

Comment 25

Sent: August 15

Commenter: Linsey Weber

This email is in response to the State of South Dakota seeking public comments regarding updates to the child support guidelines as well as other topics related to the child support system in South Dakota. I would like to touch on each point.

Prior-period support length of time

I would like to see option number 1 or option number 2.

Currently at the three year length, it is hard for numerous people. When someone decides to call the relationship off, usually that person will move out. They might have to start all over again with no bed, no necessities, no groceries, no toiletries, no furniture. Three years is too lengthy. The non-custodial parent needs to be protected as well. If the length does change to number one or number two, anyone who still is paying prior-period support should get that dismissed and start fresh. This could also boost the economy in actually going and buying the necessities instead of waiting.

Age of emancipation for child support

Do not change the emancipation age for child support to 19. At age 18, the child is now an adult even if they are still attending high school. For how much the non-custodial parent is required to pay, the custodial parent should be responsible throughout those 18 years and put money into the child's savings account for when this happens.

Adjudication of paternity

With this proposed change, it appears that changing the verbiage would be smoother, less time consuming, and less resources being used.

Minimum order amounts

Option 2 or Option 2.A. I will say again that the non-custodial parent's needs also need to be taken into consideration. There's so much misuse of child support to the custodial parent. When a custodial parent is taking trips, getting new tattoos, new house projects, expensive vehicles while the non custodial parent is barely making ends meet. This then leads to depression because they can't get ahead. They can't enjoy life which then becomes a vicious and spiraling cycle.

Obligations of incarcerated payors of support upon release

People leaving incarceration face numerous barriers to successful reentry into society, including difficulties with employment, housing, healthcare, and social reintegration. These challenges are often compounded by stigma, limited access to resources, and psychological issues stemming from incarceration itself. If you revert to the pre-

incarceration amount upon release, it would have a negative effect with the possibility to re-offend especially if they are in an unhealthy state of mind.

I appreciate the opportunity to be able to give input and look forward to what kind of decisions will be made. Thank you.

Comment 26

Sent: August 16

Commenter: Angie Heater

My name is Angie and I want to start off by saying thank you for opening it up to the public to send in some ideas about child support guidelines. This was needed so long ago, but I'm glad to see it happening now, even if its long overdue.

With my opinions that I am going to share with you, I want you to know my role in the system and why this matter is so important to me. I am not an outsider to this as I've been the third party to our current situation for over 9 years.

I am the step mom.

I've been involved in my stepson's lives ever since they were 1 and 2. They are now 12 and almost 11. There has never been anything equal about the arrangement between their parents. The current system allows her to have so much control with no accountability that it has caused very hostile conversations and resentment towards her.

The biggest problem with the current system is that parental rights and child support aren't supported together. It should not have to take separate court dates with different judges to divide the two entities when they are all revolved around the children. We always talk about father's and mother's rights. But why aren't we talking about the child's rights to have this as simplified as possible for ease in transitioning to a different life when the parents are separating? Our current system establishes hatred and greed which leads to resentment making it very hard to effectively co parent in a healthy fashion.

Because the courts are divided, this is allowing mother's to not be held accountable when they aren't doing their part. But if a father misses a payment, he's losing his license. Also his right to fish, go hunting or could even go to jail. Taking away a license can make getting and keeping a job extremely difficult and not allowing a man to take his kids fishing or hunting is robbing the child's right to make those memories with their dads. It's a sad system we've allowed to go on.

I can understand If a parent does nothing to help with the children why they absolutely should be responsible for paying child support. But are we even giving the father's a chance to try? Or are we just allowing women to apply for child support right after a

divorce or break up and just give it to them when we don't even know the situation? Our children deserve for their dad to be given a fair chance to be equal in their lives without involving courts and unnecessary drama due to entitlement.

We can't keep telling father's to have equal responsibility if we can't give them equal rights. The "Mom State" mentality has got to go. Let's be the "Children's State" where we really are acting in THEIR best interest.

