

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

**Thursday, February 17, 2022
12:00 p.m.**

Meeting Summary

The Parenting Time Deviation Study Committee (“Study Committee”) of the Georgia Commission on Child Support (“Commission”) held this meeting via videoconferencing using Zoom webinar. Executive Program Manager, Elaine Johnson, Staff Attorney, Noelle Lagueux-Alvarez, and Program Coordinator, Latoinna Lawrence, served as staff for the meeting.

Nine (9) Study Committee members and five (5) guests attended this open meeting. Study Committee members in attendance were:

Pat Buonodono	Katie Connell	Byron Cuthbert
Hon. Warren Davis	Johanna Kiehl	Sarah Mauldin
Wayne Slear	Charles Spinardi	Carol Walker

At the start of the meeting, a quorum of Study Committee members was not present, and Chair Katie Connell opted to wait a few minutes before addressing approval of the minutes from the February 3, 2022, meeting. A few minutes into the meeting, Executive Program Manager, Elaine Johnson, established that a quorum of Study Committee members was present. Chair Katie Connell inquired whether any corrections to minutes from the February 3, 2022, meeting were needed. Pat Buonodono moved to approve the minutes of the Study Committee’s February 3, 2022, meeting. That motion was seconded by Sarah Mauldin and passed unanimously by voice vote with no abstentions.

In working toward a final report containing recommendations for the Commission, the Study Committee continued to discuss issues on which there is consensus amongst the Study Committee members, issues on which consensus is lacking, and issues that have been identified, but that fall outside the scope of the charge of this Study Committee.

Study Committee members discussed whether removing the “7% for child rearing expenses” from the BCSO falls within the scope of this Study Committee. It was suggested that someone come up with a proposed bullet on this issue to be voted up or down at the next meeting, and Study Committee member Johanna Kiehl volunteered to do that and plans to follow up with Study Committee member Mark Rogers about that issue, too, as Mark has drafted documents on that topic previously. Chair Connell commented that, at this point, she thinks that issue falls outside the scope of this Study Committee, but she remains open-minded on the issue and will take it up at the next meeting.

The Study Committee confirmed that they believe that going forward accounting for parenting time in the calculation of child support needs to be an “adjustment” not a “deviation” as those terms are statutorily defined in Georgia’s Child Support Guidelines Statute at O.C.G.A. 19-6-15.

The Study Committee had a discussion around whether findings of fact are needed for “adjustments” as they are for when “deviations” are made.

Study Committee members discussed using the terms “lesser time parent” and “greater time parent” in lieu of “custodial” and “non-custodial parent” in their report to the Commission.

The Study Committee had a discussion around the way in which Georgia’s legitimation process affects the work of this Study Committee. Judge Warren Davis noted Georgia’s especially cumbersome legitimation process. Several members noted the need to streamline the legitimation process in line with the vast majority of other states. Study Committee members brainstormed the best entity or organization to advocate for such legislative change.

Study Committee members discussed the need to define how to measure parenting time and that such a definition should not be constrained to “overnights” and needs to acknowledge non-traditional parenting time, e.g., shiftwork.

The Study Committee reach consensus that the term “standard parenting time” should not be used.

Study Committee member, Pat Buonodono noted that she thinks it needs to be clarified that the BCSO table does not account for parenting time at all and, therefore, an adjustment is warranted. Chair Connell added that there needs to be a concerted effort to make that point widely understood.

Study Committee members had a discussion around the interplay between “adjustments” and “deviations.” Study Committee member, Carol Walker, asked whether her fellow Study Committee members think that the “parenting time deviation” should be completely removed from the statute, if a parenting time “adjustment” is adopted. It was noted that an adjustment needs to be *considered* by the judge, but not necessarily used.

The next Study Committee meeting will be via Zoom on Thursday, March 10, 2022, at 9:30 a.m. The meeting after that will be a hybrid meeting at the State Bar building in Atlanta and via Zoom on March 22, 2022, at 10:00 a.m.