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Second Place Writing - Editorials



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\$1,500 Scholarship Award

A farce in many acts: Child-support enforcement in Arizona

By: *Jennifer Tramm*

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Enforcement of child-support laws in Arizona is punitive and unjust. If a deadbeat dad disappears, little can be done about it. On top of that, the state expects money it provides to children to be paid back if and when child support is paid by dads like my ex-husband, who owes me \$31,040 in child support.

Since the original support order required that his wages be garnished to pay it, he switched jobs often, trying to shake me off his tail. I would find him and send notice to his employer, only to have him leave that job almost immediately. Finally, I lost track of him.

The loss of income was devastating. For about three years, my daughter was on the state-run, federally funded Medicaid plan, Arizona Health Care Cost Containment System. I do not know what cost the state paid monthly for this medical plan, but I know that, if I ever see a dime, it will be after the state gets its money.

If I ever receive child-support payments from dear old deadbeat dad, I have to accept the state's word on how much the medical plan premium cost and just deal with it. Because all payments go through a central clearinghouse, the state deducts its share before sending on the meager remains.

The federal government is fully complicit in the state's reimbursement scheme. Federal law requires that for families to get federally funded public assistance administered by the state, they must assign to the state rights to child-support payments. No public aid will be provided to a family that does not comply.

Custodial parents need the state and federal governments to stop kicking them in the teeth and go after the deadbeats with more gusto.

There should be a federal law requiring deadbeat parents to pay the state back when their negligent actions cause their children's dependence on state and federal funds. Taking the money before it gets to the child actually keeps the family on public assistance in a vicious, unending cycle.

In Arizona, there is a mandatory new-hire database for the purpose of identifying workers with child-support orders, but employers are lackadaisical about following the law. The federal law that requires the database allows states to impose a maximum fine of \$25 per new hire not reported. Arizona does not fine

employers for non-compliance, so there is no mystery to the fact that a mere 51 percent of Arizona employers abided by the new-hire reporting requirement, according to a U.S. Department of Labor report issued in 2004, the last year for which data is available.

During the first frenzy of trying to discover where my ex was working, the database was useless. If he was reported as a new hire, it never crossed the desks of the Arizona Department of Child Support Enforcement.

There are remedies the custodial parent may utilize, but they aren't sure things.

One is for the state to suspend professional and recreational licenses to put pressure on the parent to pay child support. My ex has never been a professional anything, and for the only "recreation" in which he ever engages, there is no license. In fact, his "recreational" activities have gotten him arrested, but nobody in the court system bothered to see if he was a deadbeat dad. I never received notification that they had him in custody. I had to find out on the Arizona Public Access to Court Information Web site. By the time the charges had shown up in the system, he had disappeared

again and the state had finally started looking for him, but not to get him for failure to pay his child-support order. The state started looking for him because he failed to fulfill his terms of probation.

Still another remedy is intercepting the tax returns of deadbeat parents. The idea is that, if a deadbeat parent is entitled to a tax refund, the state can intercept it to pay the child-support obligation. Nice idea, if the deadbeat files returns.

There is a parent locator service through the state, but cases are not solved quickly and sometimes not at all. Cases are at the mercy of the state. Custodial parents can do nothing but wait or pay for their own attorneys.

It is not fair. My ex left his child destitute. I was barely able to pay the rent. I had to go to the food bank or ask for rent assistance.

What custodial parents need is a state with more compassion. Penalize the deadbeat parent, not the one trying to provide a good home for the child.

When a poor family without a child-support issue gets assistance from the state, it receives it without the fear of having to pay it back. Why, then, must a poor family, which is destitute due to the actions of someone able to pay, pay back the state and federal aid? If anyone should pay, it should be the deadbeat. Call it a penalty for breaking the law, because abandoning a child financially when the ability to pay is available is a crime.

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