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# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2129

2007 SENATE JUDICIARY

SB 2129

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2129

Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: "Click here to type Hearing Date" 1-10-07

Recorder Job Number: 903

Committee Clerk Signature *Maria L Solberg*

**Minutes:** Relating to child support enforcement.

**Senator David Nething**, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following testimony:

**Testimony In Support of Bill:**

**Mike Schwindt**, Dir of Child Support Enforcement Div. Dept. of Human Services (meter 0:01)

Introduced and reviewed the bill. Att. #1.

**Sen. Nelson** stated (meter 4:42) why do we have a mandate to pay the first \$25 fee to the federal government.

**Mr. Schwindt** stated in Section 16 Federal Government puts a greater emphasis on Medical support. Currently we have the authority to obtain information from Health insurers to clarify that all health insurers are expected to participate in the program-referring to amendment.

**Sen Fiebiger** referred to sec. 16-19, Collecting from the step parent regarding to insurance if it was of no or nominal costs. I am not sure if I see that language in the Statutory Language?

**Mr. Schwindt** responded that it is in section 14-09-08.10 of century code and it should be sufficient.

**Sen. Nelson** questioned if in page 8, line 13 (meter 21:43) is that a miss-spelling "fnsurer"?

Yes. It should be an "Insurer"

**Sen. Fiebiger** question section 9 referring to title and “obligor” vs. “oblige” is that correct.

Isn't the original proposal that you are charging the “oblige”, Yes, replied Mr. Schwindt perhaps the title of that section is wrong.

**Sen. Fiebiger** (meter 22:41) question the last sentence “upon order of a court for the amount of the fee paid by the oblige may be collected from the obligor as past due support”, while I understand the dilemma that you are in to try and figure out how to best do this. My question with my experience, is to try to avoid going back to court. Will this necessitate the oblige to go back to court and say, “how are we going to get this \$25” or are they going to say “forget it, it is not worth it”. My concern is this going to cause more court involvement with that last provision. He referred title refers to this section. Yes this would involve another court order, unless it is stated in the original general court order. **Sen. Fiebiger** sited his concern to make the oblige go back into court to have to take more action. Is this not a concern?

**Testimony in Opposition of the Bill:**

**Susan Beehler**, Mandan, ND resident and mother of a blended family (meter 24:51) Sited her “blended family” and its history. Was o.k. with page 2, sec. 3 but had concerns if a child had an insurance policy (to pay for the funeral) and the child died, under this who would receive the benefits? Bottom of pg. 3 and top of 4, the money should follow the child. Sited a foster care situation-while a mother was in rehab. Sec. 10 page 5 “legal Custodian” term does not include temporary custody? In Sec 9, why not split the fee between parents. Page 7 – current records are not accurate. Sec. 14-Monification took 3 months and by the time it was in the system we were in rears and were paying a penalty. We tried to pay it and it was returned by the time it was updated we were then charged a penalty. Timeliness issues.

**Testimony Neutral to the Bill:**

**Rob St. Aubyn**, Blue Cross, Blue Shield (meter 39:23) gave testimony – Att. #2a and proposed amendment #2b. Sited his concern this will have with the HIPPA requirements. We have working with South Dakota to implement a cheaper more effective program ANC and HIPPA Standard eligibility inquiry transactions 270 initiate by the department and the response back is a 271 code. This would satisfy your HIPPA issues. Our amendment in SB 2131 we have worked with the department in the same sort of data sharing issues. We are also concerned with the liability issues and the amendment would release us from our liability. Questioned if this bill needs an emergency clause.

**Senator David Nething**, Chairman closed the hearing.

See Att #3

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2129

## Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: January 17, 2007

Recorder Job Number: 1289

Committee Clerk Signature

*Mona L. Solberg*

**Minutes:** Relating to child support enforcement.

**Senator David Nething**, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following committee work:

**Sen. Fiegiger** opened with a review of the amendment – Att. #1

**Sen. Fiebiger** made the motion to do pass Amend Att. #1 and **Sen. Olafson** seconded the motion. All members were in favor and motion passes.

**Sen. Fiebiger** made the motion to Do Pass as Amended SB 2129 and **Sen. Olafson** seconded the motion. All members were in favor and the motion passes.

Carrier: **Sen. Fiebiger**

**Sen. Lyson** made the motion to Do Pass and **Sen. Olafson** seconded the motion. All members were in favor and the motion passes.

