

**Georgia Commission on Child Support
Commission Meeting
Judge R. Michael Key, Chair**

**Friday, October 15, 2021
1:30 p.m.**

Meeting Minutes

The following Georgia Child Support Commission members were present at the Georgia Child Support Commission (“Commission”) meeting held virtually via Zoom videoconferencing on Friday, October 15, 2021:

Judge R. Michael Key, Chair
Charles C. “Chuck” Clay, Esq.
Judge Lisa G. Colbert
Kathleen B. Connell, Esq.
Rep. Houston Gaines

Judge Lisa Jones
Regina Quick, Esq.
Rep. Bonnie Rich
Christina L. Scott, J.D.
Dr. Roger Tutterow

The meeting was open to the public and staffed by Executive Program Manager Elaine Johnson, Staff Attorney Noelle Lagueux-Alvarez, and Program Coordinator Latoinna Lawrence.

Welcome, Housekeeping, Introductions, Commission Member Updates:

Judge R. Michael Key, Chair of the Commission, called the meeting to order and welcomed all attendees. Judge Key recognized new Commission members and asked each to introduce themselves: Judge Lisa Colbert, Christina Scott, and Justice Shawn LaGrua. Judge Key also acknowledged that with these appointments, we have full membership on the Commission—15 members. Judge Key extended his gratitude to OSAH Judge Amanda Baxter, who retired at the end of September 2021, and who served for many years on various Child Support Commission committees.

The meeting was conducted as a virtual meeting using Zoom Webinar. Staff member, Latoinna Lawrence provided instructions for attendees on how to indicate they wish to speak, including during the public comment period, and asked anyone wishing to make a public comment to put his or her name in the Zoom chat feature to identify themselves.

Judge Key asked Staff Attorney, Noelle Lagueux-Alvarez, to conduct a roll call, which she conducted and confirmed that ten Commission members were present and a quorum to conduct business was established. Judge Key acknowledged that we had established a quorum, asked the members if there were any changes needed to the minutes from the April 23, 2021, Commission meeting, and there were no recommended changes. Judge Key conducted the vote to approve the minutes which was unanimously approved with no abstentions.

Commission Committee Assignments

Judge Key announced that Commission member Regina Quick has been appointed chair of the Technology and Calculator Subcommittee and thanked her for volunteering. Judge Key asked Ms. Quick or Ms. Johnson to describe the scope of work for that subcommittee. Ms. Johnson explained that the main scope of work for this subcommittee is to oversee the child support calculator, which may include, for example, considering updates needed to the calculator because of changes to the child support guidelines statute. She further stated that currently there are three Commission members on the subcommittee and additional members would be welcome. Judge Key asked for a Commission member to volunteer to serve as a member of the Technology and Calculator Subcommittee. Katie Connell volunteered to serve on the Technology and Calculator Subcommittee once her service as the Chair of the Parenting Time Deviation Study Committee concludes. Judge Lisa Colbert also volunteered to serve on the Technology and Calculator Subcommittee and was appointed. Judge Key announced that Commission member

Christina Scott volunteered to serve on the Economic Subcommittee and thanked her for agreeing to serve on that subcommittee. Judge Key asked Katie Connell whether she would like a co-chair appointed for the Statute Review Subcommittee. Ms. Connell noted that having a co-chair join her to help chair that subcommittee would be helpful and Judge Key said he would await her recommendation before appointing a new co-chair for that subcommittee. Judge Key asked whether there were any other new members who wanted to be appointed to any of the subcommittees. No further interest was expressed.

Subcommittee, Study Committee, and Work Group Reports

Economic Subcommittee

Dr. Tutterow, chair, noted that the Economic Subcommittee met on June 4, 2021, and further noted that the Economic Subcommittee held two listening sessions (August 26, 2021, and September 23, 2021) to gather comments from the public to be considered during the upcoming 2022 economic study. Dr. Tutterow stated that this will be the 5th time the Commission will have an Economic Study conducted. He also noted that the Economic Subcommittee has been collecting written comments from the public through the Commission's website, which will continue until October 31, 2021. Dr. Tutterow commented that one of the challenges with the listening sessions was that some people took the sessions as an opportunity to re-litigate their personal case, or to make comments very general about the child support system; regardless, we will share all the input received with the Commission and with the economist retained to conduct the 2022 economic study. Another Economic Subcommittee meeting was held on October 6, 2021, during which the members reviewed the public comments collected to that point. The staff classified the comments into 17 categories and of those 17, eight are under the purview of the Economic Subcommittee. Other categories of comments will be forwarded to the Statute Review Subcommittee, the Parenting Time Deviation Study Committee, the Low-Income Deviation Study Committee, and then also some comments were regarding professional education for the Courts.

At its June 4, 2021, meeting, the Economic Subcommittee also voted to recommend that Dr. Jane Venohr of the Center for Policy Research, Inc., be retained to conduct the 2022 economic study. Dr. Tutterow recommended to the Commission and moved to approve the hiring of Dr. Jane Venohr of the Center for Policy Research, Inc., subject to full funding by the Georgia Department of Human Services, and additionally for staff to initiate a contract with the Center for Policy Research, Inc., via the Judicial Council, Administrative Office of the Courts.

Dr. Tutterow discussed concerns and plans for conducting the case sampling that will be used in the 2022 economic study noting that the Economic Subcommittee will confer with the economist hired to conduct that study to ensure that a proper number of counties are selected to allow for meaningful economic analysis. He explained that what has been done in the previous four iterations is to select 12 counties that would give geographic diversity, but in the aggregate would reflect the population density and the per capita income of the state. He suggested we will probably stick with a similar methodology, except that what we have done the past four times is drop out counties that have previously participated to prevent overburdening the clerk of court; however, this time, we will include all Georgia counties from which to pull our sample. It is also possible that we will opt to have more than 12 counties and will consult with Dr. Venohr on this. It is planned that the counties that will be part of the case sampling will be identified in late November 2021 and a letter from staff to the clerks in those counties will go out in January 2022. The collection of temporary and final child support orders and their related worksheets will be collected from the month of October 2021.

Judge Key conducted a vote on Dr. Tutterow's motion to approve hiring Dr. Jane Venohr of the Center for Policy Research, Inc. subject to full state funding, which was unanimously approved with no abstentions.

Technology and Calculator Subcommittee

Regina Quick reported that the child support calculator continues to be hosted in the Amazon Web Services (AWS) cloud and is running well in that environment. She reminded members that there formerly was an Excel Child Support Calculator that was phased out at the end of October 2018. Ms. Quick noted that as of October 13, 2021, the calculator has 65,187 user accounts and 322,718 worksheets have been created since the calculator's original deployment on August 8, 2016. Ms. Quick reported that maintenance of the child support calculator had been

outsourced to a private contractor, but as of October 1, 2021, the Administrative Office of the Courts has been handling those duties directly which will provide cost savings and improve responsiveness in supporting the calculator, including security of the calculator, which is of the utmost importance. The next deployment for the calculator is planned for early January 2022, when the self-employment taxes paid formula will be updated. Ms. Quick added that she is also attending and monitoring the work of the Low-Income Deviation Work Group to improve the ease of use of that deviation in the calculator. Judge Key commented that he is pleased that the work of the Commission is saving the taxpayers of Georgia money and providing better service or the calculator.

Parenting Time Deviation Study Committee

Kathleen "Katie" Connell reported that the Parenting Time Deviation Study Committee has been meeting frequently to bring forth recommendations to the full Commission. Ms. Connell shared that the committee began its review with an all 50-state analysis of their guidelines. We divided the 50 states into thirds, and as the committee progressed then picked out some states that we wanted to look at more specifically. The committee has now reached the point where we are looking at six states more in-depth. Members of the committee have interviewed practitioners in those six states with a set of questions that we developed because we wanted to make sure we were getting some consistent data from the different states.

We unfortunately encountered a point in time where we were having difficulty reaching a quorum to be able to make decisions and recommendations. So, we reached out to those members who were not routinely engaging with the committee, and some asked to be removed from the committee, while other members, thankfully, reengaged with the committee and it has been nice to have their input and participation. Ms. Connell noted that she thinks the work of this committee is in the "home stretch" and hopes to have recommendations for the full Commission by the end of 2021.

Judge Key asked Ms. Connell if she would anticipate any recommendations for the commission to deal with prior to the next legislative session? Ms. Connell replied that the committee is hoping to have recommendations for the commission by the end of this year, but that the commission may want to then refer those recommendations to the statute review committee for review and further discussion.

Judge Colbert asked if the work included talking with practitioners or parents? Ms. Connell replied, yes, that the committee is made up of practitioners, judges, parents, and that all our meetings are announced as open to the public to attend. She stated that we do have individuals from the public who routinely attend our meetings and make written comments that the committee considers.

Low-Income Deviation Work Group

Elaine Johnson reported that this is a break-off work group from the Low-Income Deviation Study Committee charged with looking at how to improve and/or simplify the way in which the low-income deviation functions in the child support calculator based on the current statute. Ms. Johnson noted that this work group has been meeting since August 10th on a routine basis, and that the work group consists of eleven members. We are pleased that ideas have been shared by a few of the members, and that staff plans to make a presentation for the group to consider. We hope to have all ideas collected and the work completed in November 2021. All ideas generated by this work group will be referred to the Technology and Calculator Subcommittee for their consideration. Staff reiterated that the work of this committee is truly about making the low-income deviation easier to use in the calculator by improving the mechanics of the calculation. Ms. Lagueux-Alvarez reminded the members that this work comes out of the Low-Income Deviation Study Committee where we heard from people who were opting to use the nonspecific deviation in lieu of the low-income deviation. This substitution made us wonder why people choose to use the nonspecific deviation instead of the more appropriate low-income deviation. This substitution throws off our numbers in case sampling, part of the economic study, and makes it unclear why people are deviating in their worksheets.

