

# ENROLLMENT(S)



COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 8-150

"Child Support Guideline Amendment Act  
of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-461 on first and second readings, May 1, 1990, and May 15, 1990, respectively. Following the signature of the Mayor on May 30, 1990, this legislation was assigned Act No. 8-208, published in the June 8, 1990, edition of the D.C. Register, (Vol. 37 page 3720) and transmitted to Congress on June 5, 1990 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-150, effective July 25, 1990.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 5,6,7,8,11,12,13,14,15,18,19,20,21,22,25,26,27,28,29

July 10,11,12,13,16,17,18,19,20,23,24

JUL 25 1990

Codification,  
District of Columbia Code  
(1991 Supplement)

AN ACT

D.C. ACT 8 - 208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 30 1990

To establish a presumptive guideline for the determination and payment of child support in the District of Columbia, and to establish the Child Support Guideline Commission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child Support Guideline Amendment Act of 1990".

Sec. 2. Title 16 of the District of Columbia Code is amended as follows:

(a) The table of contents for chapter 9 is amended by adding the phrase "16-916.1. Child Support Guideline." after the phrase "16-916. Maintenance of spouse and minor children; maintenance of former spouse; maintenance of minor children; enforcement."; and

(b) A new section 16-916.1 is added to read as follows:

New, Section  
16-916.1

"Sec. 16-916.1. Child Support Guideline.

"(a) In any case brought under subsection (1), (3), (10), or (11) of section 11-1101 that involves the establishment or enforcement of child support, or in any case that seeks to modify an existing child support order, if the judicial officer finds that there is an existing duty of child support, the judicial officer shall conduct a hearing on child support, make a finding, and enter a judgment in accordance with the child support guideline ("guideline") established in this section.

"(b) The guideline shall be based on the following principles:

"(1) The guideline shall set forth an equitable approach to child support in which both parents share legal responsibility for the support of the child.

"(2) The subsistence needs of each parent shall be taken into account in the determination of child support.

"(3) A parent has the responsibility to meet the child's basic needs as well as to provide additional child

support above the basic needs level. The relative standard of living of each household shall be considered in the child support award and a child shall not bear a disproportionate share of the economic consequences of the existence of 2 households rather than 1. When child support is established, the child shall not live at a standard substantially below that of the noncustodial parent.

"(4) Application of the guideline shall be gender neutral.

"(5) The guideline shall take into consideration the existence of a prior child support order that is being paid by a parent or the obligation of a parent to support a dependent child who lives in the parent's household.

"(6) The guideline shall take into account the difference in cost to raise children of different ages.

"(7) The guideline shall be applied consistently whether or not the custodial parent is an Aid to Families with Dependent Children ("AFDC") recipient.

"(8) The guideline shall be applied presumptively.

"(c) For purposes of this section, gross income means income from any source, including, but not limited to:

"(1) Salary or wages, including overtime, tips, or income from self-employment;

"(2) Commissions;

"(3) Severance pay;

"(4) Royalties;

"(5) Bonuses;

"(6) Interest or dividends;

"(7) Income derived from a business or partnership after deduction of reasonable and necessary business expenses, but not depreciation;

"(8) Social Security;

"(9) Veteran's benefits;

"(10) Insurance benefits;

"(11) Worker's compensation;

"(12) Unemployment compensation;

"(13) Pension;

"(14) Annuity;

"(15) Income from a trust;

"(16) Capital gains from a real or personal property transaction, if the capital gains represent a regular source of income;

"(17) Spousal support received from a person who is not a party to the child support order;

"(18) A contract that results in regular income;

"(19) A perquisite or in-kind compensation if the perquisite or in-kind compensation is significant and represents a regular source of income or reduces living expenses, such as use of a company car or reimbursed meals;

"(20) Income from life insurance or an endowment contract;

"(21) Regular income from an interest in an estate, directly or through a trust;

"(22) Lottery or gambling winnings that are received in a lump sum or in an annuity;

"(23) Prize or award; or

"(24) Net rental income after deduction of reasonable and necessary operating costs, but not depreciation.

"(d) A prior child support order that is being paid shall be deducted from a parent's income before the child support obligation is computed in the instant case.

"(e)(1) The guideline shall have 5 income levels with a different percentage applied at each level.

