

KEITH F. PICKARD

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State of Nevada Assembly

Seventy-Ninth Session

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Joy Tomlinson

NSDWW Child Support Enforcement

1470 College Parkway

Carson City, Nevada 89076

Re: Proposed Regulations and Deviations from the Express Language Adopted by the Committee

Several members of the Child Support Review Committee were told that no substantive changes to the work of the Committee were going to be proposed, so we did not attend the workshop. I am concerned about the following substantive changes that deviate from the work of the Committee:

1. At Gross Income, item 4: The addition of "annuities" to the line item is inappropriate as written. Annuities come in many forms and not all are income. Some are payments from savings plans that are then distributed later. Just as we do not count a withdrawal from a savings account at a bank as income, annuities are sometimes merely that. We already include interest and investment income in Item 2, so this would be confusing and duplicative. It also conflicts with NRS 125.150's division of property requirement as it could require additional payments after division. The conflict is irreconcilable as written.
2. At Gross Income, Item 12(i), the Committee discussed what did and did not constitute income at length. Compensation payments for damages not relating to lost income are not income. They are reimbursement for non-economic injuries and losses incurred that are sometimes paid out over time. It also conflicts with NRS 125.150's division of property requirement as it could require additional payments after division. The conflict is irreconcilable as written.
3. At Imputation of Income, consideration of a custodial parent's financial situation is sometimes relevant to the calculus and should not be deleted here. It removes discretion from the court when the equities of the case require it and will lead to inequitable results.

I urge the Department to reject these changes as they will create significant legal issues for litigants and the courts.

Thank you

A handwritten signature in blue ink, appearing to read "Keith Pickard".

Keith Pickard

Assemblyman, District 22