



# Coalition of Parent Support

Every child deserves two parents.

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December 15, 2005

Marsha Devine  
Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102

RE: Review of Statewide Uniform Child Support Guideline 2005

Dear Ms. Devine,

I am writing with regard to the Review of Statewide Uniform Child Support Guideline 2005 in my representative capacity as the president of the Coalition of Parent Support (C.O.P.S.).

C.O.P.S. is a statewide 501(c)(3) non-profit organization that focuses on parental rights and the preservation of the parent-child relationship. In addition, our organization is also the largest, and most recognized, statewide organization that represents father's rights.

In developing its recommendations to the Legislature, Family Code §§ 4054(f)(1) and 4054(f)(2) require that the Judicial Council consult with a broad cross-section of groups involved in child support issues, including, custodial and noncustodial parents, and representatives of established women's rights and fathers' rights groups. This requirement provides due process to all parties affected, and allows the Judicial Council to make informed recommendation back to the Legislature. **However, in reviewing the Draft Report dated December 9, 2005, it appears that no members of these classes were consulted.** In addition, C.O.P.S. was never contacted to participate in the review.

In 2001, C.O.P.S. organized and provided for Policy Studies, Inc. (P.S.I.) to interview several of the abovementioned groups. Since then, C.O.P.S. has maintained the same contact information and has even published its desire to participate in the 2005 Review. Furthermore, officers of our organization have contacted the Judicial Council and P.S.I. directly in an effort to participate in the 2005 Review. In

response, the Judicial Council referred us to P.S.I., and P.S.I. indicated that its contract did not include interviewing custodial parents, noncustodial parents, or fathers' groups.

Consequently, it was our hope that the Judicial Council was merely waiting for a partial report from P.S.I. to begin conducting interviews and making its own recommendations. However, the published Draft Report clearly includes recommendation. (See pp. 67-69). Moreover, the recommendations do not include input from all the affected parties.

The members of our organization are very concerned with this omission. Our members are intimately familiar with this issue, and have important information that should be recorded and considered before any recommendations are made to the Legislature. For example, many of our members:

- Have bankrupted on their creditors because of the Guideline.
- Have become impoverished because of the Guideline.
- Have high levels of responsibility for the children, yet the Guideline requires them to pay child support at levels that create significant disparities in the children's living standards in the two homes (i.e., they are impoverished, while the other custodial parent has a high standard of living).
- Have been threatened with excessive child support orders, above mutually agreed upon support, if they were to attempt to become more involved with their children.
- Have regularly witnessed child support payments being spent on luxury items for the receiving parent, rather than the child.
- Have faced increased litigation, and have even been divorced due to the pecuniary incentives created by the Guideline.

**Accordingly, we, in large part, do not agree with the current set recommendations.**

In sum, our membership has unique and relevant information, not present anywhere in the Draft Report. Our input is necessary if the Judicial Council is to make informed and balanced recommendations to the Legislature. Furthermore, our input will necessarily lead to a more refined analysis. **As such, we hereby request that the Judicial Council allow C.O.P.S. to participate in the 2005 Review prior to making any draft recommendation.**

Additionally, we are aware that Family Code § 4054(g) separately requires the Judicial Council to seek public comment in developing its recommendations. Several of our members intend to provide public comment as individuals. However, the review period the Judicial Council has provided is insufficient.

Beside its timing and brevity (a two-week period that includes the week of Christmas), our members will need a reasonable amount of time to distribute the report, review the reported data, and prepare a response.

Considering that P.S.I., a professional organization with specialized knowledge in the field, was provided nearly a year from the Request for Proposal, and that the Review of Statewide Uniform Child Support Guideline only occurs once every four years, no less than sixty days should be given for lay-members of the public to respond. **As such, we hereby request that the Judicial Council extend the period for public comment to no less than sixty days.**

Respectfully submitted,



Albert Schafer, MSW, President

[www.copss.org](http://www.copss.org)

Cc Michael Wright, Administrative Office of the Courts  
California Secretary of the Senate  
Chief Clerk of the California Assembly  
Legislative Counsel of the State of California  
Director of the Department of Child Support Services  
Judicial Council of California: Family and Juvenile Law Advisory Committee, Office of  
Governmental Affairs, and General Counsel of the AOC  
Senate and Assembly Judiciary and Appropriations Committees  
Senator Dennis Hollingsworth  
Senator Jim Battin  
Senator Bill Morrow  
Senator Christine Kehoe  
Senator Denise Moreno Ducheny  
Assembly member Mimi Walters  
Assembly member Ray Haynes  
Assembly member Mark Wyland  
Assembly member George Plescia  
Assembly member Jay La Suer  
Assembly member Shirley Horton  
Assembly member Lori Saldafia  
Assembly member Juan Vargas  
California Alliance for Families and Children  
Glenn Sacks