

Comment 1

Sent: June 30

Commenter: Tina Duran

Dear Sir/Madam,

My name is Tina Duran. My child, (now 13 years old) XXXX Duran and I have a child support case with the State of SD for 10 years now.

The father, David Duran, is now 38,000 in arrears of child support.

The state informs me that they have not been able to find him (in 10 years).

The state also informs me that they don't have the means to push this case up to be pursued as a felony ((I've been given various (none of them good) reasons)).

The state has told me that David Duran is not legally able to be served while incarcerated even though this is the ONLY time they have known exactly where he is.

David Duran was incarcerated recently for absconding on a Domestic Violence charge FIVE (5) times. That means, that even though police caught him, some judge decided to let him go. FIVE times.

I thought we took Domestic Violence charges seriously in SD.

I thought we took absconding, and willful disobedience of the courts mandate to pay child support was taken seriously.

Apparently, we do not.

While David Duran has been out enjoying himself, I have been struggling to pay my bills. I have filed bankruptcy. We are now on state aid for medical care for XXXX and SNAP for both of us. Soon, we will be homeless. All because the South Dakota is concerned more for David Duran's rights than my son's. Our lives are RUINED because the state protects David while hanging me and my son out to dry. Because know this. ANY time I owe a bill, I get no breaks. I'm drowning. THE LAWS FOR COLLECTING CHILD SUPPORT NEED TO BE CHANGED!!! Its time to walk that talk you have about 'caring for children and SD families'.

DAVID DURAN is an able bodied adult. IF he has any mental defects, he has never been diagnosed. IF he has a drug issue, he has NEVER been diagnosed. Being a nuisance, abusive, conniving, cunning, using and lying person is NOT sufficient excuse to keep him from being served for child support. He IS able bodied because he is out there, conning people and supporting himself.

I'd like to remind you that while this takes a physical and mental toll on me, who it hurts the most is my son, XXXX. It hurts him that David Duran never cared for him, it hurts his

opportunities for growth and development, and it hurts his chances of having a better life than I had or can afford him due to the fact that I ALONE provide for him since I found out I was pregnant.

We should not have to be homeless and helpless because this person CAN work and most certainly DOES work. He has obviously been in the Rapid City area to be caught multiple times (even though he was let go). So he is out there.

My son and I have experienced several miscarriages of justice due to how this person is being dealt with.

Lets not make this a continuing instance.

How many people could the state remove/help/advance if fathers were actually made to pay their child support rather than have court ordered

child support be mouth speak someone says to make themselves feel like they did their job?

Thank you for your time in hearing me.

Comment 2

Sent: July 10

Commenter: Katie McLaughlin

Child support costs should be assessed on a yearly basis and should align with the current inflation changes.

Additionally, people who owe should be held more accountable and have more repercussions when they do not pay.

Furthermore, they should be tracked closer and monitored frequently to assess late payments and amounts that reach larger default.

Thank you.

Comment 3

Sent: July 10

Commenter: Matthew Brand

There should be an income maximum consideration. If a custodial parent can earn rough to self support, there should be no support needed.

Comment 4

Sent: July 10

Commenter: Nikki DeYonge

To whom this my concern,

The very first thing- should be getting and making it mandatory for DNA tests for the fathers and the names on the birth certificate for child support to be collected.

Too many times the person paying isn't the real father- the children need to know the health reasons and the truth!

From there- everything is case by case really.

Comment 5

Sent: July 14

Commenter: Cecil Brown

I'm contacting you to give you an opinion on what changes should be made to our child support system. The very first thing that should change is the judges. You should have unbiased judges that work on specifically child custody cases. I had everything from text messages, hand written letters to Facebook messages from my child's mother telling me that the child was not mine and that I need to leave her alone. 7 years later I get a fucking letter in the mail from DSS saying she wants child support and back child support. I tried fighting the back child support because she flat out said the child wasn't mine several times and I showed the judge this and he just said "I don't buy it" and told me to get fucked. The second thing, how stupid are you to take away someone's driving license for not paying child support? How the hell is the guy supposed to find a job or make it to work in order to pay the child support? Third thing, your organization is very anti male. During my whole process of getting custody rights for my child, you people treated me like I was nobody and always told me to seek legal advice and that you couldn't provide me with information. Meanwhile my child's mother seemed to have you people in her back pocket and helping her with anything she needed even though she has an arrest record longer than a country mile with several drug offenses and domestic violence charges. Yet here I am, a combat veteran with a full time job and nothing on my record and you won't fuckin help me out with anything. Overall, your organization is antiquated and needs serious reform. You're stuck in old conservative ways and only cater to the mothers even though the father is the most important person in a child's life you all just don't seem to realize that. Parenting time needs to be more split down the middle or at least start trying to figure out who is actually the better parent and base your custody off of that. My child's mother is literally a habitual drug user and you

people won't do anything about it. When I get my child, she tells me about how her mom couldn't feed her for two days but yet she's on snapchat that weekend smoking weed and drinking at the bars. But yet supposedly she's the better parent to be with according to you.