Carrier: **Sen. Lyson**

**Senator David Nething**, Chairman closed the hearing.

**FISCAL NOTE**  
**Requested by Legislative Council**  
03/15/2007

Amendment to:           Engrossed  
                                  SB 2129

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$654,188		\$872,250
<b>Expenditures</b>			\$127,550	\$247,598		
<b>Appropriations</b>						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill relates to child support enforcement. Section 5 allows for the enforcement of medical support obligations against custodial parents. Section 9 allows DHS to comply with federal regulations requiring fees on IV-D and non IV-D cases.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 5 of the bill will enhance child support collections. The amount of the increased collections is undeterminable.

Section 9 of the bill will generate revenues from the fees collected. The fees for the IV-D cases that have never been on assistance are based on federal regulations requiring \$25 per year after collecting \$500 on the case. The fees for nonIV-D cases assume a \$10 per month fee in months where collections are made. Expenses to implement the fees are a result of programming costs for modifications to the Child Support system.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The fees would start on January 1, 2008. Therefore, the 2007-09 biennium reflects 18 months of fee revenues. For the 2007-09 biennium the fees will generate total revenues of \$1,054,395 of which, \$654,188 will be departmental revenues and \$400,207 would be reimbursed to the federal government. For the 2009-11 biennium the fees will generate total revenues of \$1,405,860 of which, \$872,250 will be departmental revenues and \$533,610 would be reimbursed to the federal government.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The department will incur programming costs of \$375,148 to implement the fee collections. The expense would require \$127,550 from the general fund and \$247,598 from federal funds.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a*

*continuing appropriation.*

The executive budget recommendation includes appropriation authority for child support system changes required by the federal government. This is one of those changes.

<b>Name:</b>	Brenda M. Weisz	<b>Agency:</b>	DHS
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	03/15/2007



**FISCAL NOTE**  
 Requested by Legislative Council  
 01/26/2007

Amendment to: SB 2129

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$654,188		\$872,250
<b>Expenditures</b>			\$127,550	\$247,598		
<b>Appropriations</b>						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill relates to child support enforcement. Section 5 allows for the enforcement of medical support obligations against custodial parents. Section 9 allows DHS to comply with federal regulations requiring fees on IV-D and non IV-D cases.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 5 of the bill will enhance child support collections. The amount of the increased collections is undeterminable.

Section 9 of the bill will generate revenues from the fees collected. The fees for the IV-D cases that have never been on assistance are based on federal regulations requiring \$25 per year after collecting \$500 on the case. The fees for nonIV-D cases assume a \$10 per month fee in months where collections are made. Expenses to implement the fees are a result of programming costs for modifications to the Child Support system.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The fees would start on January 1, 2008. Therefore, the 2007-09 biennium reflects 18 months of fee revenues. For the 2007-09 biennium the fees will generate total revenues of \$1,054,395 of which, \$654,188 will be departmental revenues and \$400,207 would be reimbursed to the federal government. For the 2009-11 biennium the fees will generate total revenues of \$1,405,860 of which, \$872,250 will be departmental revenues and \$533,610 would be reimbursed to the federal government.

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C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The executive budget recommendation includes appropriation authority for child support system changes required by the federal government. This is one of those changes.

<b>Name:</b>	Brenda M. Weisz	<b>Agency:</b>	DHS
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	01/26/2007

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/02/2007

Bill/Resolution No.: SB 2129

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

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	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
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**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

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**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a*

*continuing appropriation.*

The executive budget recommendation includes appropriation authority for child support system changes required by the federal government. This is one of those changes.

<b>Name:</b>	Brenda M. Weisz	<b>Agency:</b>	DHS
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	01/08/2007

Date: 1-17-07

Roll Call Vote # 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2129

Senate \_\_\_\_\_ Judiciary \_\_\_\_\_ Committee \_\_\_\_\_

Check here for Conference Committee

Legislative Council Amendment Number 78135.0101

Action Taken Do Pass Amendment

Motion Made By Sen. Fiebiger Seconded By Sen. Olafson

Senators	Yes	No	Senators	Yes	No
Sen. Nething	✓		Sen. Fiebiger	✓	
Sen. Lyson	✓		Sen. Marcellais	✓	
Sen. Olafson	✓		Sen. Nelson	✓	

Total Yes 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 1-17-07  
Roll Call Vote # 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2129

Senate \_\_\_\_\_ Judiciary \_\_\_\_\_ Committee \_\_\_\_\_

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass as Amended

Motion Made By Sen. Fiebiger Seconded By Sen. Olafson

Senators	Yes	No	Senators	Yes	No
Sen. Nething	✓		Sen. Fiebiger	✓	
Sen. Lyson	✓		Sen. Marcellais	✓	
Sen. Olafson	✓		Sen. Nelson	✓	

Total Yes 6 No 0

Absent 0

Floor Assignment Sen Fiebiger

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2129: Judiciary Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2129 was placed on the Sixth order on the calendar.**

Page 1, line 3, remove the first "and"