I've also thought that child support funds should be managed the same way WIC operates their program. The card would recognize clothes, shoes, school supplies and anything else directly for the child to ensure that the money they are paying is really going to their children. I can understand how people may argue, "what about the electric bill? What about the water bill?" Etc. Truth is, with or without kids, those are still an expense you pay regardless. Why is it that a father is expected to cover utilities in 2 homes when the mother would have that expense without them as well? In a perfect world, child support wouldn't be needed and I can understand how some father's have ruined that concept and way of life. But the dads who have been present? The dads who have been there since day one? We need to do better for them, too.

In our situation, the boys' mom makes probably as much as me and their dad combined, maybe even a little more. We average 12-13 nights per month, but he's still paying her child support which is taking what little we have away from the boys at our house plus our daughter who's with us full time. Due to the up and down roller-coaster the system as put their dad in, he's been so afraid to fight for his equality. The child support case was set up 10+ years ago and even though it was based off her previous employer, she never reported it to child support when she became a nurse 9 years ago so the current obligation amount was based off her income prior to nursing. We have to have money to fight for things to be equal, but we don't have it so we sit in constant struggle while paying her to keep up with the Jones's. She's now trying to get more, but we don't have more to give and because of that, she deems us as worthless and bad people.

This is what the system as allowed and its been my life for the last 9.5 years. There has got to be some major changes. We cannot keep allowing this kind of behavior and control from the mother's and not expect a father to hold resentment or even give up because the weight has become way too heavy. Our children deserve better. Everything revolves around our children, after all.

So to summarize, the main points I'd love to see changes are:

- 1) combine childsupport and visitation rights together. This allows equal accountability from both parents under the ruling of one judge.
- 2) Giving a father an equal opportunity to prove he will be financially and physically involved before slapping a child support judgment on him. There should be no reason a mother is automatically deemed custodial if there's a chance the custody can be joint.

3) Child support payments to be given in a similar fashion as the WIC program. The goal is to ensure kids' needs are fully met and should be proven as such when it comes to what the support is being spent on.

4) creating a safer environment for dads to be comfortable with talking about child support with DSS. So many dads are out here fearing the interactions they have with the state. DSS can start building stronger families by ensuring a father is being taken care of and not only taken from.

I really hope you can see that I am not just dad's bitter new girlfriend but his equal partner in raising the boys practically all their life. We've offered many equal solutions to benefit both families, but she never gave us the time of day. I am optimistic that you understand where I am coming from and could help us and other families towards a better future.

Ps. I also want to make it known that I did not use Chat GPT to write this. I've had a lot of years to think about this and everything I said is all real and deep feelings. I appreciate you taking the time to read through my thoughts.

Comment 27

Sent: August 27

Commenter: Cathy Brechtelsbauer

A very helpful change that I am writing to ask for is Child Support Pass-Thru for TANF.

(1) The children on TANF really need the little extra support above their TANF payment, because the TANF payments are too low to cover their basic needs. If you need any proof of that, consider that none of the TANF payments are over 28.4% of the federal poverty line.

(2) The children on TANF who have absent parents sending child support need to know that. It would help them immensely to know that those parents are thinking of them and care about them.

(3) Child support pass-thru has been shown to make absent parents feel more involved with their children, and research shows this results in increased child support collections for these children.

Please make a plan for up to \$100 for one child and up to \$200 for two or more children, disregarded in determining TANF assistance, so that they will receive this in addition to their TANF payments. (The federal government waives its share of the passed through amount if it is disregarded in determining TANF assistance.)

A number of other states do this, to the benefit of these vulnerable children. We should too.

Thank you for considering this.

Comment 28

Sent: August 27

Commenter: Kenny Ries

The child support laws do nothing for the parent that does not have custody. If the custodial parent does not want them to partake in the child life they dont have to . All they want is the child support and insurance. As the children get older they do not go and see the other parent because they have other things to do but keep sending the money. Everyone needs food and a home. Do not use that process to determine child support. Some live better being divorced and getting child support being able to take trips and buy new vechiles while the person paying is living pay check to pay check and working extra jobs to make ends meet. Maybe think about making child support an reportable income and the person paying it a deduction or giving the person paying it the child as a deduction on their taxes. afterall most of the people paying it are supporting the child/children

Comment 29

Sent: August 27

Commenter: Mary Garaets

It seems to me that our state would do well to pass through child support to children on TANF in addition to their TANF payments. I suggest up to \$100 for one child and up to \$200 for two or more children.

