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**Foster Care Design Review**  
**Submitted for review to the**  
**U.S. House of Representatives**  
**Committee on Ways and Means**  
**HR-9 - Safety, Well-being, and Permanency Hearings**  
**05-20-04**  
<http://waysandmeans.house.gov/hearings.asp?formmode=view&id=2224>

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Jim Untershine previously submitted written testimony to the Ways and Means Committee during the "[Welfare and Marriage Hearings](#)"<sup>1</sup> (07-04-01) and the "[Waste, Fraud, and Abuse Hearings](#)"<sup>2</sup> (07-26-03).

Jim Untershine holds a BSEE from Mississippi State University and has 13 years experience in feedback control system design while employed by Northrop/Grumman Electronics Division. Mr. Untershine was the Responsible Engineer for the Platform Stabilization and Angle Measurement subsystems used on the B2B bomber, as well as the Attitude subsystem used on the Peacekeeper missile. Mr. Untershine is currently using the teachings of Warner Heisenberg and Henry David Thoreau to expose Family Law in California as the exploitation of children for money and the indentured servitude of heterosexual taxpayers who dare to raise children in this country.

## Introduction

The Disney movie entitled '*Lilo and Stitch*' has instructed our children that 'Family' means: "*Nobody is left behind or forgotten*". The movie also instructed our children that the oldest daughter (Nani) of parents who are killed in a car wreck, may have an uphill battle raising her younger sister (Lilo) without losing the child to Social Services. A care-taking relative may lose the child to Social Services for failing to connect with the child after school, or being locked out of the house with the stove on, or failing to find a baby sitter prior to a crucial job interview, or failing to stay employed. The movie's happy ending came when Social Services were forced to stand down, when the child (Lilo) proved that she legally adopted an alien pet (Stitch). This caused the United Galactic Federation to recognize the child as the '*Official Guardian*' of the adopted pet, which entitled the family to be put under their protection, since "*Aliens are all about rules*".

Parents and relatives, desperately attempting to support the children, may lose the children to Foster Care. The new financially stable Foster parents, who have a spare room for guests, may receive more Foster Care maintenance than the children's family would have received on TANF. The children's parents are expected to repay the Foster Care maintenance provided by the program.

As reported by the [The Indianapolis Star](#)<sup>3</sup>: Family and Social Services Administration (FSSA) spokeswoman Cindy Collier says "*Judges issue reimbursement orders, but no one actually enforces payment*" - "*If someone owes on a child-support order, we have tools like tax-refund intercept, seizing bank accounts, putting liens on vehicles and income withholding. But we are prohibited from doing these things on reimbursement orders.*" - "*Parents may be persuaded to pay because sometimes the reimbursement is a condition that must be met before the child is returned home.*"

If a State shows data suggesting that un-abused children were removed from a National group (heterosexuals), it would seem incumbent on the State to prove that the children were not transferred to another group (i.e. homosexuals). A more thorough investigation into a State's Foster Care program may reveal other Genocide violations ([USC 18 1091](#)).

(a) **Basic Offense** - Whoever, whether in time of peace or in time of war, in a circumstance described in subsection ([USC 18 1091 d](#)) and with the specific intent to destroy, in whole or in substantial part, a National, ethnic, racial, or religious group as such -

## Foster Care Design Review

- (1) **Kills members of that group** - Homicide statistics extracted from the NIBRS system cannot be used to report victim/offender data regarding parents of the same child (see [Appendix One](#) - "The Human Cost of Raising Children").
- (2) **Causes serious bodily injury to members of that group** - Domestic violence between parents may be provoked by States that employ an outrageous child support guideline, as well as sole custody Family Courts that actively maximize the cash flow between parents.
- (3) **Causes the permanent impairment of the mental faculties of members of the group through drugs, torture, or similar techniques** - Severe depression (and suicide) of some parents may be the result of State's Family Court judges; forbidding them to contact their own children, kicking them out of their own house, and extorting up to 65% of their imputed income in exchange for their limited freedom.
- (4) **Subjects the group to conditions of life that are intended to cause the physical destruction of the group in whole or in part** - Impoverishment and persecution of parents may be the consequence of a State's CSE program that is not compliant with the same Federal law ([USC 42 666 b6D](#)) that allows them to wield the power to persecute.
- (5) **Imposes measures intended to prevent births within the group** - Homicides of pregnant women and forced abortions may be provoked by a State's outrageous child support guideline, as well as sole custody Family Courts that actively maximize the cash flow between parents.
- (6) **Transfers by force children of the group to another group** - Foster Care has become a supply and demand industry in some States (see [Appendix Two](#) - "Schwarzenegger attempting to stop exploitation of children for money in CA").  
or attempts to do so, shall be punished as provided in subsection ([USC 18 1091 b](#)).

### Preservation (Well-being)

President George W. Bush immediately led the Sarasota, Florida elementary school children in a moment of silence, after learning of the terrorist attacks of 9/11. The immediate first reaction, in the face of that crisis, illuminated the fact that: American children represent the only Americans that will be around one generation from today.