"(2) In level 1, a noncustodial parent with income of \$7,500 or below shall be considered unable to contribute the guideline percentage. A noncustodial parent with gross income below \$7,500 shall be treated on an individual basis and in nearly all cases, shall be ordered to pay at least a nominal sum of \$50 per month. If the individual circumstances permit, a noncustodial parent with income below \$7,500 shall be ordered to contribute more.

"(3) In level 2, a noncustodial parent with income that is not less than \$7,501 and not more than \$15,000 per year, and whose income with application of the guideline will not be below the poverty level, shall contribute the following percentage of income for basic child support:

One child	20%
Two children	26%
Three children	30%
Four or more children	32%.

"(4) In level 3, a noncustodial parent with income that is not less than \$15,001 and not more than \$25,000 per year, and whose income with application of the guideline will not be below the poverty level, shall contribute the following percentage of income for basic child support:

One child	21%
Two children	27%
Three children	31%
Four or more children	33%.

"(5) In level 4, a noncustodial parent with income that is not less than \$25,001 and not more than \$50,000 per year shall contribute the following percentage of income for basic child support:

One child	22%
Two children	28%
Three children	32%
Four or more children	34%.

"(6) In level 5, a noncustodial parent with income that is not less than \$50,001 and not more than \$75,000 per year shall contribute the following percentage of income for basic child support:

One child	23%
Two children	29%
Three children	33%
Four or more children	35%.

"(7) In level 2, 3, 4, or 5, the child support percentage for older children shall be adjusted in accordance with this section. Further adjustments to offset medical insurance cost or income of the custodial parent shall be provided in accordance with this section.

"(f) The guideline percentage shall not apply presumptively to a noncustodial parent with income that exceeds \$75,000. The amount available to a child of a noncustodial parent with income above \$75,000 shall not be less than the amount that would have been ordered if the guideline had been applied to a noncustodial parent with income of \$75,000.

"(g) The basic child support order amount of the guideline is for a child 6 years of age or younger. The basic child support order shall be increased by 10% if the oldest child is not less than 7 years of age and not older than 12 years of age. The basic child support order shall be increased by 15% if the oldest child is not less than 13 years of age and not more than 21 years of age. For purposes of this subsection, the age of the oldest child shall be used for the computation of the entire child support order amount rather than to compute a separate amount for each child.

"(h)(1) An offset from the child support order amount shall be allowed for the child's portion of a medical insurance premium if the noncustodial parent adds or has already added the child to the noncustodial parent's current medical insurance policy and the conditions described in this subsection are met. The offset shall be determined by the subtraction from the noncustodial parent's gross income of the amount of the premium attributable to coverage for the child measured on a per capita basis.

"(2) The noncustodial parent shall present proof of the increase in a medical insurance premium incurred as a result of the addition of the child to the medical insurance policy. The proof provided shall identify clearly that the source of the increase of the medical insurance premium is

the child who is the subject of the child support order. The cost shall be reasonable.

"(3) If a noncustodial parent does not have medical insurance coverage, does not have a 2nd family, and can obtain medical insurance coverage at a reasonable cost, the court may order the noncustodial parent to obtain medical insurance coverage for the child in accordance with federal law. The amount of the offset shall equal the difference between the premium for single coverage and the premium for family coverage. No offset shall be calculated by using the cost for the coverage for the noncustodial parent.

"(4) If the noncustodial parent has family medical insurance coverage in the noncustodial parent's medical plan for a 2nd family, the addition of the child who is the subject of the child support order need not result in an additional cost of medical insurance coverage to the parent. The noncustodial parent shall be required to provide proof that the child has been added to the medical insurance coverage and to provide a medical insurance card to the custodial parent. An offset shall not be given if there is no additional cost of medical insurance coverage to the noncustodial parent.

"(i) The payment of an uninsured extraordinary medical or dental expense incurred by a minor child who is the subject of a child support petition shall be treated on a case by case basis, absent an agreement between the parties. If the court determines that the medical or dental expense is necessary and is in the best interest of the child, the court may reduce the child support order of the noncustodial parent for a portion of the payment that the noncustodial parent makes toward the medical or dental expense or may increase the child support order to reimburse the custodial parent for payments made by the custodial parent.

"(j) The percentage of the noncustodial parent's gross income shall be reduced by a percentage that corresponds to the custodial parent's share of total parental gross income. The reduction shall be determined according to the following formula:

"(1) Gross income of the custodial parent minus the appropriate threshold amount provided for in paragraph 2 of this subsection and day-care cost divided by gross income of the noncustodial parent plus the custodial parent's gross income minus appropriate threshold amount and child care costs.