Comment 6

Sent: July 10

Commenter: Crisa Wentland

I dont think that child support should be raised to higher amount at all. Also I think that a person paying child support if they have other kids that they having living in their home should be taking into accountability when paying for a child that doesn't live with them. Cause your taking money away from those kids and making it harder on the person to provide for them.

Comment 7

Sent: July 10

Commenter: Tina Dillon

My daughter's dad is a dj under Fiesta Latina. Franklin Ramirez makes \$2000 at every wedding party and claims to make \$800/month. He and his wife have 5 vehicles and are paying for their house. I can barely cover bills and repairs for a vehicle that is still not reliable or running. He should be jailed ; That is my input. He owes nearly \$13,000. He's thriving while his child and single mother struggle.

Comment 8

Sent: July 14

Commenter: Kyle Johnson

Greetings,

I saw on the news the state was asking for public input on changes to child support. Here are a few I felt applied in most cases.

When it comes to child support I feel that if there is 50/50 custody, there should be no child support. If there is special incidents were alimony applies, have that apply for a limited amount of time.

Child support should be deducted before taxes are taken out. If taxes need to be paid on that money, the person who receives the money should pay other taxes on that money.

Overtime should not be factored into child support, only base pay.

Thank you

In addition to my previous email, I feel child support should go into a different account where only items for the children are to be purchased from. Food, clothing, rent, etc. This way money for the child are used for the children and if there are any issues, it can be looked up.

Comment 9

Sent: July 14

Commenter: Tylor Griffith

Greetings,

I have a couple comments/recommendations regarding updates to the child support system. My first suggestion would be to allow for abatements to the child support obligation without a court order in the event that both parents have mutually agreed to a shared custody arrangement, the arrangement has been working well for an established amount of time, and either parent can provide evidence to the referee of such. Many times, due to the cost of the child support obligation, it is cost prohibitive to take the matter to court. The court process also many times creates animosity between parents who would have otherwise been amicable with each other.

My other suggestion would be to add language that parents will take turns claiming the minor child on their yearly tax returns.

I am sure my situation is similar to many others in that since the initial child support order was established, my son's mother and I are able to be cooperative with each other, have an amicable relationship, and can effectively co-parent. We have agreed to a shared parenting schedule that works well for both of us and have been using that for several years now. During the last child support modification, I presented evidence to the above, but was told without a court order, there cannot be any abatements to child support for shared parenting. Also, in addition to my child support obligation, when my son is with me, there are the same costs as there are with his mother to include food, activities, clothing, etc. These additional costs along with the monthly child support obligation make going to court cost prohibitive.

While I understand this would not work for every situation, I feel it is worth having the discussion and including language in the child support guidelines with my above suggestions. Thank you.

Comment 10

Sent: July 14

Commenter: Anita J. Bogue

To whom this may concern;

I saw that you have petitioned the citizenry of South Dakota to give their input regarding potential modifications to the state's child support guidelines through KXLG. I read several people's responses to this inquiry and have decided, as a payer and receiver of child support during my son's childhood, to weigh in on the matter.

As to the Child Support Guidelines Schedule, pertaining to Self-Support Reserve, I believe that modifying the reserve from the current \$871 to \$1,148 is substantial for no-income, stay-at-home mothers who are raising other children not pertaining to the child for whom support is being paid and is, potentially, a substantial burden on the blended single-earning families of today. IF you want strong families, DSS, then it's time to reward stay-at-home mothers with financial breaks rather than burdening them. IF the law does not take into account other children in the household (and it doesn't), then this is not an appropriate bump. All children of a household should be taken into consideration, not just the one or two children who are affected by the divorce/separation/shared custody arrangements. However, if there are no other children to be considered, and the payer is not in full-time school, THEN I agree that this number should be increased. There must be boundaries to these considerations. People in South Dakota generally have less than adequate pay, and our minimum wage is NOT a living wage. Have you seen the housing prices? This entire thing needs to be reassessed. Child Support is NOT punishment, but the State seems to ensure that it is to stay-at-home mothers who are raising other children.

As to the Child Support Schedule Options, I am unable to come to a decision about this. The federal/national data are not the data of South Dakota or our region. I think option one: Utilizing inflationary changes in prices for the Midwest Region from July 2021 to March 2025 would be adequate. We need to make decisions about South Dakota based on South Dakota information.

As to Prior-Period Support Length of Time: I believe we need to eliminate prior-period support for non-professionals, and for professionals, support should be limited to 3 years, but calculate support at the state's current minimum wage if this person isn't able to work.

