

Child Support Schedule Workgroup Agenda and Minutes

Location:	L&I Headquarters, 7273 Linderson Way SW, Tumwater, WA - Room 117 Meeting also available by webinar: Click this link: Join WebEx meeting and reference the below access info Meeting number (access code): 288 391 177 Meeting password: CSSWG2019
Date:	January 25, 2019
Time:	9:00 am – 3:00 pm
Note:	Coffee and light refreshments will be provided – starting at 8:30am Lunch will be provided

Attendance

Members appearing by phone	Ann Farnsworth, Crissy Anderson, James Chott
Members appearing in person	Anneliese Vance-Sherman, Janelle Wilson, Jeff Manson, Keoki Kauano, Kris Amblad, Richard Okrent, Sandra Johnston, Sharon Redmond, Tami Chavez, Terry Price
Members not appearing	Shelby LeBret-McCrea, Tara Miller
Division of Child Support staff	Kimberly Curtis, Mindy Houx, Matt Parascand, Monica Turnbaugh, Nancy Koptur, Nicole Enlow
Public attendees	Jim Clark, Joe Corum, Richard Schilling

Agenda details:

1. Introductions (9:00 – 10:00 am)

Chair of the workgroup, Sharon Redmond, kicked off the meeting with welcome

- This is the quadrennial review of the child support schedule and is very important for the community and families
- Purpose: review the child support guidelines to determine if they are appropriate for the current family and economic environment while considering the new federal guidelines (economic trends, deviations, etc.)
- The new economic table is effective January 2019 and the self-support reserve is defined as a one person household based on recommendations from past workgroup

Primary workgroup goals

- Review the child support guidelines and the child support review report and determine if the application of the child support guidelines results in appropriate support orders
- Report workgroup findings and recommendations to the legislature, including recommendations for legislative action, if necessary, by October 1, 2019

a. Members and staff introductions

Member	Role
Administrative Law Judge Jeff Manson	Office of Administrative Hearings
Ann Farnsworth	Washington State Bar Association Family Law Section

Anneliese Vance-Sherman	Economist
Commissioner Tami Chavez	Superior Court Judges' Association
Crissy Anderson	Administrative Office of the Courts
James Chott	Noncustodial Parent
Janelle Wilson	Washington Association of Prosecuting Attorneys Support Enforcement Project
Judge Richard Okrent	Superior Court Judges' Association
Keoki Kaunaoe	Noncustodial Parent
Kristofer Amblad	Legal Services
Professor Terry Price	Professor of Law
Sandra Johnston	Custodial Parent
Sharon Redmond	Division of Child Support Director

DCS staff introductions: Mindy Houx (facilitator), Kimberly Curtis (DCS Chief of Policy), Nancy Koptur, Matt Parascand, Monica Turnbaugh, and Nicole Enlow. DCS staff provides support to the workgroup.

b. Roles and responsibilities review

- Reviewed Child Support Schedule Workgroup Member Roles and Responsibilities handout
 - A question arose regarding the bullet "solicit input from whoever is needed in order to support or decline a recommendation" – further explanation of this bullet explained that some members of the workgroup are representing a group of people so before consensus they may need to go back to the group they represent to discuss concerns
- Additional items provided by workgroup members
 - Define what consensus means – this will be more important as the group progresses
 - Direction the group will go in and guidance on what the group is going to do
 - A workgroup member shared their opinion that worksheets are becoming more and more difficult and many entities use computer programs to calculate – should make them easier and practiced the same from court to court (ideas for direction of the group will be discussed this afternoon)

c. Meeting schedule – meeting days/time and locations

- WebEx options will be available for future meetings – if possible, please let us know a week ahead of time if you will be attending virtually
 - Members would like more information on how to use WebEx
- Discussion on location of meetings – meetings must be publicly accessible
 - Meetings are in Olympia/Tumwater due to the proximity to the legislature and for our legislative members who are in session
 - Fridays are difficult for one member due to judge motions but will attend – location further north would be helpful
 - One member may have to come in and out of meetings depending on schedule for the day
 - Multiple members requested meetings further north – would AOC at SeaTac be an option