Research shows that receiving child support payments can promote positive outcomes for children and families, including increased parental involvement among non-custodial parents and better child development outcomes. This would provide needed help for meeting basic needs of these children.

Comment 30

Sent: August 28

Commenter: Larry Peterson

I appreciate the invitation for our State to invite comments on how the State of South Dakota handles child support payments. My suggestion would be that we would join roughly half of the other states in allowing some money from the parent paying child

support to Pass-Thru to the child even when that child is receiving TANF dollars. My suggestion would be that our state would allow for up to \$100.00 for one child on TANF, and up to \$200.00 in families receiving TANF support for two or more children. I would appreciate hearing back from you if this suggestion is considered as a positive change, by the Commission, for our state's children receiving TANF benefits.

Comment 31

Sent: August 28

Commenter: Sister Mary Jo Polak OSB

I am understanding that there is an opportunity this week to change the way the child support payments work with TANF. Please consider having the child support paid by the parent "pass through" \$100 for one child and up to \$200 for two or more children. Hopefully the child will be aware of the care from that non-custodial parent, and the extra money will provide the means for them to grow up in a healthy environment and become productive citizens of our state.

Comment 32

Sent: August 28

Commenter: Karen Chesley

Please use pass through or child support money to go to the children along with Tanf \$100 per child. Please consider this

Comment 33

Sent: August 28

Commenter: Daniel J. Lunder

Thank you for the opportunity to share comments regarding potential updates to South Dakota's child support guidelines and related topics. For background, I am the father to two children who had to experience the changing family dynamics when their parents divorced in 2020. My former wife and I share 50/50 legal and physical custody of our two children, and as the higher earner, I pay monthly child support to her. While child support is admittedly a very personal and relevant topic for me, I write the following with the goal of using my real-life situation to highlight how I believe changing the age of emancipation for child support would negatively impact many families and children.

I'll start with the assumption that the primary purpose of child support is to ensure that children are financially provided for in order to meet their basic needs (food and housing), provide access to applicable resources (education, healthcare, etc.) and promote growth and development to prepare them for adulthood. Because children are unable to procure these things themselves, child support is most often paid to the custodial parent (if one exists), or in cases like mine, to the parent who earns less. There is risk in these situations that the support may not go toward the children, and there are not currently guardrails to ensure the receiving parent always appropriates the child support in the best interest of the children.

That brings me to my primary concern with the proposal to change the age of emancipation for child support to 19. Under the current law, the obligation for child support continues until the child is 18 years of age or until 19 years of age if the child is a full-time student in a secondary school. For what I'll call the "typical scenario", this equates to child support continuing until the student graduates from high school. While I recognize the proposal states that an increasing number of students are enrolled in alternative educational programs, I believe it is fair to say that these scenarios do not outnumber those enrolled in traditional 4-year high schools, and that the average South Dakota student still attends and graduates from a 4-year high school. The most recent state graduation rates I was able to find indicate 84% graduate "on time" (i.e. within the 4 years).

My oldest daughter is in her senior year at Washington High School in Sioux Falls. She is excited about this final year and the prospect of moving on to her next chapter upon graduation in the spring. While she has

not made any final decisions and is keeping several doors open, she definitely plans to continue her education either through a 4-year college or a technical school. She has worked hard as a student and I anticipate she may qualify for some scholarships. She also works part-time at a daycare center as well as a self-employed photographer. While she may be able to afford part of the expense for further education, she will need help, whether that be from her parents or in the form of student loans. My former wife will likely not be able to assist her in this regard. I would like to be able to assist, but whether or not I am able to do that will be directly determined by child support obligations. If my child support obligations for her stop upon her graduation from high school, I will have funds available to re-purpose as I determine appropriate based on her ultimate educational situation. If the child support continues beyond that, there is simply no way to ensure those funds (which would then be paid to my former wife) will benefit my daughter in her pursuit of further education.

