Family Law Design Review   **429**
Submitted for review to the
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Committee on Ways and Means
HR-5 - Welfare and Marriage Hearings
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http://www.gndzerosrv.com/Web_Pages/fl_design_rev.htm

Contents

Author

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Education: Received BSEE from Mississippi State University in 1983. Specializing in feedback control systems.

Employment: Northrop Grumman Electronics Division from 1983 - 1996

Experience: Responsible Engineer (RE) for the attitude subsystem within the inertial guidance system for the Peacekeeper missile. RE for the platform stabilization and angle measurement subsystems within the astro-inertial guidance system (NAS27) found on many reconnaissance aircraft (SR71, B2, AWACS, etc). Managed the software libraries and wrote interface programs for the Computer Aided Design (CAD) used for schematic capture, circuit simulation, circuit board layout, and design documentation

Termination: Northrop termination due to loss of security clearance and absence from work, related to court dates, custody evaluation appointments, attorney appointments, etc required by the family law system. Department of Defense (DOD) revoked security clearance after an investigation into financial insolvency stemming from a family law stipulation resulting in 65% wage garnishment..

Objective: Employment with Northrop Electronics with regard to guidance of military aircraft / intercontinental ballistic missiles was a personal contribution in an attempt to make war safer for civilians. Attempting to apply acquired knowledge of feedback control systems to an analogous social problem to make divorce safer for children and the parents who can financially support them.

Current Status: In violation of terms of probation with Los Angeles County, CA Municipal Court. Case # 9CRO4751. Ordered to pay child support to LA County, CA $1,380 every month as terms of probation. Case # 9CRO4751. Billed from LA County, CA every month for $2,200. Balance is $150,826 (Case # 04.2764.8052). Billed from Monterey County, CA every month for $1,479. Balance is $40,611. Case # 57594-1. Drivers license suspended by Monterey County, CA despite LA County, CA lifting suspension. Provide for 17-year-old daughter, who was kicked out of custodial parent's residence during 19-month attempt for due process regarding criminal nonsupport charge in LA County, CA Municipal Court. Case # 9CRO4751.

Family Law Summary

A Nation is judged by how it treats its families, a family is judged by how it treats its children, our children will judge us all.
The common denominator regarding welfare reform is reducing the number of unwed mothers who cannot provide for the support of their children. The common denominator regarding violence in our schools and communities is providing the children with an authority figure other than law enforcement. The common denominator regarding anything involving church or state is, and forever shall be, our children.

Unified goal: Preservation of the family, Welfare of the family members, and Prosperity of the family (PWP)

Focus of Faith: Children are born with all faith and no sin and represent the closest thing to God

Reason why we are here: This taste of consciousness we call life must be spent to preserve the faith, that is our children's birthright.

Meaning of life: Life is a game of *musical chairs*, but there are enough chairs for everyone. If you lack the faith to leave your seat, you lose.

Family Law Solution (FLS)

A system designed to provide adequate support for the children must incorporate a method to measure the support received by the children. The contributions made by either parent to provide support are not as important as the amount of support actually received by the children. The present system is not designed to monitor the output, resulting in an open loop system. There is no feedback from the output (support) to compare to the input (money).

The fate of our Nation, was thrust into the hands, of residents of a state, that chose not to be there. If the absentee balloteers in Florida all voted for Ross Perot, we would remember the quote "We paid for a front row, box seat, air conditioned, but never got to see the show". A clear message that demands change to incorporate technology into our government

Problem Identification
- In California, 41% of all child homicide victims were killed by a family member
- In California, 43% of all female homicide victims were killed by a family member
- In California, 21% of all female homicide victims were killed by their spouse.
- Defrauding the federal government is defrauding every taxpayer in the nation. Driving the only parent capable of financially providing support for the children into financial insolvency guarantees the state federal funding.
- The federal mandate that allows each state to practice family law is contingent upon each state's compliance regarding their child support guideline. Noncompliance would infer deprivation of rights and privileges under the color of law.
- The Executive branch of each state represents Child Support Enforcement (CSE). In California, a review of the accounting procedures would reveal the following problems concerning the Department of Child Support Services (DCSS):
  - Ignorance of civil court orders filed in Superior Court in their own county.
  - Ignorance of criminal court orders filed in Municipal Court in their own county.
  - Ignorance of court ordered bank account transfers made directly to the custodial parent
  - Ignorance of filings for enforcement by other agencies.
  - Eliciting fraudulent amounts using the US Postal Service.
  - Fraudulently depriving the rights and privileges of parents across counties, across states, and across oceans.

