

**Georgia Commission on Child Support
Parenting Time Deviation Study Committee
Kathleen Connell, Esq., Chair**

**Wednesday, October 27, 2021
1:30 p.m.**

Meeting Minutes

The Parenting Time Deviation Study Committee (“Study Committee”) of the Georgia Commission on Child Support (“Commission”) held this meeting via videoconferencing using Zoom webinar. Study Committee members in attendance were:

Kathleen “Katie” Connell, Chair	Sarah Mauldin
Pat Buonodono	Mark Rogers
Byron Cuthbert	Jamie Rush
Adam Gleklen	Carol Walker
Johanna Kiehl	

Executive Program Manager, Elaine Johnson, Staff Attorney, Noelle Lagueux-Alvarez, and Program Coordinator, Latoinna Lawrence, served as staff for the meeting. Legislative Counsel, Holly Carter, also attended. This meeting was open to the public and four members of the public attended.

Katie Connell asked if a quorum was present, and Noelle Lagueux-Alvarez advised that a quorum of Study Committee members was not present. Staff noted that a vote on approval of the minutes from the last Study Committee meeting on October 6, 2021, would be conducted by e-vote.

Ms. Connell reported to the Study Committee that she had made attempts to contact two different practitioners in the State of Nevada without success on either attempt. She recommended the state of Nevada be removed from consideration by the Study Committee. The members of the Study Committee agreed with this recommendation.

Ms. Connell also thanked member Sarah Mauldin for the exceptional job she did synthesizing the notes from interviews with other state practitioners in Florida, Minnesota, New Jersey, Tennessee, and Virginia. She remarked that the document was well-organized and stated how much she appreciated the table of contents. The staff thanked Sarah as well.

Study Committee members had a lengthy discussion on a suggestion submitted by member, Ryan Bradley, that was circulated to all members by staff prior to this meeting. Mr. Bradley’s suggestion was in response to past public comments that noncustodial parents should not pay child support during summer months if the child(ren) are in the custody of the noncustodial parent during that time. Mr. Bradley suggested that if such parenting time is accounted for in the child support obligation, that it not be accounted for by stopping and starting child support payments for various months throughout the year. Rather, Mr. Bradley suggested that any credit given

based on parenting time should be averaged in the child support over a 12-month period. Mr. Bradley voiced this suggestion because of the logistical issues it would cause for processing child support noting that it could create under and/or overcharging, paying, and calculating which could expose some parents to undue enforcement actions. Ms. Connell commented that averaging child support over a time-period is not a new concept. Averaging over a 12-month period is also done in the process of determining gross income for parents when a significant portion of their income may be paid quarterly or in some other way.

Elaine Johnson also noted that stopping and starting child support payments instead of spreading the amount of child support over 12 months would create serious logistical issues for employers who must account for child support in payroll based on income deduction orders. Ms. Connell responded that she recalled in recent years discussions with the Child Support Commission on issues with employers not willingly stopping income deductions when children aged out of the support order. She recalled that employers who are effectuating the income deduction orders are not comfortable with making the call about whether a child aged out or not, which creates a real problem for noncustodial parents.

Ms. Connell addressed some comments made by a member of the public in the Zoom chat feature about the Study Committee preferring logistics over noncustodial parents who must pay the child support. She reminded everyone that the logistics and the efficiency of handling child support payments is important to both parents and the children because it does impact the families quite directly. She expressed further that if the noncustodial parent pays too much child support, too often, or at a time when they're not supposed to, and on the flip side the custodial parent does not receive what they're supposed to receive, this shows the logistics aren't working and the families are impacted. Ms. Connell said the conclusion of the discussion was that the Study Committee is acknowledging an issue and keeping an eye on it.

