

STATE OF MAINE

YORK, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. AP-11-41
Pp - York - 2/1/2012

JOHN A. LITWINETZ,

Petitioner

v.

ORDER

STATE OF MAINE DEPARTMENT OF
HEALTH AND HUMAN SERVICES,

Respondent

Mr. Litwinetz has appealed from a decision after hearing of September 19, 2011 which determined that he owed \$2,483.24 in "medical debt" and \$58,507.23 in back child support. The parties have submitted written arguments and waived oral argument.

The State is correct that the agreement between Mr. Litwinetz and Ms. Elizabeth Johnson, the mother of his children, to modify the court ordered child support was not effective, as it was not approved by the District Court. The fact that the existence of the agreement was made known to a support enforcement agent does not eliminate the requirement that court approval is necessary to make the proposed modifications effective.

Other arguments raised by Mr. Litwinetz were rejected in the very recent Law Court case of *Cloutier v. Turner*, 2012 ME 4 (January 19, 2012).

While Mr. Litwinetz is understandably frustrated, the decision of the Department was legally correct. The entry is:

Decision of the Maine Department of Health and Human Services of September 19, 2011 is affirmed.

Dated: February 1, 2012


Paul A. Fritzsche
Justice, Superior Court

PLAINTIFF:

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DEFENDANT:

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