; and the Director of Commerce and Consumer Affairs.

OFFERED BY:

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Karen A...
Cindy Evans
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