

**Georgia Child Support Commission  
Statute Review Subcommittee  
Kathleen Connell, Esq., Co-Chair  
Hon. Connie Williford, Co-Chair  
Friday, June 23, 2023  
10:00 a.m.**

**Meeting Minutes**

The Statute Review Subcommittee (“Subcommittee”) of the Georgia Child Support Commission (“Commission”) held this meeting via Zoom Webinar. Nine (9) Subcommittee members attended this meeting. The Subcommittee members in attendance were:

Kathleen “Katie” Connell, Esq.	Hon. Connie Williford	Mara Block, Esq.
Pat Buonodono, Esq.	Byron Cuthbert, Esq.	Jason Naunas, Esq.
Hon. Emory Palmer	Regina Quick, Esq.	Christina Scott, J.D.

Executive Program Manager, Elaine Johnson, Staff Attorney, Noelle Lagueux-Alvarez, and Program Coordinator, Latoinna Lawrence, served as staff for this meeting. Several members of other Georgia Child Support Commission Subcommittees or Study Committees joined this meeting as panelists and members of the public attended this open meeting.

Co-Chair Katie Connell opened the meeting. Latoinna Lawrence gave a brief reminder of Zoom etiquette for this meeting along with a reminder that public comments can be made anytime through the Commission’s website or during any full Commission meeting. Noelle Lagueux-Alvarez confirmed a quorum of nine (9) of the fourteen (14) Subcommittee members was present. Co-Chair Katie Connell noted that the minutes of the Subcommittee’s May 19, 2023, meeting were previously distributed. No edits to those minutes were requested. The minutes were unanimously approved. Co-Chair Williford thanked staffed for their work on a presentation that she and Co-Chair Katie Connell gave at the beginning of the month during the Family Law Institute.

Judge Palmer led a discussion on alternatives to Georgia’s current Low-Income Deviation. An economist retained by the Commission, Dr. Jane Venohr, had prepared a memo about that topic and Judge Palmer asked her to present therefrom. In particular, Dr. Venohr presented on whether Utah’s low-income adjustment could be a good fit for Georgia. Utah’s approach involves two BCSO Tables—the standard table and a low-income version—and if the paying parent’s income is lower than \$1,500 one would compare the result of the standard table to that of the low-income table and go with whichever table was lower. Judge Palmer voiced his support for the Utah approach generally. Judge Palmer asked Elaine Johnson whether the Georgia Child Support calculator could be programmed to incorporate the Utah approach in low-income cases, and she responded in the affirmative.

Noelle Lagueux-Alvarez asked some clarifying questions about the Utah approach especially around the order amount requiring a relatively high percentage of the paying parent’s

income and studies suggest adverse outcomes for children when, for one child, the paying parent's obligation exceeds 20% of his or her income. Noelle Lagueux-Alvarez noted that there used to be a bright-line rule in the Georgia Child Support Guidelines that a low-income deviation could be applied if the paying parent's income was \$1,850 or less. That limit was removed from the statute to make the deviation more flexible and available to more parents, but numbers from the recent case study show that the low-income deviation is used very rarely in Georgia, in only 4% of cases. Dr. Venohr noted that in other states, a low-income adjustment is used in 10-20% of cases.

Dr. Venohr spoke about various possible income levels at which to switch to a percentage-based calculation, such as: full-time minimum wage, the federal poverty level which is approximately \$1,215 monthly, and the SNAP eligibility requirement. Judge Palmer suggested starting the percentage-based calculation at \$1,500 which is the same income point at which SNAP benefits become available.

Christina Scott asked about the relatively high percentage of the paying parent's income required by the example Dr. Venohr discussed to illustrate the Utah approach.

Deborah Johnson asked whether, under the Utah approach, if the paying parent's income meets a certain amount, then the low-income table would automatically apply and Dr. Venohr confirmed that was correct. Deborah Johnson also expressed her agreement with Judge Palmer that the percentage-based calculation should be extended up beyond \$800 and noted the Subcommittee's duty to balance the needs of the noncustodial parent with the needs of the child(ren).

For further discussion purposes, Judge Palmer asked Dr. Venohr to develop a low-income table that uses a percentage-based calculation when the paying parent's gross income is \$1,500 or less per month. Judge Williford asked at what income levels other states apply a low-income deviation. Dr. Venohr reported that states range from 84% of the federal poverty level to 150% of the federal poverty level and that the SNAP qualification of \$1,500 is 130% of the federal poverty level and non-custodial parents (single adults) can also qualify for SNAP. The Subcommittee also discussed whether the proposed low-income table should be used in comparison with Georgia's BCSO table or after the additional expenses of health insurance premiums and work-related childcare have been included. Dr. Venohr noted that the national norm is to apply a low-income adjustment after the Schedule D additional expenses which also comports with the federal regulation to consider a paying parent's ability to pay.

At approximately 11:00 a.m., the Subcommittee changed gears to focus on alternatives to Georgia's Parenting Time Deviation. There was a discussion around how to calculate the amount of parenting time each parent has, especially if a noncustodial parent has parenting time on the 1<sup>st</sup>/3<sup>rd</sup>/5<sup>th</sup> weekends of the month and the lack of a statewide "standard" amount of parenting time. Dr. Venohr recommended looking at how Oregon helps parties calculate the amount of parenting time each parent has. Carol Walker noted that the Parenting Time Deviation Study Committee specifically recommended avoiding the concept of "standard parenting time." However, Judge Williford noted that many judicial circuits and counties in the state do have their own "standard." Judge Palmer agreed that each county tends to have its own "standard parenting time." Dr. Venohr noted that regardless of whether there is a standard amount of parenting time, the Subcommittee

needs to develop how to determine the number of days of parenting time each parent has because all time-sharing adjustments are based on the number of days per year each parent has the child(ren).

Dr. Venohr talked the Subcommittee through various parenting time formulas, specifically the “cross credit” method that is used by many states, the Michigan/Minnesota formula, and the Oregon approach. Judge Williford noted being in favor of the cross-credit method. She also asked about the use of a “multiplier” and which multiplier would be most appropriate for Georgia at this time. Dr. Venohr confirmed that a 1.6-1.7 multiplier would be most accurate. Carol Walker reminded the Subcommittee that the Parenting Time Deviation Study Committee recommended that a parenting time calculator be developed. Dr. Venohr raised the issue of split parenting and encouraged the Subcommittee to look at the statutory language from Arizona.

Latoinna Lawrence presented results from the Public Survey on changing the terms Custodial Parent and Noncustodial Parent for the period of May 16-31, 2023. Thus far, the public has voted to keep the terms the same, Custodial and Noncustodial Parent. At the next meeting, Latoinna will report the cumulative results.

The Subcommittee briefly discussed the use of the term obligor throughout Georgia’s Child Support Guidelines Statute, O.C.G.A 19-6-15.

Subcommittee member, Mara Block, noted that this would be her last meeting and the Chairs thanked her for her work and contributions to this Subcommittee.

The Subcommittee’s next meeting will take place via Zoom, on July 21, 2023, at 2:00 p.m. All agenda items that were not addressed today will carry to the next meeting. This meeting was adjourned at 12:02 pm.