Family Law Solution (FLS) (continued)

Problem Identification (continued)

- The Judicial branch of each state is responsible for reviewing the child support guideline. In California a thorough review of the family code would reveal the following problems:
    - ◆ The focus of the statewide review of the child support guideline is centered on the ability of the courts to successfully impose the child support equation on noncustodial parents. The focus of the review should be on the actual support received by the children and the effect on the parents.
    - ◆ CAFC 4053 i violates federal law (USC 42 667 b2) by presuming that the custodial parent will spend a *significant portion* of available resources to support the children. The presumption of a generality prohibits rebuttability while promoting consumer fraud and tax evasion.
    - ◆ CAFC 4055 violates the federal law (USC 15 1673) if the absent parent has six or more children. It demands 66% of the noncustodial parent's income, which exceeds the maximum amount of 65%.
    - ◆ CAFC 4055 violates federal law (USC 42 667 b2) by demanding the same percentage of an absent parent's net income regardless of how much the absent parent or the custodial parent earns. Rebuttability is limited to the number of children.
    - ◆ CAFC 4055 b8 demands a larger percentage of the noncustodial parent's income for the youngest child. This guarantees the custodial parent a healthy tax-free income for up to 18 years.
    - ◆ CAFC 5290 is an unconscionable attempt to comply with federal law (USC 42 666 b6Di). A maximum fine of $500 for employer discrimination due to child support garnishments actually promotes the offense.

Damage Control

- Audit all child support enforcement accounts to identify fraudulent reporting to the federal government.
- Audit all welfare accounts to identify fraudulent reporting to the federal government
- Criminal non-support charges must be pursued with the children as the complainant. This would allow family law attorneys, employers, agencies, and both parents to take the stand to answer for their actions.
- Re-open every case of criminal nonsupport that has resulted in current incarceration or deprivation of rights. Identify cases of blatant miscarriages of justice, identify the root cause, and restore that parent's freedom.
- Stop taking the children's name in vein. Attempt to restore their faith that parents have the power to protect them.

Corrective Action

- Implementation of Family Law Legislation (FLL) that is presented in the following section.

Level of Involvement

- Identify the laws that exist in each states family code that blatantly persecutes the parent financially capable of providing support for the children
- Identify the source of the arrant law and the legislators or agencies that promoted its passage.
- Identify the motivation for passage of the arrant law.
- Identify those independent entities that offer their services to assist the Executive and Judicial branches of 40 different states and countries abroad in the operation of their respective child support guidelines.
- Identify all independent entities that aspire to "Do something socially redeeming, have fun, and make money".
- Identify Policy Studies Inc., 999 18th St, Denver, CO and anyone who listened to a word they said.

Family Law Legislation (FLL)

Legislation of laws that protect the children and the parents capable of financially providing their support is essential.

Implementation of at-birth determination of the biological parents of children.
- Every child should have the right to know the identity of its biological parents.
- Paternity testing must be made a part of childbirth procedures of the medical facility delivering the child.

Quantify the amount of child support money actually used to support the children.
- Every child should have a legal right to all money ordered for its support.

Harsher penalty for employer discrimination related to family law proceedings or judgements.
- Every employee should have the right to participate in family law proceedings and abide by court orders.
- The CSE agency must be forced to intervene immediately if funds are not transferred from the employer as required by the system.
- If the failure to provide or refusal to hire stems from employer discrimination based on the effect of family law proceedings or judgements, the employer may face a fine as required by USC 42 666 b.6.D.

Analytical method to qualify the system related to the support of the children and its affect on the family.
Typical Family System (TFS) shown in Appendix One describes the system and identifies entry points of outside influence.
- A functional family should have the right to continue functioning after divorce.
- Insures the children receive support without sabotaging the functionality of the family.
- The equations, accounting, database, and arbitration functions must be implemented to allow real time correction and qualitative review.

Fair, equitable, and rebuttable method for setting each parent's monetary contribution for child support.
Child Support Equations (CSE) shown in Appendix Two describes the "custody free" equations that are derived from real-life constants and allows real-time correction.
- Every litigant should have the right to due process.
- The only method to insure that child support orders will be followed is to allow the affected parties to be present to offer rebuttal (no default).
- The contributions of each litigant must have the ability to change as the system continuously monitors the use of this money for the support of the children or changes in income.

Electronic financial accounting system for money transfer between CSE, parents, and employers.
Child support contributions from each parent will be electronic transfer from parent or employer to the CSE agency, which then transfers money to a separate charge account used for expenses related to the children.
- Everyone should have the right to utilize current technology.
- Allows proof of payment to insure that all child support orders guarantee children receive fair, timely, and sufficient support.
- Allows basic health care services to be offered and deducted if requested or ordered.
- Allows for arbitration concerning contribution amounts transferred between employer, parent, or CSE agency..

Computerized database system to collect and quantify expenditures regarding child support.
The separate charge account for the support of the children will yield an itemization of individual charges and will be incorporated into a summary at the end of each month for review by each parent and the CSE agency.
- Everyone should have the right to get what they pay for.
- Allows unauthorized charges or an excessive balance to be cause for adjustments to contributions.
- Allows data to be gathered that will be used throughout the system to better quantify the amount of child support required for a family of this type.
- Allows the system to be implemented voluntarily by parents prior to separation to alleviate drastic impact to separate financial stability after separation.

