

# Subcommittee Meeting DRAFT Agenda: Temporary Abatement

Wednesday, July 17 | 3:00 - 4:30 PM | via WebEx

## WebEx Information:

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Meeting number (access code): 804 137 760

Meeting password: Abatement@3

**As a last resort, connect to audio-only** by calling 415-655-0001 or toll free (855)929-3239

|             |            |                        |
|-------------|------------|------------------------|
| Facilitator | Mindy Houx | Attendees: [Attendees] |
| Note taker  | Mindy Houx |                        |

## Please review:

1. Draft subcommittee report (attached to 7/11 email)
2. Draft subcommittee meeting minutes dated 6/20 (attached to 7/11 email)
3. "PENDING actions and considerations the workgroup asked the subcommittee to work on before 7/26" (listed below)

## Agenda Items

| Topic  | Presenter | Time allotted |
|--|-----------|---------------|
| <input type="checkbox"/> <b><u>Check-in</u></b> <ul style="list-style-type: none"><li>• Welcome</li><li>• Important dates and deadlines:<ul style="list-style-type: none"><li>○ 7/22 – Final subcommittee Meeting</li><li>○ _____ – <b>Finalize subcommittee report</b></li><li>○ 7/26 – Workgroup in-person meeting</li></ul></li></ul> <b>***Subcommittee final report and report out</b>  | Mindy     | 5 minutes     |
| <input type="checkbox"/> <b><u>Discussion of pending tasks</u></b> <ul style="list-style-type: none"><li>• <b>Sandra:</b> Work with Dept of Assigned Counsel and AG's Office to obtain party testimonials representing different involvement and perspectives within dependency actions.</li><li>• <b>Mindy:</b> Clarify what Minnesota did to adjust policy around FC/dependency actions and child support; and whether they adjusted their state plan and how.</li></ul> | All       | 10 minutes    |

- **FYI: Richard** drafted the subcommittee report.
- **All:** Review and provide feedback in response to subcommittee report drafts.

□ **DRAFT language/recommendation proposal:** All 45 minutes

RCW 26.19.76 (potential recommendation for additional RCW) – titled “Foster Care/Child Support Abatement”

- **The Court, ALJ, and/or DCS shall conduct a colloquy with parent/s currently in a dependency action, to determine the extent of said parent/s indigence and/or ability to pay support. This information shall be used to stay, deviate, abate or eliminate current or arrearage support obligations for parents who successfully complete the dependency action and pursuant to the return of the children to said parent/s.**
- **It is the intent of this RCW to prevent a crippling debt being assigned to the parent/s to whom the children can be successfully returned in order to support said return and the best interests of the children in being placed with a more financially stable parent.**
- **DCYF and DCS shall create a policy requirement to give notice to said parent/s regarding the right to seek a stay, deviation, abatement, or waiver of current support or arrearages under this statute. Further, any court, before whom comes an indigent parent, shall notify said parent of the rights laid out herein.**

**Note:** ‘Adjust/adjustment’ above changed to ‘deviate/deviation’ per Sandra’s 6/21 email and Richard’s agreement.

**PENDING actions and considerations the workgroup asked the subcommittee to work on before 7/26:**

- Draft language changes:
  - Find a different word for ‘colloquy’ (Per Sandra’s 7/5 email, she would like to keep the word ‘colloquy’ ... “That term of art is not for the public. It’s an instruction that a judge will understand. Like saying “hey, look at me! I have a task for you!” Be interested to hear Richard’s take on this.”)
  - Add more information/details to ensure language is concrete and actionable
  - Add something that makes it clear the language applies to Wa State debt only
    - Not CP

- Not out of state
  - For parents with multiple children, clarify that it only applies to children in that dependency action
  - Clarify language about compliance with reunification efforts
    - Include benchmarks or more specific language around what compliance looks like and how changes to compliance could impact abatement/forgiveness of support
    - Consider language that is frozen in time around that dependency action only; time-bound
- Consider federal limitations (ensure it's not in violation)
  - What is MN (or other states) doing in regards to this?
  - How did other states adjust statute and/or their state plan?
- Consider adding this language to [13.34](#) instead
- Explore whether it's necessary to include arrears, or whether a first step could be a suspension of current support only
- Note: Sharon still had concerns around DCS's divisional authority being taken by the courts

|                          |  |     |            |
|--------------------------|--|-----|------------|
| <input type="checkbox"/> | <b>Draft subcommittee final report</b>   | All | 15 minutes |
|                          | <ul style="list-style-type: none"> <li>• Feedback?</li> <li>• Next steps?</li> </ul> |     |            |
| <input type="checkbox"/> | <b>Other</b>   | All | 15 minutes |

## Decisions, tasks and next steps

### Subcommittee final meeting 7/22 from 3:00-4:30pm - virtually

Tasks:

Next Steps: