

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

**Friday, August 19, 2022
9:30 a.m.**

Meeting Minutes

The Georgia Child Support Commission (“Commission”) held this hybrid meeting in person at the Nathan Deal Judicial Center in Atlanta and via videoconferencing using Zoom webinar. Nine (9) out of the fifteen (15) Commission members attended in total, four (4) in person and five (5) via Zoom Webinar. Commission members in attendance were:

Judge R. Michael Key, Chair	Charles C. “Chuck” Clay, Esq.	Judge Lisa G. Colbert
Kathleen B. Connell, Esq.	Judge Lisa Jones	Regina Quick, Esq.
Christina Scott, J.D.	Dr. Roger Tutterow	Judge Connie L. Williford

Executive Program Manager Elaine Johnson, Staff Attorney Noelle Lagueux-Alvarez, and Program Coordinator Latoinna Lawrence served as staff for this meeting. Several other state employees and members of the public attended this open meeting.

Welcome, Housekeeping, and Approval of Minutes

Judge R. Michael Key, Chair of the Commission, called the meeting to order, welcomed all, and confirmed that a quorum of nine of the 15 Commission members was present. Commission staff member, Latoinna Lawrence, reviewed virtual meeting protocols and provided instructions for giving public comments at the end of the meeting. Judge Key addressed approval of the meeting minutes from the Commission’s last meeting on April 29, 2022, which had been electronically distributed to all Commission members prior to the meeting, and hearing no corrections to those minutes, noted they stood approved.

Economic Subcommittee Report

Commission Chair, Judge Key, called upon Dr. Roger Tutterow, Chair of the Economic Subcommittee, to provide a report on the work of that subcommittee. Dr. Tutterow reported that the final case sampling data was from 16 counties across Georgia in private and Division of Child Support Services (DCSS) cases for the 2022 Economic Study. He explained that originally the data from 15 counties was provided by Commission Staff in May 2022 to the economist conducting that study, Dr. Jane Venohr, from the Center for Policy Research, Inc., in Denver, Colorado. Dr. Venohr later requested additional case sampling data from one of the metro-Atlanta area counties and Dr. Tutterow shared that Clayton County was selected and added as the 16th county for a final sampling that contained 472 orders and related child support worksheets. He added that the Subcommittee did not meet in early July because there was essentially no need once staff pulled the sample of counties that we were looking at. Staff completed the additional sampling of Clayton County data and submitted that data to Dr. Venohr on

July 6, 2022. Dr. Tutterow completed his summary by sharing that Dr. Venohr would be providing a preliminary report today and a final report at the Commission's next meeting on September 30, 2022. Dr. Tutterow introduced Dr. Jane Venohr to provide her preliminary report.

Presentation by Dr. Jane Venohr on Preliminary Findings for Georgia's 2022 Economic Study

Dr. Venohr, spoke about her preliminary findings that are contained in a PowerPoint presentation that may be found on the Commission's website at <https://csc.georgiacourts.gov/business-of-the-child-support-commission/>. (The preliminary findings are extensive, and it is recommended that anyone reading these minutes also review Dr. Venohr's PowerPoint.) Dr. Venohr explained that she has been retained by the Commission to assist with the federal review requirements for Georgia's Child Support Guidelines Statute (O.C.G.A. 19-6-15) and that the findings in this report demonstrate that Georgia has considered all federal data requirements. Dr. Venohr acknowledged Dr. Tutterow and staff for their excellent work in collecting the case sampling data. Dr. Venohr spoke on a wide array of topics, noting that there are several things the federal government requires states to do as part of reviewing their child support guidelines, a few of which include reviewing economic data on the cost of raising children, case sampling data, labor market data, and that states should keep deviations at a minimum. The following are a few observations from her presentation:

- She explained that the economic data that Georgia's existing Basic Child Support Obligation ("BCSO") Table is based on is old and dates to the year 2002 and was based on the average of the Engel and Rothbarth methodologies.
- Dr. Venohr recommends that the "Rothbarth" Study—that was concluded in 2021 using economic data from 2013-2019 and updated to 2022 price levels—be used to update Georgia's BCSO Table. This new data also takes the table up to \$40,000 gross per month for high income families.
- Dr. Venohr addressed issues around imputing income and the subsistence needs of noncustodial parents established by the federal government in 2016 noting that Georgia was one of the first states to implement the new federal requirements on those issues in the year 2017. Dr. Venohr stated that another federal requirement is to look at the rate of imputing income and for states to try and minimize income imputation using resources to identify incomes of the parents. She raised a concern about imputing incomes at minimum wage for 40 hours per week because Georgia labor market data shows that many minimum wage jobs are not for 40 hours per week and/or are not for 52 weeks per year. She also noted that in looking at Georgia Department of Labor, labor market data that lower paying jobs in the state are currently paying at \$10 an hour rather than the minimum wage of \$7.25 an hour.
- Dr. Venohr also addressed Georgia's deviation rates and stated that the study revealed the overall rate is 32% and made recommendations for the Commission to consider, including adopting some sort of presumptive adjustment for parenting time and low income.
- Dr. Venohr noted that Georgia has low overall unemployment of 2.9% statewide, but there are some exceptions in pockets of the state and that some noncustodial parents have significant barriers to employment, such as in transportation, local job market, felony records, to name a few issues.
- Dr. Venohr concluded her presentation by addressing issues around the low-income deviation and parenting time deviation. She explained that the federal requirement for low-income is for states to take into consideration the basic subsistence needs of the noncustodial parent, which