Family Law Baseline (FLB)

Events presented below are supported by evidence archived from eight months prior to separation (1994) to present. Over 400 documents related to the dissolution of marriage and child support enforcement of an individual in Los Angeles, CA. An objective review of the process illuminates obvious problems with the present system. Full discovery can be obtained from the author on request.

Unscrupulous litigation
- Mother physically abuses 18-month-old child in front of the Father prior to separation.
- Father successfully convinces Mother to start psychiatric counseling.
- Mother continues physical abuse toward child.
- Father informs psychiatrist of abuse.
- Mother changes to Licensed Clinical Social Worker (LCSW).
- Mother continues physical abuse toward child.
- Father informs LCSW of abuse.
- Mother continues physical abuse toward child.
- Mother drains checking account and maxes out credit cards.
- Mother calls 911 alleging domestic violence. Police allow her to take children from home to a friend's house.
- Father informs Case Manager of health care provider of physical child abuse.
- Mother obtains domestic violence restraining order and kick out order under false pretenses.
- Case Manager of health care provider assigns psychiatrist for Mother and Father to understand child abuse.
- Mother's lawyer writes letter to Case Manager forbidding any child abuse inquiries.
- Mother files for legal separation and child support payments.
- Father files for dissolution of marriage and informs the court of child abuse.
- Court orders custody evaluation, and forces Father to pay $2,600 per month based on Dissomaster child support guideline.
- Father informs custody evaluation specialist of child abuse.
- Custody evaluation expert feels that Mother may have psychological problems - evaluation will cost $4,500.
- Mother accuses Father of being alcoholic forcing both to undergo drug testing costing an additional $2,200.
- Mother slanders Father's roommate, saying he is a convicted rapist. Asks court for monitored visitation.
- Custody evaluation report finds the Mother invalidated the psychological test by trying to lie, while the Father passed with flying colors. Drug tests on both indicated no drug use. Custody was awarded to Mother.
- Trial date continued because report was delayed by continued attempts by Mother's lawyer to mislead the evaluation and obtain monitored visitation.
- Mother's lawyer forces emergency court appearance, illegally using the custody evaluation report as basis for asking for monitored visitation.
- Mother slanders Father's new roommate, saying he is a child molester and drug addict. Asks court for monitored visitation
- Father unable to come up with $270 for an agency to calculate how much money the Mother will receive from his retirement.
- Father's lawyer withdraws from case.

Unscrupulous employment
- Performance evaluation results in "needs improvement", siting absence from work due to court dates, lawyer appointments, evaluation meetings.
- Employee documents feelings of bias directed towards him and warns of increased stress in workplace.
- Employer refuses to participate in telephone interview with custody evaluation specialist delaying report completion.
- Employee credit union automatically starts withdrawing credit card payments from automatic checking deposits.
- Employee cancels automatic checking deposits.
- Employee credit union locks checking account, and refuses to cash company paychecks until credit card payments are current
- Employer issues 1st written warning, siting late to work after employee obtained permission prior to lawyer appointment that day.
- Employee protests 1st written warning to Human Resources

Family Law Baseline (FLB) (continued)

Unscrupulous employment (continued)
- Human Resources refers employee to Employee Assistance Program
- Employee Assistance Program psychiatrist told of employer harassment, divorce nightmare, child abuse by wife.
- Employee Assistance Program psychiatrist insists on liver panel being run by medical after first interview.
- Employee Assistance Program psychiatrist makes off the wall comment after receiving liver panel test results: "For an alcoholic you have a very clean test result".
- Department of Defense initiates investigation into financial insolvency. May lose security clearance.
- Employee Assistance Program psychiatrist recommends three-week leave of absence to relieve work-related stress.
- Employer refuses to pay employee while on medical leave, siting excessive absence.
- Employee files for unemployment prior to medical leave.
- Employee receives partial unemployment check after 2nd week of medical leave $480
- Employer issues 2nd written warning siting late to work.
- Employer issues memo of concern siting timecard not up to date while employee out sick.
- Department of Defense terminates security clearance due to financial insolvency investigation.
- Employer issues letter of termination, siting absence from work after prior approval was given to allow employee to move into new residence.
- Employer accuses employee of stealing software.
- Employee returns software used to perform duties.
- Employer denies employee unemployment.

