



John Hoeven, Governor
Carol K. Olson, Executive Director

**SUMMARY OF COMMENTS RECEIVED
IN REGARD TO PROPOSED AMENDMENTS TO
N.D. ADMIN. CODE CHAPTER 75-02-04.1
CHILD SUPPORT GUIDELINES**

The North Dakota Department of Human Services (the Department) held a public hearing on March 24, 2008, in Bismarck, ND, concerning proposed amendments to N.D. Administrative Code Chapter 75-02-04.1, Child Support Guidelines. The Department also allowed time for interested persons to submit written comments on these proposed rules. One person attended and provided comments at the public hearing. No written comments were received within the comment period. Commentors were:

1. John Aman

SUMMARY OF COMMENTS

Comment: The commentor asked about the requirement that the payee make three times the amount of the payer, whether that would eliminate payment, and whether an obligee's spouse's income would be part of the calculation.

Response: The legislature determined that the "at least three times the income" standard is the one the Department should use. It might eliminate the payment, more likely it would result in a proportionate reduction. Additionally, only the income of the obligee would be part of any calculation.

Comment: The commentor noted that for the person that works out of town, child support enforcement wants paperwork, justifying where the money is going. It is burdensome for the person who works out of town to have to come up with all this paperwork on where the cash is being spent, but there is nothing in the law requiring proof that the child support payments are getting spent on the children.

Response: The law doesn't require an accounting from the parent receiving child support, but the language requiring paperwork be submitted by a parent who works out of town is an existing requirement and is not a part of the proposed rule under consideration at this time.

Prepared by:

A handwritten signature in cursive script that reads "Julie Leer".

Julie Leer, Director
Legal Advisory Unit
N.D. Dept. of Human Services

April 24, 2008