While my son is a few years younger and just starting his freshman year at Washington, the same concerns about his future education are relevant. In addition, more immediate limitations may impact him in ways that did not with my daughter. Separate and apart from child support, I was able to purchase my daughter a car when she entered into her sophomore year so that she would have the means to get to school, her job, and her full array of extracurricular activities. In addition to providing the car, I pay her vehicle insurance and all maintenance and repairs. The ability for me to provide similar support to my son may be impacted by an extension of the time period for which child support

continues for both my daughter (starting next year) and the future payments for my son. Choices such as *do I provide him a vehicle so he can have the same advantages as his sister (access to extracurricular activities, ability to work a part time job, etc.)?* or *do I provide my daughter assistance with college or technical school?* would have to be made.

This can all be summarized under one primary concern: changing the milestone of emancipation for child support to stop flatly at the age of 19 may result in children, who are supposed to be the beneficiaries of the support, missing out on financial assistance intended for them. I recognize there is no perfect solution, but I urge you to consider the unintended consequences to children such as mine if a blanket approach is taken to extend child support obligations for up to a year beyond their graduation from high school. If the process to validate eligibility for those students enrolled in alternative educational programs is deemed burdensome, I believe efforts should be made to improve or simplify the criteria specific to those situations. Changing the approach for all families will introduce new problems, including those I've explained above.

Thank you for your consideration as you deliberate this very important topic. Should you wish for me to clarify or provide any additional insight, you are welcome to contact me by e-mail (djlunder@gmail.com) or phone (605-201-3744).

Comment 34

Sent: August 29

Commenter: Tom Pischke

Thank you for your service on this important commission. I hope this message finds you well.

Traditional families are the bedrock of American society. Two-parent households, often defined as “traditional” generally provide more economic and emotional stability for children, which in turn, supports child development.

The child support system should be utilized to ensure that children and single parents are not reliant on Government assistance, but it should not be weaponized like it is today. Due to the highly inflated obligation amounts, parents are incentivized to fight for primary physical custody in order to win high dollar amounts of child support, maximum control of the children and maximum time with the children. When this happens, ultimately, children pay the price because they are denied that consistent relationship with the non-custodial parent, and it erodes away the bedrock of American society.

Just look at the statistics of children who grow up in single-family households:

Key Statistics & Insights

1. Prevalence of Family Structures

- In **1968**, approximately **85%** of U.S. children lived with two parents; by **2020**, this had dropped to **70%**—roughly **51.3 million** children.
- A 2023 estimate shows **71%** of children live with two parents, **25%** live in single-parent families, and under **4%** have neither parent present.

2. Living Arrangements by Race & Ethnicity

- **Asian children:** ~85% live with two married parents
- **White (Non-Hispanic):** ~74%
- **Hispanic:** ~61%
- **Black children:** only ~36% live with married parents
- Among single or cohabiting arrangements, **Black children** are most likely to live with a single mother (~44%)—followed by Hispanic (~22%), White (~12%), and Asian (~7%) populations.

3. Educational Outcomes & Challenges

- Children in **single-parent households** are:
 - ~2× more likely to drop out of high school
 - ~2× more likely to repeat a grade
 - ~30% less likely to graduate from college
 - 1.3–1.6× more likely to face lower academic performance, engagement, motivation, and school readiness ([Gitnux](#))
- Educational attainment gaps have grown over time; children from single-parent families face increased income volatility and instability compared to peers in two-parent homes. ([City Journal](#), [TIME](#), [Axios](#))

4. Long-Term Adult Outcomes

- A recent longitudinal study found that children whose parents divorced before age 5 later experienced:
 - **13% lower earnings** by age 27
 - Higher risk of teen pregnancy, incarceration, and early mortality
 - These outcomes were largely linked to income loss, moves to lower-income neighborhoods, and reduced parental involvement. ([AP News](#))

