

By Dianna Thompson
and Glenn Sacks

As the United States prepares for war against Iraq, tens of thousands of fathers who serve as reservists are preparing to say goodbye to their families and serve their country overseas. Yet, America's enemies abroad are not the only danger these dedicated men will face. Upon return, those with child support orders will face a threat here at home — the war that is being waged against “deadbeat dads.”

Bobby Sherrill, a divorced father of two from Parkton, N.C., was a casualty of that war. Mr. Sherrill, who worked for Lockheed in Kuwait before being captured and held hostage by Iraq for nearly five harrowing months, was arrested the night he returned from the Persian Gulf War. Why? For failing to pay \$1,425 in child support while he was a captive.

If laws are not changed, thousands of today's reservists could face a similar threat. Reservists' child-support obligations are based upon their civilian pay, which is generally higher than their active-duty armed forces pay. When a child-support obligor's pay decreases, the remedy is to go to court and get a downward modification. However, since reservists are often mobilized with as little as 24-hours notice, few are able to get these modifications before they leave. As a result, many reservists fall hopelessly behind while serving, and can be subject to arrest for non-payment of child support upon their return.

For example, a naval reservist who has three children and who takes home \$4,000 a month in his civilian job could have a child support obligation of about \$1,600 a

Families and the war

Reservist fathers often struggle with child support

month. If this father is a petty officer second class (E5) who has been in the reserves for six or seven years — a middle-ranked reservist — his active-duty pay would only be \$1,912 before taxes, in addition to a housing allowance.

States assess interest on arrearages as well as penalties on past-due child support. Because the federal Bradley amendment prevents judges from retroactively modifying or forgiving support, obligors who fall be-

quests. According to Elaine Sorensen of the Urban Institute, even among fathers who experience income drops of 15 percent or more, less than one in 20 are able to get courts to reduce their child-support payments. Because state agencies are federally reimbursed for every child-support dollar they collect, states have a powerful incentive to grab and hold on to every dollar they can.

Another problem is that the child support money that the armed

sanctions upon their return.

What is needed to solve the problem is legislation like that passed by the Missouri legislature in the days leading up to the Gulf War. The Missouri statute, which is unique in the nation, requires an automatic adjustment of support for reservists called up for active duty.

During the Gulf War, more than 250,000 reservists were called up, and today more than 75,000 reservists and National Guard troops are on active duty as a result of the events of September 11. Many are now being notified that they will be expected to serve another year, and a total of 1.3 million reservists could be called into service for indefinite periods in the event of war.

James, a 16-year veteran of the Navy and the commander of a 177-member Naval Reserve Unit on the West Coast, is concerned about the effect that the current child-support policies could have upon his sailors when they are called to active duty. He says: “My people are sacrificing a lot to serve. I want them focused on our assigned mission. I don't want them worrying that their own government might come after them.”

Bobby Sherrill, a divorced father of two, was a casualty of war. Mr. Sherrill, who worked for Lockheed in Kuwait before being captured and held hostage by Iraq for nearly five months, was arrested the night he returned. Why? For failing to pay \$1,425 in child support while he was captive.

hind for legitimate reasons cannot have these arrearages wiped out. And even those returning servicemen who avoid jail or other sanctions may still spend years trying to pay off their child support debt — a debt created entirely by their willingness to serve their country.

Though the Family Support Act of 1988 allows noncustodial parents who have had a reduction in income to request a decrease in their child support by getting downward modifications, few state agencies honor such re-

forces are supposed to take out of reservists' paychecks and send to their families sometimes does not arrive. This was an issue for many Gulf War veterans, and reservists are having similar difficulties today. For example, Diane Keary, a custodial mother from Monsey, N.Y., has not received a child-support check since Joseph Keary Sr., her ex-husband, was called to active duty five months ago. Computer glitches such as this, as well as billing errors, can leave reservists subject to government

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