

Residential Credit Subcommittee Meeting June 13, 2011

Present: Andrew McDirmid, Tim Eastman, Gary Bashor, Kevin Callaghan

Public: No one present

ITEMS DISCUSSED:

- Does a written parenting plan need to exist before the Residential Credit should be applied? The Subcommittee agreed a written plan needs to be in place before the RC is applied.
- Subcommittee discussed 1) does a threshold need to exist? And 2) if a threshold exist what should it be set at?
 - Not all members of the Subcommittee agreed a threshold needs to exist, but everyone thinks in order to get consensus among the Workgroup a threshold is necessary. In order to make an effort to accomplish consensus among the workgroup the Subcommittee agreed on a minimum of 25% minimum threshold. The subcommittee also agreed we need to change the current wording describing when the RC should apply from “significant amount of time”, and indicate when the lower time parent has the child/ren 25% or more of the time the RC should apply; unless the judge or commissioner finds there is not adequate income in a house to care for the children.
- Subcommittee reviewed Residential Credit Calculations detailed in Bar Graphs:
 - Subcommittee agreed we are trying to provide a guideline calculation (recommendation) but not a rigid formula. We would prefer allowing the judge or commissioner’s discretion, when needed, to confirm there is adequate money in each household to care for the child/ren. If there is not enough income in a home to care for the child/ren then the RC should be adjusted accordingly to allow for adequate income in that home.
 - The Subcommittee discussed the Bar graphs comparing various RC applications to various examples and would like to revisit the Bar graphs during next week’s conference call when they include the transfer payment before any RC is applied and review the bar graphs at 60/40 and 55/45 shared custodial times. Tim will rerun the graphs and forward to the Subcommittee.
- The Subcommittee will have a meeting next Monday (June 20 at 12:05) to review the revised graphs. The agenda for the meeting is to review the revised Bar Graphs and try to arrive at a consensus about the RC formula which should serve as a guideline.

NOTE: Not discussed during today’s meeting but consensus among Subcommittee:

The subcommittee discussed the ability of the higher time parent to go back to court to adjust the support or remove the credit if the lower time parent did not spend the agreed upon or ordered time with the children that resulted in the reduced transfer payment. Members also discussed the ability of the lower time parent to request a review of both the residential schedule and the child support after 6 months if that parent was spending more time with the children than was previously agreed upon or ordered by the court.

A consensus was reached that neither parent should be allowed to go back to court for a review until 6 months had passed.