Page 1, line 8, after "enforcement" insert "; and to declare an emergency"

Page 5, line 9, remove "- Recovery from obligor"

Page 8, line 13, replace "fnsurer" with "insurer"

Page 8, line 14, replace "data" with "information" and replace "public authority" with "state agency"

Page 8, line 15, after the underscored period insert "An insurer shall provide the health insurance information required in this section to the state agency or its agent not more frequently than twelve times in a year. The insurer shall provide the information required in this section at no cost if the information is in a readily available structure or format. If the state agency requests the information in a structure or format that is not readily available, the insurer may charge a reasonable fee for providing the information, not to exceed the actual cost of providing the information. The state agency and its agents may not use or disclose any information provided by the insurer under this section except to establish or enforce a child support or medical support obligation, or as otherwise permitted or required by law. An insurer may not be held liable for the release of health insurance information to the state agency or its agents under this section."

**SECTION 17. EMERGENCY.** Section 16 of this Act is declared to be an emergency measure."

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2129



## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2129

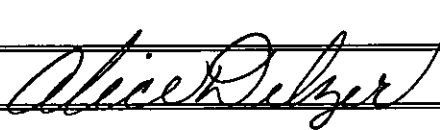
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 2, 2007

Recorder Job Number: 2683

Committee Clerk Signature



Minutes:

**Senator Holmberg** opened the hearing on Engrossed SB 2129 relating to child support enforcement; and to declare an emergency. He said that there is discussion on putting on an amendment for a sunset.

**Mike Schwindt**, Director of the Child Support Enforcement Division of the Department of Human Services testified in support of SB 2129. This bill covers many aspects of the Child Support Enforcement (CSE) program.

- It responds to the federal Deficit Reduction Act of 2005, which places a greater emphasis on enforcement of medical support and also requires us to impose a \$25 per year fee in certain cases;
- The bill refines some of our collection tools so our efforts can be more effective and responsive to the needs of both parents; and
- The bill proposes some changes regarding our operation of the State Disbursement Unit (SDU) and the records maintained on our computer system.

He recapped the sections of the bill and this can be found in his written testimony.

Section 1 was put in to clarify the law. A local prosecutor has suggested the law be clarified to indicate that this general rule applies in criminal prosecutions.

Section 2 requires people to give us their personal information and defines "immediately" being 10 days just like your drivers license.

Section 3 under the proposed amendment, the support obligation would resume when the affidavit is received, but the obligor would not owe any arrears due to the custodial parent's delay in providing the affidavit.

Section 4 clarifies this section in response to an argument recently raised by an obligor who tried to avoid paying child support by assigning the right to receive estate property to a sibling.

Section 5 says the proposed new section would allow CSE to enforce this obligation against custodial parents using the National Medical Support Notice.

Section 6 said under the proposed amendment, any coverage available at no or nominal cost to the stepparent would be considered coverage available to the custodial parent. This change would allow CSE to enforce the existing duty of the custodial parent to enroll the children in available coverage, when necessary, rather than require the obligor to provide coverage.

Section 7 the amendment would allow the Department to intercept the arrears payment and apply it on the parent's behalf to the parent's other obligations. #2 examples.

**Senator Fischer** said in section 6, what is nominal cost? Is it the difference between the single policy and a family policy which can be up to \$500 /month? Would that be considered at nominal cost?

**Mike** said no nominal cost is in the century code but an example would be a state employee tax community the employer pays all the insurance. He is not aware of anything in the law that says nominal is a certain number.

**Senator Fischer** asked who can make that call.

**Jim Flemming** said that nominal is not the numbers that you mentioned. Nominal is a number that is low enough so the obligee wouldn't miss it. It is a low amount...5 or 10 bucks. Nominal means nominal. The upgrade is not nominal.

**Mike Schwindt**

Section 8 would give CSE the authority to issue an administrative order offsetting arrears owed by two parents to each other, as long as neither parent objects.

Section 9 unless federal law is changed, the anticipated deadline for imposing this fee is October 1, 2007. This gives 4 options, the options are listed in his testimony on page 5. They request legislative direction on the appropriate option for collecting the fee. Please see written testimony for information on section 9.

Section 10 said that the proposed amendment would authorize the payee to be changed as an administrative matter as long as none of the parties object.

Section 11 maintains official payment records of all child support obligations in ND.

Section 12 clarifies the existing authority of the CSE program to obtain information from public utilities including cellular and wireless telephone companies.

Section 13 change is made to comply with changes in the federal law under DRA. The federal law was changed to encourage states to use automated administrative enforcement processes.

Section 14 amends a provision inadvertently omitted from legislation enacted last session to create the arrears registry, which includes all obligors who owe arrears greater than two times the current or most recent monthly support obligation or \$2000, whichever is less.

