

**Child Support Guidelines Advisory Committee
Minutes
Wednesday, January 15, 2025, 10 a.m. to 11:10 a.m.**

Facilitator: Dawn Marquardt

Minutes: Erik Durant

Members: Erin Biencourt, Donna Brann, Kelly Evans, Luciana Fontanini, Jeremy Gibons, Martin Herbest, Christine Hill, Trena Klohe, Dawn Marquardt, Natalie Otero, Sabrina Owen, Keith Raines, Mike Ritchey, David Rivera-Vernazza, Shanon Sporseen, Amanda Thorpe, Ceri Villa, and Monica Whitaker.

Guests: Annette Casper, Jason Chappell, Michelle Chrystal, Alex Collins, Amy Croucher, Erik Durant, Annie Engel, Marci Hamilton, Sarah Heinen, Alicia Mahan, Dan Meyers, Danielle Napier, Zizi Owens, Alexandra Popescu, Krista Smyth, Charlene St. Jules, and Lori Woltring.

Absent: Deborah Dowdle, Tabitha Fish, Heath Hattaway, Marisa Salinas, Linda Scher, and Jessica Thomas.

Call to Order, Welcome, and Committee Introductions	Dawn Marquardt
Since several members were attending their first Guidelines Advisory Committee meeting, the committee members each provided a brief introduction of themselves for the group.	
Minute Review and Approval	Dawn Marquardt
Dawn provided a brief overview of the previous meeting’s discussion topics. The minutes were approved without additional edits.	
Teams Channel Updates	Marci Hamilton
Marci noted that everyone should be assigned to a workgroup in Teams. If issues arise, you can email Marci. If you need a walkthrough on Teams functionality, you can also contact Dawn.	
Guiding Principles Review	Dawn Marquardt
Dawn walked through the four overarching principles for the Child Support Guidelines Advisory Committee’s recommendations, which are:	
<ol style="list-style-type: none"> 1. The guidelines produce fair <i>and equitable</i> awards 2. The rules are understandable to families and practitioners 3. The calculation required to implement the rule is not complex 4. The outcomes are enforceable. 	
During the previous meeting, Kate Cooper Richardson recommended “and equitable” be added to the first principle, which has now been updated. No other changes were suggested by the group.	
Workgroup Updates (Health Care Coverage, Income, Parenting Time Credit)	Policy Analysts
Dawn noted the policy papers for the three workgroups will be the starting point for the individual workgroups. Last meeting, there was a question if we are limited to only the topics already identified? No, these topics are only a starting point. When we get into workgroups, if there are additional topics raised, those can be discussed during the workgroup meetings and brought back to this Committee’s meetings or raised here for discussion.	

For the specific issues identified for the workgroups, workgroup members will help draft a report that includes their recommendations in that area to bring to this Committee. If we do not have a consensus among the Committee, we can vote on the recommendations to be sent to the Director for review and approval.

Health Care Coverage:

Alex advised the kick-off meeting for this workgroup is scheduled for January 21 at 3:30 p.m. Meeting invitations have already been sent, and an agenda will be forthcoming. During this meeting, we will identify a lead for the workgroup, meeting recurrence, and other key issues.

Dawn added clarification that during these first meetings, we will be asking for a volunteer to chair or co-chair each workgroup. A policy analyst has been assigned to each workgroup to help facilitate scheduling, issues tracking, and minute taking.

Income:

Luciana advised that the kick-off meeting for this workgroup is scheduled for January 21 at 1:30 p.m. She apologized for scheduling this meeting close to the Health Care Coverage workgroup meeting; it was challenging finding a time that would work for everyone. Luciana plans on sending an agenda this Friday to allow members to review it prior to the meeting.

Parenting Time Credit:

Lori advised that the kick-off meeting for this workgroup is scheduled for January 28 at 11 a.m. She will also send an agenda out prior to the meeting.

Dawn added that during each kick-off meeting, there should be a discussion whether workgroup members want those meetings recorded or not. It could be for minute taking purposes only or to share with workgroup members who were absent for a meeting. We don't want the recording of the workgroup to be a barrier to openly discussing the issues. It will be up to the workgroup to make that decision.

Income Disparities Between Child's Households	Judge Raines
<p>Judge Raines's proposal, entitled <i>Proposal to Address Disparity in Child's Lifestyle in Economically Disadvantaged Home</i>, was displayed for the group. This was sent out to the committee members previously. Judge Raines noted that there are other possible ways to look at the delta, or difference, of incomes between the parties. The most important thing is to make sure the formula is equitable. Luciana noted that the guidelines are already supposed to be factoring income differences into the calculation and asked Judge Raines what the calculator isn't currently doing that this proposal would solve. Judge Raines responded the parent with the lesser income often has custody of the child, and the child doesn't get the same benefits in that household. The child also tends to want to move to the more affluent household, regardless of what is in the best interest of the child. He thinks it can be addressed by this formula proposal or by a more income-driven approach. There is often not a lot of support ordered based on the income capacity of the parent ordered to pay, especially when parenting time is shared. Dawn asked if the child support calculator is being used in these situations or if the parties are stipulating to a lower support amount. Judge Raines clarified that it is an issue with the calculator. It often results in lower amounts for the receiving parent, who often has lesser resources, without looking at whether the amount is enough to meet the needs of that household.</p>	

Amanda added that from a litigation perspective, this takes into consideration household incomes, but the calculator only looks at parent's individual incomes. You could have a scenario where you have comparable standards of living because of income from a partner in the home. While she doesn't have any issues with this proposal, she thinks it will increase litigation around rebuttal factors.