#### Families have enhanced capacity to provide for their children's needs

Children living in an intact, divorced, single parent, or foster family must be provided the support they deserve. Federal programs that attempt to provide assistance to a family to support the children, fail to insure that the assistance provided to the family actually results in support delivered to the children (see [Appendix Three](#) - "Family Control Systems").

- CSE (IV-D) exists to provide a family with financial assistance based on the State's child support awards. Money is paid to the custodial parent but there is no accountability as to how the money is spent to support the children.
- TANF (IV-A) exists to provide a needy family with financial assistance based on the State's welfare benefits. Money is paid to a needy parent for housing as well as providing food stamps and Medicaid to allow accountability as to how the assistance is used to support the children.
- Foster Care (IV-E) exists to provide a financially stable foster family with financial assistance based on the State's Foster Care maintenance. Money is paid to the foster parent but there is no accountability as to how the money is spent to support the children.

Comparing the 3 programs above, it seems obvious that TANF provides the only assistance that provides any accountability as to how the assistance is used to support the children. Since the children's biological parents are ultimately responsible for repaying the taxpayers for assistance provided to their children, it seems obvious that a family should be put in the TANF program as soon as their child is born.

Comparing the 3 streams of assistance above, it seems obvious that child support awards, TANF benefits, and Foster Care maintenance should all be exactly the same. A California noncustodial parent earning \$30,000 per year net income and supporting 3 children will be forced to pay  $\$1,250$ <sup>4</sup> per month to the custodial parent. When the child support stops, the custodial parent becomes a needy parent and can receive  $\$1,071$ <sup>5</sup> per month in TANF assistance. When the children are left home alone, the needy parent is replaced with a financially stable foster parent who can receive  $\$1,339$ <sup>6</sup> per month in Foster Care maintenance.

#### Children receive appropriate services to meet their educational needs

States that have a representative from Social Services at every public school would allow visibility into a foster child's well being, as well as a point of contact for suspected child neglect or abuse regarding any other child attending public school.

#### Children receive adequate services to meet their physical and mental health needs

States that allow Medicaid to be offered at childbirth would insure medical coverage with upgrades available at increased cost to the parents.

# Foster Care Design Review

## Protection (Safety)

The First Lady, Laura Bush, immediately announced "*Parents need to reassure their children everywhere in our country that they're safe*", after learning of the terrorist attacks of 911. The immediate first reaction, in the face of that crisis, illuminated the fact that: American children must feel confident that their family has the power to protect them.

### Children are first and foremost protected from abuse and neglect

Implementing demonstration projects that serve to insure the protection of children should be an integral part of the Foster Care package. The Foster Care program should be allowed to exercise constructive intrusion into a foster family, since it was the government who was responsible for their placement. The success of progressive demonstration projects may allow them to be adopted, funded, or mandated by Federal programs.

The *Custody Free* credit card account allows accountability of child support purchased for the children. (see [Appendix Four](#): "Custody Free Child Support")

The *Child Watch* system utilizes a device that incorporates a *Panic Button* alert system and *Talk To The Hand* communication. The caregiver must be equipped with a *Parent Watch* device that is matched to a given *Child Watch* device.

- *Child Watch* device is a wristwatch that displays the time of day, with digital voice recorder, GPS processor, cell phone communication, and nearby *Parent Watch* device polling.
- *Panic Button* alert system - A button on the *Child Watch* opens direct communication with an attendant nearest the child and downloads the child's location. While the child explains the problem to the attendant, the audio recorded a few minutes before pushing the *Panic Button* is downloaded along with the locations of all *Parent Watches* within a given radius.
- *Talk To The Hand* communication - The microphone is in the wristband near the base of the child's palm. The speaker can be heard anywhere near the child.
- *Parent Watch* device - Same as *Child Watch* device, but is coded to be assigned to a particular *Child Watch* device.

### Children are safely maintained in their own homes whenever possible and appropriate;

Implementation of the *Child Watch* device and *Custody Free* child support renders these aspects moot.

## Prosperity (Permanency)

Senator Edward Kennedy immediately announced "*We are not going to see the business of America deferred because of terrorism whether its in education or another area of public policy.*" - after learning of the terrorist attacks of 911. The immediate first reaction, in the face of that crisis, illuminated the fact that: American children must feel confident that their government will vigilantly monitor the effects of social policy to insure their everlasting prosperity.

### Children have permanency and stability in their living situations

Forcing children to reside with the only parent that is unable to financially support them is contrary to permanency or stability. The family law system in many States completely ignores the findings of the Legislature regarding equal involvement by both parents. To maximize the legal fees paid to officers of the court, a Family Court will deliberately deny custody to the breadwinner to maximize the cash flow between parents.

[Andrea Williams](#)<sup>7</sup> killed her 9, 6, and 5 year-old children (Ilona, Ian, and Ivey), after attempts by the children's father, Gary Williams, to convince a State's Family Court judge to rescue them.

