

# Georgia Commission on Child Support Full Commission Meeting

Friday, November 16, 2018

## Meeting Minutes

### Commission Members:

**Judge Michael Key**, Chair  
**Presiding Judge Anne Elizabeth Barnes**  
**Rep. Timothy Barr**  
**Mr. Chuck Clay** (phone)  
**Ms. Katie Connell**  
**Judge Lisa Jones**  
**Judge Todd Markle** (phone)  
**Judge Emory Palmer**  
**Dr. Roger Tutterow**  
**Ms. Wendy Williamson** (phone)

### Invitees:

Jill Travis, Legislative Council

### Staff:

Elaine Johnson, Aimee Maxwell, Latoinna Lawrence

**Guests:** David James, Ross Brockway/Equal Justice Works, Mark Rogers, Jessica Farah/JC/AOC, Tyler Mashburn/JC/AOC, Ryan Bradley/DHS/DCSS, Ashley Seals/DHS/DCSS, Tamia Anthony/DHS/DCSS, Sabrina Rivers/DeKalb County Family Law Paralegal, Byron Cuthbert/DHS/DCSS, Wayne Slear, Jason Naunas/OAG, Ken Lynch.

## I. Welcome and Introductions

The meeting was called to order at 10:30 a.m. by Judge Michael Key, Chair of the Commission. Members and attendees were asked to introduce themselves and indicate if they were attending by telephone. The Child Support Commission consists of fifteen members and ten were in attendance for this meeting, which constitutes a quorum for voting.

## **II. Review of Minutes**

Judge Key asked if the members had time to review the minutes from the September 21, 2018 meeting. The members indicated they had, and with no changes requested, the minutes were approved by the Commission.

## **III. Committee Reports**

Judge Michael Key called on Ms. Katie Connell to report on the Statute Review Committee.

### **A. Statute Review – Ms. Katie Connell, Co-Chair, Statute Review Committee**

The committee drafted and approved a bill - LC 29 8154. The committee asked the Commission to approve the legislation. A new primary sponsor is needed for the bill, as Representative Beth Beskin will not return to the legislature in 2019.

The Commission received a report from Jill Travis, Legislative Counsel, summarizing LC 29 8154. None of the Commission members had questions regarding the bill. There was a motion followed by a second. The bill was approved by the Commission. Rep. Timothy Barr will sponsor the bill and authorized legislative counsel to continue working on it.

### **Parenting Time survey results – Elaine Johnson**

In May 2018, Judge LaGura asked for a survey of Superior Court Judges on parenting time. This survey was conducted with assistance of Shannon Weathers, Executive Director, Council of Superior Court Judges. The question asked was “Should there be a presumptive adjustment for parenting time in the child support worksheet?” Four Superior Court judges responded; one in metro Atlanta, one in southeast Georgia and two in northwest Georgia. All four judges answered “no” to the survey question. Judge Key asked if there were any questions or need for further discussion on the parenting time survey results; the Commission members indicated no further discussion was needed.

### **B. Calculator Technology - Wendy Williamson**

The committee reported the Excel calculators were retired October 1, 2018. The committee further reported there are 18,749 individual user accounts for the online child support calculator, with the Division of Child Support Services having 736 individual user accounts. A total of 86,955 child support worksheets have been created since August 8, 2016. The focus in 2019 is on improvements to the online calculator.

Judge Michael Key stated that on behalf of the Commission, he wanted to thank Wendy and the members of the Committee who worked on training of the calculator; it is a job well done. None of the Commission members had questions on the report.

#### C. Economic Study Committee – Dr. Roger Tutterow

The 2018 Economic Study is complete; it was previously distributed to committee members and posted on the Commission website. There was also an opportunity for public comment that included an online portal for individuals to respond on the report with input to the Committee. The Committee hosted an in-person two-hour public forum at Georgia Public Broadcasting studios on November 1, 2018 and members of the public attended and spoke.

The feedback received from the citizens and participants were largely driving the recommendations on study committees. The Committee is recommending study committees on two important topics: parenting time and low-income deviation. The staff also recommended the State Bar of Georgia, Family Law section, study shared parenting and the modification process. Judge Michael Key appointed Katie Connell as Chair of the Parenting Time Study Committee and asked she assist the State Bar on the topics of shared parenting and modification in private child support cases. Judge Palmer was appointed Chair the Low-Income Deviation Study Committee.