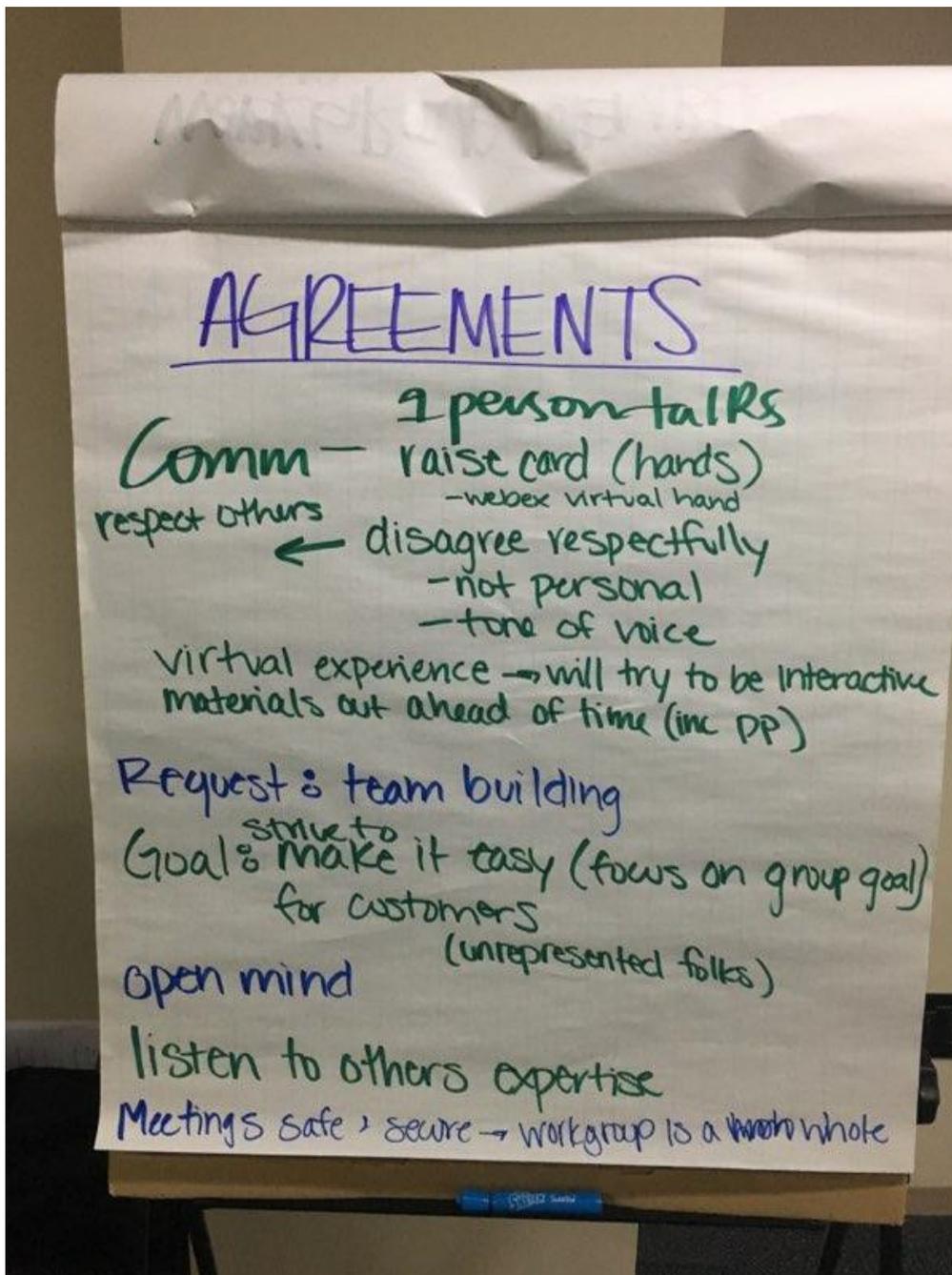
- o Multiple meetings are on a holiday or holiday weekend – February, April, and May
- o Action – DCS will review for other dates and location options

