

WANTED: SELF-EMPLOYED NCPS WHO PAY CHILD SUPPORT

Prepared by: Assistant Hennepin County Attorney Karen Ann Roessler and Investigator Tonya Moww

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START WITH THE STATUTES

- Minn. Stat. Sec. 256.978—Location of Parents, Access to Records.
 - Employers
 - Utilities
 - Insurance Companies
 - Labor Organizations
 - Financial Institutions
- Minn. Stat. Sec. 518A.30—Income from Self-Employment.
 - Learn the criteria for evaluating income from self-employment.
 - Expenses that are deductible for income tax purposes may be excluded from consideration as income for self-employment.



APPLY THE STATUTES

- Minn. Stat. Sec. 518A.46, subd. 2(b)(4)
 - Issuance of administrative subpoenas.
- Minn. Stat. Sec. 518A.46, subd. 5(a)(3)
 - Issue subpoenas to gather financial or other information to establish, modify, or enforce child support.
 - Use the information gathered to sanction a party.



WHAT DOES THE NCP DRIVE?

- Motor vehicle records.
 - Check for liens.
- Subpoena loan applications and payment records.
 - Look for reported wage information.
 - Look for payment history.
- Subpoena payment documents to locate banking information.



WHERE DOES THE NCP LIVE AND DO BUSINESS?

- Rental—residential and commercial.
 - Application for lease to establish eligibility to make rent payments.
 - Lease—who is "on" it—to determine whether NCP shares housing or business rental costs with another person.
 - Payment information to locate banking information.
- Home and commercial building ownership.
 - Look for mortgages of any duration—who holds the mortgage—may not be NCP.
 - Look for refinancing, 2nd mortgages, HELOCs.
 - Applications should include tax returns, employment, bank information, other debt information, etc.
 - Payment information to locate banking information.



HOW TO FIND THE \$\$\$\$\$

- Subpoena power
- Google
- Facebook and social media
- CLEAR database
- MNLARS
- County recorder
- District Court records
- Credit reports
 - Request that your CSO order a credit report.
 - Select transactions/accounts of interest to investigate further to find the \$\$\$\$\$.



“THE EXPORTER”

- Recent felony conviction for welfare fraud.
- Criminal investigation showed he was sending goods packed inside autos that he shipped to Africa.
- The Exporter was married, and owned his home with his wife.
 - The Exporter and his wife refinanced.
 - They submitted a mortgage application.
 - They wrote a check for “earnest money.”
- We obtained bank information from the earnest money check for deposits to the multiple bank accounts that The Exporter maintained.
- We succeeded in establishing child support for the non-joint child The Exporter had with the woman who was his co-defendant in the welfare fraud case.



Date	Value
Nov-14	14,400.00
Dec-14	14,400.00
Jan-15	11,200.00
Feb-15	11,400.00
Mar-15	11,200.00
Apr-15	14,400.00
May-15	20,413.33
Jun-15	14,300.00
Jul-15	12,800.00
Aug-15	20,500.00
Sep-15	16,400.00
Oct-15	11,200.00
Nov-15	14,500.00
Dec-15	11,200.00
Jan-16	4,150.00
Feb-16	12,400.00
Mar-16	4,200.00
Apr-16	4,200.11
May-16	3,200.00
Jun-16	3,500.00
Jul-16	3,500.00
Aug-16	3,500.00
Sep-16	3,375.00
Oct-16	400.00
Nov-16	217,000.00

“THE OUTDOOR MAN”

- Small-time internet business selling ice-fishing lures.
- Arbitrarily decided to pay 50% of his monthly child support.
- Vehicles registered to The Outdoor Man had no liens.
- Mortgage for the residential address of The Outdoor Man was in the name of his known current partner.
- Paid child support by check.
 - Ordered 2 most recent child support payment checks.
 - Subpoenaed bank account records.
 - Located PayPal information.
 - Located independent contractor payments.
- Supported finding of Contempt.
- Court DENIED The Outdoor Man's Motion to Modify Child Support.



CROSS EXAMINATION IS SO MUCH FUN

- BMW lease records showed that NCP traded-in a 2013 BMW for a 2014 BMW.
- NCP testified that he leased a more expensive BMW to improve his credit rating.
- Question:
 - At the time you leased the more expensive BMW, in November 2014, you were already over \$80,000 in arrears in child support, weren't you?
- Answer:
 - Yes.
- Question:
 - Why didn't you lease or buy something less expensive, like a Toyota Corolla?
- Answer:
 - I don't drive Japanese cars!



HE DOESN'T DRIVE JAPANESE CARS, BUT...

- He does have a finding of Contempt of Court in the State of Minnesota.
- The California Court now has copies of all his Minnesota banking records.
- He now makes REG payments every month.



ONE MORE SPREADSHEET—UBER/LYFT DRIVER—MULTIPLE SOURCES OF \$\$\$

- There is power in a summary.
 - Rule of Evidence 1006.



Date	Asset	Other	VWR	Cash	Other	Support	Fibers	Cash	Subst	UIC	LPH
2/1/2018		\$613.00									
2/15/2018		\$613.00									
2/29/2018		\$613.00									
3/15/2018		\$613.00									
3/31/2018		\$1226.00									
4/15/2018		\$613.00									
4/30/2018		\$613.00									
5/15/2018		\$613.00									
5/31/2018		\$1226.00									
6/15/2018		\$613.00									
6/30/2018		\$1226.00									
7/15/2018		\$613.00									
7/31/2018		\$1226.00									
8/15/2018		\$613.00									
8/31/2018		\$1226.00									
9/15/2018		\$613.00									
9/30/2018		\$1226.00									
10/15/2018		\$613.00									
10/31/2018		\$1226.00									
11/15/2018		\$613.00									
11/30/2018		\$1226.00									
12/15/2018		\$613.00									
12/31/2018		\$1226.00									
TOTAL	\$12,000.00	\$12,000.00	\$1,000.00	\$200.00	\$600.00	\$200.00	\$200.00	\$200.00	\$2,000.00	\$6,000.00	\$6,000.00

PRINTED MATERIALS

- Outline used to prepare PowerPoint presentation
- Exhibit A
 - Bank and finance company contact information
- Exhibit B
 - Subpoena, etc., for vehicle loan or lease
- Exhibit C
 - Subpoena, etc., for a real estate lease
- Exhibit D
 - Subpoena, etc., for a real estate mortgage
- Exhibit E
 - Subpoena, etc., for bank records

THE END

- See "Outline used to prepare PowerPoint presentation" for contact information.
- THANK YOU for attending today!