Ms. Connell stated to the Study Committee that if anyone wants to propose that the Study Committee consider taking the parenting time into account in a way that could result in the child support being different in certain months of the year, that the members could certainly discuss those ideas. She also added that's not the only proposal being solicited from the members for the next meeting. She explained that now is the time for the Study Committee to think about what we do in terms of Georgia's child support guidelines when considering parenting time. Ms. Connell noted that after much studying and discussion over these years, it is time to pivot to concrete suggestions for submission to the Child Support Commission. Member Mark Rogers suggested putting ideas in writing to the group in bulleted format. Katie Connell advised those wishing to submit ideas in writing to please send them to Elaine Johnson for circulation to the entire Study Committee.

Ms. Connell asked member Sarah Mauldin to report on the "State Notes" compilation document she prepared for the Study Committee. Ms. Mauldin reviewed the document for the members and asked if there were any edits to make to the "State Notes" document. Member Carol Walker commented that she had not yet had an opportunity to thoroughly review the document. Ms. Connell agreed that she had also made only a cursory review. Ms. Walker suggested, and Ms. Connell agreed, that if anyone has any edits or additions they want made to the document, they

should provide those directly to Ms. Mauldin by the 5th of November. This would give her time to finalize and circulate the final version before the next meeting.

Member Johanna Kiehl asked Ms. Mauldin to delete pages 25 through 30 from the New Jersey section since she had condensed the information into one document, which begins at page 31. Ms. Mauldin indicated she would do so. Member Carol Walker asked Mr. Mauldin to also include approved meeting minutes that resulted from meetings where the practitioner interviews were discussed. Ms. Mauldin acknowledged she has included those as well in the synthesized version.

Member Carol Walker spoke on the need to go back to the Charge and Objectives document as the Study Committee formulates opinions based on that statement of purpose. She stated that in Section B of that document are the more reoccurring thoughts that we used to formulate our questions to the practitioners. She suggested the members share that information to see how much commonality there is. Member Johanna Kiehl asked for more clarification. Ms. Walker explained that in her own mind she has formulated some positions that would be important and should be addressed. And it would be interesting to know what commonality of thoughts there are among the members. For example, she said she thinks they have all decided that maybe counting overnights might not be such a wise way of looking at parenting time because we know that there are problems with that, as Adam pointed out in Florida. This means that we have a definitional problem. She suggested the members look at the question of what is the purpose? And what is in the best interests of the child going forward? And what best suits that need? And she commented that the members may all have very different opinions.

Ms. Connell thanked Carol for drawing the Study Committee back to the objectives. She confirmed for the members that it is a great idea for those who wish to put their thoughts in writing to do so, but that if they do not put something in writing that doesn't mean the Study Committee is not going to discuss alternative thoughts. She explained that if a member has specific concrete thoughts that they'd like to present to the group, it would be great if we could get a few bullets in writing, at least to start the conversation. Elaine Johnson volunteered to receive those documents from the members by email.

Ms. Mauldin was asked to place the Charge and Objectives document at the beginning of the "State Notes" compilation, and she agreed to make that update. Staff Attorney Noelle Lagueur-Alvarez reviewed the three bulleted "Charge and Objectives" for the members. The members requested another soft copy of the Charge and Objectives document and Elaine Johnson stated she would re-circulate that document to the members.

Ms. Connell spoke with the members on making sure, during the final analysis, that the Study Committee be mindful of issues that should be considered. For example, she recalled that during Adam Gleklen's presentation on Florida, that there are parents who have different kinds of jobs that require working overnight. She stated we don't want those parents penalized from a parenting time perspective, because of working overnight. She also addressed the issue of summer months and whether they should be averaged over the year or if there should be gaps in the year where

child support is not paid. She added that we want to be mindful of these issues and how they may affect parenting time calculations. Ms. Connell summarized that the Study Committee is doing issue spotting, and those were some examples.

The next meeting of the Study Committee will be on November 15, 2021, at noon. The meeting after that was set for December 3, 2021, at noon. The meeting was adjourned at 2:25 p.m.