



FINAL REPORT

COMMISSION TO STUDY CHILD SUPPORT
AND RELATED CHILD CUSTODY ISSUES
(HB 450 Commission, Chapter 256:1 Laws of 2005)

December 1, 2006

The Commission

Representative David A. Bickford, Chair
NH House of Representatives

Commissioner Clifton Below, Vice Chair
Governor's Representative

Honorable Gerald Taube
Justice, Durham District Court

John L. Williams, Esquire
NH DHHS, Division of Child Support Services

Tom Cooper, Esquire
Guardian Ad Litem/Superior Court

Jeffrey A. Runge, Esquire
Governor's Representative, Shared Custody

Mr. Gary Gagnon, Jr.
Governor's Rep., Shared Custody

Senator Joseph Foster
NH State Senate

Ms. Dianne Gilbert
Governor's Rep., Custodial Parents

Representative Eileen Flockhart
NH House of Representative

Ms. Shelly Uscinski
Governor's Rep., Custodial Parents

Catherine Feeney, Esquire
NH Bar Association, Family Law Section

Gene Berg, MD
Gov.'s Rep., Non-Custodial Parents

Senator Richard Green
NH State Senate (term ended 9/12/06)

Legislative Staff Support

Jim Cianci, Esquire
House Committee Researcher

Under Chapter 256:1, Laws of 2005, the HB 450 Commission to Study Child Support and Related Child Custody Issues (the “Commission”), originally established in 2003, 277 (HB 310) was extended in order to continue studying the recommendations of its final report dated December 4, 2004, as well as any new economic data on the cost of raising children in New Hampshire, and to serve as a continuing resource to the general court and the department of health and human services in revising, if appropriate, the child support guidelines.

Accordingly, the Commission reconvened on August 5, 2005 for an organizational meeting. Rep. David Bickford was elected Chair and Clifton Below was elected Vice-Chair. The primary initiative of the Commission was to provide input to the New Hampshire Department of Health and Human Services (hereinafter “Department”) in the procurement of an economist or economists pursuant to the appropriation provided under HB 450 for \$80,000 General Funds. At its meeting on Aug. 16, 2005, the Commission provided suggestions to the Department for incorporation into its request for proposals. At that meeting Commission members Shelly Uscinski and Clifton Below volunteered to serve on the Department’s RFP evaluation committee. Subsequently Commission member Dr. Gene Berg also volunteered to serve on the evaluation committee. The Commissioner of the Department appointed all three members to serve on the evaluation committee along with 3 department employees. The Governor declined to place the proposed contract that came out of the RFP process before the Executive Council and instead called for an inquiry into the procurement process by the Attorney General. The procurement was ultimately terminated based upon reasons set forth in the attached New Hampshire Attorney General’s Office Report dated April 4, 2006. Unrelated to the appropriation set forth under HB 450, the Department has issued another Request for Proposal (RFP), 07-DCSS-EC-02, dated July, 24, 2006. As of the date of the Final Report, the procurement process is still pending.

The Commission held two final meetings on September 27, 2006 and November 21, 2006.

Given the fact that the economic study has not been completed as originally anticipated by the Commission and HB 450 of 2005, the Commission recommends the following:

- (1) Legislation should be introduced for the 2007 legislative session to create a permanent standing commission to review child support issues and make recommendations to the legislature, to be effective October 1, 2007. It is recommended that commission members be appointed on the basis of rotating and staggered terms. The purpose of the commission should be to continue the efforts of this Commission in the review of the anticipated economic analysis and study under the pending RFP with recommendation for legislation based upon such economic study along with possible changes to the current New Hampshire Child Support Guidelines.
- (2) A Joint Resolution by the New Hampshire General Court should be introduced to encourage federal action on the federal Earned Income Tax Credit (EIC) and other tax benefits related to child custody and support to provide flexibility to state courts in allocating tax benefits to one or both parents under federal law in domestic relation matters.