

MINUTES OF THE JOINT HOUSE & SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairpersons Michael O'Neal & John Vratil at 3:30 p.m. On January 22, 2001 in Room 313-S of the Capitol.

All members were present except:

Representative Rehorn - Excused

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Mike Heim, Legislative Research Department

Jennifer Strait, Intern for Legislative Research Department

Jill Wolters, Revisor of Statutes Office

Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative Peggy Palmer

Lori Hogan, Topeka

Cindy Withers, Erie

Rick Coyne, Scott City

Susan Kang, Douglas County Court Trustee

Kathleen Sloan, Johnson County Court Trustee

Karen Griffith, Norton County Court Trustee

Lee Fisher, Trego County Court Trustee

Anne McDonald, Wyandotte County Court Trustee

A copy of the appropriations proviso from the 2000 Session which authorized the Department of Social & Rehabilitative Services and the Kansas Supreme Court to enact the Kansas Payment Center (Attachment 1). Also a copy of the Supreme Court Administrative Order Number 154 which sets out the procedural guidelines for the payment center to follow (Attachment 2).

Representative Peggy Palmer was contacted by a constituent who has had trouble receiving her child support payments since the Kansas Payment Center had been processing them. Rep. Palmer met with the payment center and believes that the Center is grossly understaffed. Many families depend on these payments and when they are not received it causes them a financial burned. She requested that the legislature consider allowing families to opt out of sending their checks to the Payment Center without receiving a penalty.

Lori Hogan, Topeka, informed the Committee that sometimes she receives her child support check in one payment and at other times it two or three different checks. She questioned who is receiving the interest on the child support money and why she has to pay a \$12.80 per month service fee (Attachment 3)

Cindy Withers, Erie, was concerned when she heard that there would be one payment center handling all the child support checks because the courts were efficient. She stated that her payments have been consistently late and have caused her to miss bill payment deadlines, write hot checks and now she is \$1,000 in debt for overdraft charges and late charges. She also has experienced problems in getting the payment center to automatically deposit her support (Attachment 4)

Rick Coyne, Scott City, reminded the Committee that SRS's moto is to help family & children. He believes that both SRS & the Kansas Payment Center should share in the blame of not providing an adequate payment center for the children of Kansas. He was concerned about the long waits that people have on the phone to get any help. The longest he as waited was an hour and forty-five minutes. He believes that this is totally unacceptable. He encouraged the committee to consider allowing the Clerks of the Courts to handle the payments again (Attachment 5).

Susan Kang, Douglas County Court Trustee, stated that since the inception of the Kansas Payment Center they have spent many hours working with mothers & fathers who have problems with the Payment Center. Types of problems they have encountered range from:

- , Payments that should be applied to two different obligations are consistently applied to one child support
- , Payments have been applied to an incorrect case even though the correct case number is listed on the check
- , Payments have not been posted
- , They have found that there is no procedure for securing refunds for parents who have been overpaid
- , There is no procedure for holding payments until a necessary change is made
- , Lack of a timely response for questions and problems

The courts are supposed to be the enforcement behind the child support but are finding that they are spending more time on helping those with problems that they were originally when they were in charge of the Child Support System (Attachment 6).

Kathleen Sloan, Johnson County Court Trustee, stated that while the payment center is mandated by the federal government it does not enhance the collection & distribution of child support payments (Attachment 7). She proposed several changes, which were discussed with Court Trustee and the Office of Judicial Administration.

- , Payment Center must provide the courts and trustee with ongoing access to the suspense list
- , Permit the courts and trustees to have more access to information about payments being processed
- , Enhance the secure web site so that more information is provided
- , Provide more trained staff and separate telephone access for the court to deal with questions and problems
- , Extend the amount of time access to the web site is permitted.

Karen Griffith, Norton County Court Trustee, commented that her main problem is with not having access to the unidentified payments so she can help those from her county find their payments. She has problems with the internet site being maxed out and then closing down on a regular basis. Also many of the checks are taking a week or more to get from St. Louis to the receiver. She proposed that the State not reject the contract with Tier but help them with the problems they are experiencing with the current system (Attachment 8).

Lee Fisher, Trego County Court Trustee, has seen major improvements in most areas with the Payment Center but is very concerned with the turn around time that it is taking for checks to be posted, cut and mailed out to the receiver (Attachment 9).

Anne McDonald, Wyandotte County Court Trustee, has been asked numerous times about the ability to opt out of sending their child support payments to the Center and just paying their ex-spouses directly because of the financial burden waiting for the check causes (Attachment 10).

The Committee meeting adjourned at 5:30 p.m. The next meeting is scheduled for January 23, 2001 at 3:30 in room 313-S.