"(2) The threshold amount to be used to apply the offset, and below which the custodial parent's income shall be disregarded, shall be \$16,500 gross income if there is 1 child. For each additional child, the threshold amount to be used to apply the offset, shall increase by \$2,000.

"(k)(1) If the parties present a consent order, an agreement that is to become an order, or a written agreement that is to be merged in an order, the judicial officer shall examine the child support provisions of the agreement, and compare the child support provisions to the guideline. If the amount of child support agreed upon is outside of the range of child support that would be ordered presumptively upon application of the guideline, the judicial officer shall determine if the agreed upon level of child support is fair and just. If the parties are represented by counsel, the judicial officer shall inquire whether the attorney informed the clients of the guideline. If the clients have not been informed of the guideline, the judicial officer shall advise the attorneys to do so. If a party is not represented by an attorney, the judicial officer shall ensure that the party is aware of the child support amount that the court would order presumptively pursuant to the guideline.

"(2) The propriety of any deviation from the guideline shall be justified in writing with a statement of the factors that form the basis for the judicial officer's finding that the deviation is fair and just. A transcript filed in the jacket shall suffice as a writing.

"(1) Application of the guideline shall be presumptive. The guideline shall be applied unless application of the guideline would be unjust or inappropriate in the circumstances of the particular case. Departures shall be set forth and explained in writing. The factors that may be considered to overcome the presumption are:

"(1) The needs of the child are exceptional and require more than average expenditures;

"(2) The gross income of the noncustodial parent is substantially less than that of the custodial parent;

"(3) A property settlement provides resources readily available for the support of the child in an amount at least equivalent to the formula amount;

"(4) The noncustodial parent supports a dependent other than the child for whom the custodial parent receives credit in the formula calculation, and application of the guideline would result in extraordinary hardship;

"(5) The noncustodial parent needs a temporary period of reduced child support payment to permit the repayment of a debt or rearrangement of his or her financial obligations. A temporary reduction may be included in a child support order if:

"(A) The debt or obligation is for a necessary expenditure of reasonable cost in light of the noncustodial parent's family responsibilities;



"(B) The time of the reduction does not exceed 12 months; and

"(C) The child support order includes the amount that is to be paid at the end of the reduction period and the date that the higher payments are to commence;

"(6) The custodial parent provides medical insurance coverage for the child at an additional cost to the custodial parent's medical insurance coverage and the additional cost is significant in relation to the amount of child support prescribed by the guidelines;

"(7) Children of more than 1 noncustodial parent live in the custodial parents household, receive a child support payment from the noncustodial parent, and the resulting gross income for the custodial parent and the children in the household causes the standard of living of the children to be greater than that of the noncustodial parent; or

"(8) Any other exceptional circumstance that would yield a patently unfair result.

"(m) The formula established in subsection (q) of this section incorporates a variation of plus or minus 3% for each level. A variation within the plus or minus 3% limit need not be justified by written findings but specific findings are advisable. The factfinder shall consider at least the following factors in the application of a variation:

"(1) A child has regular and substantial income that can be used for child support without impairment of the child's current or future education;

"(2) The noncustodial parent has special needs that require additional subsistence cost;

"(3) The noncustodial parent pays for certain expensive necessities for the child, such as tuition or orthodontia;

"(4) The child has moderately more than average needs;

"(5) High child care costs are involved;

"(6) There is no medical insurance coverage, medical insurance coverage does not cover dental or major medical items, or the medical insurance coverage has a high deductible, and the expenses are paid or are to be paid by the custodial parent.

"(n) In a case in which shared custody is ordered or agreed to and the child spends 40% or more of the child's time with each parent, the guideline shall not apply presumptively. For the purposes of this subsection, "shared custody" means actual visitation that exceeds 40% of the year. The guideline shall be considered advisory, and if, in the discretion of the judicial officer, application of the guideline would result in an unjust or inappropriate order

in a particular circumstance, the following procedure shall be considered:

"(1)(A) Calculate the amount that the father would pay the mother if the mother has sole custody, and multiply the amount by 1.5.

"(B) Calculate the amount that the mother would pay the father if the father has sole custody, and multiply the amount by 1.5.

