

# Child Support Schedule Workgroup Minutes

**Location:** Seattle DCS Office, 500 1st Ave S, Seattle, Wa – 6<sup>th</sup> floor, All Staff Room  
**Meeting also available by webinar:**  
Click this link: [Join WebEx meeting](#) and reference the below access info  
Meeting number (access code): 805 466 155  
Meeting password: CSSWG42919  
For audio-only, call 240-454-0887 or toll free 855-929-3239

**Date:** Monday, April 29

**Time:** 9:00 am – 3:00 pm (room will be open at 8:30 am)

**Members appearing by phone** Keoki Kauanoë

**Members appearing in person** Ann Farnsworth, Anneliese Vance-Sherman, Janelle Wilson, Jeff Manson, Kris Amblad, Mia Harper, Sharon Redmond, Tara Miller, Terry Price

**Members not appearing** Commissioner Tami Chavez, Crissy Anderson, James Chott, Judge Richard Okrent, Representative Christine Kilduff, Representative Jeremie Dufault, Senator Claire Wilson, Senator Maureen Walsh, Shelby LeBret-McCrea

**Division of Child Support staff** Kimberly Curtis, Matt Parascand, Mindy Houx, Nancy Koptur, Nicole Enlow

**Public attendees** Jim Clark

## Agenda details:

### 1. Welcome (9:00 – 9:30 am):

- a. Welcome and housekeeping – new member Mia Harper joined as a custodial parent
- b. Ice-breaker
- c. April meeting agenda review – spotlight goals:
  - i. Hold in-person subcommittee meeting
  - ii. Complete first subcommittee report-outs
  - iii. Provide feedback to subcommittees based on report-outs

### 2. March meeting - summary (9:30 – 9:40 am)

- a. March 2019 meeting minutes – feedback, questions and agreement  
Group agreed to make draft minutes to final
- b. Pending items:
  - i. Confirm June through September in person meetings and public forums
  - ii. Send Dropbox email to Nicole/confirm Dropbox set up
  - iii. Understand workgroup member role at public forums

### 3. Scheduling and logistics (9:40 – 9:55 am)

- a. In person workgroup meetings:
  - i. Friday, May 17 – legislative campus, Olympia
  - ii. Friday, June 21 – location to be determined
  - iii. Friday, July 26 – location to be determined
  - iv. August and September: dates and locations pending
    - Looking at August 29<sup>th</sup> workgroup meeting
- b. Public forums: dates and locations pending
  - Dates confirmed: August 8<sup>th</sup> evening public forum in Seattle, August 9<sup>th</sup> full workgroup meeting in Seattle, August 10<sup>th</sup> weekend public forum in Spokane

- Locations for these meetings are not yet determined
- c. Child support schedule 'worksheets' WebEx
  - Held April 26<sup>th</sup> – materials are on the public site including worksheet examples
  - Members liked how it showed comparisons (seeing how support amount changed based on income) and helped those individuals who aren't familiar with child support calculations
- d. Public disclosure – CC [supportschedule@dshs.wa.gov](mailto:supportschedule@dshs.wa.gov) on emails to simplify public disclosure

#### **4. Timeline review (9:55 – 10:00 am)**

- a. Milestones and deadlines

#### **Break (10:00 – 10:15 am)**

#### **5. Subcommittee meetings (10:15 – 11:30 am)**

- a. Income, imputation and the self-support reserve
  - Discussed what has happened in the meetings so far and updated members who could not make the last meeting
    - Subcommittee members hared what they have found since the last meeting
  - Discussed the subcommittee report out and how best to move forward
- b. Substantially shared parenting and residential deviation definition
  - Discussed what has happened in the meetings so far
  - Discussed different percentage options for a substantially shared parenting threshold
  - Discussed the subcommittee report out
- c. Temporary abatement/dependency
  - Summarized subcommittee research and status of pending items
  - Discussed the subcommittee report out

#### **Return to main room/break (11:30 – 11:40 am)**

#### **6. Subcommittee report outs (11:40 am – 12:20 pm) – working lunch**

- a. Income, imputation and the self-support reserve (40 min, including feedback)
  - Discussion in subcommittee
    - RCW 26.19.071
    - Change self-support reserve (definition/percentage)
    - Define terms such as full time
    - The impact of imputing to full time minimum wage on orders and paying parent
    - Change imputation hierarchy
    - Median table – federal table that should be used as last resort
      - Look at other tables focused on Washington data
  - Decisions
    - Not moving forward with changing self-support reserve
    - Moving forward on defining full time
      - The subcommittee agrees that the Schumacher case, which concluded that full time does not necessarily equal 40 hours per week, should be a part of the eventual statutory definition of full time
  - Research
    - How other states define full time earnings
    - Working on gathering data on income for TANF recipients
    - Review what other states set as the minimum threshold (WA = \$50 per month per child)
  - There are large areas requiring more research:
    - Is 32 hours per week the correct number for parent on public assistance?