Section 15 change would confirm or authority to remove from the list any obligor who is deceased, who no longer owes any child support, or whose obligation is being enforced in another jurisdiction and we are unsure whether or not the child support has been paid.

Section 16 is for medical enforcement.

**Mr. Schwindt** explained the fiscal note. The cost of \$375,000 would be cost for fixing their computer system and the revenues would be fees generated.

**Senator Wardner** said on section 15 he asked if people are paid off, why wouldn't you just take there name off the list? Why do you need a law to tell you to do that?

**Mike** answered if the law says put them on, there is nothing in the law that gives us authority to take them off.

**Senator Holmberg** closed the hearing on SB 2129 and said the sub committee will look at this and report back.

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2129

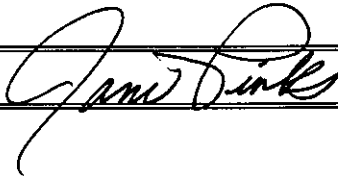
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-09-07

Recorder Job Number: 3272

Committee Clerk Signature



Minutes:

**Chairman Holmberg** opened the hearing on SB 2129.

**Senator Fischer** indicated this provides for a stipulation indicating those people who are deceased and still being carried on the books as owing child support will be put in a separate category. The bill is responding to federal changes.

**Senator Mathern** moved a DO PASS, **Senator Krauter** seconded. There was additional discussion. A roll call vote was taken resulting in 13 yes, 0 no, 1 absent. The motion carried and **Senator Fiebiger** will carry the bill.

**Chairman Holmberg** closed the hearing on SB 2129.

Date: 2/9/07  
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2129

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Mather Seconded By Krauter

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mather	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson		
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Fischer jud

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 9, 2007 1:29 p.m.

**Module No: SR-28-2756**  
**Carrier: Flebiger**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2129, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)**  
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).  
Engrossed SB 2129 was placed on the Eleventh order on the calendar.

2007 HOUSE HUMAN SERVICES

SB 2129



## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2129

House Human Services Committee

Check here for Conference Committee

Hearing Date: February 28, 2007

Recorder Job Number: 4086 & 4088

Committee Clerk Signature

*Judy Schock*

Minutes:

**Chairman Price:** We will open the hearing on SB 2129.

**James Fleming, Deputy Director and General Council to the Child Support Enforcement**

**Division:** There is quite a bit in this bill. See attached Introduction to child support, and in the back you have some contact people should you need more information. I also have child support collection tools. The third hand out is a chart that gives you an idea on what we know today about the distribution of debtors and arrears. There is a lot we would like to learn in addition to what we have. We had a similar hand out in last session when talking about the arrears register. We will be talking about 4D a lot. When we talk about a 4D case, we are talking about a case that is eligible for federal match. That is 66% federal, 34% state. A child support case can become 4D in various ways. The 1<sup>st</sup> way is if the family applied for public assistance. The families with Medicaid or foster care are examples. If you go on a system with those programs they assign the right to support for the state. The second way it could become 4D is either parent applies for services. The state does some things with non 4D cases, but most of the tools on the hand out are not used by child support in non 4D cases. In most cases the payment has to come through us, and they have to comply with the child support guidelines. We also send alerts to the clerks of court when there is a delinquency so

they can have contempt hearings. Those in the nut shell the extent of enforcement by public agencies for the non 4D cases. The 4D cases applied for our services. The most problematic thing is we locate the people, their income and their other assets. We establish paternity when necessary. We establish a child support order if one is needed. We also establish court order for medical support. If there already is a support obligation, we enforce that. We receive and distribute child support payments. We are working to implement arrears registry, and the feds are working with us. The bar chart included shows people who are way behind and who is not. You will never hear Child Support people call their obligor a dead beat. There are many reasons why people just can't make their payments. That is not a label we use. There are many ladies as well as gentlemen who are obligors. We need to clean up medical support.

**Representative Kaldor:** On these arrears, do you also do the aging, like 30, 60, 90 etc. days? So much of this is beyond collectibles because it is old.

**Mr. Fleming:** We do not do that right now. We would look at years not days. If you have an obligor that is particularly good at running, we will get them at retirement. At some point they will want to collect Social Security. When the registry is finished we will be able to find bank accounts and assets. See attached testimony and what the bill covers.

**Chairman Price:** When child doesn't turn 18 until June, but graduates in May, when do they stop paying? Does the court know if the child doesn't graduate until they are 19?

**Mr. Fleming:** There are times by court order it is extended. You would need to look at the court order for guidance for this.

**Representative Kaldor:** I need clarification on affidavit process is purely the custodial parent's responsibility?

**Mr. Fleming:** That is correct.

