

2015 Child Support Schedule Workgroup Minutes  
Web Based Meeting of September 19th, 2015

Workgroup Members attending: Wally McClure, Dr. Robert Plotnick, Judge Richard Okrent, Tami Chavez, Kevin Callaghan, Coti Westby, Ami Abuan, Melora Sharts, Inga Laurent, Kala Jackson, Dave Brown, Merrie Gough, Kris Amblad

DCS Staff: Matthew Parascand, Janina Oestreich, Nancy Koptur

**Public Forum Debrief:**

- The formula continues to be difficult to understand
- We want to make sure that we maintain strong protections for CP
  - Judge Okrent remarked that there are already strong statutory protections and we are not eliminating any of these.
- Be careful of incentives that you create
  - Wally responded that the new formula encourages contact for both parents, as the NCP is given a relatively small break for spending any time with the children. That is also why we are trying to avoid cliffs or thresholds. This is also a selling point for the Leg.

**Formula discussion:**

- We can't change the algebra, but we can change how we explain it (put it into a narrative to make it easier to understand). We can also change the order of the equation to make it more logical.
- **Vote on formula:** All voted yes, one vote abstained
  - **Consensus** from all those that voted

**Merrie's issues:**

1. Change residential credit to residential schedule deviation
  - a. We had a **consensus** decision to use the statutory language that is already in place of "residential schedule deviation".
2. Simpler way to calculate the formula
  - a. Dr. Plotnick will work with Nancy on simplifying the formula or putting it in a narrative so it is easier to understand
  - b. Statutory language will include the table
  - c. The report will have the formula in a narrative form
  - d. Suggestion to present it as a story: Define terms and then give the formula
  - e. Matt came up with some language for a portion of the formula. He will get language circulated to the group within the week.
3. Residential Credit Calculator:
  - a. The group discussed if adding a final line to the worksheet which clearly states what the transfer payment would be valuable. The group decided there would be too many issues surrounding this item to pursue. There should be a new line added to the

“Additional Information Calculations” section of the WSCSS worksheet (part VII) in order to show the dollar amount of the potential residential schedule deviation.

4. Add to the report: a remark that clearly states the possibility of a reverse transfer payment

**Kris’s issues:**

1. Will not support a reverse transfer payment which may happen with the formula the group is proposing
2. Does not want this to cause a dip below the \$50 minimum
3. Wants a less steep slope (perhaps the breakpoint is at 30%?)

**Other suggestions:**

- Make sure that we capture the 2011 recommendations that we are NOT adopting:
  - Whole family formula
  - Post-secondary education
- Make sure we clarify that the self-support reserve is for a 1 person household

**8/26/15 meeting minutes:**

- Capitalize Department – make it consistent throughout (Department or DCS)
- Meeting minutes **approved**

**9/11/15 meeting minutes:**

- Meeting minutes **approved**

**Low income limitations language:**

- Kevin will reword the low income limitations language and send to Matt/Nancy who will forward to the group.
- Re-written – we have **consensus (11 votes)**

**Workgroup Recommendations Report:**

**Recommendation 1:** Language change: There should be a revision based on the residential schedule deviation of the children for whom support is being set.

**Recommendation 2:** This was a majority vote, NOT consensus

**Recommendation 3:** No change

The residential credit should be available for consideration in all forums where child support is being set.<sup>1</sup>

- The residential schedule deviation should be available in both the court and administrative process
- The residential schedule deviation should be based on an existing residential schedule or parenting plan, if that is the actual schedule followed by the parties.
- The residential schedule deviation should be available based on the agreement of the parties or if the tribunal makes findings of fact regarding the number of overnights.

**Recommendation 4:**

- Mirror the current statute
- Use “either parent” instead of recipient
- Add: If the tribunal finds that the residential schedule deviation is not being used

**Recommendation 5:**

The statute should specify how the residential credit deviation is to be calculated.

- If the deviation is granted, then the calculation of the deviation should be based upon a specific formula - **consensus**
- The formula to be used is the one developed by workgroup member Dr. Robert Plotnick – **majority vote**
- In statute, the formula should be expressed as a table, not just a formula – **consensus**

**Recommendation 6:** No change

**Recommendation 7:** Enforcement

**Recommendation 8:** Low income limitation

**Recommendation 9:** Administrative Process language

**Final Workgroup Report Suggestions:**

- Add prior workgroup recommendations:
  - Economic Table
  - Self-Support Reserve
- Add language to the notice on the child support order about the residential credit and that it may result in contempt.
- The workgroup also asks to be kept in the loop concerning what happens next.

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<sup>1</sup> Per discussions following this meeting via email the Workgroup agreed to remove bullets two and three because this intent is already happening under the existing statute