5. Poverty Disparities

- About **30%** of children in single-mother households live below the federal poverty line, compared to just **6%** in married-couple families. ([Wikipedia](#))
- In general, children in single-parent households are up to **4× more likely** to live in poverty, due to having only one income earner and limited support. ([Wikipedia](#))

6. Mental Health, Behavioral & Social Risks

- Research links single-parent family environments with higher likelihoods of mental health issues, delinquency, substance use, teen pregnancies, and academic struggles. ([Wikipedia](#), [Verywell Family](#))
- According to one summary:

“Children with no fathers are three times more likely to be unhappy, and are also more likely to engage in anti-social behavior, abuse substances, and engage in juvenile delinquency.” ([Wikipedia](#))

- However, some studies suggest that family quality matters more than structure—meaning children can do well in single-parent setups if supportive relationships are maintained. ([Reddit](#))

7. Race, Poverty, and Geography

- Single-parent family rates vary significantly:
 - **Black children:** 63% live in single-parent families
 - **White children:** 24%
 - **Asian/Pacific Islander:** 16%
 - **Latino and multiracial:** 42% and 39%, respectively ([The Annie E. Casey Foundation](#))

With all these social ills that come from single family homes, why would we support a system that encourages divorce? By further increasing the amounts in the obligation table you are supporting these social issues and the further erosion of American society.

Comment 35

Sent: August 29

Commenter: Tom Pischke

These were my thoughts prior to the April 29th meeting, but they still hold true.

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The problem with the child support system is that it's designed for society in the mid-1900s and not for today. It's built for a society where the man of the house went out to their job, was the primary income of the household and was just secondary when it comes to the child-rearing responsibilities. Also, during that time, many of the woman were homemakers and didn't earn much or any income. Also, on the contrary to their male counterparts, they were the primary caregivers when it came to the child-rearing responsibilities in the home.

So if you apply those society norms to the child support system, it makes sense where in the event of divorce, there would be a system setup that basically reduces the father to a weekend visitor, if that, and also a designed child support system that figures out how much should be transferred to the mother to take care of the children. That all makes sense for those specific situations.

And even in today's world, when you have one parent or the other, who doesn't really want to be involved with the child-rearing responsibilities after divorce or separation, this system still works.

But the problem is that this system really doesn't work for many parents in today's society. Today, both parents are generally much more involved with their kids' lives and much more involved with all of the child-rearing responsibilities and both parents usually earn an income.

So in essence, when divorce or separation happens today, its much more traumatic for the kids because they generally have that bond with both parents and that gets severed, and it's even more adversarial for the parents because the parent that claims to be the primary care giver can use the current laws to gain an upper hand in the system.

When that happens, the other parent then becomes a visitor to the children and becomes a paycheck to the "primary caregiver" parent.

Because of these changes in society, we need to update the child support system to foster cooperative parenting relationships and not just enforce financial responsibility.

The entire system should prioritize meaningful opportunities for mediation and co-parenting and that includes the child support system. Instead of blindly just taking a set amount of money from one parent each month and presuming that they money is used for the kids (SDCL 25-7-6.2) ... lets actually give parents opportunity to financial support their kids without the heavy hand of Government, and without reducing these parents to visitors and blind paychecks.

Some of the ideas that I'd like this commission to consider:

Mediation-Based Approaches

What it is: Encouraging or requiring parents to work with mediators to agree on support and custody arrangements outside of court.

Goal: Reduce conflict and help parents create cooperative, customized agreements.

Example: Some states offer court-connected mediation programs or parenting plans before calculating child support.

Parenting Time Credit in Calculations

What it is: Adjusting child support based on how much time each parent spends with the child. South Dakota already has an abatement process, but it only allows up to 66% for those parenting days. This needs to be changed to 100%. (SDCL 25-7-6.14)

Goal: Make the system feel more fair to involved parents and reduce resentment tied to "paying but not parenting."