Unscrupulous prosecution
- Mother files to enforce $2,200/mo stipulation (pending trial). Claims father has a lawyer.
- Mother withholds default trial date from father.
- Default trial results in court order for father to pay $1479/mo child support and mother is entitled to kids 100% of college fund totaling $32,000.
- Mother informs father of default trial and moves kids to boyfriend's house 600 miles away. Mother files to enforce $1,479/mo default court order.
- District Attorney files charges and issues notice to appear 2 days after father is informed of default.
- Court issues arrest warrant for "failure to provide".
- Mother flies kids out of state while she takes 3-week trip to Europe. Mother currently on welfare.
- Father makes last minute arrangements to escort the kids on plane flight. Father forced to meet them at destination.
- Mother is informed by daughter that she wishes to reside with father. Decision made during visitation.
- Father arrested from residence morning after mother/daughter phone call. Arresting officers acting on complaint. Daughter forced to stay with friends.
- Mother writes letter to father demanding the return of daughter while father is still in custody. Copy of letter sent to individual working for district attorney.
- Mother removes daughter from friend's house with police escort. Daughter returned to boyfriend's house.
- Father finally allowed to enter "not guilty" plea to "failure to provide" 34 days after arrest.
- Mother writes father and will allow daughter to reside with father if he becomes current with child support.
- Mother receives entire balance of kid's college fund totaling $32,000. Mother is forced off welfare roles.
- District attorney suspends father's driver's license for back child support while trial is still pending.
- Mother kicks daughter out of boyfriend's house because she didn't approve of entries in daughter's diary. Entries in diary shared with daughter's friends.
- Mother arranges visitation of kids to conflict with court date not communicated to father by court.
- Warrant issued for failure to appear during kid's visit.
- District attorney refuses to disclose actual amount of back child support that is owed. Billing statements accrued from stipulation (pending trial) ignoring downward modification of default trial court order. District Attorney from another county concurrently billing for default trial court order amount.
- Father pleads "no contest" to ignoring court order, is ordered to appear in civil court, 15 months after arrest.
- District attorney continues to bill father for stipulated amount ignoring default court order.

Appendix One: Typical Family System (TFS)

Figure One shows the functional block diagram of the *typical family*. Employee productivity is a feedback path to the employer. The support of the children is a feedback path to the parents. Both of these feedback paths provide opportunity for outside influence to be allowed to factor into the system.

Figure Two shows a more detailed block diagram of the *typical family*. The feedback paths described above flow into the respective **H** blocks.

- **H₁** is a block that is included within the employer functional block and can be used to be an entry point of outside influence (loop compensation). **H₁** can be a combination of the employer and CSE to work together to assure that the employee will not be denied advancement or terminated due to family law related effects on productivity.

