

# **THE IMMORALITY OF NEW JERSEY LEGISLATORS EVIDENCED BY KNOWN, FALSE ASSUMPTIONS BUILT INTO CHILD SUPPORT TABLES**

**By Evan Gutman CPA, JD (2013)**

As discussed in the preceding section the New Jersey Supreme Court has become the proximate causation for creating a legal environment conducive to heightening the emotional tensions between parties going through a divorce with its irrational opinion in Crews v Crews. Similarly, the New Jersey Legislature has engaged in immoral conduct by adopting known, false assumptions in Child Support tables. Specifically, child support awards in New Jersey are based on published guidelines that require set amounts to be paid based on income levels of the supporting spouse. The calculated amounts have been determined using certain assumptions. The primary assumption used as the basis for the calculations is set forth in Paragraph (7) in the Appendix to the Guidelines titled "Assumptions Included in the Child Support Guidelines." It states as follows:

"Intact Family Spending Patterns as the Standard for Support Orders - Support guidelines based on spending patterns of intact families provide an adequate level of support for children. Child-rearing expenditures of single parents provide little guidance for setting adequate child support awards since single-parent households generally have less money to spend compared with intact families."

In the movie, "Back to School," starring Rodney Dangerfield there is a scene where the business school professor fails to recognize the cold realities of the business world in presenting a case study to the class. With a blind eye to cold-hard realities the professor then asks the class where the factory in their model case study should be built. Rodney Dangerfield then shouts out, "How About Fantasyland?"

Fantasyland, is in fact the geographic location that the New Jersey legislature must have had in mind when it adopted the above assumption. The concept of using an "Intact Family" as the basis for establishing child support awards is ludicrous because it doesn't represent the reality of the situation. It is nothing more than a legislative fantasy. The couple is getting a divorce. The family is not intact. Everybody knows it. It is in fact, the one uncontested issue. Both the husband and wife know their family will not be intact and that there

will be two separate households. The attorneys for both sides know it. The Judge knows it. The Appellate Justices know it. And in fact, the legislators know it also.

Yet, notwithstanding that it is irrefutable the legislators knew their assumption was positively false, that is the basis they use to establish child support awards. The reason they adopted the false assumption was to artificially increase the calculated child support amount from what reliance on the truth would have resulted in.

Is a child better off in an intact family? Generally speaking, yes. And people in poverty would be better off if they had more money. And nations would be better off if there were no wars. But, the bottom line is that people are in poverty because they don't have enough food or money. And nations persist in fighting wars with each other. And similarly, children of divorced parents don't live in "intact families." The concept of a branch of government knowingly adopting a false assumption turns morality on its head. It is a known derogation of truth that inevitably sets the government against those who rely upon it to do things fairly. There is simply no way that one can contend a government acts fairly when it adopts a wide, systemic policy that relies solely upon a known, false assumption.

By the adoption of a known, false and critical assumption, New Jersey legislators have created an environment conducive to increasing emotional tensions between parties and their children in a divorce. Accordingly, the New Jersey Legislature must bear a certain degree of culpability for becoming the proximate causation in many instances for acts committed by either the husband or wife that are not within the confines of the law, and which are caused by the heightened emotional state the legislature created with its known false assumption.