

that the referee cannot make those changes. They can only recommend the change.

SENATOR DAY: My understanding is they can recommend the changes and the district judge usually just accepts them because they've done the research and they have the information there and they are assigned, the district court does assign the referee to handle it.

SENATOR BERNARD-STEVENS: On cases that are there today, a person is not able to maintain child support, how many have gone to district court and have had them lowered?

SENATOR DAY: I have no idea. There are no records on that.

SENATOR BERNARD-STEVENS: Okay, so we don't know, when you say the court would usually just assume and take the referee's recommendation, where do you come up with that statement? How do you know the courts are going to do that?

SENATOR DAY: Well, I think on child support that has been going the other way, when it's gone into referee, the courts have taken usually the referee's judgment. Now the court absolutely doesn't have to. I mean if they want to go through and if they look at the situation, but remember everything has been pulled together for the judge at that time. They've done the research, they have the financial statement, they have all the affidavits, everything is there in front of them and there are guidelines as to how the referees work from the courts, as I understand it.

SENATOR BERNARD-STEVENS: So the person is going to end up in court no matter what on this particular portion.

SENATOR DAY: There will be a court ruling, no, they will not necessarily end up in court.

SENATOR BERNARD-STEVENS: Would a person...would you recommend to a person that they have an attorney that would represent them in court for their best interests?

SENATOR DAY: I don't think it's necessary the way it works. Senator Lindsay had an issue with a situation he had that he talked to me about before I brought up this amendment. A gentleman who both he and his wife agreed that the child support was too high for his income, but he had to hire an attorney to