[Awilda Lopez](#)<sup>8</sup> killed her 6 year-old daughter Elisa, after she convinced a State Family Court judge to remove her from the child's father, Gustavo Izquierdo.

- Child rights advocates may feel that the community must respond to a '*cry for help*' from a parent who is '*unfit*' to care for their children, and Foster Care should immediately be allowed to rescue the '*at risk*' children to adequately protect them.
- Noncustodial parent rights advocates may feel that Family Court judges must respond to a '*cry for help*' from a parent who is '*fit*' to care for their children, rather than assigning custody to maximize the cash flow between parents.
- Responsible Fatherhood advocates may feel that Family Court judges must not trust irresponsible fathers who desperately attempt to reduce their child support obligation by pretending to love their children.

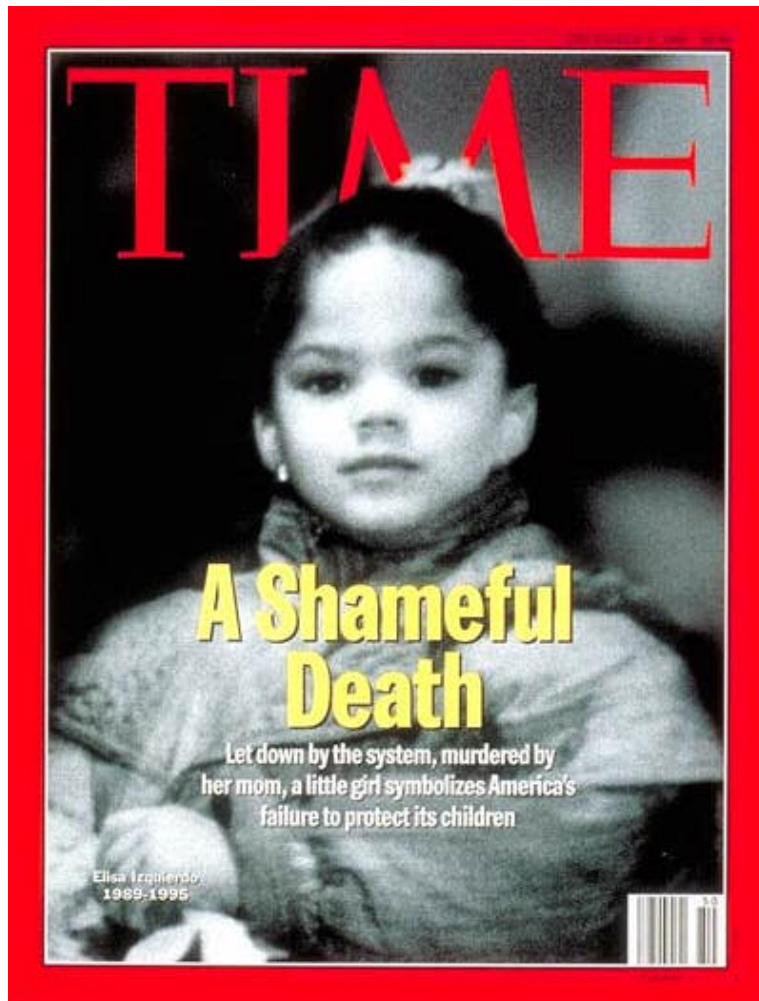
### Continuity of family relationships and connections is preserved for children

## Foster Care Design Review

States that perform paternity tests at childbirth would not only increase the likelihood of placing a child with their actual family, as well as eliminating the ongoing paternity fraud problem that persecutes people who are not parents.

### References

- \1 James D Untershine, 07-04-01, "Family Law Design Review", "Ways and Means Welfare and Marriage Hearings", [http://www.geocities.com/gndzerosrv/fl\\_design\\_rev.htm](http://www.geocities.com/gndzerosrv/fl_design_rev.htm)
- \2 James D Untershine, 07-26-03, "Welfare Design Review", "Ways and Means Waste, Fraud, and Abuse Hearings", <http://waysandmeans.house.gov/hearings.asp?formmode=view&id=953>
- \3 Eunice Trotter, The Indianapolis Star, 05-02-04, "State bills parents for foster care", "Agency says revenue could help it provide aid to children", <http://www.courier-journal.com/localnews/2004/05/03in/b1-foster0503-8865.html>
- \4 California Child support guideline demands 50% of net income regarding 3 children (CAFC 4055). <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fam&group=04001-05000&file=4050-4076>
- \5 CA TANF assistance provides \$1,071 per month maximum combined TANF and food benefits for single parent family supporting 3 children (Ways and Means Greenbook 2003, Table 7-12). <http://waysandmeans.house.gov/media/pdf/greenbook2003/Section7.pdf>
- \6 CA Foster Care basic maintenance rate provides an average of \$446 per month for each child (Ways and Means Greenbook 2003, Table 11-9), <http://waysandmeans.house.gov/media/pdf/greenbook2003/Section11.pdf>
- \7 Phil Long, Miami Herald, 05-12-04, "Police: Mom admits killing 3 kids", "Police said a Florida woman arrested in North Carolina confessed to killing her three children and they later found the bodies at home. Murder charges were pending.", <http://www.bradenton.com/mld/bradenton/news/nation/8649297.htm>
- \8 David Van Biema, Time Magazine, 12-11-95, "Abandoned to her fate", "Neighbors, teachers, and the authorities all knew Elisa Isquierdo was being abused, but somehow nobody managed to stop it", [http://affiliate.timeincmags.com/time/archive/preview/from\\_search/0,10987,1101951211-133526,00.html](http://affiliate.timeincmags.com/time/archive/preview/from_search/0,10987,1101951211-133526,00.html)



