

**Georgia Child Support Commission  
Statute Review Subcommittee  
Kathleen Connell, Esq., Co-Chair  
Hon. Connie Williford, Co-Chair  
Friday, August 18, 2023  
1:30 p.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:

Judge Connie Williford	Katie Connell, Esq.	Sarah Austin, Esq.
Patricia Buonodono, Esq.	Byron Cuthbert, Esq.	Judge Michael Key
Judge 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 also attended this open meeting.

At the very beginning of the meeting only seven (7) Subcommittee members were in attendance, one shy of quorum, but shortly into the meeting a quorum of nine members of the Subcommittee was achieved. Staff attorney, Noelle Lagueux-Alvarez waited until an appropriate break in the conversation to note the presence of a quorum. Accordingly, Judge Williford moved to approve the minutes of the Subcommittee’s meeting on July 21, 2023, and Pat Buonodono seconded that motion. No changes to those minutes were requested and the motion to approve those minutes passed unanimously.

The Subcommittee continues to focus on alternatives to Georgia’s low-income and parenting time deviations. Co-Chair Williford used the scope of service from the AOC contract with Dr. Jane Venohr of the Center for Policy Research, Inc., to lead a discussion around proposing changes to Georgia’s parenting time deviation. The Subcommittee did not complete its discussions on the scope of services and will resume these discussions during their September 21<sup>st</sup> meeting. They did agree that items 1, 2, 3, and 4 out of 12 had been completed. Previous reports by Dr. Venohr highlighted the many various parenting time formulas used by states across the country and she noted that all of them are “simple” if they are automated. Staff assured the Subcommittee that Georgia’s Child Support Calculator will be automated to capture any statutorily approved changes to low-income and parenting time to ensure easy use by anyone when calculating parenting time. The Subcommittee focused on which formula it thinks would work best for Georgia and honed in on two—the formula used by Minnesota and Michigan (MN/MI), and another called the “cross-credit” formula that is used by many states. It was noted that the cross-credit formula is easier to understand theoretically but leads to a “cliff effect” which the Commission’s Parenting Time Deviation Study Committee recommended avoiding. (The cliff

effect occurs when there is a dramatic and steep increase or decrease in the parenting time calculation.) Dr. Venohr noted that Illinois uses the cross-credit formula and is in the midst of determining a change to that formula to avoid the cliff effect. That is still a work in progress and no other state, to our knowledge, has tried that update to the cross-credit formula. This information resulted in lengthy conversations on the cross-credit formula. Regardless of which formula is determined to be best for Georgia, each formula must address the fact that raising a child in two households costs more than raising a child in one household. The MN/MI formula acknowledges that fact by using an “exponent” and the cross-credit formula uses a “multiplier.” A fair amount of discussion centered on the best exponent or multiplier to use for Georgia. Dr. Venohr noted that for the MN/MI formula, the higher the exponent used the smaller the parenting time adjustment would be. Co-Chair Williford recommended that, as an action item, the Subcommittee look at the Minnesota/Michigan formula with exponents of 2.0, 2.5, or somewhere in between. She noted that it is looking more and more like 2.5 ought to be the decision. She asked that Staff look at some examples for comparison that can be discussed when the Subcommittee meets again on September 21<sup>st</sup>. Co-Chair Williford commented that this should help us make a final decision on the appropriate exponent. She asked if anyone wanted any further discussion on the cross-credit method and there was no request for continued discussion. Co-Chair Williford commented that we could focus on Minnesota/Michigan and the exponent at the next meeting.

Dr. Venohr noted that she cannot make recommendations on how to handle “split parenting” until a parenting time formula is selected. Dr. Venohr anticipates that split parenting will work with the MN/MI formula and further discussions will be held during the next meeting.

Next, the Subcommittee discussed the best way to define a unit of time for measuring parenting time. The Subcommittee agreed that the most important thing would be to allow for flexibility of nontraditional work and time-sharing arrangements. Parenting Time Deviation Study Committee member, Johanna Khriel, previously recommended that the Subcommittee consider using the Oregon definition for the unit of time with some language changes to be determined. Staff member, Noelle Lagueux-Alvarez, presented PowerPoint slides showing the exact statutory language used for the unit of time measure in the states of Minnesota, Oregon, and Tennessee. Co-Chair Williford recommended a calendar be included in the child support calculator for use in determining the unit of time. There was discussion on whether that calendar should include a two-year time frame and the members agreed that is an option to consider. Staff stated that a calendar for one and/or two years can be offered in the calculator for determining the units of time. Subcommittee member Christina Scott stated that she particularly liked Oregon's tool for helping families figure out their amount of parenting time. Co-Chair Williford noted the time and recommended the Subcommittee continue discussions, if time runs out during this meeting, on the unit of time at the September 21 meeting.

At approximately 3:00 p.m., the Subcommittee switched its focus to the low-income deviation. Dr. Venohr provided an updated report on alternatives to Georgia's low-income deviation based on a Basic Child Support Obligation Table using only Rothbarth estimates, as the Commission voted to recommend to the Georgia General Assembly during the Commission's last meeting on August 11, 2023. Dr. Venohr's report provided three options and Judge Palmer noted that he prefers the option labeled “Option 1500.A.” Dr. Venohr's updated report dated August 14, 2023, has been added to the Child Support Commission website for public access. Judge Palmer

also noted that this option would mean that Georgia would no longer handle low-income cases through a deviation but would be handled as an adjustment that automatically occurs in the process of calculating child support. The Subcommittee then discussed when to apply such an adjustment, either based off of the BCSO amount or after the additional expenses had been added in Schedule D. Dr. Venohr noted that MN/MI do a low-income adjustment after additional “Schedule D” expenses. She reviewed several exhibits from the updated August 14<sup>th</sup> report with the Subcommittee and there were lengthy discussions on that information concerning the \$1500.00 and the \$2500 income amounts. Dr. Venohr explained that the \$1500.00 in the table is for the minimum order, which originally was set at \$800.00, but the Subcommittee members had recommended she increase that income level to \$1500.00. She explained further that we cannot just stop at the minimum order but must have the low-income adjustment gradually phase into the recommended Rothbarth table and that phase in occurs at \$2500.00. She stated that this means there are two income thresholds, one where the minimum order applies, and then when we totally phase out the low income adjustment. Staff asked questions about exactly where the low-income adjustment and the parenting time adjustment will display and calculate in the worksheet. Also, if these calculations would occur before or after the inclusion of the additional expenses on Schedule D and/or deviations on Schedule E. Dr. Venohr said she would draft up options and work with Staff on where in the worksheet the calculations will display based on the potential changes for low-income and parenting time. Judge Palmer, Chair of the Low-Income Deviation Study Committee, concluded that there are still questions concerning the low-income adjustment that we will cover at the next meeting.

Staff asked the Co-Chairs to set two additional future meeting dates so work may be conducted on writing the bill for the 2024 legislative session. Staff had already worked with the Co-Chairs on identifying two additional dates on October 3<sup>rd</sup> and November 2<sup>nd</sup>. Meeting notices will be prepared for those meetings and posted on the Commission’s website and listserv.

The next Subcommittee meeting will take place via Zoom at 10:00 a.m. on September 21, 2023. This meeting adjourned at 3:45 p.m.