

[Charvey@harveymahoney.com](mailto:Charvey@harveymahoney.com)

Sent: Friday, March 03, 2006 5:44 PM

Subject: PLEASE HELP

Hi my friends --

I hate to bother you, because I know you're all busy and have no spare time. And I know many of you are political. However, I thought that it is important to let you know that there are some truly idiotic and dreadful bills that are currently in the N.H. Senate (they have already passed the House). **They are bills sponsored by the "mad dads" and will pass if there is not a lot of rucus raised by the other side of the argument. They are so bad that we must make an effort to try to kill them.** They passed the House because **no one showed up for hearings to oppose them!**

I am hoping that you will be willing to contact the 24 N.H. Senators and let them know that the four bills I discuss below are really bad and should be killed. If you know any Senators, call them. Or you can write to them or email them if you don't know them personally. Contact all of the senators, not just the one for your district.

**These bills will all be voted on or are having hearings next week, so it is important that we all do something NOW.**

First and perhaps most important is **HB 1580**. This is an insane bill. It proposes to drastically and stupidly change the way that child support is calculated. According to this proposal, a child support obligation would be calculated for each parent's based upon the parent's net income. The bill uses the current allocation of net income: 25% of net income for the support of one child; two kids 33%, three kids 40%, four or more 45%).

That amount is divided by 365.5 to get a daily child support obligation and then the daily obligation is multiplied by the actual number of days that the other parent has the kids. The bill does not define a "day"

Once you have a figure for each parent's annual child support obligation, the parent who has the higher "annual child support obligation" is deemed to be the parent who will pay child support.

This formula could result in some fairly bizarre and irrational child support obligations:

I.E. If the parent who has the kids most of the time is the higher earner, he/she could end up paying child support to the non-custodial parent!!!

The kicker is that the parent paying child support only has to pay the difference between the two parents' annual support obligation. So if the obligor's "annual child support obligation" comes out to be \$1,000/month, and the obligee's is \$700/month, then the obligor would only actually pay \$300/month.

Passage of this bill will require that current child support orders be modified, and by my calculations will most often be drastically reduced. On occasion it will result in the parent who has the kids most of the time paying the other parent child support. Kids who are already living on the edge will be plunged into poverty.

Worst about this bill is that it reduces children into dollar signs. Discussions about whether or not a parent gets to keep the kids overnight on Sunday night until Monday morning will no longer be about what is best for the kids, but how much will that cost or save a parent. This is not a male/female issue, it is not a mom/dad debate -- this is about children, and trying to keep them out of chaos, poverty, and litigation as much as possible.

**I'm sorry to report that our N.H. Health and Human Services Commissioner supports this bill, which is exceedingly odd given that this bill will also result in a significant reduction in the amount of child**

**support that the state will collect from parents whose kids are on TANF (state welfare). Talk about bad fiscal policy!**

\* **HB529** creates a presumption applicable to every case that the courts should award the parents "comparable parenting time," whatever that means. Lawyers all over the state are arguing that now there is a presumption that Mom and Dad should have equal time regardless of the history of the family, regardless of the working schedules of the parents and regardless of the impact on the children.

This bill is about the parents; it is not about the children. I believe strongly that there should be no focus other than what needs to be done for the children to minimize the impact of their parents' separation and divorce. The time with each parent is one important factor to be considered, but only one. The child didn't decide to get a divorce; the parents' "rights" to parent should be subordinant to the child's needs.

**This bill has passed the house and the senate judiciary committee and, I believe, needs only the Senate's vote and the Governor's signature. PLEASE ACT on this bill IMMEDIATELY.**

\* **HB1583** (which would allow modification of custody on a substantial change of circumstances or *automatically every three years* -- just like child support!! Talk about a lawyer's welfare bill, and keeping children in litigation all of their minority just because one of the parents is not happy!

\* **HB1516** (which would allow modification of child support orders any time *someone thinks an order is "unjust"*, regardless of whether there has been any significant change of financial circumstances, so unhappy child support payors can just keep running back to court over and over again with no end in sight!

\* **HB592** would permit the deduction of student loan interest that a parent is paying for his/her own educational loans -- but not for his/her child's student loans! -- from gross income in calculating child support).

If you think these are stranger than fiction, if you think that I am making this up, then go to the Legislature's web site, type in the house bill number, and read them yourself.

I cannot stress enough that we must all work together to stop the bills in the Senate. As I've said before the bills are passing because no one is showing up to oppose them. There are senators and representatives out there who are begging to hear from the likes of you and me.

The Senators don't do this stuff or live this stuff every day. They don't understand how these bills will impact the everyday lives of separated families, ones where child support is a critical piece of the financial picture, ones where there has been emtional abuse, ones where parents can't stand each other anymore. If the case is in court, there are problems making joint decision.

Please contact any senator or representative whom you know. Call them. Send them emails. Send them letters.

**HB 1580** is scheduled for a hearing before the Senate Ways and Means Committee **on Wednesday at 3 pm, in Room 103** of the LOB. I am planning to attend the hearing, and you should too, if you can.

The senators on the Senate Ways and Means Committee are:

Lou D'Allesandro, Chairman, Robert E. Clegg, V Chairman, Robert K. Boyce, John T. Gallus, and Bob Odell.

You can find their addresses, phone numbers, and email addresses by going to the State's Webster web site ([www.state.nh.us](http://www.state.nh.us)), click on "Legislative Branch", then click on NH State Senate, then on Senate Members.

We've all got plenty of other stuff to do, and not enough time to do it in. But sending a letter or email -- it doesn't have to be long or detailed -- to the senators will help keep you and your kids out of court and, with any luck, have some sanity in their lives.

For those of you who live in Bedford -- Sen. Roberge agrees with me and totally opposes these bills. She is one of the Senators who is asking for all of us to contact the other senators.

Believe me -- you CAN make a difference. Your voice will be heard. If you have any questions, call or email me. If you're interested in testifying at the hearing on Wednesday, let me know.

Thanks for your help! Have a good weekend --

Campbell

**Harvey & Mahoney, P.A.**  
**51 High Street**  
**Manchester, NH 03104**  
**(603)668-0359**