"(2)(A) Multiply the father's obligation by the percentage of the time the mother has the child.

"(B) Multiply the mother's obligation by the percentage of the time the father has the child.

"(3) The difference between the amounts of paragraphs (2)(A) and (2)(B) shall be the net transfer.

"(4) Apply any necessary credit or debit. For example, if 1 parent pays all the day-care expense, he or she is entitled to a credit for the day-care expense attributable to the days the child is with the other parent.

"(c) A child support order issued under this section or section 5 of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Code, 30-504), shall be subject to modification by application of the guideline subject to the following conditions or limitations:

"(1) A party to a child support proceeding shall exchange relevant information on finances or dependents every 3 years and shall be encouraged to update a child support order voluntarily using the updated information and the guideline. Relevant information is any information that is used to compute child support pursuant to the guideline.

"(2) Every 3 years, in cases being enforced under part D of title 4 of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. sec. 651 et seq.) ("IV-D program"), the Department of Human Services Office of Paternity and Child Support Enforcement, and the Child Support Section of the Civil Division of the Office of the Corporation Counsel shall notify both the noncustodial and the custodial parent of the right to seek a modification of their child support order under the guidelines. The Department of Human Services Office of Paternity and Child Support Enforcement, and the Child Support Section of the Civil Division of the Office of the Corporation Counsel shall establish a procedure for informing the noncustodial and custodial parent if a modification is warranted under the guideline.

"(3) There shall be a presumption that there has been a substantial or material change of circumstances that warrants a modification of a child support order if application of the guideline to the current circumstances of the parties results in an amount of child support that

varies from the amount of the existing child support order by 15% or more. A child support order shall not be modified based solely on the enactment of the guideline. The presumption may be rebutted by:

"(A) Proof of special circumstances such as a circumstance that would take a case outside the guideline; or

"(B) Proof of substantial reliance on the original child support order issued prior to adoption of the guideline, and that application of the guideline, would yield a patently unjust result.

"(4) The central figure stated in the guideline shall be used to compute the amount of child support that the guideline would yield for modification and to apply the test for the presumption.

"(5) If a child support order is issued after September 27, 1987, and the child support order is outside the guideline, by order of the court or by merged agreement of the parties, the presumption shall not apply within 1 year of the issuance of the child support order.

"(6) If a petition to modify a child support order pursuant to this section is accompanied by an affidavit that sets forth sufficient facts and guideline calculations, and is accompanied by proof of service upon the respondent, the Family Division may enter an order to modify the child support order in accordance with the guideline unless a party requests a hearing within 20 days of service of the petition for modification. No order shall be modified without a hearing if a hearing is timely requested.

"(7) Notwithstanding paragraphs (3) through (6) of this subsection, a party may submit a praecipe with a certification of waiver and supporting documentation, as prescribed by the court, to modify the child support amount by agreement of the parties at any time. This agreement shall be treated and reviewed by the court for issuance of a revised decree in the same manner as an original agreement of the parties is reviewed.

"(8) The judicial officer shall state the reasons for a departure from the guideline in writing. A transcript filed in the jacket shall suffice as a writing.

"(9) Notwithstanding paragraph 3(B) of this subsection, if a new child is born to the custodial and noncustodial parent, the guideline shall be applied to the entire family and 1 order shall be issued for all the children in the family. If possible, the 2 cases shall be consolidated if the child support of the last child is petitioned as a separate case.

"(10) Nothing in this subsection shall preclude a party from moving to modify a child support order at any other time.

"(p)(1) If a custodial parent has custody of children of more than 1 noncustodial parent, the judicial officer shall determine the standard of living of the custodial and noncustodial households. Standard of living is measured by dividing the gross income available to the household from all sources by the poverty level income (Chart 5) for the number of adults contributing income to the household, plus the number of children. If the standard of living for the custodial household is larger than the standard of living of the noncustodial household, the departure principle pursuant to subsection (1)(7) of this section may apply.

"(2) If the noncustodial parent has other children living with him or her, the guideline shall be determined as follows:

"(A) The guideline amount shall be determined for all of the children who live with the noncustodial parent and with the custodial parent for whom the noncustodial parent is responsible, except any child who is already the subject of a child support order.

"(B) A per capita share of the guideline amount for a child who lives in the noncustodial parent's household shall be subtracted from the noncustodial parent's gross income. The remaining income shall be used as the noncustodial parent's gross income to calculate child support for a child before the court.

