

Testimony in Support of SB237 – The SCARS Act

On August 21, 2021, a friend pulled me aside at the gym. “Sit down. I have to tell you something. This is going to change your life.” You can imagine my shock when he opened a link on his phone, revealing a federal indictment. My ex-husband’s face appeared on the screen. He had been charged with 25 counts. The indictment was dated just two days prior. He hadn’t told me.

Overnight, his income was slashed by 75% as he was no longer allowed to perform his regular job due to professional misconduct. We were forced to sell our home, a car, and furniture. I moved into a rental house with our four children, then aged 8, 10, 12, and 14. My ex-husband agreed to provide support at just 10% of what we had previously lived on.

I had sacrificed my career at a premier hospital system 12 years earlier to care for our family. Though I had worked part-time in the following years, my roles didn’t come close to providing enough to support the five of us. Within a week, I found a job that promised healthcare benefits—only to later be told I would not receive them after all. My new income was less than what I had made at my first job out of college nearly two decades earlier. I worked in every capacity I could, and even my 14-year-old son took on a second, then a third job. It was incredibly difficult, but we adjusted and managed.

Fast forward three years. My ex-husband, an extremely intelligent man, has managed to stay out of prison by following judges’ orders, hiring and firing attorneys, and delaying every attempt to move his case forward. This past July, he refused to comply with a court-ordered psychological evaluation and was incarcerated for three months as a result.

While incarcerated—and for several months afterward—he did not pay child support. He then petitioned for a modification of his child support obligations, claiming he now earns half of what he had the previous three years. As a result, his support payments were cut by another 60%. The court ordered him to pay only 20% of what he owed me for the prior five months.

When our divorce was finalized in 2022, my ex-husband had a high six-figure retirement account. During the bull market of the past three years, it has continued to grow. Under Kansas law, retirement accounts are protected assets after divorce settlements. This means that while my children and I struggle to survive, his retirement funds remain untouched.

Why SB237, The SCARS Act, Is Critical

SB237 would change this unjust system. It would:

- Allow retirement accounts to be used for child support arrears, ensuring that children are supported before protecting the assets of delinquent parents.
- Prohibit parents who lose their jobs due to criminal conduct, voluntary unemployment, or professional misconduct from reducing their child support obligations.

- Prioritize the well-being of children over the financial security of parents who evade their responsibilities.

This bill would ensure that children receive the support they need today rather than allowing delinquent parents to safeguard their financial futures while neglecting their present obligations. This is in the public's best interest, as families in these situations may require government assistance for housing, food, and healthcare. Without this bill, hardworking Kansas taxpayers are left to pick up the tab.

On behalf of myself and countless other parents who have suffered from this form of financial abuse, I ask for your support of SB237. While it won't undo what my children and I have endured, it will prevent others from facing the same hardships. Kansas must prioritize children's well-being over the financial protection of parents who willfully neglect their responsibilities.

Please vote in favor of SB237.