Example: Many U.S. states now include parenting time as a factor in support formulas.

Accountability for Spending

What it is: Some propose requiring custodial parents to provide basic accounting of how child support is spent.

Goal: Increase transparency and trust for paying parents.

Controversy: Critics say it's invasive or impractical, while supporters argue it's a fairness issue.

Family-Centered Courts

What it is: Shifting from adversarial courtrooms to problem-solving courts that provide services like co-parenting counseling, mediation, and mental health support.

Goal: Treat the family holistically, not just as a financial transaction.

Example: Some jurisdictions are piloting "unified family courts" to integrate these services.

Technology-Based Support Tools

What it is: Mobile apps and online portals to facilitate communication, share expenses, and track support payments.

Goal: Reduce misunderstandings and increase transparency in shared parenting.

Example: Apps like OurFamilyWizard or SupportPay are gaining traction.

Shift Toward Shared Parenting as Default

What it is: Legal presumption that shared parenting is in the child's best interest unless proven otherwise.

Goal: Reduce the winner-loser dynamic of custody battles, which often tie into support disputes.

Controversy: Critics argue it may not suit every family, especially in cases involving abuse.

Eliminate the Child Support Cross Credit that arbitrarily inflates the child support calculation by 50% (SDCL 25-7-6.27). While this may have had good intentions when it was implemented, the unintended consequence is that it's a detractor from having Shared Parenting with the two parents.

Finally, please don't just arbitrarily inflate the support obligation schedule in SDCL 25-7-6.2 due to inflation. This only hurts the non-custodial parent and kids more if that parent now has to work a second job instead of spending that quality time with their kids.

And the table is already based on the Total Net Income.... It's really a disincentive to make more money.

Comment 36

Sent: August 29

Commenter: Tom Pischke

I have now been a non-custodial parent, not by my own admission, but I've been reduced to that by my ex-wife and the South Dakota UJS for over a decade now. This was never in my plans to be reduced to a visitor to my children and a tax free paycheck to my ex-wife, but that's what has become my reality.

I've been a payer into this child support system for over a decade now, and the feeling that I get from this system and from everyone on this commission is that you'd rather that I just shut and pay and go away.

Four years ago, I submitted testimony on this same very system, but nothing was changed... just more increases to the obligation table.

This year, I've presented some real, actual, draft legislation, to make some substantial changes to this committee, and once again, I feel like they are just being pushed to the side.

Child support should be specifically utilized to ensure single parents are not being placed on other Government assistance programs. But there comes a point where enough is enough. It just turns into a wealth redistribution program and a way for the Dept of Child Support to collect more Title IV-D funds. It appears that bureaucrats are putting dollars in front of people, and that's just wrong.

My final piece of advice is this. We really need to stop hiring and taking the advice of Jane Venohr. It's clear to me that she doesn't have the best interest of child in mind when giving advice and making recommendations. Her recommendations lead to more broken families and more parents fighting about money.

Comment 37

Sent: August 31

Commenter: Karen Walker

I am writing in response to you seeking public input on Child Support Guideline changes. I have never paid child support, nor have I received child support, but I have friends and relatives that have done both.

I came up with 7 questions to ask people I know about their situation with a summary of the answers:

How many kids do you have – varies per person

Do you have shared custody – 2 people have full custody the others I asked were 33.3% did the other, 66.6% felt they should, which is normal in most cases.

Do you have you kid(s) equal amount of time throughout the year – the 66.6% said they have the kids more than the other parent

Do you pay/receive child support - the 2 with full custody do not always get child support as the other parent is MIA most of the time. 1 person in the 33.3% does not pay/receive child support as it was a divorce agreement. The 66.6% people do pay/receive child support

Do you pay/receive between 700 and 1100 a month – answer her was yes to those that pay/receive

Do you feel your child support is/was fair - those who pay say it is not fair – it's too much. Those who receive would not answer yes or no. The 2 who have the MIA parent works hard to support their children and would appreciate the other parent to help some.

