

Georgia Child Support Commission
Commission Meeting
Judge R. Michael Key, Chair
Friday, November 17, 2023
10:00 a.m. – 12:00 p.m.

Meeting Minutes

The Georgia Child Support Commission (“Commission”) held a hybrid meeting, taking place at the Nathan Deal Judicial Center in Atlanta and via Zoom Webinar. Ten (10) Commission members attended. The Commission members in attendance were:

Judge R. Michael Key, Chair
Rep. Houston Gaines
Regina Quick, Esq.
Judge Connie L. Williford

Chuck Clay, Esq.
Judge Benjamin Land
Christina Scott, J.D.

Kathleen B. Connell, Esq.
Judge Emory Palmer
Dr. Roger Tutterow

Executive Program Manager, Elaine Johnson, Program Manager, Kurt Bryan, Staff Attorney, Noelle Lagueux-Alvarez, and Program Coordinator, Latoinna Lawrence, served as staff for this meeting. Several members of the public also attended this open meeting, in person and by Zoom.

Chair Key opened the meeting at approximately 10:05 a.m., welcoming all. Introductions were made by those attending online and in person. The Commission’s new Program Manager, Kurt Bryan made a special introduction as he will succeed Executive Program Manager, Elaine Johnson, upon her retirement on March 1, 2024. Chair Key and Elaine Johnson paid a special tribute to the late Judge Worcester, who was a member of the Commission’s Economic Subcommittee and passed away in August 2023. Commission members Katie Connell, Chuck Clay, Regina Quick, Christina Scott, and Roger Tutterow were sworn in for an additional term on the Commission by Chair Key. Long-serving Executive Program Manager, Elaine Johnson, was honored with a letter from Chief Justice Boggs noting her many decades of outstanding service to the State of Georgia. Latoinna Lawrence reviewed procedures for the efficient handling of this hybrid meeting.

A quorum of 9 out of 15 members was established at 10:12 a.m. Judge Emory Palmer had a scheduling conflict and departed at 10:30 a.m. Regina Quick had a similar scheduling conflict and arrived at 10:40 a.m. Despite that departure and arrival, at all times during votes, there were at least 8 Commission members present—the minimum needed for quorum. Chair Key noted that minutes from the August 11, 2023, Commission meeting had been previously distributed to all members. No corrections to those minutes were requested and they were unanimously approved.

Dr. Roger Tutterow, Chair, gave updates on the Economic Subcommittee. That Subcommittee met on June 21 and July 26, 2023, resulting in the recommendation of a new Basic Child Support Obligation Table (“BCSO Table”) for Georgia. During the August 11th full Commission meeting, the Commission voted to recommend the updated BCSO Table to the

Georgia General Assembly. That updated table, which is based on the Rothbarth methodology and extends the table's vertical axis to \$40,000, will be included in the bill to be submitted to the General Assembly during the 2024 legislative session.

Leadership from the Statute Review Subcommittee gave updates. Judge Emory Palmer spoke first on proposed changes to the low-income deviation. Judge Palmer reported that at its meeting on September 21, 2023, the Statute Review Subcommittee unanimously voted to recommend the following changes to the low-income deviation: (1) remove the current Low-Income Deviation from the statute and replace it with a Low-Income Adjustment, (2) as part of the proposed new Low-Income Adjustment, use the "low-income table option 1500.C" developed by economist, Dr. Venohr, Center for Policy Research, Inc., and (3) apply the proposed new Low-Income Adjustment after the additional expenses on Schedules D & E have been included. As this was a recommendation from a subcommittee, no second to the call for a vote on the issue was needed and the recommendation to propose a Low-Income Adjustment as described above passed unanimously.

Katie Connell, Co-chair, Statute Review Subcommittee, spoke about proposed changes to the Parenting-Time Deviation. Katie Connell reported that at its meeting on September 21, 2023, the Statute Review Subcommittee unanimously voted to recommend the following changes to the Parenting Time Deviation: (1) remove the current Parenting Time Deviation from the statute and replace it with a Parenting Time Adjustment, (2) as part of the proposed new Parenting Time Adjustment, use the formula that Minnesota and Michigan use in their respective parenting time adjustments, but with an exponent of 2.5 and (3) in defining a unit of measurement for parenting time, use one very similar to Oregon's definition with minor changes agreed upon by the Statute Review Subcommittee. As this was a recommendation from a subcommittee, no second to the call for a vote on the issue was needed and the recommendation to propose a Parenting Time Adjustment as described above passed unanimously.