d. Agenda review

- Reviewed Jan 2019 Agenda handout

2. Agreements (10:00 – 10:30 am)

Discussed agreements for members throughout the workgroup

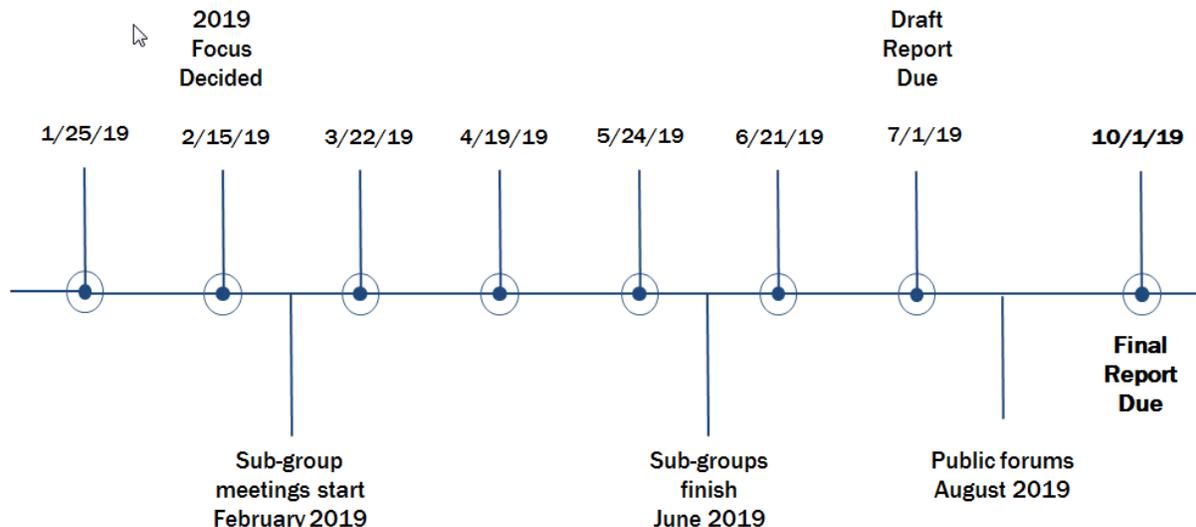


Break (10:30 – 10:45 am)

3. Workgroup Basics (10:45 – 11:15 am)

a. Timeline review

- Reviewed prospective dates of meetings and deadlines
- Public forums will be on east and west side of the state – please let us know if you have ideas for locations with public access, security, and accessibility.
 - Workgroup members are not required to attend public forums.



b. Consensus

- Reviewed Consensus handout
- Defined: finding solutions that everyone actively supports or at least can live with

Consensus discussion

- Prior workgroups: definition of consensus has been "I can live with it" and non-active participants have not voted
- Remember the common/group goals over personal/individual goals and identify needs versus wants (proposed to incorporate in to group agreements)
- The consensus process doesn't have to be formal, but if the group is having trouble reaching consensus use the defined roles in the document
- A member states they like framework of consensus document, but would prefer to flesh out the consensus process in the future and use document when group hits a roadblock
- Keep document in toolbox as it is good to have a process to fall back on if struggling to reach consensus
- Concern that a non-active member may block consensus
 - If consensus is defined as 100% it may be an issue if every member of the workgroup is not in attendance
 - Recommendation could reflect that consensus was from active participants