Age of Emancipation for Child Support: I believe it is very unacceptable to remove the school attendance language in the guideline. I know of many 17-year-old kids who have graduated (from homeschool) and are working full-time, whose parents should no longer be paying or receiving child support. I believe that attending school should be

mandatory if there is an exchange of monetary value between parents. As soon as the child is no longer in school, child support should no longer be demanded by the State.

Adjudication of Paternity - I believe that the child support officer should be given far more authority, and so yes - I agree with this statement. Child Support Officers should have the legal authority to make a finding of paternity.

Minimum Order Amounts: Child Support Obligations should ALWAYS take into consideration OTHER CHILDREN in the home who must be provided for, and should be calculated at minimum wage as the baseline for stay-at-home parents who are raising other children. Of course, then it falls on the spouse to pay the child support. That sucks. I don't care what you think - that really sucks - it is unfair, egregious, and unjust. (Interestingly, the mother who is doing the right thing by her other children, such as giving up her career to raise children, is punished in our system. This is abhorrently unbiblical.)

Obligations of Incarcerated Payors Upon Release - Child Support obligations should NEVER automatically revert to pre-incarceration amounts. Who came up with that idea in the first place? The pay should always be based on the amount of current income.

Comment 11

Sent: July 14

Commenter: Ray Martin

I have a lots of input regarding child support. The first one is I work construction. Weather sometimes really messes up the work week. But I'm still liable to pay my weekly support. I talked to a dss worker and explained it. They basically said to bad your liable for the payment. I said my check wasn't even enough to cover half the payment so now it goes back on back pay even though I have a full time job. But here's the twist I said what if I was still with the mom and went through the same thing. And the case worker said you and the mom would figure it out.

Second one

I have 50/50 custody of one of my kids. When I went to court the judge even said with that would considerably lower the child support. My income was 41% hers what 59%. But yet I still pay 550 a month when I have my daughter at my house half the month and the other half is at her moms. So I'm paying for my 2 weeks and my kids mom's two weeks for 550 bucks. Now come on I'm not an idiot. I don't spend no where near that in 2 weeks for one kid. I provide the same clothes, food, bedroom, hygiene products, clothing, everything that a parent needs to do to take care of a child. And yet still comes no where near 550.

Third one.

This crap about the mom automatically getting parental custody is crazy. It takes to people to make a kid. So now the mom holds the kid hostage until her demands are met. How is that fair to man that wants to see his kids. And pay thousands and thousands of dollars in court to do anything. When will hold mothers accountable? Refusing to get jobs lives of welfare and makes a living out of it. There is plenty of woman out there taking everything for granted and keeps popping kids out to make a living on child support and welfare. I know one mom in town that has 8 different kids with 8 different dads. She brags to everyone of her new cars phones campers and tells everyone I don't buy that stuff. My baby's daddies do cus they pay child support. Well I don't think child support is used for new phones multiple cars campers. How is that for the kid. Is more for the woman or man to use that money for there gain.

Fourth. Claiming taxes. If a parent pays child support the mother shouldn't be able to claim that child for income credits. It's like a lottery for these people that get the child support, tax credits, welfare. But the other parents get the shaft. I can't even go on welfare getting only unemployment. The child support takes half my unemployment check when I'm laid off in the winter. But yet when I'm living on 900 bucks a month sometimes after child support I do t qualify for any help cus all you people look at is the gross. You don't calculate the fact that half my check gets taken away and to add insult to injury you guys put the unpaid on back pay. Well that's dump. That week is in the past. Clearly the child didn't die or is homeless and still doing fine but yet backpay still exists. You take are license away even though mines a cdl that I use litterly for my job so I get threatened all the time. The caseworkers constantly ups the backpay amount I have to pay monthly even though I get injured and laid up for a week or two and still have to pay those two weeks of while support. I'm sorry I was I. The hospital going through a tough time and your dss office still don't care and only wants money.

I believe child support is nothing but a government scamp to make money of people. That's all government does. A big change is needed.

Comment 12

Sent: July 14

Commenter: Kim Victor

To whom it may concern,

This is in regards to the Child Support guidelines that are being reviewed for updating.

I am a single parent of two kids, 17 and 13. Their father is currently incarcerated in the penitentiary in Sioux Falls. He went there in November of 2024 and is looking at around 3+ years as he broke his parole. He goes in front of the board in October to find out how long he will have to stay for breaking parole. He was just sentenced for his 8th DUI and got 7 years for that charge. Basically he will be gone awhile. I have one main points I would like to address on child support for incarcerated parent....

If an incarcerated parent has child support that needs to be paid, the state should make it mandatory that the parent has to have some type of job to pay for child support and the minimum of \$79 that the state has now in process is not even close to cover for 2 kids. They should be forced to work 40+ hours at the penitentiary doing manual labor and the state should help them get a job that pays more than 50 cents an hour. If they want to buy commissaries, they can if they have money in their account. How about child support has to be paid before they can buy things for themselves? Can the state have something that forces the father to pay their child support? Some type of program that emphasizes on making sure their kids are getting some type of reasonable money for support. It is so unfair that I have to have more than one job and work hard to support my kids and in the mean time being there for their activities and school things. I feel there needs to be more done to help get the parent who owes child support pay while being locked up. It shouldn't be a vacation from real life issues that they are involved in.

