



LEAGUE OF WOMEN VOTERS® OF FLORIDA

March 3, 2016

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NO to ALIMONY BILL (SB 668/HB 455/SB 250): Stop the War on Women and Mothers....

Dear Members of the Florida Legislature:

The League of Women Voters has been watching with grave concern as new Alimony Reform bills are being fast-tracked through the Florida legislative process. **We are strongly concerned as there is no economic data to support the “reforms” and the impact will clearly have a disproportionate hardship on Florida women and children. We urge you to vote NO on these bills.**

Did you know that over 96% of alimony recipients are women? And that the largest group living in poverty are older, single divorced women? There has been no blue ribbon panel or task force to study the need for “reform”. There has likewise been little substantive input from women stakeholders allowed. **Your passage of these bills will reduce judicial discretion that is critical in making an equitable decision of how best to share support after a divorce.**

We are also strongly concerned that the Florida legislature would consider a bill that would make timesharing presumptively equal without any study of how this will affect the best interests of our children in being required to spend equal time with a parent who has harmful psychological issues, is addicted to drugs or alcohol or simply works long hours. The presumption or policy shift of equal timesharing will also result in less child support as child support is tied to timesharing amounts. This will further erode women’s abilities to care for their children.



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It is clear that these “reforms” are not for the purpose of reform:

- Already, women cannot receive more than half of their spouse’s income in alimony awards.
- Already, women are unable to receive alimony for other than “needs and necessities” and cannot use alimony to save for retirement.
- Already, alimony is usually fixed-length durational and cannot be awarded as permanent alimony unless no other form of alimony satisfies the need.
- Already, permanent alimony is subject to modification in many circumstances.

The body of authoritative evidence and study clearly shows that women are much more negatively impacted economically than men after divorce. Your passage of these bills would further reduce women’s rights and constitutional access to our courts to make their arguments of why they equitably deserve and need alimony.

Please seek to understand just a few of the studied facts before you approve this **unstudied** legislation:

- Numerous published studies reflect that **divorce is a “Poverty Creating Event” for women and children more so than men.** (*SSA and US Census Bureau*);
- **Nearly 40% of Hispanic U.S. Mothers and over 30% of all U.S. Mothers are full-time Stay-at-Home Moms and growing.** (*PEW Research*);
- In the U.S., children are 28% more likely to live in poverty after a divorce (*U.S. Census*);
- The average U.S. woman due to their care giving role of both children and the elderly is out of the workforce 12 years with no pay, savings, pension, SSA credits or retirement fund contributions (a \$400k+ lifetime impact). (*AARP, Alliance for Care Giving, Multiple Studies*);
- **Single, Older Divorced Women are the largest** demographic of Americans living below the poverty level and growing - A “Feminization” of U.S. poverty crisis. (SSA and US Census); and
- In Florida alimony recipients are not legally allowed to have any alimony savings component – yet this has not been reformed in these “reform” bills—it needs reformed for women.

Why is there NO SOCIO-ECONOMIC ANALYSIS showing the need for this bill?

The League convened a committee of retired family and circuit court judges and family law attorneys to study these reforms. They make the point that there has been no economic analysis on the impact these bills will have on women and state social services. Clearly the proper state fiscal analysis is



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missing as well as the proper additional appropriations and funding for impacted state social services such as those provided under: F.S. 446.50 the Displaced Homemaker Trust Fund; Health and Human Services; Florida Children and Family Services; Food Assistance Programs; Elder Affairs programs; our Judicial System; affordable Legal Aid; public school “after-care” programs and the like. This is a tragic circumstance to have proposed legislation that will drastically impact women without any study whatsoever.

Why have proposed amendments to SB668 that would ensure it is not unconstitutionally RETROACTIVE been rejected?

The bills are retroactive because they allow for circumstances of modification to existing alimony agreements and orders that are not presently allowed under Florida law. Thus, these new modification circumstances will have alarming retroactive effect on prior divorces and contractual agreements. Despite this fact, proposed language amendments and requests in committee to ensure that these bills are indeed not “retroactive” have been summarily rejected. The nation’s leading marital law experts and numerous Florida retired family law judges and legal experts have repeatedly assessed the current bills to be “retroactive.”

We believe it will be a grave mistake to pass a bill that will have such a clear and broad-based war on women forcing many more to live in poverty and inequitably. We also maintain that this bill is “retroactive” in its intent and mechanisms and thus has likely Florida constitutional issues.

To summarize, this bill is bad for women, bad for children and bad for Florida. **The Sunshine State has a national reputation of being fair to families. Let’s keep it that way.**

Thank you for your courage on so many issues this session and for your leadership on behalf of the people of our state.

Regards,

A handwritten signature in black ink, appearing to read "Pamela S. Goodman".

Pamela S. Goodman
President, League of Women Voters of Florida

CC: Governor Rick Scott