- **H₂** is a block that is included within the Parents functional block and can be used to be an entry point of outside influence (loop compensation). **H₂** can be a combination of the parents and CS enforcement to work together to assure that the children will not be denied support or kicked out of the house due to family law related effects on their support.
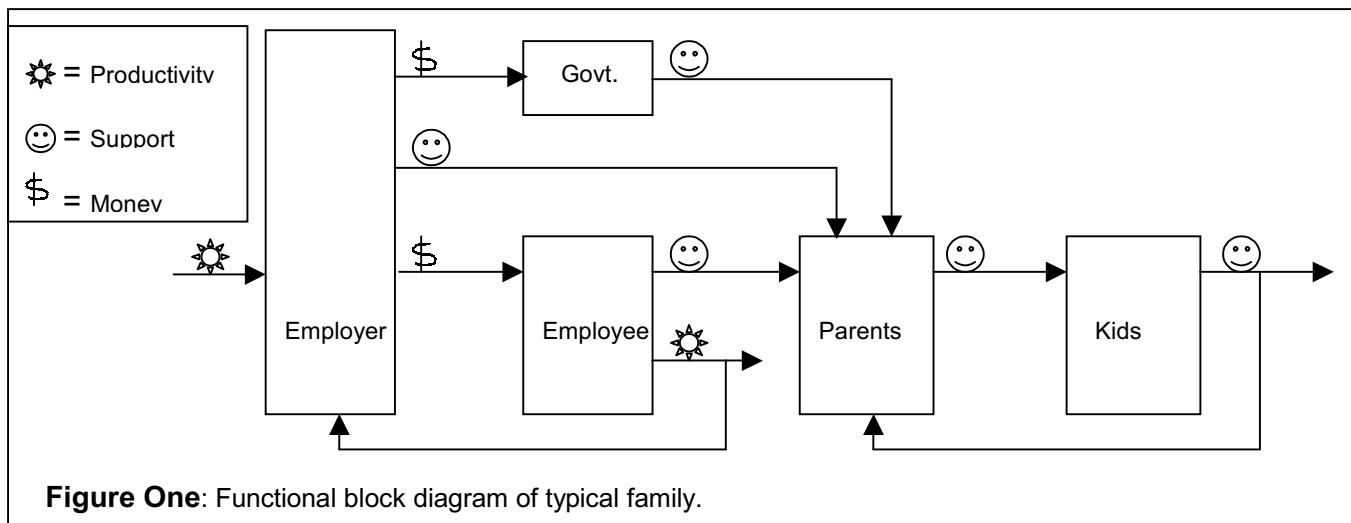
Figure One: Functional block diagram of typical family.
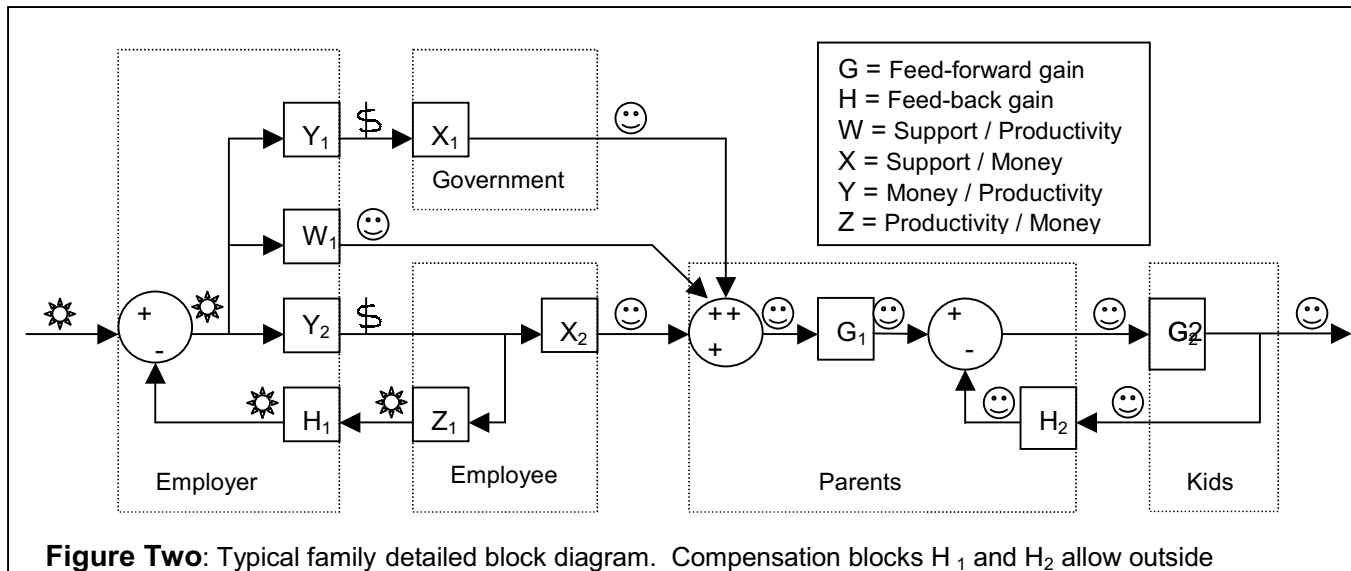
Figure Two: Typical family detailed block diagram. Compensation blocks H₁ and H₂ allow outside

$$\frac{Output}{Input} = \left[\frac{G_1 G_2 (X_1 Y_1 + X_2 Y_2 + W_1)}{(1 + H_2 G_2)(1 + H_1 Z_1 Y_2)} \right]$$

Appendix Two: Child Support Equation (CSE)

The equations below are based on multipliers, coefficients of variables, and constants. The constants represent real-life quantities that may vary depending on the parent's situation in life. The coefficients are calculated using the constants. The multipliers are calculated using the coefficients and the related variable. The contribution of each parent and the amount related to alimony can then be calculated. C_S is the amount that must be deposited in a separate account that will be used for child support. It is very important to realize that this methodology eliminates custody as a factor in child support contributions. The multipliers derived below are plotted with respect to their associated variable in **Figures One, Two, Three, Four, and Five**.

C_S	$= C_{Smax} * K_2 * K_3$	= Child support money to be received by children
C_{SH}	$= C_S * K_4$	= Child support contribution of high earner
C_{SL}	$= C_S * [1 - K_4]$	= Child support contribution of low earner
C_A	$= C_S * K_0 * K_1$	= Alimony amount to supplement low earner (tax deductible)

Where:
C_{Smax} = Maximum child support amount (ceiling amount)
K_0 = Alimony Amount multiplier varies with each income
K_1 = Alimony Disbursement multiplier varies with time
K_2 = Income multiplier varies with total income
K_3 = Children multiplier varies with number of kids
K_4 = Support multiplier varies with each income

Let:
$T_N = H_N + L_N$
= Total net income of earners
H_N = High earner net income
L_N = Low earner net income

Using the constants designated in the equations below: $C_S = 1000*[1-\exp(-T_N/2.85)]*[0.11*\mathbf{Kids}+0.89]$

$K_0 = -0.5 * (L_N / H_N) + 0.5$
L_N/H_N = [%] = Low/High earner net income variable