# Foster Care Design Review

## Appendix One

### The 'Human Cost' of Raising Children

American parents are killing each other, and State Attorney Generals are covering them up  
<http://mensnewsdaily.com/archive/u-v/untersshine/2004/untersshine011604.htm>

Jim Untersshine, GZS of LB, 01-15-04

Cover-up is defined as "an effort or strategy of concealment, especially a planned effort to prevent something potentially scandalous from becoming public". If a system of control is imposed on American parents, then the effects of the system must be constantly scrutinized to verify proper operation. The Family Law system that operates in all States, is allowed to: identify bread-winning parents, deny them due process, deny them contact with their children, and then impose a financial obligation on them that will claim a percentage of their income for up to 18 years.

The Federal Bureau of Investigation ([FBI](#)<sup>1</sup>) reports that across all States in 2002:

- 32.1% of the total 3,251 female homicide victims represent wives and girlfriends killed by their husband or boyfriend. (18.5% by husbands plus 13.7% by boyfriends)
- 6.5% of the total 3,251 female homicide victims represent daughters killed by their parent.
- 2.7 % of the total 10,779 male homicide victims represent husbands and boyfriends killed by their wife or girlfriend (1.2% by wives plus 1.4% by girlfriends).
- 2.2% of the total 10,779 male homicide victims represent sons killed by their parent.
- 22.9% of the total 14,054 homicide victims represent victims killed by an acquaintance.
- 17.0% of the total 14,054 homicide victims represent victims killed in [California](#)<sup>2</sup>.

The data reported above excludes homicide data from Washington DC and Florida, and also omits data related to victim relationships to an ex-spouse and common-law spouse. Another potentially interesting relationship that was excluded involves victims who were killed involving a murder suicide (victim is offender).

The Justice Statistics and Research Association ([JSRA](#)<sup>3</sup>) reports, "The primary source of information on crime in the United States is law enforcement agencies that submit monthly counts of index crime to the Uniform Crime Report ([UCR](#)<sup>4</sup>) system of the Federal Bureau of Investigation (FBI). Data on homicides are collected through the Supplementary Homicide Report (SHR) section. Implemented in the 1960s, the SHR is designed to provide limited incident-specific information on each murder and nonnegligent manslaughter that occurs in the United States.", " While the SHR provides information that would otherwise not be available, it has some key limitations. As with the UCR program in general, participation in the SHR is voluntary, and not all law enforcement agencies report." "Another potential source of information about homicides is the National Incident Based Reporting System ([NIBRS](#)<sup>5</sup>), which provides for the collection of 53 data elements, organized into six data segments, on each incident."

The major problem inherent to the structure of the present NIBRS system is that it does not allow parent vs parent homicide statistics to be gathered. The only NIBRS data element that allows identifying Family Law related deaths is element 35, which assigns a victim / offender relationship regarding each homicide. Data element 35 can be assigned many values, but the Family Law related values include: SE (spouse), BG (boyfriend / girlfriend), CH (child), XS (ex-spouse), CS (common-law spouse), and VO (victim is offender).

- Why did mainstream America (except Dan Rather) suspect Gary Condit of killing Sandra Levy? Was it because 13.7% of the total 3,251 female homicide victims were killed by their boyfriend?
- Why does mainstream America suspect Scott Peterson and Robert Blake of killing Lacy and Bonny-Lee? Is it because 18.5% of the total 3,251 female homicide victims were killed by their husband?
- Why does mainstream America still suspect O.J. Simpson of killing Nicole? Is it because 22.9% of the total 14,054 homicide victims were killed by an acquaintance?
- Why does mainstream America suspect any California parent of killing the other parent of their child? Is it because California leads the nation by producing 17.0% of the total 14,054 homicide victims?

The common denominator, regarding the example homicides above, is that the victims and suspected offenders are all parents (or suspected parents) of a common child, and also that the victims and suspected offenders all reside in California. The only way to allow parent vs parent homicide data to be gathered is to add a completely new data element that allows the number of children to be entered that are common to the victim and offender. Not only would it be easy to associate parent vs parent homicide statistics, but may reveal trends based on the number of common children and the amount of child support demanded of the offender by the State in which they reside.