Dr. Tutterow reported the 2018 Economic Study Report was approved by the Committee on November 6, 2018, with a decision not to change the current Basic Child Support Obligation Table. The current table will continue to be used in Georgia's Child Support Guidelines statute, O.C.G.A. § 19-6-15. Dr. Tutterow presented the report to the Commission for adoption. There was a motion and second to adopt the 2018 Economic Study Report with no change to the Basic Child Support Obligation Table. The motion was voted on by the Commission and unanimously approved.

#### IV. Old Business – Judge Michael Key, Chair

Judge Key asked staff to look at the duties and responsibilities of the Commission to ensure the Commission is performing its statutorily specified duties. Aimee Maxwell, Staff Attorney, drafted a document of general information on the requirements of O.C.G.A. § 19-6-53, which was reviewed by the members. The members agreed the work of the Commission is being properly carried out pursuant to the statute.

## **V. New Business –**

Elaine Johnson – report on the Commission Final Report

The Commission Final Report is in the final stages of completion. The report consists of the summary of the work activity of the Commission and staff over the previous four years (2015 – 2018). Judge Key asked if staff would add the two study committees approved during this meeting to the report. The members approved the addition of this information. Judge Key asked staff to make the summary report available to the Commission via email, for the members to review and provide feedback. The Commission members agreed to a 10-day response period. Ms. Johnson reported that the existing guidelines and table will be part of the report. Also, that the Case Sampling spreadsheets, original sample, and second sample using the Division of Child Support cases, will also be included. The Economic Study Report, authored by Dr. Jane Venohr, Ph. D, of the Center for Policy Research, will complete the content of the final report.

The distribution of the report will include: state Legislators, the Governor, and the Division of Child Support Services (DCSS). The report will also be available on the Commission website. Ms. Johnson explained that two hard copies will be furnished to the DCSS, and that agency will furnish the report to the federal Office of Child Support Enforcement.

### **Staff Changes**

Jill Travis reported that she is taking a new job opportunity at the Georgia Association of Criminal Defense Lawyers and will be leaving the Legislative Counsel's office. Our new Legislative Council will be Blake Travis. Mr. Travis will provide the Commission an updated version of the LC when edits are completed.

Ms. Johnson introduced new staff to the Commission who joined the Judicial Council, Administrative Office of the Courts (JC/AOC) November 1, 2018, as Aimee Maxwell, Staff Attorney to the Commission, and Latoinna Lawrence, Program Coordinator.

### **Public Comments – Judge Michael Key**

Wayne Slear, non-custodial parent:

Mr. Slear believes study groups for the parenting time and low-income deviation is a step in the right direction. He encouraged that the study committees involve a diverse group of stakeholders, including a noncustodial and custodial parent. He also asked to have the study committees added to the Commission website, so it could have public exposure. He would also like to be considered for one of the study committees.

Judge Michael Key response:

We will establish two-year study committees (might not take two years to complete). The staff will put together a list of committee member recommendations and will reach out to obvious stakeholder groups, such as the Division of Child Support Services. They will work with the Chairs of the committees to develop a member list they will submit to Judge Michael Key for the appointments. The Chairs will appoint a Vice Chair. Anyone who wants to be considered, for either of the study committees, needs to submit their request in writing. The Statue Review Committee will consider whether there is a need for legislation during the next two legislative sessions (2020 and 2021) based on recommendations from the study committees.

Ross Brockway, Georgia Justice Project:

Mr. Brockway advocates for noncustodial parents who have child support debt and criminal records. He made two recommendations. One, adding a self-support reserve to ensure noncustodial parents have a basic level of income they can use to pay rent, food, and shelter. He stated most other states have a reserve. Second, in section 7 of the draft legislation, page 10, he believes the language should be changed to “shall” consider a low-income deviation.

Judge Michael Key response:

The Study Committee on Low-Income Deviation can address the issue of a self-support reserve and other related issues. The Commission members discussed the proposal that the word “shall” be used in the statute in place of “may” when considering a Low Income Deviation. The members agreed with the recommendation and asked legislative counsel to edit the LC to include this change at O.C.G.A. 19-6-15(i)(2)(B)(i).

## **VI. Schedule Next Meeting**

No future meeting was set due to the upcoming 2019 Legislative Session.

The meeting was adjourned at 10:55 a.m.