$K_1 = A_1 * \mathbf{Time} + B_1$
$\mathbf{Time}$ = [mo] = Time variable
A_1 = [-0.04] = $(K_{1max} - K_{1min}) / (t_{max} - t_{min})$
B_1 = [1.04] = $(t_{max} * K_{1min} - t_{min} * K_{1max}) / (t_{max} - t_{min})$

K_{1min}	= **[1]**	= Value of Alimony Disbursement multiplier at t_{min}
t_{min}	= **[1]**	= First value of **Time**
K_{1max}	= **[0]**	= Value of Alimony Disbursement multiplier at t_{max}
t_{max}	= **[24]**	= Last value of **Time**

$K_2 = 1 - \exp(-T_N / B_2)$
T_N = [\$/mo] = Total net income variable
B_2 = [2.85] = $- T_{Nmin} / \ln(1 - (C_{Smin} / C_{Smax}))$

T_{Nmin}	= **[300]**	= Lowest total net income per month to provide child support (poverty)
C_{Smin}	= **[100]**	= Lowest child support amount per month (welfare)
C_{Smax}	= **[1000]**	= Maximum amount of child support per month (ceiling)

$K_3 = A_3 * \mathbf{Kids} + B_3$
$\mathbf{Kids}$ = [☺] = Children variable
A_3 = [0.11] = $(K_{3max} - K_{3min}) / (\mathbf{Kids}_{max} - \mathbf{Kids}_{min})$.
B_3 = [0.89] = $(\mathbf{Kids}_{max} * K_{3min} - \mathbf{Kids}_{min} * K_{3max}) / (\mathbf{Kids}_{max} - \mathbf{Kids}_{min})$

K_{3min}	= **[1]**	= Value of Children multiplier at $\mathbf{Kids}_{min}$.
$\mathbf{Kids}_{min}$	= **[1]**	= Minimum number of **Kids**
K_{3max}	= **[2]**	= Value of Children multiplier at $\mathbf{Kids}_{max}$.
$\mathbf{Kids}_{max}$	= **[10]**	= Maximum number of **Kids**

$K_4 = - 0.5 * (L_N / H_N) + 1$
L_N/H_N = [%] = Low/High earner net income variable

Appendix Two: Child Support Equation (CSE) (continued)

K0 Alimony Amount Multiplier
$$-.5 * (Ln / Hn) + .5$$
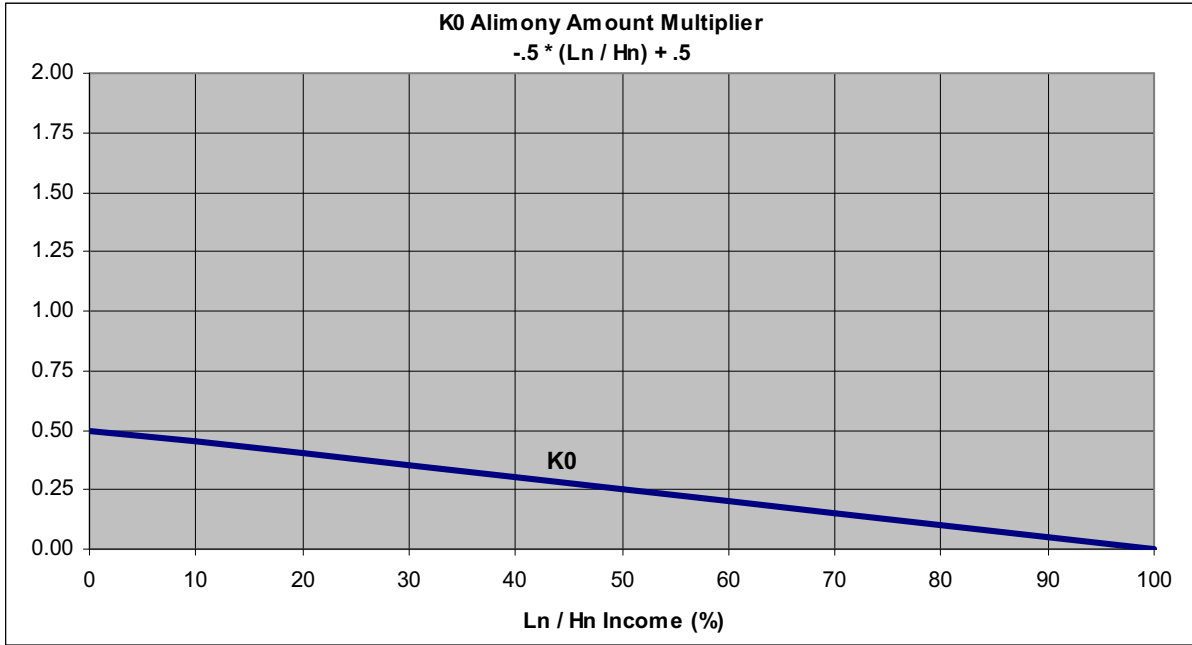

