

they have not been very successful at getting people to pay their child support and I think there are a number of reasons for that, some of which have nothing to do with judges themselves, it has to do with the structure of the tools that could be used to, to get the child support paid. The courts, traditionally, have had contempt powers, but those powers for ultimate enforcement involve throwing somebody in jail. And they have that power now, but that's a power they don't like to use for the obvious reason that you surely aren't going to make any money, if you're in jail, to pay the child support. And that tool...

SENATOR HARTNETT: But they have not used that tool as...

SENATOR BEUTLER: They have on occasions, but it's very hard to get there procedurally...

SENATOR HARTNETT: I see.

SENATOR BEUTLER: ...it takes a lot of hearings, a lot of court time, and judges, rightly so, think they have more important things to do, generally speaking, than to chase down a few dollars of child support. It's a few dollars in an individual case seen as a big problem, it's a lot of money. But I wasn't trying to be critical of judges, I was simply repeating what I think is fairly well known is that the institutional forces that were in effect, back in the early 1980s, simply, they didn't have the right kinds of tools and it took too much time and too much procedure and that's the reason that we started to move with wage withholding and other sorts of administrative actions in order to facilitate the process and get the, get the job done.

SENATOR HARTNETT: And this is another step?

SENATOR BEUTLER: And this is one more step, right.

SENATOR HARTNETT: Thank you.

SENATOR CROSBY: Are you finished then, Hartnett?

SENATOR HARTNETT: Yeah.

SENATOR CROSBY: Thank you. Senator Witek.