

## FINAL Meeting Minutes

### **Child Support Schedule Workgroup Meeting [Approved 12/12/08 with one change in (5)(c)]**

**December 4, 2008**

**8:30 am to 3:30 pm**

**SeaTac Airport, Beijing Room**

**Attendees:** *David Stillman; Comm. Gallaher; David Spring; Kris Amblad; Kristie Dimak; Jason Doudt; ALJ Robert Krabill; Merrie Gough; Kathleen Schmidt; Colleen Sachs; Adina Robinson; Judge Christine Pomeroy.*

**Guests:** *Pat Lessard; Mark Mahnkey; Greg Howe; Mitchell Johns; Levi Fisher; Grandma Omi; Chris Prochazka; Bill Harrington; James White; Joe Corum*

**Staff:** *Ellen Nolan; Nancy Koptur; Mitchelin Wolff; Janet Wallace*

1. The workgroup convened and approved the agenda.<sup>1</sup>
2. The workgroup reviewed the revised draft minutes for October 23, 2008, and approved them.<sup>2</sup> The workgroup reviewed the revised draft minutes for November 14, 2008 and approved them with revisions to item 4 and footnote 3. The workgroup reviewed the draft minutes for November 21, 2008 and approved them with two revisions (strike item 3 and correct the spelling of Judge Pomeroy's first name).
3. The Workgroup reviewed all of the Near-Consensus items with the aid of a PowerPoint presentation<sup>3</sup> prepared by DCS staff. For each issue, the Chair polled the group, asking who could not live with that proposal. Then, the Chair called on every member in turn and asked for a one-to-two minute statement in favor of their position. The Chair then re-polled the group to see if the votes had changed.
  - a. Economic Table The Workgroup was unable to reach consensus on the basis for the economic table.
  - b. Residential Credit The Workgroup has already decided that there should be a residential credit, but was unable to reach consensus on an above-the-line formula based on overnights. The Workgroup reached consensus that there should be a below-the-line method to provide consideration for other time spent with the children. The Workgroup agreed that failure to exercise residential time should result in loss of the residential credit, but was unable to agree on how to accomplish that.
4. Members of the public provided comments for the consideration of the Workgroup: Bill Harrington, James White, Mark Mahnkey, Greg Howe, Chris Prochazka, and Mitchell Johns.

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<sup>1</sup> Agendas are available at: <http://www1.dshs.wa.gov/dcs/Resources/WorkgroupMaterials.asp>

<sup>2</sup> See "Revised Draft Minutes" for October 23, 2008. Minutes are available at: <http://www1.dshs.wa.gov/dcs/Resources/WorkgroupMaterials.asp>

<sup>3</sup> This PowerPoint will be posted to the Workgroup web page at <http://www.dshs.wa.gov/dcs/Resources/WorkgroupMaterials.asp>

5. After the lunch break, discussion of the Near-Consensus items continued.
  - a. Residential Credit After further discussion which did not lead to consensus, the Chair decided to move on to another topic, to make sure all topics were discussed.
  - b. Children From Other Relationships/Whole Family Formula The Workgroup was unable to reach consensus beyond the agreement that prior-born children should be counted. Due to the fact that the Whole Family Formula as used by DCS does not take into account the other children of the custodial parent, the Workgroup was unable to agree on the use of the formula.
  - c. Overtime and Second Jobs The Workgroup agreed on proposed statutory language regarding income from overtime and second jobs: (1) income over 40 hours per week (averaged over a 12-month period) would be excluded if certain conditions were met (extra time was worked to provide for current family's needs, to retire past relationship debts, to retire child support debt AND the court finds that the income will cease when the specific purpose for that income has been fulfilled) and (2) income over 40 hours (averaged over a 12-month period) would be considered when the parent earning that income asked for a deviation on another basis.
  - d. 45% Limitation The Workgroup agreed on the proposed addition to the good cause language in RCW 26.19.065(1) providing that the court should consider the best interests of the child and the circumstances of each household when determining whether it would be unjust or inappropriate to apply the 45% limitation.
6. Chair David Stillman discussed the procedure for commenting on the draft Report. He advised that the final draft would be distributed to Workgroup members on Friday, December 5, and comments would be due by close of business Monday, December 8. He reminded the members of the workgroup to send comments using Track Changes to Nancy Koptur at [nkoptur@dshs.wa.gov](mailto:nkoptur@dshs.wa.gov)
7. The workgroup adjourned the meeting at 3:45 pm.<sup>4</sup>

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<sup>4</sup> Video of the three most recent meetings is available at the workgroup website; and meetings not available on the website are available on DVD. The web address for viewing videos is <http://www1.dshs.wa.gov/dcs/resources/workgroup.asp#w6>