

FINAL BILL REPORT

SSB 5369

C 199 L 02
Synopsis as Enacted

Brief Description: Revising provisions for jurisdiction in child support matters.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kline, Long and Costa; by request of Department of Social and Health Services).

Senate Committee on Judiciary

House Committee on Juvenile Justice & Family Law

Background: The Department of Social and Health Services, Division of Child Support, is responsible for collecting child support in many situations, both to reimburse for public funds paid to support children and to assist custodial parents in collecting support and medical insurance. The proceedings are often complex and involve numerous parties. The Division of Child Support suggests that some statutes involving adjustment and termination of support orders, service of process, and defining the status of the actual custodian of the dependent child as a party in support proceedings need modification.

Summary: The following changes are made in actions for collection of child support:

- (1) Provisions for child support are terminated when the parents marry each other after an order setting child support payments becomes effective;
- (2) In some circumstances, a petition for modification of child support payments must be served on the prosecuting attorney of the county in which the action is filed;
- (3) A child's custodian who is not a parent has the same notice and hearing rights as a custodial parent in administrative proceedings setting child support obligations;
- (4) Child support orders based on payment standards which were previously in effect can be changed in an administrative proceeding filed by the Division of Child Support;
- (5) The Division of Child Support is authorized to serve notice on financial institutions using regular mail if there is a central levy or garnishment address and if the notice is clearly identified as a levy or garnishment order; and
- (6) An administrative law judge is given the authority to enter a support order which differs from that originally requested by the department if any party appears and presents credible evidence supporting that order, or if the parties agree.

Votes on Final Passage:

Senate 47 0

House 96 0 (House amended)
Senate 44 0 (Senate concurred)

Effective: June 13, 2002