

# **Georgia Commission on Child Support**

## **Parenting Time Deviation Study Committee Kathleen Connell, Esq., Chair**

**Thursday, February 3, 2022  
10:00 a.m.**

### **Meeting Minutes**

The Parenting Time Deviation Study Committee (“Study Committee”) of the Georgia Commission on Child Support (“Commission”) held this meeting via videoconferencing using Zoom webinar. Executive Program Manager, Elaine Johnson, Staff Attorney, Noelle Lagueux-Alvarez, and Program Coordinator, Latoinna Lawrence, served as staff for the meeting.

Nine (9) Study Committee members and two (2) guests attended this open meeting. Study Committee members in attendance were:

William Alexander	Katie Connell	Byron Cuthbert
Adam Gleklen	Johanna Kiehl	Jill Massey
Sarah Mauldin	Charles Spinardi	Carol Walker

At the start of the meeting, a quorum of Study Committee members was not present, and Chair Katie Connell opted to wait a few minutes before addressing approval of the minutes from the January 11, 2022, meeting. A few minutes into the meeting, staff attorney Noelle Lagueux-Alvarez established that a quorum of eight Study Committee members was present. As to the minutes of the Study Committee’s January 11, 2022, meeting, Executive Program Manager, Elaine Johnson, noted one correction to a typo that had been made and Study Committee member, Sarah Mauldin, noted that her name had been misspelled at the end of the draft minutes. Executive Program Manager, Elaine Johnson said she would make the edits and provide the members an updated soft copy of the minutes following the meeting. Adam Gleklen moved to approve the minutes of the Study Committee’s January 11, 2022, meeting as corrected. That motion was seconded by Sarah Mauldin and passed unanimously. Study Committee member, Johanna Kiehl, joined the meeting after that vote was conducted.

The Study Committee discussed the “Unit Definitions” document compiled by Study Committee member, Sarah Mauldin, that summarizes how five other states, Florida, Minnesota, New Jersey, Tennessee, and Virginia define how to measure parenting time, e.g., days, overnights, etc. Chair Katie Connell stated the “Unit Definitions” document is to be included in the final report from this Study Committee to the Child Support Commission. Members of the Study Committee specifically discussed the Virginia definition and concluded that the definition is too confusing and should not be used by our state. They agreed that if the Study Committee found the idea confusing, so would parents, attorneys, etc.

Chair Katie Connell asked Study Committee member, Carol Walker, to present on her document titled “Outline of Main Points” that she circulated to the Study Committee via Elaine Johnson prior to the meeting. Chair Connell specifically asked Carol Walker to begin with a discussion of topics that are viewed by the Study Committee as *outside the scope* of this Study Committee, but that had been discussed over time and that the Study Committee thought to be important and should be shared with the Child Support Commission and/or one of the Commission’s subcommittees. Study Committee member, Adam Gleklen, thanked Carol Walker for preparing the information, noting that it is important that the issues identified by this Study Committee—even if outside the scope of this Study Committee—should not get lost and should be shared. Carol Walker led a discussion around whether the parenting-time deviation should be removed in its entirety from the child support guidelines statute if a parenting time adjustment is adopted. She also pointed out language in the statute that talks about special interrogatories to the jury and that we need to be mindful not to do away with that provision of the law. Additionally, the Study Committee discussed whether its recommendations would generate grounds for a petition for modification of child support, if such recommendations were accepted by the Child Support Commission and enacted by the legislature. Chair Connell stated she thinks this item is within the purview of the Study Committee to include in its recommendations to the Child Support Commission.

Study Committee member Johanna Kiehl gave an update on her follow-up communication with a Minnesota attorney about the pros and cons of some of the finer points of the Minnesota statute. She learned that parents don’t tend to argue over the adjustment for parenting time but may disagree on the time increments when the child is with each parent. Additionally, the Minnesota parenting time calculator does not include overnight equivalent language, which may be problematic for self-represented litigants and is something we should consider when developing a calculation process for parenting time in our child support calculator.

The Study Committee discussed that the terms “custodial parent” and “noncustodial parent” upset people even when only being used for purposes of child support. Carol Walker noted that labels are important and that we should use the least-inflammatory language as possible. Executive Program Manager, Elaine Johnson, noted that federal agencies use the terms “obligee” and “obligor,” but those terms are often very confusing to the general public. The consensus of the Study Committee is to recommend this issue be considered by the Commission.

Carol Walker led a discussion on topics for which she thinks there is consensus amongst the Study Committee members. This lengthy discussion gleaned much conversation on nine of those 16 topics, and the document remains a work in progress. The Study Committee members commented if they agreed or disagreed with statements in the document and offered initial ideas for edits. Carol Walker agreed to make edits, while several other Study Committee members also agreed to edit specific areas of the draft language on consensus points. This information will be used in the report from the Study Committee to the Commission.

Carol Walker asked the Study Committee members for their view of how the report to the Commission should be organized. She suggested that one of the ways would be by including all the historical information first, and then the recommendations following, or that the report could begin with the recommendations followed by all of the backup materials. Study Committee

member William Alexander commented that he likes the idea of the bottom line being up front, as the recommendations, and then the background behind it. Executive Program Manager Elaine Johnson suggested we could begin with an executive summary. Study Committee member Carol Walker commented that she will also include the “Unit Definitions” document prepared by Sarah Mauldin, along with the initial draft report prepared by Noelle Lagueux-Alvarez and staff, along with other historical information on the work of the Study Committee in the final report to the Child Support Commission.

The meeting ended with a brief discussion around the question of how the low-income deviation would dovetail with a parenting time adjustment. The Study Committee agreed this topic would be revisited at the next meeting.

The Study Committee discussed next meeting options and Chair Katie Connell specifically asked to add another meeting in March. The Study Committee discussed date options and agreed to meet on March 10, 2022, at 9:30 a.m. via Zoom. The next Study Committee meeting will be via Zoom on February 17, 2022, at noon. Staff is also working on arrangements for a hybrid meeting at the State Bar building in Atlanta and via Zoom on March 22, 2022.

The meeting was adjourned at 11:43 a.m.