# Foster Care Design Review

## Appendix One (Continued)

Lawmakers will never recognize the Family Law motive for murder until they are shown the effect it has on parents by pointing to reported numbers. The lawmakers are denied visibility of the parent vs parent homicide statistics, as well as the financial demands imposed on parents that vary as a function of children. An unknown number of parents are being killed in America due to the unknown financial demands that are (or might be) imposed on them by the State that they reside in.

*"Causality - action, reaction, cause, and effect, there is no escape from it, we are forever slaves to it. Our only hope, our only peace, is to understand it, to understand the 'why'. 'Why' is what separates us from them, you from me. 'Why' is the only real source of power, without it you are powerless, and this is how you come to me, without the 'why', without power, another link in the chain."* ([Matrix Reloaded](#))<sup>6</sup>

### References

- \1 Federal Bureau of Investigation (FBI), Crime in the United States 2002, Crime Index Offenses Reported, Murder, [http://www.fbi.gov/ucr/cius\\_02/html/web/offreported/02-nmurder03.html](http://www.fbi.gov/ucr/cius_02/html/web/offreported/02-nmurder03.html)
- \2 Federal Bureau of Investigation (FBI), Crime in the United States 2002, Crime Index Offenses Reported, Murder 2002-Table 20, [http://www.fbi.gov/ucr/cius\\_02/html/web/offreported/02-table20.html](http://www.fbi.gov/ucr/cius_02/html/web/offreported/02-table20.html)
- \3 Lisa Walbolt, Project Manager, Justice Research and Statistics Association (JRSA), *The Forum*-Vol21 No.1, "Developing a NIBRS-Compatible Homicide Database: A Multistate Pilot Test", [http://www.jrsa.org/pubs/forum/forum\\_issues/for21\\_1.pdf](http://www.jrsa.org/pubs/forum/forum_issues/for21_1.pdf)
- \4 Federal Bureau of Investigation (FBI), Crime in the United States 2002, Summary of the Uniform Crime Reporting (UCR) Program, Section 1, [http://www.fbi.gov/ucr/cius\\_02/html/web/summary/summary.html](http://www.fbi.gov/ucr/cius_02/html/web/summary/summary.html)
- \5 Federal Bureau of Investigation (FBI), *Criminal Justice Information Services Division*, Uniform Crime Reporting, National Incident-Based Reporting System, Volume 1: Data Collection Guidelines Aug. 2000, <http://www.search.org/nibrs/PDFs/FBIv1.pdf>
- \6 Larry and Andy Wachowski, Warner Brothers, movie:"The Matrix Reloaded". Also see : Jim Untersshine, GZS of LB, 09-23-03, "The Family Law Revolution", "Prophecy, History, and Hollywood ... Ignorance is bliss", <http://mensnewsdaily.com/archive/u-v/untersshine/03/untersshine092403.htm>

# Foster Care Design Review

## Appendix Two

### Schwarzenegger attempts to stop exploitation of children for money

California may be setting the example for the rest of the nation

<http://mensnewsdaily.com/archive/u-v/untersshine/2004/untersshine030504.htm>

Jim Untersshine, GZS of LB, 03-02-04

California Governor, Arnold Schwarzenegger, is attempting to change the purpose of Department of Social Services (DSS) and that of the Attorney General. DSS will be rewarded for allowing the children to stay with their family, rather than taking them away. The Attorney General will be allowed to keep his job by enforcing the laws of his State, rather than allowing illegal marriage between gays.

The impoverishment of the family caring for their own children is becoming apparent and disturbing: As reported in the [Sacramento Bee](#)<sup>1</sup>, "In a ruling that will cost California and its 58 counties more than \$80 million, a Sacramento Federal judge has ordered the payment of unlawfully withheld Foster Care benefits for children living with relatives.", "the California Department of Social Services estimates that \$30 million will have to be taken from the State general fund and another \$42 million from county treasuries to cover the back payments. The Federal government will be obligated to match those amounts"

The supply side of the Foster Care industry is finally being recognized and scorned. As reported in [Star News](#)<sup>2</sup>, "Gov. Arnold Schwarzenegger has called for an overhaul of California's Foster Care system to end financial incentives that critics say encourage counties and their contractors to make money off children in their care.", "State and Federal laws create financial incentives for placing children in Foster Care because counties receive \$30,000 to \$150,000 annually in State and Federal funds for each child, say officials and critics."

The demand side of the Foster Care industry is becoming obvious and creepy: As reported in the [San Diego Union Tribune](#)<sup>3</sup>: "The California Supreme Court declined a request Friday by Attorney General Bill Lockyer to immediately shut down San Francisco's gay weddings. ", "Pressure on Lockyer, a Democrat and the State's top law enforcer, intensified when Republican Gov. Arnold Schwarzenegger directed him to 'take immediate steps' to halt San Francisco's marriage march. ", "Regardless of Friday's order, the San Francisco-based Supreme Court did not indicate whether it would decide the issue. The seven justices usually are loath to decide cases until they work their way up through the lower courts, which this case has not."