Then I would like to also recommend that there should be a standard child support price for every child. It costs the same to raise one daughter in my family as it does one daughter in my sisters family. Why can we not have a set amount everyone pays? Why does a person who makes more money and works his ass off to try to get ahead in life have to pay more in child support than a person who only wants a minimum paying job?

Thank you for your time!

Comment 13

Sent: July 14

Commenter: Penney Whitlock

To the South Dakota Commission on Child Support,

I am writing as a concerned grandparent and advocate for my daughter and grandchildren, regarding the proposed updates to South Dakota's child support guidelines, specifically, the policies concerning minimum order amounts and obligations of incarcerated parents.

My daughter's children's father is currently incarcerated for a violent offense, an attempted murder charge against my daughter. While he will be serving a lengthy sentence, the reality remains: he is a father to two children. Parenthood does not end with incarceration, nor should financial responsibility.

Our family, like many others, is left to carry the full financial weight of raising children after a parent chooses to break the law. We cover every cost, daycare at \$260 per week, rent, groceries, diapers, transportation, on a single income that barely stretches to meet basic needs. Meanwhile, the state sends notices that child support cases are simply closed during incarceration, leaving the custodial parent with zero support for years. This is not justice for the children.

I also want to point out the glaring inconsistency in how cases are handled. Across this state, there are thousands of non-incarcerated parents who owe tens of thousands of dollars in unpaid child support. Their cases remain open. They are still held accountable, with arrears continuing to grow until payment is made. Why should incarceration erase that same responsibility? Why should breaking the law serve as a loophole to escape financial obligations, when those who remain free, regardless of their circumstances, are still expected to provide for their children? This policy effectively rewards criminal behavior with a financial hall pass while penalizing those who stay in the community.

Further, in cases like ours, we know that upon release, there will likely be gifts or inheritance waiting, allowing the individual to start fresh while never making up for the years of neglected financial responsibility. Worse, they are then free to step back into a parental role with no accountability for the burden they left behind.

I urge the Commission to consider the broader consequences of eliminating or minimizing child support during incarceration. Financial obligations should remain active, even if they accumulate as debt, why should a single parent go deeper in debt because of their heinous actions. We need to ensure that children's rights are protected. At a minimum, there should be base obligations that cannot be reduced to zero, regardless of incarceration. Closing cases entirely sends the wrong message, one that excuses parental neglect and punishes the innocent. Nothing like getting rewarded for bad behavior.

As the Commission works through these updates, I encourage consideration of options such as:

Keeping child support cases open with a minimum order, even during incarceration.

Allowing custodial parents to access state-collected reimbursements when incarcerated parents receive financial gifts, settlements, or inheritances.

Requiring automatic post-release payment plan reviews to prevent reversion to unaffordable zero-dollar obligations.

Creating grant or offset programs funded by fines from certain offenses to assist single parents left with full financial burden.

I would welcome the opportunity to contribute further thoughts or brainstorm potential solutions that provide more balanced support for custodial parents and, most importantly, for the well-being of the children impacted by these decisions.

Comment 14

Sent: July 15

Commenter: Darian Whitlock

Dear Members of the South Dakota Commission on Child Support,

I am writing today as both a mother and a survivor, to voice my deep concern regarding the treatment of child support cases involving incarcerated non-custodial parents. My children's father is currently serving a 35-year prison sentence for 1st degree attempted murder against me. Because of the length of his sentence, the state has closed his child support case—effectively relieving him of any financial responsibility for the children he helped bring into this world.

How is that fair to our children?

Children's basic needs do not disappear because one parent is incarcerated—especially in cases like mine where that parent committed a violent crime and left lasting trauma behind. As the sole provider in a single-income household, I shoulder the full weight of supporting our children: \$1,200 a month for daycare, \$750 for rent, plus groceries, diapers, clothes, and the countless expenses that come with raising kids. The system's decision to close his case removes any hope of accountability or justice for my children. They are the ones being punished, not him.

It is deeply unjust that an incarcerated parent can escape financial responsibility while the custodial parent is left to struggle. This practice sends a dangerous and demoralizing message: that the state does not prioritize the well-being of its children.

I urge the Commission to implement policies that require a base child support obligation in all cases, including those involving incarceration, and to support legislation that would require a formal Petition for Modification before any changes to support obligations can be made after release.

I urge the Commission to require that child support obligations continue during incarceration and may not fall below a reasonable minimum base amount, even for those with little or no income. This is not about punishing people in prison—it's about ensuring children are not punished for their parent's actions. Even a modest monthly contribution can make a difference and reinforce the principle that parenting—and the financial duty it entails—does not end with incarceration.