- Suggest that if there is disagreement on an issue to take a break and remember the common goal of the workgroup
- Consensus is needed for items to move forward in the legislature
- Group agrees:
 - To use consensus document as a guide and there is the potential for changes to it
 - Discuss document again at first consensus
 - Consensus means active participants agree per the consensus definition
 - Silence = agreement for those members that were not active

c. Technical support

- Listserv – workgroup members can sign up for the listserv. It is linked on the public page and will be used to inform anyone signed up when documents have been posted to the public site.
- [Public site](#) – explained the workgroup materials that are housed on the public site including agendas, roster, minutes, travel, guidelines from other states, and materials from past workgroups including reports
 - Workgroup member contact information is on the roster
- WebEx – will be available for virtual attendance moving forward
 - Please use hand function for questions/comments – may use chat function if unable to locate hand or sound isn't working
 - Keep yourself muted if not speaking to avoid background noise coming through on speakers
 - If you put the WebEx on hold to make another call, the hold music will play on WebEx
- Dropbox – will be used to work on and share documents
 - Create an account on Dropbox and send [Nicole Enlow](#) the email you used for that account – once email is received a folder will be shared with you for the 2019 Child Support Schedule Workgroup
 - A quick guide for creating an account on Dropbox was included in an earlier email communication

d. Travel

- Documents for travel sent out in previous email communication, including a quick guide
- Email [Debe Rose](#) your completed forms or if you have travel questions

4. Child Support Order Basics (11:15 – 11:35 am) – Kimberly Curtis, DCS Chief of Policy

a. Court order and administrative order – establishment process

Overview of court and administrative order processes

- Court orders
 - Different types of orders: paternity, divorce, parenting plan/residential schedule
 - More steps and the court rules may be different depending on location of court
 - More remedies for parties including parenting plans and residential schedule
- Administrative orders
 - Establishment notice used by the Division of Child Support
 - Paternity must not be at issue

- Limited in scope – child support only
- Requires service of the notice and a party may object
 - If objection – case is referred to a Claims Officer for a hearing (by telephone) or potential agreed settlement

Lunch – break/preparation (11:35 – 11:50 am)

5. Child Support Order Review Report (11:50 am – 12:20 pm) – Teri Lane, ESA Data Analyst

Review of the [child support order review report](#)

- Summary is a good overview of the report and data
- IV-D orders are orders that DCS is enforcing
- Orders were reviewed by Division of Child Support (DCS), Support Enforcement Officers (SEO) – they manually input data on the orders and the questions they answered are in appendix 2 of the report

Questions:

- Does DCS do residential schedule adjustment or other deviations?
 - SEOs do not do residential schedule, but if an administrative notice goes before an Administrative Law Judge (ALJ) they may. Many DCS administrative notices do not go before an ALJ as the parties do not object to the notice.
 - If SEOs are aware of children from other relationships this deviation would be given up front
 - Prior workgroup discussed residential credit in court and administrative forum
- Has there been an increase in figure 6 since the last workgroup?
- Was the data on deviations reviewed by county to see if there is similar treatment across the state?

Lunch – break/wrap-up (12:20 – 12:30 pm)

6. Public Records (12:30 – 12:50 pm) – Barb Parry, ESA Risk Manager

- Open public meetings act ([RCW 42.30](#))
- Public Records Act ([RCW 42.56](#))
 - Records from this workgroup are subject to public disclosure – CC supportschedule@dshs.wa.gov on emails you send for the workgroup
- Records requests are handled by the Economic Services Administrative (ESA) Public Disclosure Unit (PDU) – esaprr@dshs.wa.gov or (360) 725-4277

Questions:

- What is the retention period for records?
 - Defined by content/subject, not the record itself
 - Most common period is six years but start dates differ
- Do personal notes need to be scanned for retention?
 - No, handwritten notes do not need to be scanned and retained

7. Workgroup History (12:50 – 1:15 pm) – Kimberly Curtis, DCS Chief of Policy

- a. RCW 26.19.025
- b. Historical accomplishments and outcomes

Reviewed Child Support Schedule Workgroup History handout

Break (1:15 – 1:25 pm)

