

# SB 2225

**Measure Title:** RELATING TO CHILD SUPPORT.

**Report Title:** Child Support; Child Support Enforcement Agency; Adult Dependent Children; Education

**Description:** Requires adult children to annually demonstrate educational enrollment to continue receiving child support.

**Companion:** [HB1787](#)

**Package:** Keiki Caucus

**Current Referral:** HMS, JDL

**Introducer(s):** L. THIELEN, BAKER, GALUTERIA, KEITH-AGARAN, Shimabukuro



# **UNIVERSITY OF HAWAII SYSTEM**

## **Legislative Testimony**

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Testimony Presented Before the  
Senate Committee on Human Services  
Tuesday, February 4, 2014 at 1pm, Conference Room 016  
by Jan Javinar  
Interim Associate Vice President for Student Affairs, University of Hawai'i

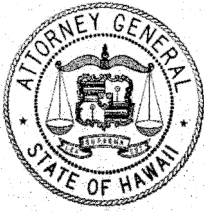
### **SB 2225 – RELATING TO CHILD SUPPORT**

Chair Suzanne Chun Oakland, Vice Chair Josh Green, and members of the committee on Human Services:

This bill, similar to HB 1787 introduced by Rep. John Mizuno, involves child support payments to an adult child either pursuing or plans to attend post-secondary education. SB 2225 impacts the University from an enrollment verification standpoint.

The University has in place, a process for students to verify their enrollment in order to fulfill the proposed requirements contained in the bill. As such, the University neither opposes nor supports these bills. Instead, the University stands ready to assist the Child Support Enforcement Agency, students, and their parents in the enrollment verification process.

Thank you for the opportunity to offer testimony on SB 2225.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SEVENTH LEGISLATURE, 2014**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2225, RELATING TO CHILD SUPPORT.

**BEFORE THE:**

SENATE COMMITTEE ON HUMAN SERVICES

**DATE:** Tuesday, February 4, 2014

**TIME:** 1:00 p.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** David M. Louie, Attorney General, or  
Garry L. Kemp, Administrator, Child Support Enforcement Agency

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Chair Chun Oakland and Members of the Committee:

The Department of the Attorney General opposes this bill.

The purpose of this bill is to require the Child Support Enforcement Agency (CSEA) to send out notices to an adult child and the custodial parent prior to the adult child's twentieth, twenty-first, and twenty-second birthday, informing them that child support will be suspended unless proof that the adult child is presently enrolled as a full-time student in, or has been accepted into and plans to attend as a full-time student for the next semester, a post-high school university, college, or vocational school is submitted to the agency prior to the adult child's next birthday. This bill also requires the adult child to submit proof that he or she successfully completed the course work that he or she was enrolled in within fourteen calendar days after the completion of the semester.

Although the Department of the Attorney General recognizes that verification of continuing education of the adult child is important to ensure that child support is paid appropriately, the Department opposes this measure for the following reasons:

1. Currently, the CSEA's computer system is designed to send out notices requesting proof of continued education to the adult child and the custodial parent three months prior to the adult child's eighteenth birthday and twice a year after that for cases that the agency is required to provide child support services under federal law. To redesign the agency's computer system to send out notices prior to the adult child's twentieth, twenty-first, and twenty-second birthday would require that the agency incur costs that have not been budgeted for.

2. For cases that the CSEA is not authorized to provide services under federal law, the agency sends out a notice to the adult child and to the custodial parent three months prior to the adult child's nineteenth birthday. Meeting this bill's notice requirements for these types of cases will necessitate additional changes to agency's computer system. The agency will also require additional staffing to process the information submitted by the adult child to prove successful completion of course work within the fourteen-day deadline. Because these are cases for which the CSEA is not authorized under federal law to provide child support services, both the changes to agency's computer system and the additional staff will have to be funded one hundred percent by state funds. It would also require that the agency maintain separate records to account for the time spent on these activities in order to ensure that federal funds were not being used improperly. Currently, if a payor parent in a case where the agency is not authorized to provide services wants the agency to send out two notices a year as in the cases where the agency is authorized to provide services, the parent need only to apply for CSEA services by completing and submitting an application.

3. If the CSEA is to automatically suspend child support when the adult child fails to submit proof within fourteen calendar days after the completion of the semester, that he or she successfully completed the course work, costs will be incurred for additional changes made to the agency's computer system. Additional staff will also be necessary to collect, utilize, and maintain data on what each individual university, college, or vocational school uses to assess completion in enrolled course work and award grades.

4. Because there are similar provisions for the verification of continuing education of an adult child in sections 580-47(a) and 584-18(b), Hawaii Revised Statutes, there will be conflicting requirements depending upon how the child support order was issued if this bill is passed as currently written.

The Department of the Attorney General respectfully requests that this bill be held in Committee.

TO: Senator Suzanne Chun-Oakland, Chair  
Senator Josh Green, Vice-Chair  
Senate Committee on Human Services

FROM: Jessi L.K. Hall  
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Phone: 524-4854

HEARING DATE: February 4, 2014 at 1:00 p.m.

RE: Testimony in Opposition to SB2225

Good day Senator Chun-Oakland, Senator Green, and members of the Committee. My name is Jessi Hall. I am an attorney who concentrates my practice in Family Law. I am also a past Chair of the Family Law Section of the Hawaii State Bar Association. I am here today to testify against SB2225.

I agree that it would be beneficial to have a notice sent to the adult child every year (from age 18 years to 23 years) requesting proof of full-time enrollment, but there are some concerns with the remainder of the proposed changes.

First, it may not be reasonable to expect the adult child to be able to provide proof of successful completion within fourteen days of the end of the semester. Some students may not have their grade reports within that time frame and, through no fault of their own and while they are in compliance with attendance, their child support could still be terminated. If this Bill were to move forward, the adult child should be permitted a larger window of opportunity in which to comply.

Second, it is unclear why if the adult child fails to provide proof and/or fails to successfully complete the coursework, they should continue to receive child support until their birthday. Arguably if the adult child's birthday was prior to the deadline to provide proof, they could continue to collect child support for another year. Continuing child support until an adult child's birthday, despite their failure to comply with the other provisions, essentially makes this provision inconsistent. It should be left to the adult child and/or custodial parent to provide proof of continued enrollment prior to their birthday without this intermediary step.

Thank you for the opportunity to testify in opposition to SB2225.