Figure One: Change in the K0 multiplier for change in low/high earner net income   K0 is 0.5 for 0 low earner income. K0 is 0 for low earner income same as high earner income.
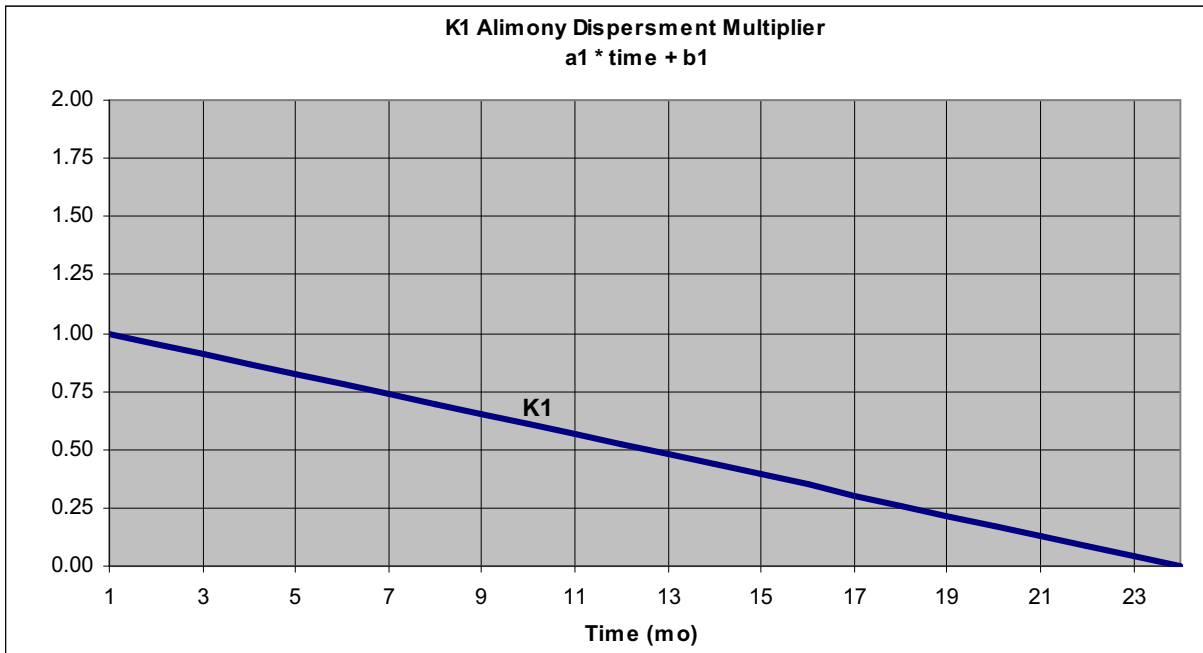
K1 Alimony Dispersment Multiplier
$$a1 * time + b1$$

Figure Two: Changes in K1 multiplier for change in time. K1 is 1 for 1st month and decreases to 0 after 24 months.
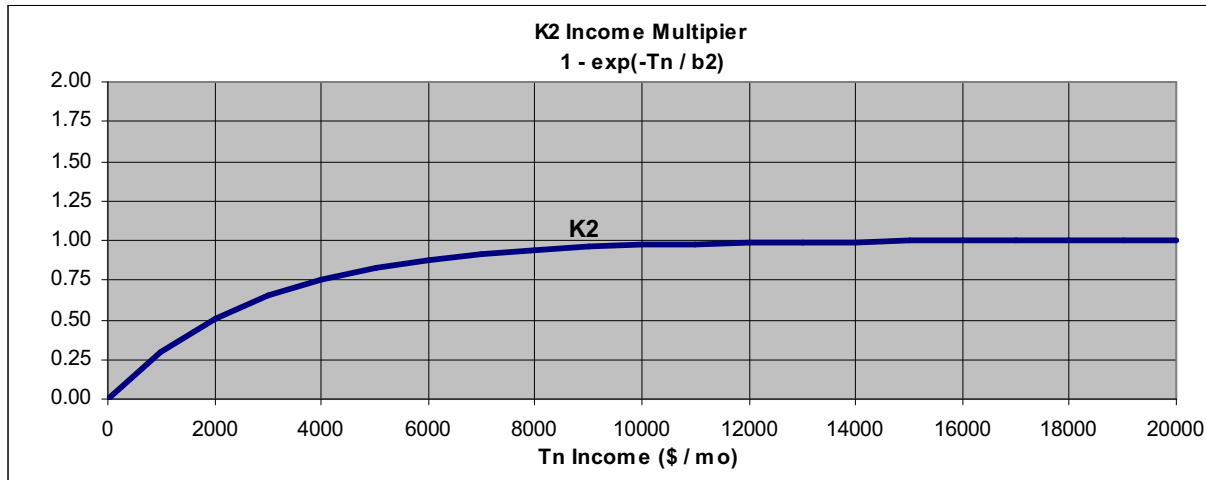
Appendix Two: Child Support Equation (CSE) (continued)