DSS, operating in each State, is paid by the taxpayers to actively pursue removing children from their families and permanently giving them to strangers. As reported by the [California Children's Services](#)<sup>4</sup>, most of these children were not victims of abuse:

- 45% of the 498,720 children that were referred to CA DSS in 2003 alleged general/severe neglect or caretaker absence/incapacity.
- 23% of the 498,720 children that were referred to CA DSS in 2003 were substantiated.
- 53% of the 113,702 children that were substantiated by CA DSS in 2003 confirmed general/severe neglect or caretaker absence/incapacity

The California child pay-off can be presented using the net per capita income (PCI) of California in 2000 as [\\$26,422](#)<sup>5</sup>/yr (\$2,202/mo).

- [\\$550](#)<sup>6</sup>/mo (25% net PCI) in child support for one child, and \$881/mo (40% net PCI) for 2, is payable to a financially dependent parent who is ordered to care for the children.
- [\\$627](#)<sup>7</sup>/mo (28% net PCI) in TANF and food stamps for one child, and \$813/mo (37% net PCI) for two, is available to a financially impoverished parent who is not receiving child support.
- [\\$446](#)<sup>8</sup>/mo (20% net PCI) in Foster Care benefits for one child, and \$892/mo (41% net PCI) for two, is payable to a financially stable stranger with a spare room.

Foster Care and Welfare are paid for by the taxpayers, and are subject to repayment by the parents who are separated from their children. The State share ([USC 42 1396d b](#)) of these collections depends on the State's PCI relative to that of the nation. The State share of Foster Care and Welfare collections = 45%\*(PCIstate / PCIation)^2 and cannot exceed 50%. California is allowed to keep 50% of the Foster Care and Welfare collections with a gross PCI of [\\$32,363](#)<sup>9</sup>/yr (\$29,760/yr Nationally).

# Foster Care Design Review

## Appendix Two (Continued)

Child Support Enforcement (CSE), operating in each State, is paid to actively prevent the payment of child support and drive both parents to poverty. The new and improved State incentive calculation ([USC 42 658a b](#)) doubles the Foster Care (IV-E) and Welfare (IV-A) collections compared to child support (IV-D) collections.

It is not hard to understand why States, like [Utah](#)<sup>10</sup>, have opened the floodgates regarding unwed mothers giving babies up for adoption. The exploitation of children for money is more palatable if the children are supplied willingly. The new demand for children by same-sex customers may allow some States to distribute a catalogue, complete with a schedule of tax-free income that will be provided by the taxpayers or the parents roped into repaying it.

Same-sex marriage would be a public policy wasted on a group of people who are proud of a lifestyle that precludes children. The institution of marriage does not confer commitment (in this no-fault divorce era we are forced to live in) it is simply a means to get free health care from the breadwinning partner's employer. State Attorney Generals of the Executive branch, who wish to ignore the law in an effort to force a new group of people into the divorce courts, only serves to feed the officers and agencies of the Judicial branch.

Schwarzenegger may see through his Attorney General's murky motive, in hesitating to enforce the laws uniformly and adequately throughout the State of California. Attorney General Bill Lockyer must choose to put the 'smack down' on Mayors and Judges who choose to ignore the Legislative branch, or he must choose to resign his office.

Is the California Attorney General a puppet of the California Bar Association or does he report to the California Governor?

### References

- \1 Denny Walsh, Sacramento Bee Staff Writer, 02-12-04, "Foster ruling to cost state millions", "A Federal judge orders back payments for homes where kids live with relatives", <http://www.sacbee.com/content/news/story/8254476p-9185108c.html>
- \2 Troy Anderson, Star News Staff Writer, 02-15-04, "Governor calls for reform of foster care system", "Proposals would end incentives, focus on families", <http://www.pasadenastarnews.com/Stories/0,1413,206%257E24533%257E2154603,00.html>
- \3 David Kravets, San Diego Union-Tribune, AP Legal Affairs Writer, 02-28-04, "Calif. Supreme Court won't immediately stop same-sex marriages ", <http://www.signonsandiego.com/news/state/20040228-0003-ca-gaymarriage.html>
- \4 Needell, B., Webster, D., Cuccaro-Alamin, S., Armijo, M., Lee, S., Lery, B., Shaw, T., Dawson, W., Piccus, W., Magruder, J., Ben-Poorat, S., & Kim, H. (2004). *Child Welfare Services Reports for California*. University of California at Berkeley Center for Social Services, <http://cssr.berkeley.edu/cwscmsreports/highlights/showhighlightHTML.asp?subj=referrals>
- \5 Bureau of Economic Analysis (BEA), Table SA51-52, "Net PCI across all States for 2000", <http://www.bea.doc.gov/bea/regional/spi/drill.cfm?table=SA51-52&lc=400&years=2000&format=htm&sort=0>
- \6 AllLaw.com, "Child support awards across all States", <http://www.alllaw.com/calculators/Childsupport/>
- \7 Ways and Means Greenbook 2000, Table 7-9, "TANF and food stamps provided by all States", <http://aspe.os.dhhs.gov/2000gb/sec7.txt>
- \8 Ways and Means Greenbook 2000, Table 11-8, "Foster Care benefits provided by all States", <http://aspe.os.dhhs.gov/2000gb/sec11.txt>
- \9 Bureau of Economic Analysis (BEA), Table SA1-3, "Gross PCI across all States for 2000", <http://www.bea.doc.gov/bea/regional/spi/drill.cfm?table=SA1-3&lc=400&years=2000&format=htm&sort=1>
- \10 Mary Mitchell, Chicago Sun-Times, 01-15-04, "Utah's adoption laws ensnare poor parents here", <http://www.dadsdivorce.com/mag/essay.php/020204Utah.html>

