

Subcommittee Meeting Minutes: Temporary Abatement

Friday, May 17 | 10:15 – 11:45 AM | During workgroup meeting (or via WebEx)

WebEx Information:

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Meeting number (access code): 806 453 972

Meeting password: Dependency@1

To join WebEx audio-only, dial 240-454-0887 or toll free (855)929-3239

Facilitator

Mindy Houx

Note taker

Sandra Johnston

Attendees: Sandra Johnston, Richard Okrent, Mindy Houx, Kimberly Curtis (part of time)

Please read: NA

Agenda Items

Topic	Presenter	Time allotted
✓ Timeline review <ul style="list-style-type: none">Confirmed Milestones/Priorities: Draft language asap to assist with readiness for subcommittee final report due at 6/21 workgroup meetingDeadlines: subcommittee final report – 6/21	Mindy	5 minutes
✓ Review of preliminary research findings <ul style="list-style-type: none">Cost effectiveness table – Mindy is working on this with DCS fiscal and hopes to have a shareable and publically accessible version before 6/21 meeting.DCYF/FC demographics – copy of race and ethnicity information summarized from Partners for Our Children website provided. Note: additional information available at www.pocdata.org Note: Additional options to supplement research, due to limited time and resources to gather complete research/data desired are: <ul style="list-style-type: none">Anecdotal information:<ul style="list-style-type: none">Stories from parties who have experienced dependency actions.<ul style="list-style-type: none">Sandra agreed to begin gathering some	All	20 minutes

- written testimonials from people involved in dependency actions.
 - Jacob D'Annunzio may be an additional resource for testimonials like this.
 - Stats from other states that Wa could say is demographically similar.
 - Some stats immediately available from Minnesota, Wisconsin and California.
 - Fact patterns – for different dependency scenarios.
 - Recommendations for additional groups to continue efforts, including gathering data/research, hold work sessions, etc.

~~What's relevant/useful/impactful to support the goal?~~

~~Outstanding needs:~~

~~Outstanding questions:~~

~~Next steps:~~

- ✓ Statute review and discussion around drafting language changes All 40 minutes
 - Reviewed RCWs and WACs with relevant language for FC and dependency actions:
 - [RCW 26.19.075 - 1.C\(v\)](#): “Costs incurred or anticipated to be incurred by the parents in compliance with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child.”
 - [RCW 26.19.065 - 2](#): “Presumptive minimum support obligation” language
 - [RCW 26.19.071](#): “Standards for determination of income”
 - RCW 26.19.071 – 6: “Imputation of income: ...Income shall not be imputed to a parent to the extent the parent is unemployed or significantly underemployed due to the parent's efforts to comply with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child.”
 - [RCW 74.20A.220](#): “Any support debt due the department from a responsible parent may be written off and cease to be accounted as an asset if the secretary finds there are no cost-effective

- means of collecting the debt.”
 - [WAC 388-14A-8120](#): (for reference) “Are there special rules for collection in foster care cases?”
 - [WAC 388-14A-6415](#): (for reference) “Scope of authority of conference board chair defined: ... (2) Grant relief by setting payment plans, writing off debt owed to the department, waiving fees, or refunding collected money; (3) Adjust support debts based on evidence gathered during the conference board process ... (5) Take any action consistent with Washington law and DCS policy to resolve disputes, grant relief or address issues of equity”
- Other applicable statutes? Discussed only briefly, and then moved in a different direction (below).
 - Income standards – not specifically discussed.
 - Presumptive minimum for FC obligations – not specifically discussed.
- Per discussion and group drafting:
RCW 26.19.76 (potential recommendation for additional RCW) – titled “Foster Care/Child Support Abatement”
 - 1) 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, adjust, 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.
 - 2) 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.
(Note: The intent of this paragraph or something similar was discussed but not reduced to text.)
 - 3) DCYF and DCS shall create a policy requirement to give notice to said parent/s regarding the right to seek a stay, adjustment, 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.

- We also discussed suggesting that if this law (proposed RCW above) is not adopted, a panel be created to look into Washington’s data regarding these issues as it was the finding of Trish Skophammer’s work in Minnesota that abating a child support obligation actually SAVES money when staff time, etc., is considered.

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| ✓ | Today’s subcommittee report out: Sandra and Richard agreed to co-present the report out and prepared talking points. | All | 20 minutes |
| | <ul style="list-style-type: none"> • Emerging recommendations • Questions for the workgroup | | |
| □ | Task list review — what changes need made? | All | 5 |

Decisions, tasks and next steps

- Sandra: Gather written testimonials from people involved in dependency actions.
- Mindy: Update summary of RCW/WAC references.
- Mindy: Request that 5/13 meeting minutes be finalized/post publically.