

'Get them to pay'

County judge restarts weekly child support hearings

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Published 2/17/08

FAIRFIELD COUNTY - Judge Steven Williams goes through the same routine at 2 p.m. every Friday.

Outside his courtroom on the third floor of the Fairfield County Hall of Justice, nine people, many with a child or ex-spouse in tow, wait to make an appearance before Williams. It's a cycle some have been repeating for months. For others, they will come once or twice, then not again.

But all are there for the same purpose: They are being monitored for child support payments.

"It's much more effective to have them come in every three months or six months," Williams said. "It's something a lot of judges don't do because it takes up too much time but, for some of them, these hearings are the only way we can get them to pay."

The weekly child support hearings are a monitoring tactic Williams reintroduced to the Fairfield County court system with one mission in mind: To make parents pay their child support. The noncustodial parents who appear before Williams every few months must be able to prove they have a job and are making payments.

And with the Child Support Enforcement Agency of Fairfield County currently reporting \$20,180,602 in overdue child support, it's the most effective way Williams can get noncustodial parents to pay their dues without enforcing jail time.

"I want these people to pay," Williams said. "What is putting them in jail going to do for the family that needs the money? They won't be able to pay if they're in jail."

The CSEA works through the county Job & Family Services and the sheriff's office to locate absent parents and enforce child support payments and obligations. The organization and its team of 32 caseworkers collected \$21.6 million in overdue child support in 2007.

Currently almost half the 8,500 child support cases being handled by the CSEA - 3,911 - are delinquent, CSEA director Corey Clark said.

This means the obligor is more than a month behind on their payments, Clark said.

And 5,286 of those cases are contributing to the more than \$20 million amount in overdue support, he said.

"In some cases, these people could be behind by a few weeks or by no more than a few dollars," Clark said. "But the fact remains that they are all still behind, even if not all are delinquent."

MAKING THEM PAY

Meranda Markwood, of Ross County, admits she is one of the people who once contributed to the county's hefty statistic of unpaid support.

Markwood, who appeared before Williams on Feb. 8 for a routine hearing, lost custody of her 12-year-old daughter, Raven, in 1997 when she failed to show up for the custody hearing.

She has not seen her daughter since."After I lost custody, I thought to myself, I don't see my child, so why should I have to pay for her?" Markwood said. "And for a long time I didn't pay."

Since then, Markwood has been in jail three times. She said the jail time was what helped encourage her to start making her \$200 a month payment.

"I saw how wrong it was for me to not pay," Markwood said. "I mean, my child needs that money. And I think people who aren't paying that money should go to jail."

But jail time is something Williams said he sees as a last resort. Instead, he encourages obligors to find a steady job.

"Sometimes it takes just the threat of jail to get them to find a job and pay," Williams said. "And a lot of times the wife or husband wants them to be put in jail. But if they go to jail, then they won't be able to make payments."

For most cases filed by the CSEA, enforcement is typically used outside the courtroom first, said Mike Orlando, director of Fairfield County Job & Family Services.

Orlando said the CSEA might suspend an obligor's driver's license or set up automatic payroll deduction before filing a civil court contempt.

The CSEA also will help the parent try to find a job through the organization's Job Opportunity Program if necessary, Orlando said.

But if payments are still not coming in, a civil contempt case is filed in the common pleas court is the next step, he said.

Judge Kathy Mowry enforces child support and oversees civil contempt cases in Fairfield County.

"About 50 to 55 percent of civil contempt cases that come to my court are filed by the CSEA," Mowry said. "Not all of the people will come before me, some will come before a magistrate. But all will be ordered to pay."

If appearing in domestic relations court does not work, the obligor will usually then go before Williams, depending on how much he or she owes or how difficult it has been to enforce payment, Mowry said.

And that's when the lack of payments turn from civil to criminal.

WHY THEY DON'T PAY

The criminal child support division Williams oversees is for parents who are well behind in payments or have allegedly attempted to avoid paying child support.

Williams said he's never surprised by the excuses he hears about why people can't make payments.

Some are legitimate, Williams said - such as a person suffering from a serious medical condition that prevents him or her from working.

But many are not.

Tonya Woodside, of Lancaster, said she deals with her ex-boyfriend's excuses every three to six months when she meets him in court for his hearings.

Woodside's ex-boyfriend, whose name she declined to make public, is the father of her 4-year-old son, Landon.

Woodside said her ex-boyfriend will continually tell the judge he is working or actively looking for a job.

"He'll say he's found new employment, but it's always under-the-table jobs where they can't take his child support out and (the jobs) never last long," Woodside said.

Woodside's ex-boyfriend currently owes her \$50 a week, an amount that she said doesn't even cover their son's weekly day care bills.

When he does end up paying, it's always right before the hearings, Woodside said.

"I don't have the option of going in to his daycare on Friday and saying, sorry, I didn't get my child support check today, I can't pay you," Woodside said. "I have to pay and I have to find a way to pay. I can't give an excuse like he can."

Excuses about finding and keeping a job are fairly common from the noncustodial parents Williams sees.

"A lot of them skip from job to job, or they'll come to me and say they lost their job because their car broke down and they couldn't get to work," Williams said. "And I'll say, don't give me that excuse. If you can't get to work, have a back-up plan to get there."

Williams said noncustodial parents will also argue that the child they are ordered to pay for is no longer their obligation if they don't have custody.

"I'll explain that they have a legal obligation and a moral obligation to their children and they'll tell me stories about how they have a new family now and they don't feel they need to support the other family," Williams said.

Or, in some cases, the parents simply don't want to pay.

"They just don't want to be bothered," Mowry said. "It's easier for them to go to jail than to fulfill their obligations."

THE FAMILY EFFECT

Paying child support on time is an obligation that Markwood said she now wishes she would have fulfilled earlier in life.

While she's now making payments, Markwood said she fears reconnecting with the daughter she hasn't seen in nine years.

"I haven't tried to see her because she has been with her father for so long and she's happy where she's at," Markwood said. "But she's also still my daughter. She's still a part of my heart that I haven't seen in nine years."

Markwood said she hopes to someday establish some sort of visitation with Raven.

"I'll have to slowly reintroduce myself back into her life because she doesn't know me," Markwood said.

For Woodside, the lack of visitation her ex-boyfriend has with their son is something she has come to accept.

"In the beginning, he opted to have visitation where we'd come to an agreement on when he could see our son and, for a while, he would come around. But then he started to disappear," Woodside said. "He doesn't try to see him and he doesn't want to see him."

She said she has also come to accept the fact she and her husband will have to handle her son's payments without the help of his father.

"The expenses never end," Woodside said. "When (Landon) was younger, I would think to myself, well, he's almost out of diapers so there goes that expense. But then he's in nursery school and when that's over it will be something else."

Woodside said she feels that the court system's enforcement has merely been nothing more than a "slap on the wrist" for her ex-boyfriend.

"I feel the court system has failed me because the courts enable him," Woodside said. "Every three to six months we're in court because that's the only way he can be monitored. It's a continuous cycle."

But it's a cycle Woodside said she is prepared to go through, even if it means she will only get paid once in a while.

"I feel like I'm running inside a hamster wheel," Woodside said. "I have years to go with this and at times, I ask myself, is it worth it? But it's all I can do."