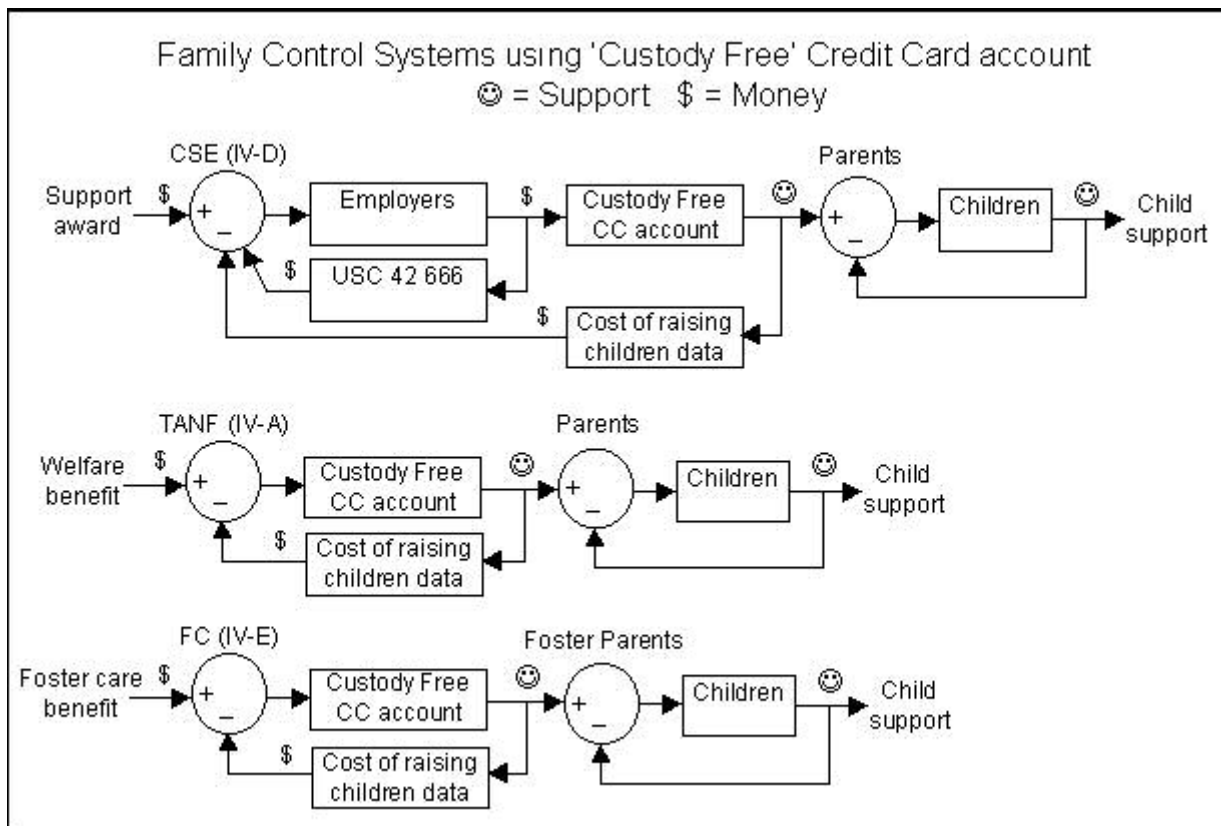
# Foster Care Design Review

## Appendix Three Family Control Systems

Source: James Untershine

The figure below shows the Federal programs implemented in all States using the *Custody Free* credit card account (see [Appendix Four](#) - "Custody Free Child Support"). The figure below shows the various types of feedback regarding support actually received by the children:

- The **CSE** agency monitors money deposited into the *Custody Free* account as well as the support purchased by both parents to provide support for the children.
  - [[USC 42 666 b6D](#)] allows CSE to enforce wage withholding from employers or payment from noncustodial parent.
  - [**Custody Free CC account**] allows accountability of money contributed by each parent and the support purchased for the children.
  - [**Cost of raising children data**] allows data to be gathered regarding the support purchased to support the children.
  - [**Parents**] monitor the actual support received by the children, to compare with the support that is purchased.
- The **TANF** agency monitors assistance/money deposited into the *Custody Free* account as well as the support purchased by both parents to provide support for the children.
  - [**Custody Free CC account**] allows accountability of money contributed by TANF and the support purchased for the children.
  - [**Cost of raising children data**] allows data to be gathered regarding the support purchased to support the children.
  - [**Parents**] monitor the actual support received by the children, to compare with the support that is purchased.
- The **Foster Care** agency monitors maintenance/money deposited into the *Custody Free* account as well as the support purchased by both parents to provide support for the children.
  - [**Custody Free CC account**] allows accountability of money contributed by FC and the support purchased for the children.
  - [**Cost of raising children data**] allows data to be gathered regarding the support purchased to support the children.
  - [**Foster parents**] monitor the actual support received by the children, to compare with the support that is purchased.



# Foster Care Design Review

## Appendix Four

### Custody Free Child Support

It's never too late to do the right thing, especially if it's free

<http://mensnewsdaily.com/archive/u-v/untersshine/03/untersshine061703.htm>

Jim Untersshine, GZS of LB, 06-17-03

*Custody Free* child support is welfare reform and is designed to allow parents to remain financially solvent, but it also serves to remove the motivation for separation. It not only provides accountability of money paid to support the children for a particular family, it also provides data that can be used to estimate the cost of raising children for a family of this type. Since either parent can access the money set aside to support the children, then it really doesn't matter who has custody, provided the money is being spent to support the children.

A family that is functional before separation should be allowed to function after separation. Developing a history of a particular family's costs of raising children will eliminate any surprises after separation. The following credit card account can be set up by parents upon the birth of their child, rather than waiting until after separation.

- **Cardholders** - Parents and/or Children
- **Depositors** - Parents, Employers, Health Insurance Providers, and Government Agencies
- **Summary Recipients** - Parents, Arbitrator, and Government data gathering Agencies
- **Charges** - Credit Card Company itemizes all authorized charges and charges back any unauthorized charges to the offending cardholder. Point of Sale (POS) software can allow itemization of all purchases to be charged to the account rather than the transaction total.
- **Restrictions** - Parents and Arbitrator enter into an agreement of authorized charges intended to support the children. The contributions of each parent may be decreased if funds exceed a certain level or can be rolled over to a college fund account.
- **Authorized Charges** - The purpose of the *Custody Free* account is to establish a baseline for expenditures in supporting the children. Food, Clothing, School Supplies, etc will be included as authorized charges. Rent, Utilities, Services, etc can be agreed upon by the parents as well as any other expenses that they may deem necessary. A case of beer, a carton of cigarettes, or a crate of condoms would be charged back to the offending cardholder, thereby increasing the contribution amount for that cardholder.
- **The Arbitrator** - The Arbitrator is not necessarily the Family Court, or Child Support Enforcement. The Arbitrator could be a recognized representative from the Credit Card Company, Church, Employer, School, or any Privatized Agency. The Arbitrator will be responsible for resolving any issues regarding funds not deposited into the account as agreed, or disputes regarding inappropriate charges, or if it appears that the children are naked and starving. The Arbitrator can allow welfare money to flow into the account to make up for unemployment of a parent or other irregularities that may threaten continuity of child support. The Arbitrator can issue actions against employers who fail to make scheduled contributions and act immediately to protect a parent from employer discrimination regarding child support withholding.
- **Government Agencies** - Government Agencies that may make deposits to the account include Welfare, Unemployment Insurance, Disability Insurance, Internal Revenue Service, etc. Government Agencies that receive the Account Summary are data gathering agencies (US Census, USDA, etc) that would only have visibility as to the statistics regarding a family of this type, rather than who this family actually is.
- **Roll it up Parenting** - In the event of separation the family residence stays intact and one parent resides there until they have to *Roll it up* and stay somewhere else. The children continue to reside at the family residence and the parents take turns residing with them. The parenting rotation will be agreed on by the parents or ordered by the Arbitrator. Dad doesn't have to relocate his workshop, garden center, or workout equipment, and Mom doesn't have to recreate her culinary empire, or abandon her masterpiece of interior design. The kids keep their room, their toys, their friends, and continue to go to the same school.
- **The Separation Station** - Parents who must *Roll it up* may choose to stay at the State of the art housing complex, subsidized by the taxpayers and those who have been ordered to pay restitution resulting from their exploitation of children for money. With a '*Gold Club*' on one side and a '*Chippendales*' on the other, this sprawling oasis is guaranteed to provide the means by which a parent can '*sow their wild oats*' in the name of '*getting it out of their system*'. This '*Club Med*' for parents will allow them to discover what they have been missing, or realize what they took for granted. Classes available to *Roll it up* parents include relationship, parenting, sex therapy, and anger management, as well as career counseling, job training, and job placement services. For the more extreme cases there is drug rehabilitation, psychotherapy, and jail.