"(3) If the judicial officer determines that the presumption has been overcome, the amount of child support ordered shall not reduce the standard of living of the child to less than that of the noncustodial parent. The precise amount of child support ordered is within the discretion of the judicial officer.

"(q) The guideline percentages are established as follows:

CHART 1  
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT  
ONE CHILD

AGES 0 - 6

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income

15,001 - 25,000	21% of Gross Income
25,001 - 50,000	22% of Gross Income
50,001 - 75,000	23% of Gross Income

AGES 7 - 12

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income +10% of Basic Order (22%)
15,001 - 25,000	21% of Gross Income +10% of Basic Order (23.1%)
25,001 - 50,000	22% of Gross Income +10% of Basic Order (24.2%)
50,001 - 75,000	23% of Gross Income +10% of Basic Order (25.3%)

AGES 13 - 21

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income +15% of Basic Order (23%)
15,001 - 25,000	21% of Gross Income +15% of Basic Order (24.15%)

25,001 - 50,000	22% of Gross Income +15% of Basic Order (25.3%)
50,001 - 75,000	23% of Gross Income +15% of Basic Order (26.45%)

file

CHART 2  
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT  
TWO CHILDREN

AGES 0 - 6 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	26% of Gross Income
15,001 - 25,000	27% of Gross Income
25,001 - 50,000	28% of Gross Income
50,001 - 75,000	29% of Gross Income

AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	26% of Gross Income +10% of Basic Order (28.6%)
15,001 - 25,000	27% of Gross Income +10% of Basic Order (29.7%)
25,001 - 50,000	28% of Gross Income +10% of Basic Order (30.8%)



## AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	30% of Gross Income +10% of Basic Order (33.0%)
15,001 - 25,000	31% of Gross Income +10% of Basic Order (34.1%)
25,001 - 50,000	32% of Gross Income +10% of Basic Order (35.2%)
50,001 - 75,000	33% of Gross Income +10% of Basic Order (36.3%)

## AGES 13 - 21 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	30% of Gross Income +15% of Basic Order (34.5%)
15,001 - 25,000	31% of Gross Income +15% of Basic Order (35.65%)
25,001 - 50,000	32% of Gross Income +15% of Basic Order (36.8%)
50,001 - 75,000	33% of Gross Income +15% of Basic Order (37.95%)



CHART 4  
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT  
FOUR OR MORE CHILDREN

AGES 0 - 6 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	32% of Gross Income
15,001 - 25,000	33% of Gross Income
25,001 - 50,000	34% of Gross Income
50,001 - 75,000	35% of Gross Income

AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	32% of Gross Income +10% of Basic Order (35.2%)
15,001 - 25,000	33% of Gross Income +10% of Basic Order (36.3%)
25,001 - 50,000	34% of Gross Income +10% of Basic Order (37.4%)
50,001 - 75,000	35% of Gross Income +10% of Basic Order (38.5%)

AGES 13 - 21 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT		CHILD SUPPORT ORDER
0 -	\$7,500	Discretion - Minimum \$50/month
\$7,501 -	15,000	32% of Gross Income +15% of Basic Order (36.8%)
15,001	25,000	33% of Gross Income +15% of Basic Order (37.95%)
25,001	50,000	34% of Gross Income +15% of Basic Order (39.1%)
50,001	75,000	35% of Gross Income +15% of Basic Order (40.25%)

CHART 5  
1989 POVERTY LEVELS (ANNUALIZED)  
FOR THE DISTRICT OF COLUMBIA

NUMBER OF PERSONS	POVERTY LEVEL GROSS INCOME
1	\$ 6,314
2	8,075
3	9,890
4	12,675
5	14,994
6	16,927
7	19,127
8	21,256
9 or more	25,296

STANDARD INCOME DISREGARD FOR PETITIONER'S ADJUSTED GROSS INCOME

NUMBER OF CHILDREN	AMOUNT
1	\$16,500
2	18,500
3	20,500
4	22,500

For each additional child, add \$2,000.

"(r) A child support order shall not be deemed invalid on the sole basis that the child support order was issued pursuant to the Superior Court of the District of Columbia Child Support Guideline and prior to the effective date of the Child Support Guideline Amendment Emergency Act of 1989, effective December 21, 1989 (D.C. Act 8-127, 37 DCR 3).

Sec. 3. Child Support Guideline Commission.