Mike noted that the new scale amounts proposed for various income levels in the Center for Policy Research report are increased. Before looking at making changes to the formula, we should see if the amounts in the new scale would address Judge Raines's concerns.

The group discussed whether this would best be discussed in the Income workgroup or the Parenting Time Credit workgroup. The consensus is that it would go to Income first but may also be discussed in the Parenting Time Credit workgroup as well.

Action Item:

- This topic will be discussed further in the Income workgroup.

Child Care Cost Discussion

Dawn Marquardt

During the last meeting, Judge Raines mentioned the high cost of child care as a major issue and asked whether the group should discuss this topic further. Dawn advised that since Linda Scher was unable to attend this meeting, she emailed some thoughts. Linda's concern is that it's so variable from year to year. She usually addresses this issue by excluding the cost from the calculation and then ordering as additional child support that the paying parent compensate the receiving parent for a fixed percentage of the cost each month. That is one way to deal with the high variation. Another way is to compare the actual cost at the end of the year to the estimated cost in the calculation and order an additional payment to the receiving parent or credit to the paying parent, as needed. She also thought the definition of what child care costs in the summer needs to be made clearer.

Trena responded that approach might only work when both parents who are already cooperative and won't be easy for the program to enforce.

Judge Raines asked if another group is going to develop a new scale and would we be wasting our time trying to address it as well? Dawn advised that there is a proposed scale in the Center for Policy Research report. Luciana advised that we are currently tying our child care amounts to ODHS's amounts. That seems like a place where we might want to reconsider. She advised that this topic could be discussed in its own workgroup or could be discussed as part of the Income workgroup. Alex reviewed the report and noted several instances where child care is discussed. She suggested that the topic get folded into a Miscellaneous workgroup. Dawn suggested having a short policy paper on child care costs that highlights the places in the Center for Policy Research report where child care is discussed.

Judge Raines asked if the report can be made available to the group. Dawn noted that it is available in the Teams channel and the Guidelines Advisory Committee webpage on the public website. Alex also added a link to the report in the chat. Dawn displayed the webpage and showed where to locate resources.

Amanda suggested that the topic of child care costs could be included under the Health Care Coverage workgroup as it related to expense sharing and has a comparable allocation. Dawn agreed and advised that updating the title of the workgroup to “Expense Sharing” may be a good idea and that the workgroup could discuss this during their kick-off meeting

Action Items:

- The Policy Team will put together a policy paper on child care costs to be shared at a future meeting.
- The Health Care Coverage workgroup will discuss changing its name to Expense Sharing workgroup to include the topic of child care costs.

Child Attending School Discussion

Dawn Marquardt

Since Linda Scher is not at this meeting, we will bring this topic back to a future meeting. Dawn noted that the child attending school provisions in statute are outside of our scope. That said, we could still make recommendations to the director, but it would not happen as part of the official work of the Committee.

Dawn shared Linda’s thoughts per her email. There are some very extreme outcomes when one or more children are at home and one or more children are attending school. Often, the support for two children is doubled when one child is home, and the other is a child attending school. Also, the rules about when one parent is ordered to pay versus two parents ordered seem unclear.

Judge Raines mentioned a case where everyone agreed that the child never attended school even though the child completed the application but never attended school. The paying parent was burdened with a large amount of arrears when the issue was raised years later. He wondered if there is a way in rule to avoid this situation if all parties agree.

Chris noted that some people don’t realize that for a child attending school, both parents could end up paying support and not just the parent previously ordered to pay support.

Judge Brann raised another child attending school issue. When the receiving parent is getting Social Security benefits for the minor child based on the paying parent’s obligation, the support obligation for the child attending school essentially gets wiped out, so that child doesn’t get support or the Social Security benefits since they are over 18 and not in high school.

Trena responded to Chris, saying she thought there was a rule that the previous receiving parent could not be ordered to pay support for a child attending school. Also, she believes there is a rule that a receiving parent can still collect support for an 18-year-old attending high school. Luciana noted that the program will not take a new order for the receiving parent to pay support after the child turns 18. Also, support will not automatically be sent to the receiving parent after the child turns 18. The child would need to redirect support to the parent at that point (unless there are specific provisions in a court order that orders differently).

Kelly noted that adding additional commentary to the rules would be beneficial to help the public navigate how to interpret the rules and use the calculator. Additionally, there are situations where practitioners feel stuck, and the OARs and statutes are not useful. It might

be helpful to request a statutory change that would allow a judge to make determinations that are in the best interest of the child.

Judge Raines responded if we try to make changes to the child attending school statutes, we might end up in a significant debate with the legislature and complicating the process even further. Dawn agreed.

Dawn noted that there is a specific Child Attending School Team, and we may want to invite a manager or lead from that team to join a future meeting. We may even go through an example calculation that involves minor children and a child attending school. We will plan to bring the topic back at the next or a future meeting for further discussion.

Action Item:

- We will plan to bring this topic back at a future meeting with members of the Child Attending School Team.

Round Table	All
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There were no further topics brought up for round table discussion.

Dawn noted that the next meeting is scheduled for February 19, 2025.