Additionally, I urge the Commission to:

- Require that child support obligations continue to accrue during incarceration, and that arrears not be erased, but repaid over time post-release.
- Allow for garnishment of wages earned through prison work programs, with a portion designated for child support payments.
- Prohibit automatic closure of child support cases solely due to incarceration.
- Mandate a formal Petition for Modification upon release, ensuring that obligations are fairly recalculated—not simply reset or dropped.
- Include child support compliance in parole or probation considerations, where appropriate.

- Provide financial literacy and responsibility programming in prison to prepare non-custodial parents to meet their obligations when reentering society.

These are not punitive ideas—they are realistic, compassionate, and child-centered solutions that create a pathway for incarcerated parents to remain financially connected to their children. At the very least, they ensure that custodial parents are not left to carry the entire burden alone.

The current system places an unfair and unsustainable strain on single parents. Our children deserve better. They deserve consistency, financial stability, and a legal system that protects and prioritizes their well-being.

Thank you for taking the time to review this comment. I urge you to take all of what we—parents, caregivers, and citizens—have to say into serious consideration. I ask that you stand up for the rights of South Dakota's children and prioritize their well-being in your final recommendations.

Comment 15

Sent: July 15

Commenter: Ashley Andrade

Hello,

I would just like to give feedback on the proposed changes for child support.

I am currently a recipient of child support for 1 kid. Child is with me 95% of the time never with the dad, we made it her choice where and when she goes there she is 11.

I am currently getting \$320 a month from child's dad and he refuses to pay anything more including sports which was just under \$500 for summer sports only. I feel an increase due to inflation would be a wonderful thing. Being a single parent is hard and when the other parent has to pay child support that's it they won't give a dime more for their kids. Sports are expensive boy or girl and that's not even part of child support. So I say yes increase!! Now that's not saying I am sitting home without a job only collecting child support bc there has to be guidance on that i have a very stable high paying job. But these parents that don't have a job should not get an increase i hardly feel that money is going for the kid.

All other proposed changes i agree with too. This 50/50 shared custody thing tho is the most outrageous thing I have ever heard of. It's turning kids bipolar and mental issues are being created. Parents do not communicate the kid is on a strict schedule at mom's house read, showers, brush teeth, has chores, homework done every night. Then goes to dad's for a week no guidance over there no rules no bed time no homework no chores. Then has to go back to mom's house and adjust for the week what are you

doing with these kids psyche. Very sad I have seen this is multiple kids and it's so unstable. Just my thought tho!

Thank you

Comment 16

Sent: July 15

Commenter: Rochelle Schultz

Dear Child Support Commission,

One new idea, that exists in some other states, is for counties to initiate cost of living adjustments or reviews of child support.

In my case, obligor is still paying the same \$496/mo for two children. This amount has been unchanged in 10 years.

Domestic violence survivors know not to be the initiator for modifications. When we instigate, the death threats and stalking resume. If the state instigates, I wouldn't be in the crosshairs.

I suspect asking obligees to initiate mods for released prisoners would also put them in the violence zone by obligors. Please don't do that.

I am covering the shortage by not contributing meaningfully to my retirement. Tragic. But my children and I are alive.

Enforcement of obligor's payment for health insurance should also be easier to obtain. That's also been left to me, on my own.

Thanks for considering,

Comment 17

Sent: July 16

Commenter: Kimberlin Weber

Dear members of the South Dakota Commission on Child Support.

I am writing today as the aunt of two children being deeply affected by their father's choices and a sister of the father incarcerated. My brother is currently serving a 35-year prison sentence for 1st degree attempted murder against the mother of his two children. The state closed their mother's child support case leaving her fully financially responsible with the same amount of bills and expenses that was always shared

between the two of them. My brother would pay for rent and daycare while their mother took care of all the other bills including Wi-Fi, electricity, groceries, diapers, and all household items. When she told me the state has closed her case, I was in shock and disbelief. He was relieved of all financial responsibility, and she now has bills almost double her income. That is not right. This is a mother who works full time and is now having to look for a second job to make ends meet while her kids need her the most. She's having to spend more time away from her children working and have unnecessary stress as the father of her children committed a heinous crime against her and is no longer required to contribute financially. Grandparents and family members are currently taking on some of the financial responsibility taken off the father but if other mothers didn't have a strong support system or grandparents who couldn't step up and take some of the financial burden off the mother what happens to them? Does the state just allow them to become homeless, lose their spots in daycare, lose their jobs and hope? I truly don't understand why my brother would be relieved of his financial responsibility of his two children. He will be in society again one day and he will work and have income to pay back that money. It's not fair to the children or the mother. Many people in South Dakota aren't aware of this issue, this stipulation that shuts down incarcerated financial responsibility. This is an extremely important issue, single parents shouldn't be denied child support due to incarceration. The current law is sending a cruel message that the state does not care about the well-being of the affected children of the incarcerated parent. I strongly urge the commissions to require that child support obligations continue for the incarcerated parent.