Judge Key commented that if we ever decide to make any changes to the low-income deviation, then perhaps there should be some clarification around whether in a low-income situation involving a reunification case (a child in foster care), you're allowed to go below the low-income deviation minimum amount of child support.

Currently there is some dispute about that, and we could clarify that dispute. Judge Colbert, member, stated that, as a superior court judge dealing with child support cases, she has a familiarity with reunification cases and that this would be very welcomed. She volunteered to participate in that work in the future.

Procedure to Make Public Comment

Judge Key asked Latoinna Lawrence to explain again how members of the public may make public comment at the end of the meeting and she did so, noting that they should submit their names in the Zoom chat feature and would be called upon to speak one at the time to the Commission.

Child Support Beyond the Age of Majority for Children with Disabilities

Rep. Bonnie Rich explained that due to other responsibilities she would not be able to present on this topic during this meeting but may do so at a future meeting. She added that this subject is important for us to think about and is something that other states have considered. Judge Key thanked Rep. Rich and agreed this is a very important issue.

Requests for Recordings of Commission Meetings

Noelle Lagueux-Alvarez noted that Child Support Commission meetings have always been recorded to help staff with drafting minutes and now that the Commission is meeting by Zoom, staff continues to record meetings to help with the drafting of minutes. Ms. Lagueux-Alvarez noted that over the last several months, staff has received requests by members of the public to send them the recordings of meetings. To date, staff has been declining such requests because of the historical precedent of not posting or circulating audio recordings and explaining that the Commission complies with the Open Meetings Act and provides written summaries and minutes as required. Ms. Lagueux-Alvarez stated she wanted to open this issue up to the Commission for discussion.

Dr. Tutterow noted that the Economic Subcommittee received requests to distribute recordings of the two public listening sessions held in August and September, but he opposed it especially because he is concerned about the very personal nature of those comments. He explained that he wants people to be able to make comments without having a recording go in the public domain because people need to think and feel that they can speak with candor. Dr. Tutterow explained that he thinks the Commission remaining compliant with the Open Meetings Act is the proper way to handle this concern and that in doing so, we have met our burden.

Judge Key asked if there were any comments and there were none. He further stated that this item is not an action item for today. He explained that if at any point a commission member has any thoughts on this subject, to notify staff and we will talk about it.

Treatment of Child-Related Tax Credits

Noelle Lagueux-Alvarez reported that pandemic-related questions have arisen during monthly trainings given by staff, especially regarding the treatment of stimulus checks and the child tax credit. Ms. Judge Key asked Katie Connell if she thought the issue of the child tax credit should go to the Statute Review Committee at this time. Ms. Connell advised to wait until 2022 because the child tax credit is in flux. Judge Key stated we should re-visit this topic again at the first meeting of the Commission in 2022.

Public Comments

Judge Key asked how many people had signed up in the Zoom chat to give a public comment. Latoinna Lawrence advised that one person wished to speak. Judge Key advised to allow him 10 minutes of speaking time.

Meeting Interruption

The meeting was unexpectedly interrupted due to a technical difficulty with Zoom that caused the Zoom session to end for all participants. Staff created a new Zoom link and shared it with Commission members, the Commission's listserv, and Mr. Harper, the person who wished to make public comment. Judge Key noted that the Commission was fifty minutes in the meeting prior to the interruption and that no one except Paul Harper had signed up to make a public comment. The meeting resumed approximately 15 minutes following the interruption at 2:25 p.m. The new Zoom link was initiated at 2:40 p.m. and the meeting formally restarted at 2:50 p.m.

Public Comment

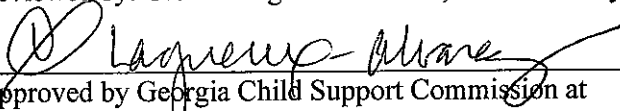
Paul Harper gave public comment for fifteen minutes and shared PowerPoint slides that he had prepared. Mr. Harper expressed his opinion that parenting time should be factored into the child support calculation by default and shared his personal experiences especially how child support has caused him tremendous amounts of stress. Mr. Harper asks that the Child Support Commission introduce reforms to bring justice and fairness to the child support system.

Judge Key thanked Mr. Harper and noted that it is important that the Commission hears from members of the public. Katie Connell noted that Mr. Harper has also shared his opinion with the Commission's Parenting Time Deviation Study Committee.

Next Meeting

Judge Key set the next Child Support Commission meeting for Friday, December 10, 2021, at 1:30 p.m. The meeting adjourned at 3:10 p.m.

Reviewed by: Noelle Lagueux-Alvarez, Staff Attorney



Approved by Georgia Child Support Commission at
Commission Meeting on December 10, 2021