

Subcommittee Meeting Notes:

Substantially Shared Parenting and Residential Deviation Definition

Date | time 4/15/2019 1:00 PM | Location WebEx

Facilitator	Nicole Enlow	Attendees: Sharon Redmond, Tami Chavez, Ann Farnsworth
Note taker	Ann Farnsworth	

Reminders

- Consider what the ideal state is – what does the workgroup want to see the statute say?
- Need someone to report out at April 23rd meeting – Sharon agreed to do the report out
- If you haven't set up Dropbox, set up an account and inform Nicole of the account email for the folder to be shared with you

Research discussion

- Relocation case law addressed substantially shared in a different format – could use this as guidance?
- Limit scope – max 45/55 or 41/59?

Substantially shared parenting definition discussion

- [SSB 5339](#) sets a definition for “substantially equal residential time” of arrangements in which forty-five percent or more of the child’s residential time is spent with each parent – should we use this as our threshold?
- Should “on-duty” time be defined? Overnights require a bed while days require “on-call time” - shouldn't be counting overnights but defining “on-duty” time may not be an option
- Group discussed definition in bill and wants to do more research to see what percentage common parenting plans would equate to
 - 45% of the time = about 3.15 days and a common plan Tami ran is 35%
 - If use this definition any agreement that is less than 45% would not receive credit
 - Subcommittee would like to get the full workgroup’s opinion on this percentage
- Meeting this definition that the subcommittee recommends would trigger the residential credit (factors of consideration)
- Parenting plan shouldn't be a requirement to meet threshold – testimony is proof
- Need to consider the difference between administrative and court procedures
- May see contempt of parenting plan more

Residential deviation definition discussion

- This won't be defining residential deviation but determining factors of consideration if substantial definition is met
- Potential factors of consideration discussion
 - No deviation if hardship is created in other parent’s household

- If parent is not taking the time with child it is grounds for a modification
- Consider likelihood parenting plan will continue as is

Milestones, deadlines, and next steps

- Next meeting:
 - April 29th during in person meeting
 - May 13th from 1:30 – 3:00 pm
- Pick individual to do report out at next workgroup meeting
- Research (Tami) – look at parenting plans and weigh against the 45% consideration subcommittee is considering
- Consider research and discuss definition of “substantially shared parenting” and factors of consideration for residential deviation