

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 1102

Short Title: Child Support Arrears Guidelines.

(Public)

Sponsors: Senator Boseman.

Referred to: Judiciary I (Civil).

March 22, 2007

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE CONFERENCE OF CHIEF DISTRICT COURT
2 JUDGES TO ADDRESS FORGIVENESS OF ARREARS IN THE CHILD
3 SUPPORT GUIDELINES.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 50-13.4(c1) reads as rewritten:

7 "(c1) Effective July 1, 1990, the Conference of Chief District Judges shall prescribe
8 uniform statewide presumptive guidelines for the computation of child support
9 obligations of each parent as provided in Chapter 50 or elsewhere in the General
10 Statutes and shall develop criteria for determining when, in a particular case, application
11 of the guidelines would be unjust or inappropriate. Prior to May 1, 1990 these
12 guidelines and criteria shall be reported to the General Assembly by the Administrative
13 Office of the Courts by delivering copies to the President Pro Tempore of the Senate
14 and the Speaker of the House of Representatives. The purpose of the guidelines and
15 criteria shall be to ensure that payments ordered for the support of a minor child are in
16 such amount as to meet the reasonable needs of the child for health, education, and
17 maintenance, having due regard to the estates, earnings, conditions, accustomed
18 standard of living of the child and the parties, the child care and homemaker
19 contributions of each party, and other facts of the particular case. The guidelines shall
20 include a procedure for setting child support, if any, in a joint or shared custody
21 arrangement which shall reflect the other statutory requirements herein. The guidelines
22 shall also include criteria for when divestment of arrears in accordance with
23 G.S. 50-13.10 is just and appropriate.

24 Periodically, but at least once every four years, the Conference of Chief District
25 Judges shall review the guidelines to determine whether their application results in
26 appropriate child support award amounts. The Conference may modify the guidelines
27 accordingly. The Conference shall give the Department of Health and Human Services,
28 the Administrative Office of the Courts, and the general public an opportunity to
29 provide the Conference with information relevant to the development and review of the

1 guidelines. Any modifications of the guidelines or criteria shall be reported to the
2 General Assembly by the Administrative Office of the Courts before they become
3 effective by delivering copies to the President Pro Tempore of the Senate and the
4 Speaker of the House of Representatives. The guidelines, when adopted or modified,
5 shall be provided to the Department of Health and Human Services and the
6 Administrative Office of the Courts, which shall disseminate them to the public through
7 local IV-D offices, clerks of court, and the media.

8 Until July 1, 1990, the advisory guidelines adopted by the Conference of Chief
9 District Judges pursuant to this subsection as formerly written shall operate as
10 presumptive guidelines and the factors adopted by the Conference of Chief District
11 Judges pursuant to this subsection as formerly written shall constitute criteria for
12 varying from the amount of support determined by the guidelines."

13 **SECTION 2.** This act becomes effective October 1, 2007, and applies to the
14 next review by the Conference of Chief District Judges.