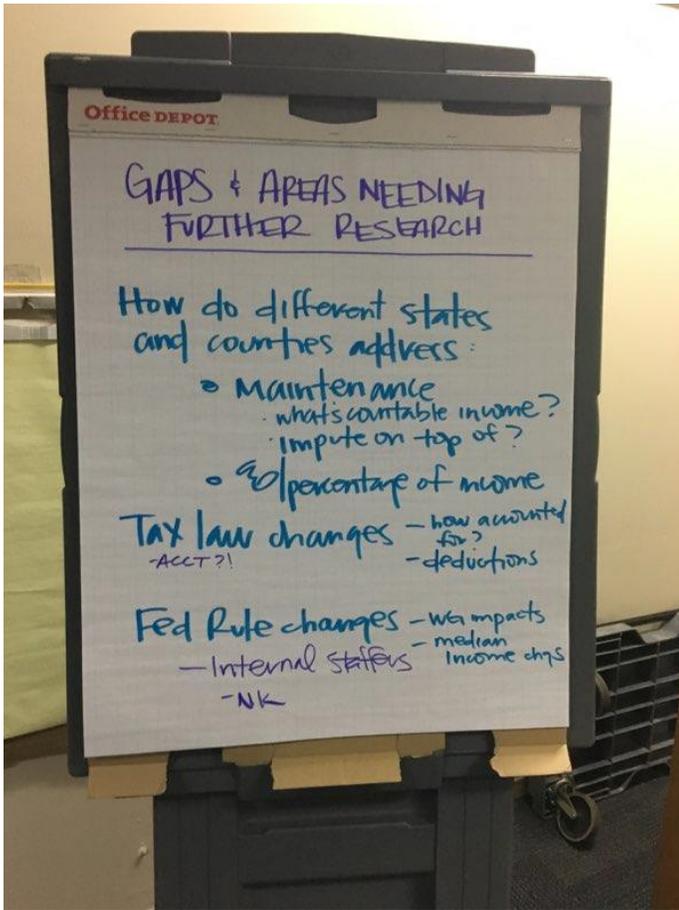
8. 2019 Workgroup Focus (1:25 – 2:25 pm)

Brainstorm of ideas for focus of workgroup



- What is income? (imputed, median, default)
- Impute
 - When to impute
 - To what amount
 - Mean imputation based on education versus age
- Spousal maintenance
- Greater than \$12,000 Income
- Residential credit
 - Deviation or adjustment
 - What should calculation be?
- Shared parenting 50/50
- Two low income parents + shared schedule + TANF = inequitable order
- Clarify/add reason for unemployment (addiction, day care, other barriers)
- Stricter TANF requirements
- Access to Justice
 - Dependency
 - Homelessness
 - Quicker child support modifications available
- Self-support reserve - should we adjust?
 - Tied to federal self-support reserve or other?
- Less subjective discussion & move objective/predictable
- 50/50 Plan – Relocation
- Pass-through
- Basis of deviation (school loans, post-secondary, other)
- Whole family formula credit for additional children in household

Items to discuss next meeting – need further research



One addition to list on left: more information on the difference between the court system and the administrative forum (Office of Administrative Hearings)

9. Public Comment (2:25 – 2:50 pm) – two public comments

- Richard Schilling shared that the child support schedule has a major impact on an individual's financial stability and their lives. He has a background in research and offered his research/analysis services. He believes the topics of discussion today are appropriate.
- Jim Clark shared his experience being a 50/50 parent and with the court system. He would like to see the process be easy, predictable, and supports the residential schedule.

10. Closing (2:50 – 3:00 pm)

a. Next steps and action items

- Reschedule next meeting – DCS will work to find a new date
- Will move toward determining focus at next meeting
- Will work on addressing the gaps/areas needing further focus