- What does recent history mean?
- What about individuals who are earning minimum wage but can't pay their full support obligation?
- Status – working on draft language to codify Schumacher which states full time doesn't necessarily mean 40 hours per week

**Lunch – preparation (12:20 – 12:40 pm)**

**7. Subcommittee report outs - continued (12:40 – 2:05 pm)**

a. Substantially shared parenting and residential deviation definition (40 min, including feedback)

- Research
  - Review prior workgroup material on this topic, number of administrative orders DCS establishes, and different parenting plan percentages
- Discussion in subcommittee
  - SSB 5399 which states “substantially equal residential time” includes arrangements in which forty-five percent or more of the child’s residential time is spent with each parent” as it relates to child relocation
  - Reviewed different parenting plan scenarios and the percentage of time they are to determine if members thought 45% would be appropriate for subcommittee recommendation
  - 35% residential time is one night apart from a 50/50 parenting plan
  - Set threshold that must be met to be considered for a residential deviation – once threshold is met would have factors to consider before granting a deviation to the child support obligation
  - Factors of consideration: TANF, insufficient resources, history of residential time
    - May assign weight to factors or have some automatically exclude a residential deviation
  - Currently if 50/50 and DCS began establishment action an order will not be set by the ALJ
- Input from members
  - Will this be automatically applied?
  - Administrative forum would usually not be reviewing a court order parenting plan but making determinations based on fact finding and testimony
  - Concerned of what happens if residential plan isn't met
  - There may be more resistance with hours, not overnights
  - May be easier to get buy-in if threshold is for more frequent parenting plans

b. Temporary abatement/dependency (40 min, including feedback)

- Mission of subcommittee is to investigate and recommend a waiver for those who are in a dependency action and have to fulfill state requirements to get their child back in their household
- Research
  - Office of Public Defense – Managing Attorney provide feedback in response to a question about the impact on stakeholders, if arrears were to be forgiven and current support suspended, especially for the families where the kids are scheduled to be returned to the household
  - Reviewed existing, related RCW's and WAC's, and limited case law

- National Child Support Enforcement Association (NCSEA) web talk on the intersection of child support and child welfare (foster care) provided a basis for gathering statistics. Pending statistics requests include:
  - FC demographics: income of foster care parents one year prior to placement and during placement (statistics from Minnesota and Wisconsin show significantly low income or no income)
  - FC demographics: race and income demographics for foster parents (statistics from Minnesota available)
  - Cost effectiveness: amount spent to collect on foster care cases (statistics from Minnesota show high cost of collections for little amount collected)
- Attorney General's Office – redirected request for information to DCS when asked about the state interpretation of 42 USC 671
  - Requested DCS perspective on 42 USC 671 about which, if any FC cases refer to DCS (DCS Policy Chief confirmed DCS will review and follow up)
- DCS specific policy is pending
- Input
  - Could there be a presumption of a \$0 order?
  - Another option may be to delay child support actions on foster care cases for a period of time

**Break (2:05 – 2:20 pm)**

**8. Public comment (2:20 – 2:45 pm) – time dependent on participation**

- Jim Clark – provided residential schedule handout (attachment for residential schedule adjustment) which is an idea for how to make the residential schedule adjustment. Discussed statistics from the 2018 order review and an article from Nebraska.

**9. Closing (2:45 – 3:00 pm)**

- a. Accomplishments and decisions
  - First subcommittee report and receiving feedback from full workgroup
- b. Next steps and action items
  - Full workgroup meeting May 17<sup>th</sup>
  - More details on public forum locations, future workgroup meeting locations, and finalize September meeting date
  - Subcommittee attendance is crucial to provide different perspectives and put the workgroup in a better place for future consensus discussion