Comment 18

Sent: July 21

Commenter: Derek Gulbrandson

Dear Members of the South Dakota Child Support Commission,

I am writing to urge the Commission to reform South Dakota's Parenting Time Adjustment (PTA) by **removing the 180-day threshold** (SDCL) § 25-7-6.27 and replacing it with a **fair, gradual adjustment** that reflects the real, proportional costs of shared parenting.

While South Dakota does offer an abatement for parents with 6 or more overnights per month, this reduction is minimal and does **not accurately reflect the direct expenses** that both households incur in shared parenting arrangements. The current 180-day threshold for PTA eligibility is **one of the highest in the country** and is **out of step with most states**, which recognize parenting time starting around 110 overnights.

This high threshold discourages shared parenting, marginalizes involved parents, and ultimately works against the best interests of children — who benefit from meaningful relationships with both parents.

Please remove the 180-day requirement and adopt a system that allows for **proportional support adjustments starting at lower parenting time levels**, as supported by research and economic data.

Thank you for your service and for considering this important reform.

Comment 19

Sent: July 24

Commenter: Christy Gulbrandson

Commission,

Not only does our state lag behind in shared parenting rights. Generally leaving the father (in most cases) with extreme legal fees, along with unaffordable childcare support as well as providing a home for their children.

It is also a concern that the 180 days is an arbitrary and outdated standard.

The 6-day abatement is not enough, South Dakota families deserve a parenting time adjustment that reflects true shared parenting economics.

Please consider bringing our state up to date and making it fair for both parents.

Thank you for your time in advance.

Comment 20

Sent: July 29

Commenter: George Piskor

Dear Sir or Madame,

The South Dakota Chapter of National Parents Organization ([NPO](#)) is welcomes the opportunity to make the attached submission to the South Dakota Commission on Child Support in response to their [request for Public Comment](#).

Please confirm receipt of submission.

We would be pleased to expand on our submission to members of the Commission.

Comment 21

Sent: July 30

Commenter: Sarah Stokke

Hello,

After reviewing the child support system and being part of it, I would like to submit my comments and suggestions for updates to the current child support guidelines:

1. It is now a digital age so guiding people to Bill Pay for free is very important. In today's age, there should not be charges for paying child support. The key is to get it paid--so offer free and easy options as to keep it steady and consistent.
2. If either parent had more than one job during the marriage, those jobs and incomes should count in the child support calculations. Child support calculations should take into consideration the 'earning ability' of each parent and factor that into calculations. (i.e. if one parent had made \$60,000 in the past at a job and is now only making \$30,000, questions should be asked and reasons investigated--and encouraging that parent to get that job again--especially if custody is 50-50 as they have more time to work on the days that they do not have the child(ren))
3. If a person wants to receive child support, they need to prove that they are working at a job that is equivalent to their ability or degree. (i.e., they are not taking a lower paying and easier job to get child support when they are qualified to work a higher paying and more challenging job but would not get child support so chose to have the job to get child support).
4. If both parents are within \$30,000 income of each other and neither is below the poverty level, there should be no child support provided, unless the lower income parent has the child(ren) for more than 50% of the time, then the percentage of child support should be based on the custody percentage.
5. If the parents are splitting 50/50 custody, there should be no child support--all medical and child expenses should be split 50/50. It should not matter about how much they make, they are both equally responsible for the rearing of the child(ren).
6. If you make more than \$60,000 a year, you should not receive child support, unless the other parent makes more than double what the lower income parent makes.
7. Child support calculations should not be on gross income--- they should be on take-home income and should take into account monthly 'living' expenses. They should not make the parent providing the child support need to have a second job to make ends meet as that takes them out of their home and away from their kids for more time---when they already had a job that provided for their children. The other parent should be encouraged to get an additional job or a different job that pays more in this situation as to not have both houses financially struggling.

The parent providing child support should have at least \$500 of income that they are allowed to put into savings each month for the 'in-case' emergencies. (i.e. it not appropriate for one parent to pay \$500 to another parent who will now have that as 'extra' money when the parent paying is now unable to put anything --or a minimal amount --into savings)