New, Section  
16-916.2

(a) There is established a Child Support Guideline Commission ("Commission"). The Commission shall study and make recommendations on the child support guideline to the Council of the District of Columbia ("Council").

(b) The Commission shall consist of a chairperson and 14 members who are District of Columbia residents. The Chief Judge of the Superior Court of the District of Columbia may appoint 5 members. The Mayor of the District of Columbia ("Mayor") shall appoint 1 member to represent the Corporation Counsel and 1 member to represent the Child Support Division of the Department of Human Services. The Mayor, with the advice and consent of the Council, shall appoint 3 members who shall be members of the District of Columbia Bar ("Bar") and recognized experts in the field of family law. The Chairman of the Committee on the Judiciary of the Council shall be the chairperson of the Commission and appoint 2 other members. The Chairman of the Committee on Human Services of the Council shall appoint 2 members.

(c)(1) Each member shall be appointed for a 2-year term. A vacancy shall be filled in the same manner as the original appointment.

(2) A majority of the members shall constitute a quorum. A quorum shall be necessary for the Commission to conduct business.

(d) The functions of the Commission shall include:

"(1) To annually review and update the data on poverty levels used in multiple family determinations.

"(2) To review pertinent economic data and data on the functioning of the guideline that the Commission gathers or that is brought to the attention of the Commission. The Commission shall meet not less than once annually for this purpose and shall review formally the guideline and vote on any proposed change not less than once every 4 years.

"(3) To hold a public meeting at least annually. Thirty days public notice shall be given for a public meeting. The Commission shall meet to receive oral or written comments from members of the Bar or the public.

"(4) To perform other tasks that are assigned by the Council to develop, update, or monitor the guideline.

(e) Members of the Commission shall serve without compensation but shall be reimbursed for any reasonable expense associated with service on the Commission.

(f) The Mayor shall provide sufficient space for the Commission to operate and may detail personnel to assist the Commission. The Mayor shall also direct any agency contacted by the Commission to give full cooperation to the Commission.

Sec. 4. The District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Code, sec. 30-501 et seq.), is amended as follows:

(a) Section 6(1) (D.C. Code, sec. 30-505(1)) is amended to read as follows:

Section  
30-505

"(1) For an original support order or a modification of a support order that is effective after October 1, 1990, notice that support payments shall be withheld from earnings or other income:

"(A) Immediately if the child support obligation is being enforced under part D of title 4 of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. sec. 651 et seq.) ("IV-D program"), unless the court finds there is good cause not to impose immediate withholding or the parties agree in writing to an alternative method of payment; or

"(B) If there are arrearages equal to 30 days of support payments;

(b) Section 8 (D.C. Code, sec. 30-507) is amended:

Section  
30-507

(1) By adding a new subsection (a-1) to read as follows:

"(a-1) For an original support order or a modification of a support order that is effective after October 1, 1990, notice that support payments shall be withheld from earnings or other income:

"(A) Immediately if the child support obligation is being enforced under the IV-D program, unless the court finds there is good cause not to impose immediate withholding or the parties agree in writing to an alternative method of payment; or

"(B) If there are arrearages equal to 30 days of support payments."

(2) By amending subsection (b)(1) by striking the phrase "as defined in this act where arrearages equal 30 days of support payments" and inserting "as provided in subsection (a-1) of this section;" in its place.

(c) Section 10(a) (D.C. Code sec. 30-509(a)) is amended by inserting the phrase "in which a child support order was issued effective before October 1, 1990, and" after the phrase "support cases".

Section  
30-509

(d) Section 26 (D.C. Code sec. 30-525) is amended as follows: Section  
30-525

(1) By striking the phrase "Consumer credit reporting" and inserting the phrase "Reporting and publication of delinquent accounts" in its place;

(2) By designating the existing text as subsection (a) and striking the last 2 sentences.

(3) By adding the following new subsections to read as follows:

"(b) The Mayor may publish the name, last known address, and amount of overdue child support of an obligor, if the obligor's child support payments are more than \$2,000 in arrears. The publication shall be in at least 2 daily and 2 weekly newspapers published and circulated generally in the District of Columbia.

"(c) The Mayor shall notify the obligor of the proposed action and of the obligor's right to contest the accuracy of the information to be released. The Mayor shall provide the obligor with a opportunity to contest the accuracy of the information."