K2 Income Multipier
1 - exp(-Tn / b2)

K2

Tn Income ($ / mo)

Figure Three: Change in K2 multiplier for change in total net income. K2 exponentialy increases to 1 as total income increases.
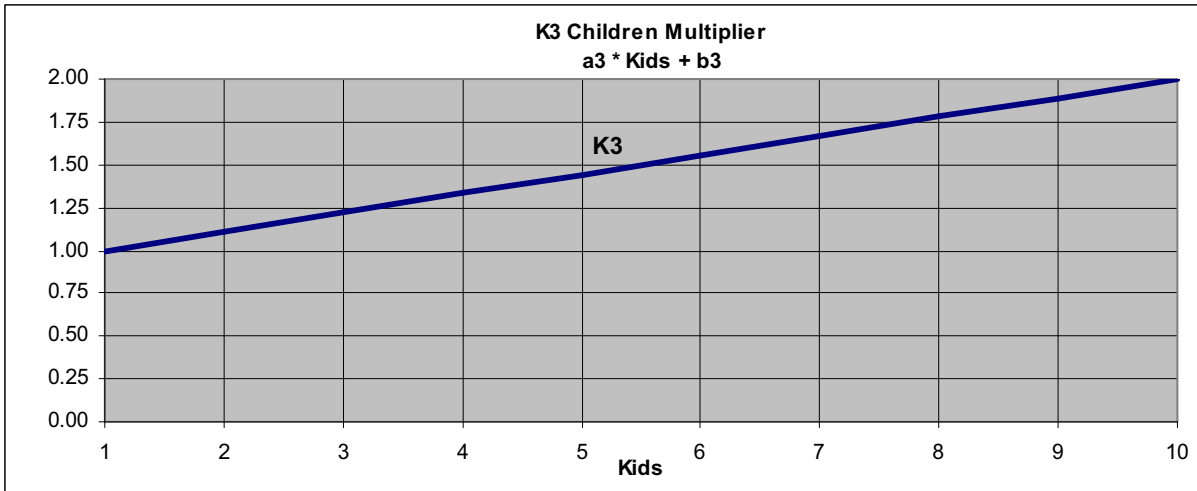
K3 Children Multiplier
a3 * Kids + b3

K3

Kids

Figure Four: Change in K3 multiplier for change in number of children. K3 is 1 for 1 child and increases to 2 for 10 children.

K4 Support Multiplier
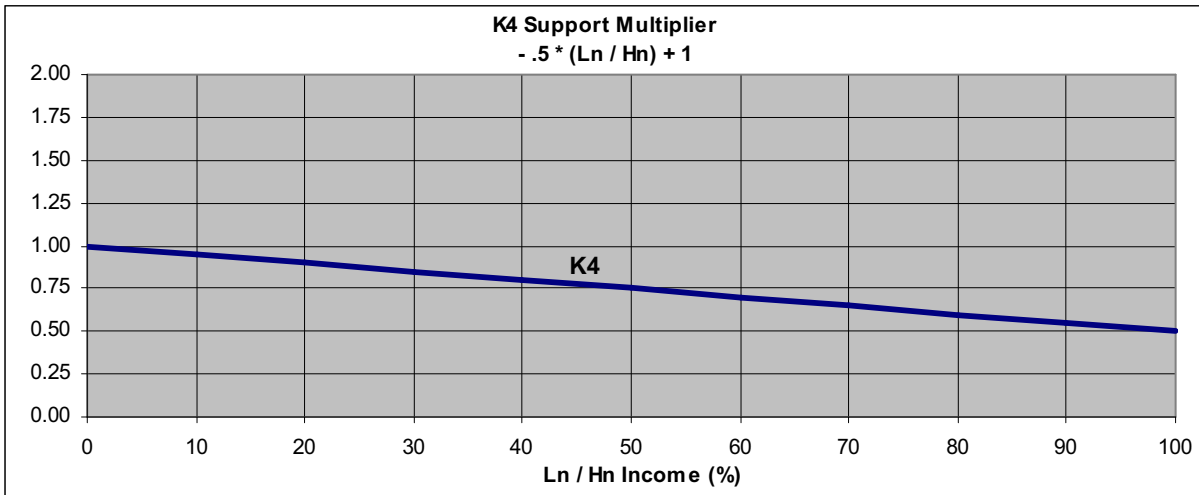**- .5 * (Ln / Hn) + 1**

K4

Ln / Hn Income (%)

Figure Five: Change in K4 multiplier for change in low/high earner net income. K4 is 1 for 0 low earner income. K4 decreases to 0.5 when low earner income equals high earner income.

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