

Child Support CLE
"How To Get a Little Support"
May 9, 2018 YBA CLE

Presenter: Alicia Cushing

Time: 30 minutes

Actual Time: 1:00 to 1:30

1. Gross income –

What is considered gross income?

What isn't considered gross income?

What are items opposing parties like to argue as gross income, but are not gross income?

In the alternative, what are attorneys missing that it is clearly gross income?

What is a gray area in terms of being or not being gross income?

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Time: 30 minutes

Actual Time: 1:30 to 2:00

2. The art of Calculating child support by hand (bring a calculator)

a. going through each item on the worksheet

b. examples

self-support reserve, below poverty level

cross calculations

supplemental worksheets: substantially equal care

prospective calculations

probate worksheets

Break: 5 minutes

Actual Time: 2:00 to 2:05

Presenter: Liz Scheffee

Time: 30 minutes

Actual Time: 2:05 to 2:35

3. Judicially Established Arrearages

a. arrearage computation cover sheet

b. child protective matters, dismissed to FM orders – Why should you beware?

c. past medical support debt

Presenter: Liz Scheffee

Time: 30 minutes

Actual Time: 2:35 to 3:05

4. Establishment of support obligations by DHHS

a. Administrative process

What is NOPECS?

What is NOPSO?

What do you need to know about the Notice of Decision?
How is it helpful to you at trial?
How do you use it?

Break: 5 minutes

Actual Time: 3:05 to 3:10

Presenter: Jeanette Durham

Time: 30 minutes

Actual Time: 3:10 to 3:40

5. DHHS enforcement of support debt

- a. debt owed to DHHS vs debt owed to custodian but paid to DHHS
Notice of Debt.

What is the difference?

What is there for due process for your client?

Medical debt; spousal support debt; child support debt

- b. What are the enforcement mechanisms at the disposal of DHHS?

1. immediate income withholding
2. garnishment,
3. lien,
4. order to withhold and deliver,
5. license revocation,
6. unemployment intercept,
7. passport denial,
8. setoffs (lottery),
9. and offsets (tax refund)

What warnings should you be given your clients about DHHS enforcement mechanisms?

What do you need to know about each?

What due process is there for your client when the State wants to exercise one of its enforcement mechanisms?

- c. Credit reporting.

Who reports it?

How long does it take to hit the credit report?

What should you be telling your client about it?

Presenter: Jeanette Durham

Time: 30 minutes

Actual Time: 3:40 to 4:10

6. How can DHHS' information help or hurt you?

- a. DHHS agent testifying

When does it make sense to have an agent testify?

When does it not make sense to have them to testify?

What should you subpoena from the DHHS agent?
Is there a sample subpoena that should be used?
When can you expect a motion to quash be brought?
What type of access will you have of the agent to prepare them to testify?
If you call the agent as an agent, what are the questions you want to make sure you ask them?
If the opposing party is bringing in a DHHS agent to testify, then what should your strategy be on cross?
What are examples of items that make for good exhibits that you can get from the DHHS agent?

b. quarterly wage reporting by employers

What are they?
How do use them?
How hard are they get?

c. health insurance