



STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
25 SIGOURNEY STREET • HARTFORD, CONNECTICUT 06106-5033

February 27, 2009

Charles Lake Jr.
72 Old Route 23
Cairo, New York, 12413

Re: Cynthia Layden v. Charles Lake (File# 10027363)
Edna Lake v. Charles Lake (File# 10046548)

Dear Mr. Lake Jr.:

Based on the extended time period involved, and intricacy of your child support concerns, the Department of Social Services (DSS), Bureau of Child Support Enforcement (BCSE) conducted several independent reviews of your cases based on documentation you supplied to BCSE in both paper and electronic (CD) form, and case data contained on the Connecticut Child Support Enforcement Automated System.

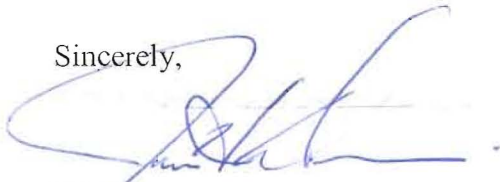
All reviews into your child support cases: Edna Lake (Caretaker) for Charles Lake III (DOB 1/25/75) and Rebecca Lake (DOB 1/13/76), and Cynthia Layden (Caretaker) for Steven Lake (DOB 4/16/80) and Tiffany Lynn Lake (DOB 6/26/82) came to the mutual conclusion that the child support orders entered on the Connecticut Child Support Enforcement System (CCSES) are valid court orders. The Connecticut child support program has the legal authority and responsibility to enforce such court orders and has done so appropriately.

In a detailed letter from your wife Joann (included with your documentation) she indicated that for the past fifteen years, your joint Federal tax refund has been directed to the State of Connecticut to pay your child support debt even though she had earned the majority of the household income during that period. While Federal law allows states to offset the Federal tax refund of a child support obligor to help satisfy a child support debt, it also recognizes that a joint filing spouse has the right to recover any portion of the refund that is attributable to *their* income. Your wife has the option of filing IRS Form 8379, *Injured Spouse Claim and Allocation Form* each year to recover her portion of a tax refund. When this form is filed, the IRS calculates the portion of the joint tax refund attributable to your wife's earnings and returns that portion to her. The form may be filed to recover up to six years of earnings from the date of your most recent tax return.

The root of your issues appear to be, not with the enforcement of child support orders, but rather with the November 7, 1988 court order which granted sole legal custody of your children (Charles and Rebecca) to your mother, and the actions taken by the Connecticut Department of Child and Youth Services (currently the Department of Children and Families - DCF) which preceded that custody order. Neither the DSS/BCSE, nor any of its cooperative agencies has the authority to change an order of the court. If you believe that your child support order(s) should be modified, you must file a motion for modification with the Superior Court. If you maintain that actions taken by DCF were inappropriate, you should address your concerns directly to that Department.

Finally, while your desire may be to continue the pursuit of a resolution to your custody issues, I feel it is important to make you aware of an option available to you to pay off your remaining child support debt in a lump sum payment at a reduced rate. Under Section 17b-179b-4 of Connecticut Child Support Regulations, liquidation (adjustment) of child support arrears is possible by making a one-time payment which is calculated to a reduced amount based on a list of liquidation factors. If this is an option you wish to pursue, please feel free to contact Mrs. Pamela Hogan of our office at (860) 424-5124.

Sincerely,



John H. Dillon
Program Supervisor
Department of Social Services
Bureau of Child Support Enforcement
25 Sigourney Street
Hartford, CT 06106

c: David Mulligan, IV-D Director
File



STATE OF CONNECTICUT

Department of Social Services
25 Sigourney Street • Hartford, CT 06106-5033



Mr. Charles Lake Jr.
72 Old Route 23
Cairo, NY 12413

12413\$2608 H002