Kurt Bryan gave an update on the work of the Technology and Calculator Subcommittee on behalf of Subcommittee Chair Regina Quick, noting that it has not met this year, however, staff is busy with updates and multiple tasks related to the calculator including assisting the public with issues and training on the calculator, routine updates, maintenance, while security maintenance continues with the AOC IT department. Commission staff are also working with AOC IT developing a way to modify the Worksheet form for use in Juvenile Court cases. This process is being tested now and training will be necessary for the Juvenile courts by Commission staff.

Noelle Lagueux-Alvarez spoke on the legislative bill for 2024. She and fellow staff members have been drafting proposed amendments to Georgia's Child Support Guidelines statute in accordance with previous Commission decisions and in anticipation of the votes on the changes to the Low-Income and Parenting Time Deviations held today. Ms. Lagueux-Alvarez noted that the proposed amendments to O.C.G.A. 19-6-15 fall into four categories: (1) updating the BCSO Table to adjust for changes in child-rearing expenses over time and increasing the BCSO Table's vertical axis to \$40,000, (2) replacing the Low-Income Deviation with the proposed new Low-Income Adjustment, (3) replacing the Parenting Time Deviation with a proposed new Parenting Time Adjustment that will include a formula to determine an economically sound adjustment amount, and (4) "proverbial clean-ups" to the statute including adding new terms as needed to carry out the

other proposed amendments. Staff will finalize the proposed bill with Legislative Counsel, Holly Carter, and circulate it to all Commission members. Katie Connell moved to conduct an e-vote on whether to approve the proposed bill as drafted by staff and legislative counsel in lieu of a full meeting on the matter and that motion was seconded by Chuck Clay. That motion passed unanimously.

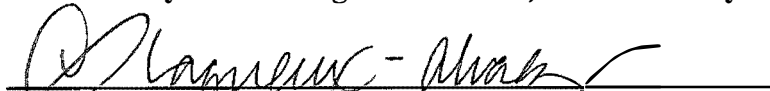
Byron Cuthbert, an attorney, at DHS/DCSS presented a draft amendment to the statute submitted by DCSS staff and attorney Pat Buonodono regarding adding a provision about Veteran's Affairs benefits to O.C.G.A. 19-6-15(f)(4). The proposal would allow for Veteran's Affairs benefit payments received by the child to be counted as child support payments and child support arrearages when the benefit amount exceeds a monthly child support obligation. Legal Aid attorney, Sarah Austin, gave feedback about those amendments, noting that some of the language would need to be edited. Katie Connell moved that staff include the changes discussed by Byron Cuthbert about Veteran's Affairs benefits in the proposed legislation Commission staff is currently drafting and compiling. That motion was seconded by Chuck Clay and passed unanimously. Regina Quick noted that the proposed language had not been vetted through the Department of Human Services.

Noelle Lagueux-Alvarez spoke on the history of HB 499, that was filed in 2023 and which proposes to extend the duration of child support past the age of majority if a child is deemed "disabled" as defined by that Bill. Georgia House Representative Bill Hitchins and a mother of a disabled adult, Jill Sapp, spoke on the merits of HB 499. Rep. Hitchins also provided some history of the bill and its impetus. It was noted that Florida recently enacted legislation to provide support for disabled adults from their parents, but that was not codified within Florida's Child Support Guidelines as HB 499, as currently drafted, proposes to do. Charles "Chuck" Clay noted that this might be better as a standalone bill. Judge Ben Land also raised the question of whether this should be brought up before the Child Support Commission as it has policy implications far beyond child support. Judge Key also noted that this language likely should not be in O.C.G.A. 19-6-15, and the decision of whether to redefine the term "child" would be up to the legislator and it is outside the purview of the Commission. Katie Connell noted that this could inadvertently cause the child to become ineligible for government assistance as an adult and could potentially impact other disabled citizens of Georgia.

Two members of the public offered public comment, both through Zoom. Wayne Slear offered his opinion on HB 499, noting that he does not think this language belongs in O.C.G.A § 19-6-15. Raja Antone gave comment on a few topics including that he thinks Georgia's child support laws are punitive against noncustodial parents and fathers.

This meeting adjourned at 11:45 a.m.

Reviewed by: Noelle Lagueux-Alvarez, Staff Attorney


**Minutes were approved by the Georgia Child Support
Commission during a scheduled meeting on 04/19/2024**