(e) The following new sections are added to read as follows:

"Sec. 34. Interception of lottery prizes for delinquent child support payments. Section  
30-524.1

"(a) In the case of orders being enforced by the IV-D agency, the Mayor may intercept a lottery prize winning of an individual who owes delinquent support, as defined in section 466(e) of the Social Security Act, approved August 16, 1984 (98 Stat. 1310; 42 U.S.C. 666(e)).

"(b) Prior to interception of an individual's lottery prize winnings, the Mayor shall provide notice to the lottery prize winner of the pending interception of the lottery prize winnings and of the opportunity to contest the interception of the lottery prize winnings.

"Sec. 35. Parent Locator Service Section  
30-526.1

"(a) A Parent Locator Division ("Division") is established within the Office of Paternity and Child Support Enforcement of the Department of Human Services to maintain a parent locator service to locate a parent of a child in need of child support.

"(b) Any officer or employee of the District shall cooperate with the Division to determine the location of a parent who is not supporting his or her child. The officer or employee shall provide any pertinent information that relates to the location, income, or property of a parent, notwithstanding any District statute, ordinance, or rule that makes the information confidential.

"(c) Any company, corporation, partnership, association, union, or organization doing business in the District shall provide the Division with the following

available information, if the Division certifies that the information shall be used to locate a parent of a child in need of support and that the information obtained will be treated as confidential by the Division unless the parent's name is published for child support arrearages pursuant to section 26:

- "(1) Full name of parent;
- "(2) Name and address of parent's employer;
- "(3) Social security number of parent;
- "(4) Date of birth of parent;
- "(5) Home address of parent;
- "(6) Amount of wages earned by parent;
- "(7) Number of dependents claimed by parent on state and federal income withholding forms.

"(d) A person may not knowingly refuse to give the parent locator service information that will assist the parent locator service in locating the parent of a child.

"(e) Any person who knowingly refuses to provide information or provides false information that has been requested pursuant to subsection (c) of this section, upon conviction, shall be imprisoned for not more than 3 months, fined not more than \$1,000, or both."

Sec. 5. The Vital Records Act of 1981, effective October 8, 1981 (D.C.C Law 4-34; D.C. Code, sec. 6-201 et seq.), is amended by adding a new section (6a) to read as follows:

Section  
6-205.1

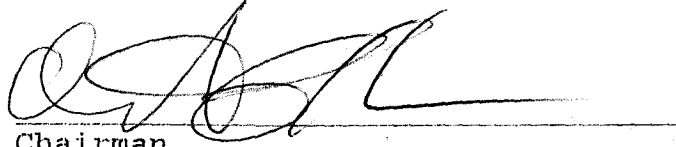
"Sec. 6a. Social Security Numbers.

"(a) A person required to prepare and file a certificate of birth shall provide on a form separate from the certificate of birth, the social security account number or numbers of each parent, if the parent has more than 1 social security account number. The social security account number shall not be recorded on the certificate of birth.

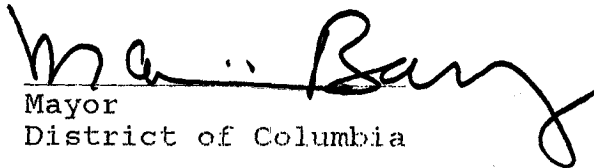
"(b) The social security account number shall be collected by the Register of Vital Records and made available only to the Department of Human Services Office of Paternity and Child Support Enforcement, and the Child Support Section of the Civil Division of the Office of the Corporation Counsel for the enforcement of child support orders. A social security account number shall not be available for any other purpose."

Sec. 6. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec.

1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: May 30, 1990



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Council Period Eight**

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: Bill 8-461

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 5-1-90

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT Approved ( 11 / 0 / 1 / 1 )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE	X				MASON	X				THOMAS, SR.	X			
CRAWFORD	X				NATHANSON	X				WILSON	X			
JARVIS	X				RAY	X				WINTER	X			
KANE			X		ROLARK	X								
LIGHTFOOT	X				SMITH, JR.				X					

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

*Russell S. ...*  
 Secretary to the Council

5-17-90  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-15-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( \_\_\_\_\_ )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

*Russell S. ...*  
 Secretary to the Council

5-17-90  
 Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( \_\_\_\_\_ )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

\_\_\_\_\_  
 Secretary to the Council

\_\_\_\_\_  
 Date