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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 cto 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 defind 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 is 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!!!

[There is no such thing as a 'non-custodial' parent in NH anymore by law, and this has been true since Oct. 1st of 2005. It has been almost 6 months now since that term was legally deprecated, yet this attorney still uses it. So much for RSA 461-A that was supposed to 'change the culture'. The legal community and judiciary know that HB640 changed nothing of substance and they are still operating the way they have for a decade prior. There is nothing irrational about the HB1580 proposed formula. On the contrary, this formula is the only rational solution for taking into account the relative differences in the earnings of the parents and providing an appropriate and proper apportionment of support funds to benefit the child at both households.]

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.

[Imagine that, BOTH parents actually bearing economic responsibility for supporting their children as the law presently states is required though not reflected in the present child support guidelines... This statement tells much about the present dysfunctional nature of the system. At present, if the obligor parent's "annual child support obligation" comes out to \$1,000/month and the obligee's is \$700/month, then the obligor is ordered to pay \$1000/month irrespective of how frequently the child is in their care. Absolutely indefensible...]

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.

[This biased attorney neglects to mention all of the kids who are right now living in poverty when in the care of their obligor parent because that parent is not allowed to retain any child support to provide shelter, utilities, food, clothing, or any of the other necessities of life at their household for the child. The NH Commission to Study Child Support and Related Child Custody Issues heard from a huge number of those obligor parents prohibited from adequately providing for their children during 4 public hearings it held during 2003 and 2004. Read the Commission's Final Report [\[here\]](#)]

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.

[On the contrary, the argument above is about family law attorneys and their dollar signs. This attorney is pulling out all the stops to 'kill' the proposed changes before the legislature that would provide fairness and equity in the courts so that children will be allowed to maintain both a meaningful mother AND father at the time of divorce. This attorney is a hypocrite of the worst kind. She is a profiteering hypocrite who benefits materially and financially while the children of the state suffer after having one of their parents unfairly and unwisely turned into a second class parent by the courts. A parenting schedule will be determined either by the parties through agreement or by the court if the parties cannot agree. Such a schedule will by definition be in the best interests of the child (and will hopefully include a substantial amount of time for the child with BOTH parents when desired by those parents who are fit). Once that schedule is determined, only then will the child support apportionment formula come into play so that the child is not plunged into poverty in one of the parent's households as that child is today under the existing guidelines.]

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!

[So, is this about the best interests of the children or about state fiscal policy and maximizing child support collections at the expense of those children who are currently being forced into substandard living conditions when they are at the obligor parent's household ? This statement should be in the dictionary under Hypocrisy defined...

The real HB1580 child support education is [\[here\]](#)]

* **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 attorney clearly believes that her opinion, or a judge's or GAL's opinion of a child's needs is more important than the right of that child to retain two comparable parents in the absence of evidence otherwise. Think hard about this, as it is reflective of how some in society have succeeded in destroying parental rights that have previously been upheld by the United States Supreme Court repeatedly. When *one* of the parents decides to get a divorce should that parent be allowed, as they are presently, to also force a divorce between the other parent and the child?**

The following language is extracted directly from HB529. This attorney does not want the court to be required to consider both parents as comparable parents from the outset and, in cases where the parties cannot agree, if ordering something other than comparable parenting rights and responsibilities be required to set forth the reasons why the court is parentectomizing the child.

Language directly from HB529:

1 Statement of Purpose; Comparable Parenting. RSA 461-A:2, II is repealed and reenacted to read as follows:

II. This chapter shall be construed so as to promote comparable parental rights and responsibilities.

2 Determination of Parental Rights and Responsibilities; Comparable Parenting. Amend RSA 461-A:6, IV-VII to read as follows:

IV. If the court finds upon consideration of the evidence that comparable parenting or the parents proposed allocation of parental rights and responsibilities is not in the child's best interest, the court shall set forth in detail the reasons for its decision in a written order.]

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!

[**So, child support is more important than a child having meaningful access to BOTH of their parents? And this isn't about lawyers and their dollar signs, huh? This bill would allow parents who have been unwisely and immorally removed from their children's lives, and whose children have had one of their parents taken away, the opportunity to petition the court for consideration of a parenting schedule under the present NH law that supposedly provides for the encouragement and facilitation**

of children to have BOTH a meaningful mother AND father. What has been done in the past to the children of divorce in NH and one of their fit parents through court-ordered separation of the two is nothing short of a disgrace, and those devastated children and parents should have the right to request that the court grant them more time together. At present the court merely defends the status quo parenting schedule (which was often indefensible from the start) by saying that if no danger of harm can be shown to the child then the court will not hear any other discussion of why parent and child should be allowed more time together. This standard of harm is preventing the possible reunification of children and parents separated without cause and without explanation statewide. Ironically, and disturbingly, no standard of harm was ever required when the original custody/parenting time determination was made by the court and a second class parent and often fatherless-child created. More hypocrisy at work...]

* **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!

[**The explanation of the above bill is so far removed from reality that no rebuttal could do it justice. The actual language contained within proposed legislation clearly has little bearing on the propaganda being promulgated by this family law attorney...]**

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.

[**I think the public would like to know who these Senators and Representatives are that are begging to hear from the family law attorneys in the state in opposition to the absolutely equitable reforms listed above. Who are these elected officials who are soliciting opposition to desperately needed and long overdue family law reforms from the state's family law attorneys? Do these attorneys, individuals who make an affluent living in direct proportion to the amount of family court litigation in divorce and child custody cases, have opinions that are valued above the rights of the NH parents and children being immorally devastated in the state's family courts on a daily basis? Are the profits of this family law industry special interest group more critical to defend than the children and parents of NH divorce who are having their Constitutional rights violated every day in the family courts?]**

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 emotional abuse, ones where parents can't stand each other anymore. If the case is in court, there are problems making joint decision.

[**How many children do you think have been immorally and unwisely separated from one of their parents, overwhelmingly their fathers, by this attorney after she has claimed 'emotional abuse' or that 'the parents can't stand each other anymore'? One has to wonder if this attorney is advising her clients that taking their case to court, as opposed to mediating or negotiating, is a good plan considering they can then argue the parties can't stand each other and thus the court should determine the outcome using the present inequitable and skewed status quo... ?]**

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), 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.

[Apparently we do know who at least one of the Senators is that values the opinion of family law professionals with a terrible conflict of interest above the rights of NH's children and parents of divorce...]

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

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[It is instructive and important to note that this family law attorney, Joan Campbell Harvey, and her partner Marilyn Mahoney, another family law attorney staunchly opposed to family law reform in the state, both appear on the list of NH Superior Court Neutral Evaluators for Marital Cases: [Superior Court Neutral Marital Evaluators](#)

Is this what it means in NH to be a Neutral Evaluator?]