8. The parent's past history of what they 'provided' for the family throughout the marriage should be considered when they are requesting child support. If the parent requesting child support never provided at least 50% of the resources for the children prior to the divorce or separation, then they should not be receiving child support after the divorce.
9. If parents had a separate bank account for more than 2 years prior to the end of the marriage, living on their own money, there should be no child support provided and all bills for the children should be split 50/50 between parents or equivalent to the physical custody agreement for the children.
10. Child support should be on a debit card that the other parent has to use. They should need to upload receipts of what they used the money on and proving that they used that money for the betterment of the child. With all the new technology, AI could evaluate those receipts and identify authenticity and appropriateness of purchases, as well as date/time. If the parent receiving child support is not using the money on living/child expenses, their ability to continue to receive child support should be revoked for at least 12 months. The parent would then need to reapply for child support if still needed.
11. Child support should be a feasible amount and reasonable to the needs of the receiving parent to raise the children. It should be based on actual living expenses and needs of the children only. Both parents should need to base it on paystubs, W2, costs of living (house payments, living bills), average monthly expenses, etc. It should not just be made on income. It should be about take home pay and not gross--as gross is not what the person ever sees in their bank account.
12. If a parent receiving child support does not use the money on child/living expenses, then there should be a stipulation that the payments stop and they cannot receive or apply for child support for 12 months.
13. If a parent's salary is based only on 9 or 10 months of work (i.e. a teacher), the other parent's income will only be calculated for that same length of time (rather than a full year). --although teachers and school personal are paid throughout the year, it is really only a 9 month full-time income and should not be measured against a 12 month full-time income.
14. If a parent makes a job change within 6 months prior to the divorce, those jobs should be taken into account as well--especially if it they took a much lower paying job to qualify for assistance from child support or to pay less for support.

15. Child support should really only be for parents that were stay at home parents during the marriage, and it should only last for 5 years or until they are able to get experience in the work-world (unless they make less than half of what the other parent makes and are unable to make more--and that they have proven this with documentation).
16. Previous parenting effort should be taken into account before giving child support. If the parent was rarely present or providing during the raising of the kids while in the relationship or previous to the filing of child support, then they should not receive child support. Many times parents want more custody to either decrease the amount of child support they have to pay or to increase the amount of child support they will receive. It would be best that child support payments not be required to start until a year after the divorce is finalized. This would detract from parents doing 'custody' disputes to try to financially benefit. This would also allow the courts and child support offices to see how much the household actually runs for a year. It would allow the child support staff to be able to gather accurate data on the authentic needs of each household that are required to support the healthy rearing of the children. This would be based on the full year of living in the new custody agreement and within the separate households--allowing everyone to acclimate to their new normal. If both households show healthy and appropriate management, then no child support should be granted. This would require documentation collected at 12 months after the finalization of the divorce, and would allow for so much of the emotions and stress of the divorce to have resolved before finalizing this process. This would allow for the parents to focus and reflect on what is best for the children and not for themselves. In the middle of divorces, so much of everything is tense and about money with costs of court and lawyers, so leaving the money about the kids until a year later would allow for parents to figure everything else out, and deal with their feelings for each other, before having the discussions and finalizing about the money around the children.
17. Parents should need to provide 5 letters of reference with specific examples of their parenting effort and parental contributions to their family over the last 5 years. Only one of the letters of reference could be from their family members. If they are unable to provide specific examples of this, then they do not qualify for child support as they had not supported the child during the main rearing of the child and should not receive it now.
18. Once a child turns 18, both parents should be responsible for college costs at the 50/50 rate unless it is jointly agreed upon that the child will take out a loan. This should go until the child is 22 as long as they are in school full-time. There should be no child support for a child that is over 18.
19. Once a person files for child support, it should only start at that time of filing and should not be backtimed---that money is no longer there from the previous paychecks so should not be factored in. It should be based off the jobs at the time of the request for child support, unless there was a recent job change that was purposeful to decrease child support costs--proof would need to be provided

about the reason for the job change as well as factoring in the previous job if the reason was only to decrease child support payments or increase received child support.

20. If a parent changes a job, they should notify the child support office and recalculate the child support within 30 days. They should provide a letter from their current and past manager to discuss the need for the job change. The job change should not be done to purposefully decrease payment for child support.
21. If a parent has 100/0, 90/10, 80/20, 70/30, or 60/40 custody, the child support should align with that percentage as well as splitting the bills for the kids the same way. If they are 50/50, there should be no child support unless one parent makes more than double the other parent.
22. Recalculations should be allowed with job changes, age changes of kids, significant life changes such as disability or loss of work, or change in laws.
23. With 50/50 custody, all medical, school, and major kid life bills should be split 50/50. Clothing and food at each house should be provided by the parent that has the child during that time. When they do not have the child(ren), that parent is able to pick up an extra job or hours to help supplement their income if needed. The benefit of 50/50 is that each parent is responsible for half of the rearing of the child. The only time child support should happen in this situation is as discussed before (i.e. one of the parents was a stay at home parent or one parent makes more than double what the other parent makes.) Again, child support should not be through the life of the child, it should be until the the lower income parent can get experience and provide for their own home. (unless one parent makes over double what the other parent makes and the other parent is unable to work for that amount --due to educational level or opportunity)
24. If the person requesting child support has other children in their home, there should be stipulations that that money is not to be used on those children or on their significant other.
25. Child support should be about focusing on the needs of the children. If a parent is wanting more custody just to receive monetary benefit, the child(ren) are/is being neglected and the money is not being used on them. If it is proven that the children are not getting their basic needs met--clean, quality, and well-fitting clothes, health food, etc. even though they have the money to do so, there ability to receive child support should be removed. If they do not provided for their percentage of medical/child bills, they should lose their ability to receive child support for 12 months. (unless they have reached out to the child support office or other parent to explain why they are unable to pay and have proven financial struggles)
26. Child support should not be decided by a lawyer or a judge. It should be decided and factored by a trained professional in the Child Support office and reviewed by a child support auditor to ensure equity (not necessarily equality).

