

# Child Support Schedule Workgroup Minutes

<b>Location:</b>	Capitol Campus, O'Brien Building, 504 15th Ave SW, Olympia – Hearing Room A <b>Meeting also available by webinar:</b> Click this link: <a href="#">Join WebEx meeting</a> and reference the below access info Meeting number (access code): 803 087 361 Meeting password: CSSWG51719 For <u>audio-only</u> , call 240-454-0887 or toll free 855-929-3239
<b>Date:</b>	<b>Friday, May 17</b>
<b>Time:</b>	<b>9:00 am – 3:00 pm</b> (room will be open at 8:30 am)
<b>Note:</b>	Coffee and light refreshments will be provided for the workgroup starting at 8:30 am. Lunch will be provided for the workgroup.
<b>Members appearing by phone</b>	
<b>Members appearing in person</b>	Ann Farnsworth, Anneliese Vance-Sherman, Crissy Anderson, Janelle Wilson, Senator Claire Wilson, Jeff Manson, Kris Amblad, Representative Christine Kilduff, Richard Okrent, Tami Chavez, Mia Harper, Sharon Redmond, Tara Miller, Terry Price, Sandra Johnson
<b>Members not appearing</b>	James Chott, Representative Jeremie Dufault, Senator Maureen Walsh, Shelby LeBret-McCrea, Keoki Kauano
<b>Division of Child Support staff</b>	Kimberly Curtis, Matt Parascand, Mindy Houx, Nancy Koptur, Rachel Shaddox
<b>Public attendees</b>	Pamela Hanson, Jim Clark

## Agenda details:

### 1. Welcome (9:00 – 9:30 am):

- a. Welcome and housekeeping
- b. Ice-breaker
- c. May meeting agenda review – spotlight goals:
  - i. Hold in-person subcommittee meeting
  - ii. Complete second subcommittee report-outs
  - iii. Provide feedback to subcommittees based on report-outs

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

- a. April 2019 meeting minutes – feedback, questions and agreement  
Group agreed to make draft minutes final
- b. Pending items:
  - i. Confirm details for public forum locations and future workgroup meeting locations
  - ii. Finalize September meeting date – proposed: August 29  
No objections made to August 29<sup>th</sup>
  - iii. Clarify/understand workgroup member role at public forums

### 3. Scheduling and logistics (9:40 – 9:50 am)

- a. In person workgroup meetings:

- i. Friday, June 21 – Tacoma DCS Office
  - ii. Friday, July 26 – Tacoma DCS Office
  - iii. Friday, August 9 – Seattle DCS Office
  - iv. Thursday, August 29 – location to be determined
- b. Public forums:
- i. Thursday evening, August 8 – Seattle (location pending final confirmation)
  - ii. Saturday morning, August 10 – Spokane (location pending final confirmation)

#### **4. Timeline review (9:50 – 10:00 am)**

- a. Milestones and deadlines
- Clarified workgroup members' role primarily being for January-September 2019, but the four year period is referenced in the appointment letter because members could be asked to serve as a resource during that period of time.
  - Some members would like the workgroup to continue meeting periodically to address long term goals, but other members felt differently about a longer term commitment.

- b. Potential fed poverty line changes:

Federal conversation going on about measuring based on Cost of Living and inflation.

#### **Break (10:00 – 10:15 am)**

#### **5. Subcommittee meetings (10:15 – 11:45 am)**

- a. Income, imputation and the self-support reserve –
- Subcommittee meeting minutes in process of finalization
- b. Substantially shared parenting and residential deviation definition –
- Discussed different percentage options for a substantially shared parenting threshold
  - Discussed factors for consideration for granting deviation
  - Discussed subcommittee report out
- c. Temporary abatement/dependency
- Discussed how to navigate challenges with collecting statistics and identified several alternate options to demonstrate need for statute changes.
  - Discussed current status of pending action items and identified new action items.
  - Discussed current RCW and WAC language that references how to respond to dependency situations and reunification efforts.
  - Identified options for making changes to existing statute and creating new statute.
  - Prepared for subcommittee report out.

#### **Lunch – break/preparation (11:45 am – 12:05 pm)**

#### **6. Subcommittee report outs (12:05 – 1:25 pm) – working lunch**

- a. Income, imputation and the self-support reserve (40 min, including feedback)
- Discussion in subcommittee
    - Significant increases in minimum wage and change in economic table.

- Proposed draft language (RCW 29.16.071) to incorporate standards from flex rule, change some parts of hierarchy table, and increase potential for people to be imputed at full time minimum wage when it makes sense.
  - Want factors from flex rule to be considered for CPs and NCPs.
  - Make it more explicit that several factors to consider for unemployment & underemployment. Important to get more realistic picture of what each parent can pay.
  - New language should address recent graduates in statute because they are not currently in the law.
  - Impute full time earnings at minimum wage if no work history beyond minimum wage. Leaving median net income if there is no wage record.
  - Proposed draft language to the definition section (RCW 29.16.011) a definition of full time earnings incorporating the decision from Shumaker vs Watson that full time earnings are max non-overtime hours worked in industry, historical occupation, and labor market. Not necessarily 40 hours per week.
  - Consider changing percentage for SSR if chained CPI is federally instituted.
  - Input
    - Should high schoolers have to pay support or be imputed?
    - Changes to SSR may be note to legislature and not actually recommendation. Further exploration of SSR would be useful, especially with feedback from people it affects.
    - Consider fairness and equity on both sides when defaulting orders.
- b. Substantially shared parenting and residential deviation definition (40 min, including feedback)
- Discussion in subcommittee
    - How to quantify/define substantially shared parenting.
    - Still fine tuning threshold piece of definition.
    - Agree that once threshold number is defined, want to remove statute language that requires evidence and instead give presumption of expenses.
    - Consider whether a deviation would result in insufficient funds in either party's household rather than just the recipient's household.
    - Would like whole group to help with determining the factors for consideration.
    - Discussed Florida's formula for determining child support based on residential time
  - Input
    - Legal aid community may not be willing to go below 35% threshold.
    - What happens if parties aren't actually exercising their time?
    - May still need to have adequate cause/proof.
    - Note that different counties default to different parenting plans/residential schedule time.

## **Break (1:25 – 1:40 pm)**

### **7. Subcommittee report outs - continued (1:40 – 2:20 pm)**

- a. Temporary abatement/dependency (40 min, including feedback)
  - Discussion in subcommittee
    - Provide recourse to people in dependency action who are about to get kids returned to them and may run into issues due to child support obligations.
    - Give notice to indigent parties about their rights.
    - Introduced preliminary draft language.
  - Input
    - Consider minimal payments instead of complete abatement?
    - Consider that some arrears owed that DCS collects are not owed to Washington State.
    - Where/how would the notice to parties be given and how would it be different than the notice of rights and responsibilities already provided?
    - Is there potential to include scenarios about dependency situations to show how new/proposed changes would have an impact?

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

- Jim Clark – discussed the Residential Time Summary Report from 2016 and considerations making the residential schedule adjustment

### **9. Closing (2:45 – 3:00 pm)**

- a. Accomplishments and decisions
- b. Next steps and action items
  - Full workgroup meeting to be held in Tacoma on June 21<sup>st</sup>
  - More details on public forum logistics, including locations and August 29 workgroup meeting location
  - Final subcommittee report outs to be presented at the workgroup meeting on June 21st