

Parents, courts contemplate future child support enforcement

By REBECCA BOONE, Associated Press

BOISE, Idaho (AP) — The first paycheck of Amanda Fuhriman's month goes straight to rent, devoted to paying for the small Boise home she shares with her three kids.

The preschool teacher's second paycheck goes toward utilities, groceries, toilet paper and dish soap — all the unavoidable expenses of daily family life. But ultimately it's the bi-weekly child support payments from her ex-husband in Texas that make the difference between being able to keep the kids fed and housed or not, Fuhriman said.

"I still don't make enough to pay for the basics of updating shoes and school supplies," Fuhriman said. "I probably would not be able to stay where I'm at if I didn't have that child support to rely on."

It's a possibility she now must consider. Idaho Department of Health and Welfare officials say the state's ability to collect and distribute out-of-state child support payments will end in mid-June if state lawmakers don't reconvene and pass the Uniform Interstate Family Security Act.

All states are required to pass the act by the end of their legislative sessions this year or they will lose the federal funds and tools used to track and collect payments from parents who live in one jurisdiction but owe child support in another. Idaho has been a part of earlier versions of the interstate compact for years. However, this update would have brought the U.S. into compliance with the 2007 Hague Convention on the International Recovery of Child Support — an international treaty designed to enforce child support rulings across borders in 80 countries.

The bill passed the Idaho Senate unanimously, but nine state representatives killed the bill on the House side, some citing concerns that it would destroy state sovereignty and subject Idaho to international laws. Others said they feared the bill would violate due process or open the door to allow Sharia law to be enforced in Idaho, because some of the countries that are part of the treaty have large Muslim populations (although none of the countries operate under Sharia law).

The Idaho Attorney General's office has said the bill allowed judges to reject cases that don't meet the state's standards.

While parents like Fuhriman wait to see if lawmakers will meet to consider the bill or if the federal government will back down from its threat, state court officials are contemplating another possibility.

"There was a time when all child support was actually paid through the court," said David Day, a retired family law judge and the chairman of the Idaho Supreme Court's child support guidelines advisory committee.

Without the federal tools, parents may still be able to voluntarily pay their child support through the Idaho Department of Health and Welfare, but enforcement would likely be left up to individuals, Day said.

"It would be very difficult to do it without hiring an attorney," Day said.

Parents seeking enforcement for someone in a different state or country would likely be out of luck, he said.

Fuhriman said she generally knows her ex-husband will pay the child support, but his timing hasn't always been reliable.

"I wasn't necessarily worried he'd be delinquent, like months behind, but a week or two here or there is enough to hurt," she said.

Fuhriman understands that lawmakers have to consider the far-reaching effects of legislation, but that doesn't make the impact easier to handle, she said.

"That seems so far-fetched from my life — they're going to hammer us for the potential of something that's so far away from the day-to-day grind for me," she said.

Relying on the courts for enforcement could have significant ripple effects, said Howard Belodoff, the associate director of Idaho Legal Aid Services.

"What do you do if you live in Lewiston, but the other parent lives in Asotin County (Washington state)? Are you going to arrest them and get an extradition?" Belodoff said. "If it goes back to people having to pay into the courts, somebody's got to take the check, somebody's got to record it, somebody's got to mail it. It's just a huge mess without centralized state enforcement."