27. The amount of the cost of 'insurance' (either dental, eye, or medical) should not be factored into child support, but instead should be split in half by figuring out the amount of the additional cost of having the children on the insurance, not the full cost each month. (i.e. if individual is \$400/month, and individual with children is \$440/month, the cost to be divided would be \$40 as that is the cost of the actual children on that insurance). The other parent should not be responsible for paying half of their individual insurance as well.

Thank you so much for taking these into consideration.

Please let me know if you have any further questions. I would be happy to answer them.

Comment 22

Sent: August 3

Commenter: Patricia Maliske

In one way I'm glad you're raising the issue but in another there is way bigger things to be worrying about than the technicality of somebody having the kid for six months I am a Tax paying hard-working full-time employed mother of a great little boy and his dad does not consistently pay child support without any consequences. I never know when it's gonna come or for how long it's going to come. I personally receive no public help Assistance with regards to my child and my situation. I simply go to work ! I make good money and I make it work because I know I cannot count on the courts to actually uphold the ruling which was laid out in Child Support Court.

Recently the other party decided to get Child Support lowered through that process I learned a lot of disturbing things that actually worked in his favor and not mine. I get a tax credit for providing childcare because I work full-time and I am the only parent , they chose to use that credit ...that I rightfully earned and put it towards some type of cost on his end making it look like he was somehow entitled to part of the credit though he doesn't pay for the cost of child care because he doesn't pay consistently or on time. Bills are due when they are due and not helping when things are due should not reward him.

Again I work full-time I make \$25 an hour I provide everything in my house my rent my utilities I get no assistance from anybody and I'm appalled at the system. I talked with my caseworker recently about how nothing seems to be getting done about things being delayed and that I was frustrated and she advised me that maybe I should go get a lawyer ! The state of South Dakota pays for these people to be caseworkers , for them to do their job I feel the caseworkers are also failing the system! I am very aware that there is a lot of different circumstances where people abuse the system and those people should be brought to prosecution. I do not abuse the system I take care of my kid I pay for everything the least that could happen is that somebody could actually force the opposite party who chooses not to be in his life (even though he's in the lives

of his other kids) would be that the caseworker could actually do their freaking job and get the child support that is owed. That there would be actual repercussions for people who don't pay , hide money, and work the system. As far as I'm concerned I have had no good experience with a child support enforcement of our state since day one something needs to be done!!! I would be happy to go into more details if you chose to contact me. There's always way more than one side to a certain situation and all sides need to be heard!

Comment 23

Sent: August 7

Commenter: D. Rose LaPointe

Dear Members of the South Dakota Commission on Child Support,

I am writing to express my support for reforming the Parenting Time Adjustment (PTA) standards in South Dakota's child support system.

The current requirement of 180 overnights per year to qualify for a meaningful adjustment is unnecessarily high and does not reflect the real costs associated with shared parenting. Most states begin adjusting child support around 110 overnights, recognizing that both parents incur significant expenses well before equal custody is reached.

Additionally, the current 6-day abatement is inadequate and fails to provide meaningful relief to parents who are actively involved in raising their children but fall short of the 180-day threshold.

I respectfully urge the Commission to:

- Eliminate the 180-day PTA threshold, and
- Implement a fair, proportional system that adjusts child support gradually based on actual parenting time.

This reform would better reflect the realities of co-parenting, reduce financial strain, and promote shared parenting — which research consistently shows is in the best interest of children.

Thank you for your time and consideration.

Comment 24

Sent: August 10

Commenter: Amber Dykshorn-Luke

180 days is arbitrary and an outdated standard. We have my husband's children as much as we can including half the summer and half of their other breaks from school with weekend and holiday rotation. The 6-day abatement is just not enough and does not allow us the adequate credit for the overnights we have the children. It is expensive keeping up two households and my husband is drowning in child support / daycare reimbursement he pays to his children's moms. Last June we had the kids 28/30 days and did not receive the credit deserved during that time. Not to mention we financially had to transport them and pay for their registration fees and equipment needed for the summer sports.

The younger children also need to spend more time with the noncustodial parent. It simply is not fair for an able, willing parent to see the child so little.

My kids have grown up without their dad as he passed away and I see how vitally important a dad is in a child's life. Make it financially doable for a dad to have his children more and have less of a financial burden giving so much in child support / daycare.