

**Georgia Child Support Commission  
Statute Review Subcommittee  
Kathleen Connell, Esq., Co-Chair  
Hon. Connie Williford, Co-Chair  
Thursday, September 21, 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:

Judge Connie Williford	Katie Connell, Esq.	Sarah Austin, Esq.
Patricia Buonodono, Esq.	Judge Lisa Colbert	Byron Cuthbert, Esq.
Rep. Chuck Efration	Judge Emory Palmer	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. Co-Chair Connell opened the meeting at 10:02 a.m. and Latoinna Lawrence reviewed procedures for efficient handling of this hybrid meeting.

The first item on the agenda was a discussion regarding alternatives to Georgia’s current low-income deviation and parenting time deviation. Economist, Dr. Jane Venohr, led a discussion around what would be the best alternative for a low-income table for Georgia to adopt. A significant amount of that discussion focused on the income level at which the low-income adjustment would completely phase out. Dr. Venohr spoke about the three options for a low-income table that she proposed—which she called 1500.A, 1500.B, and 1500.C, in her accompanying report that may be found on the Commission’s website. She talked through some case scenarios to give context to how the three various tables would function in real cases, not just theoretically. She also pointed out that low-income options in 1500.A and 1500.C are the same for one and two children, which makes sense with the economic data and for the majority of Georgia cases. She also explained that the difference between the three options is how they phase out in the BCSO Table. Subcommittee member, Judge Lisa Colbert, commented that she recognizes that after all the discussions we may not find any one solution that will fit perfectly for all families but that she could support the conclusions reached by the Subcommittee members. At the conclusion of the discussions, Judge Emory Palmer, Chair of the Low-Income Deviation Study Committee, moved to recommend to the Commission that option 1500.C be used in a proposed low-income adjustment for Georgia. Co-Chair Connie Williford seconded that motion and it passed unanimously, 9-0.

The Subcommittee members moved to a discussion on the sequence in which the low-income adjustment will be applied in the calculation of child support. Dr. Venohr led the discussion

that focused on whether the low-income table amount should be applied last (Sequence A) in the calculation, or whether add-ons should be added to the calculation after adjusting for the low-income table (Sequence B). Dr. Venohr supplied and reviewed multiple case scenarios with the Subcommittee that looked at calculations using both sequences. The Subcommittee concluded that the Sequence A solution for the Low-Income Adjustment will work best for Georgia. Judge Emory Palmer moved that Dr. Venohr's proposed "Sequence A" for the low-income adjustment be recommended to the Commission for use in a proposed low-income adjustment for Georgia. Co-Chair Katie Connell seconded the motion and it passed unanimously, 9-0.

At 11:27 a.m., the Subcommittee turned its attention to a proposed parenting time adjustment for Georgia, which will be a deduction from the noncustodial parent's share of the BCSO. After many months of previous discussion about which formula to use in a proposed parenting time adjustment, the members agreed upon the "Minnesota/Michigan formula," which is a non-linear formula for calculating parenting time. Some of the strengths of a non-linear formula include that it does not produce a cliff effect for higher amounts of parenting time, the formula can adjust for just one night of parenting time, and the formula will produce a \$0 order of child support when the parents have equal income and equal parenting time. Co-chair Connell provided a name for the formula retitling it the "proposed Georgia formula." It was pointed out during the discussions that Georgia's guidelines statute will continue to require that parenting time must be based on a court order for a specific parenting schedule. Co-Chair Katie Connell moved to adopt the MN/MI formula. Subcommittee member Christina Scott seconded that motion, and it passed unanimously, 9-0.

Next, the Subcommittee considered which exponent within the MN/MI formula would be best for Georgia. An exponent is a way of quantifying duplicate household expenses for children between the two parent's homes when considering parenting time in the child support calculation. There was some prolonged discussion about which exponent was best—2, 2.5, or 3. Dr. Venohr shared that there is no state at present using the 2 exponent. Ultimately, the members concluded that the 2.5 exponent was right for Georgia. Subcommittee member Pat Buonodono moved to recommend to the Commission that the 2.5 exponent be used in a proposed parenting time adjustment for Georgia. Subcommittee member Rep. Efstraction had to leave the meeting and the quorum changed from 9 to 8 members. Co-Chair Katie Connell seconded that motion and it passed unanimously, 8-0.

Next, the Subcommittee turned to defining a unit of measure for parenting time that will be used in the calculation of the parenting time adjustment. Co-Chair Connie Williford moved to adopt a definition of the unit of measurement for parenting time as follows:

Parenting time shall be determined by calculating the number of days a parent spends with a child in a two-year period for an annual average. "Days" for purposes of this section is:

- (a) the total number of overnights a parent spends with the child OR
- (b) In circumstances where a parent has shorter but regular and recurring daytime periods with a child, the total hours of parenting time in the annual average divided by twenty-four hours, including any hours spent overnight, if applicable.

Co-Chair Katie Connell seconded that motion and with a quorum of 8, the motion passed with 7 yeas and 1 abstention.

Co-Chair Williford pointed out to the Subcommittee members that the language in O.C.G.A. 19-6-15(i) concerning low-income and parenting time deviations must be removed from the statute to avoid confusion on the elimination of these deviations, which, if passed by the General Assembly, will become adjustments in the calculation process. She commented that judges will still have discretion to deviate using a nonspecific deviation as needed. Co-Chair Williford made a motion to remove the current low-income and parenting time deviations from subsection (i) of the statute, while acknowledging that judges would still retain discretion over the final child support amount through use of the non-specific deviation, if deemed necessary by the judge. Subcommittee member Pat Buonodono seconded that motion and with a quorum of 8, it passed with 7 yeas and 1 abstention.

Lastly, Co-Chair Katie Connell moved to approve the minutes of the Subcommittee's meeting on August 18, 2023, which had been distributed previously to all Subcommittee members by email. No changes to those minutes were requested. Co-Chair Connie Williford seconded that motion and, with a quorum of 8, it passed with 7 yeas and 1 abstention.

All other agenda items were tabled until the next scheduled meeting, which will take place on October 3, 2023, at 10:00 a.m. via Zoom.

This meeting was adjourned at 12:09 p.m.