Georgia's guideline currently do through its low-income deviation. An alternative is for Georgia to consider a self-support reserve, which can vary in the dollar amount, in the child support worksheet or the table. Dr. Venohr also remarked on developing criteria for applying a parenting time adjustment in the calculation of child support. She explained that in the process of making decisions on what Georgia may want to do with parenting time, Georgia would need to look at other state's adjustment, consider their advantages and disadvantages, whether the adjustment is applied with judicial discretion, and how to define days and overnights, to name a few considerations.

Statute Review Subcommittee Report

Commission Chair, Judge Key, called upon Co-Chair Katie Connell and Co-Chair Judge Connie Williford of the Statute Review Subcommittee, to provide a report on the work of that subcommittee. Co-Chair Connell spoke briefly on the LIFE Act's effect on the Child Support Guidelines Statute (O.C.G.A. 19-6-15(a.1)). Co-Chair Connell noted that the LIFE Act creates a certain type of child support for unborn children during the gestational period and is a segment of child support newly created in the definition and inconsistent with the rest of our child support guidelines, that being an income sharing model. She explained that the subcommittee wanted to ask the Commission for direction on this matter before considering the subject further. Due to the volume of material on the agenda for consideration during the meeting, discussion on this topic was not concluded and will be addressed again during the Commission's meeting scheduled for September 30, 2022.

Co-Chair Judge Connie Williford spoke on issues around the parenting time deviation acknowledging the diligent efforts of the Parenting Time Deviation Study Committee and that there were remaining issues on this subject that need further consideration. She suggested that to address those issues fully the Commission should authorize a contract with Dr. Jane Venohr to work with the Commission on this very important topic. Co-Chair Judge Williford acknowledged that she anticipates any legislation that may be prepared on this subject, will not be ready until the 2024 legislative session of the Georgia General Assembly. Co-Chair Judge Williford also recommended exploring an idea first suggested by Commission member, Regina Quick, to pursue a resolution to establish a legislative parenting time deviation study committee to help educate Georgia legislators on this important topic prior to filing any formal legislation. She called upon Commission member Regina Quick to make her motion.

- Ms. Quick moved that the Commission request a resolution by the Georgia General Assembly creating either a joint legislative parenting time deviation study committee or such a study committee in each house. That motion was seconded by Commission member Judge Lisa Colbert and passed unanimously by voice vote with no abstentions. Co-Chair Judge Williford commented that she looks forward to meeting and talking with our legislators on the Commission on this matter.
- Co-Chair Judge Williford then made a motion for the Administrative Office of the Courts (AOC) to contract with Dr. Jane Venohr to determine how best to account for parenting time when calculating child support. That motion was seconded by Commission member Regina Quick and passed unanimously by voice vote with no abstentions.

Technology and Calculator Subcommittee Report

Regina Quick, Chair of the Technology and Calculator Subcommittee gave a report on the last meeting of the subcommittee that took place on August 3, 2022, and included one item for the Commission to consider. She explained that staff made a presentation during that meeting demonstrating how **expired shared worksheets** cannot be deleted by the user in whose account such worksheets remain. Staff shared that a process for allowing this function does not exist and recommended that the calculator be changed to allow this functionality to include expired shared worksheets. Such a change would make it possible for every person with a user account in the calculator to archive and delete any type of worksheet saved in their individual user account.

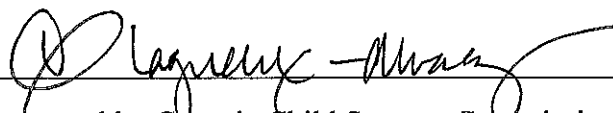
- Ms. Quick made a motion that the Georgia Child Support Calculator be modified to allow expired shared worksheets to be deleted by the user in whose account such worksheets remain. It was determined that a quorum of Commission members was no longer present, and Judge Key directed staff to take an e-vote on that motion.

Public Comment

The Commission heard comments from the public. One member of the public attended in person and raised her concern that the Georgia Child Support Guidelines do not adequately provide child support for children of high-income families. Judge Key, Chair, asked that the Economic Subcommittee consider this concern during its next scheduled meeting. Via Zoom, a member of the public requested a recording of the Commission meeting. Judge Key, Chair, asked Staff Attorney, Noelle Lagueux-Alvarez, to address the inquiry. Ms. Lagueux-Alvarez explained that the Commission complies with the requirements of the Open Meetings Act which require a meeting summary and meeting minutes, but that the public is free to record Commission meetings on their own devices. The member of the public commented that he saw where there is an option in Zoom for one to individually record a meeting.

The meeting was adjourned at 11:46 a.m.

Reviewed by: Noelle Lagueux-Alvarez, Staff Attorney



Approved by Georgia Child Support Commission at
Commission Meeting on September 30, 2022