If you could change anything with the child support system what changes would you make – Those who pay would like a way to know what their money is going for as they are being asked to pay for things that 1. They feel the child support should be covering or 2. They are providing when the child/children are with them.

This is my personal opinion as I have watched parents struggle on both sides of receiving/paying child support.

For those parents that have shared custody (which I believe should be more than there are) is exactly that – SHARED. Everything is shared for that child. Each parent provides a home, food and clothing. The health, dental, eye insurance, health bills that the insurances don't cover, and school supplies are all that need shared. The parent with the better insurances will cover the child with the other parent paying half that bill. Shared parenting would also mean that the parents have to agree on what age the child can get a smart phone/smart watch.

For parents that have custody of the child yes, the other parent should pay child support. The support should be set on income. Child support should never be set so high that the paying parent can not afford a decent apartment/home for the child to come to for visitation times. Child support should never be so high that the paying parent can not support even themselves because they are working to pay support, so they don't go to jail.

There should be some kind of an account that can be set up for the receiving parent. Then the receiving parent should have to provide receipts for what they spend the support on, proof that they are using it on the child/children. Parents receiving the support should not be getting so much that they think they need big expensive houses, vehicles, vacations or even spending it on themselves. While the other parent is struggling to provide this for a child/children. That makes the child/children like the one that can give them more. Love is what a child needs not stuff.

I have no answers for a parent that is MIA or just doesn't want anything to do with the child/children. In my family we try and help those in that situation, and I thank God that there aren't but a couple.

Not all salaries go up according to the current inflation rate so to increase child support to that would make the paying parent feel defeated. Yes, you could say that they should be getting a better paying job or even a second. Those options are not always available. Right now, in Watertown SD there are not enough jobs available for people to get a better paying job and second job options are limited hours and mostly go to the college or high school kids.

Thank you for reading though my thoughts.

Comment 38

Sent: September 3

Commenter: Calvin Hanson

I am writing in response to the opportunity for citizens to give input to the Division of Child Support to address the topic of potential changes to SD child support guidelines and related state laws. I will try to keep it short and to the point.

My son fought for custody of his son and after many court battles and much heartache did finally receive primary custody of his son. He was not married to the mother but knew she was not stable enough to be a full-time parent to their son. She has moved multiple times since he was born 14 years ago. She has defied the court order that requires her to notify my son whenever she does move. He received primary custody when his son was about 3 years old. She gets some visitation and he has complied with the visitation until this summer when she moved again without notice and it became much more difficult to get his son to where she lives. It is somewhat remote. This is where the child support comes in. She has not paid any child support in more than 2 years. As a result, she has lost her driver's license. This of course hasn't stopped her from driving and sometimes she tries to get their son to drive her even though he is required to have a licensed driver with him in the car. The courts have made little to no effort to enforce the child support order. She filed a complaint against my son because she was not getting all her visitation time. My grandson is at an age where he has many sports activities, practices and games after school and it is very hard for him to be able to comply with the visitation because of where she lives. He has scheduled activities that she would not be able to drive him to because she has no driver's license. After she filed the complaint about visitation, my son reluctantly filed the complaint about her not paying child support for over 2 years. She claimed she couldn't work anymore without giving any medical evidence. The judge, in giving his instructions at the hearing, mentioned that she would need to if claiming inability to work. That never happened. After many delays, she was finally arrested and was able to pay her bail of \$800. After more delays, they finally got a court date. The result was that she was warned about paying her child support in future, that she could face jail time and then her child support payment was lowered! There was no real accountability or consequences for her. Just as there was no consequences for not notifying when she moved multiple times. My point is: why aren't there any consequences for not paying child support? I know that you can't take visitation away even if they don't pay, but it doesn't seem to be any point to these court orders. Who is enforcing them? Our family is very grateful that our son has had primary custody all these years, but I feel there could be changes made by the Commission. I hope there will be careful consideration of what is best for the children involved after the Commission receives input from the public. Our family has gone through a lot of heartache through the years and the courts don't always seem to enforce the court orders. Thank you for taking my input.