

**Georgia Child Support Commission
Statute Review Subcommittee
Kathleen Connell, Esq., Co-Chair
Hon. Connie Williford, Co-Chair
Friday, October 21, 2022
10:00 a.m.**

Meeting Summary

The Statute Review Subcommittee (“Subcommittee”) of the Georgia Child Support Commission (“Commission”) held this meeting via Zoom webinar. Seven (7) Subcommittee members attended. The Subcommittee members in attendance were:

Kathleen “Katie” Connell, Esq.
Regina Quick, Esq.
Patricia Buonodono, Esq.

Hon. Connie Williford
Byron Cuthbert, Esq.

Mara Block, Esq.
Christina Scott, J.D.

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

Co-Chair Katie Connell opened the meeting, and noted the absence of a quorum, and delayed a vote on the minutes of the Subcommittee meeting on September 22, 2022, in hopes that a quorum would be achieved later in the meeting. Unfortunately, quorum was not achieved by the end of the meeting and Co-Chair Connell asked staff to conduct an e-vote for the approval of the September 22, 2022, minutes. Attendees were reminded that public comment is not taken during subcommittee meetings, but that the public is invited to give comment at any full Child Support Commission meeting.

Co-Chair Connell reviewed the status of HB 481, the Life Act, and the definition of a child at O.C.G.A. § 19-6-15(a.1). She reported to the Subcommittee that the Commission, at its September 30, 2022, meeting decided that at this time no action was needed by the Commission on the definition of a child and agreed to monitor the issue as our case law develops.

Co-Chair Connie Williford gave an update on the Resolution for a Legislative Study Committee on Parenting Time. She reported that she had spoken with Commission member, Senator Brian Strickland, who said he would be happy to sponsor the resolution in the Senate. A final draft of the Resolution was discussed and will be presented to the full Commission at its November 4, 2022, meeting. Once the Resolution is approved, it will be sent to Legislative Council, Holly Carter, Senator Strickland, and Representative Mandy Ballinger, who has also agreed to sponsor the Resolution for the Commission in the House, along with support from Commission member Rep. Houston Gaines. Holly Carter shared that she is council for Chairman Ballinger’s Juvenile Justice Committee and will also review the Resolution for the Commission.

Co-Chair Williford updated the members regarding the contract with economist Dr. Jane Venohr on Parenting Time and Low Income. A draft of the deliverables for the contract is being reviewed by the Co-Chairs of this Subcommittee and their final edits will be made by staff. The

goal is to have the contract in place through the Administrative Office of the Courts and the Center for Policy Research, Inc., by January 2023.

Co-Chair Connell stated Subcommittee member Regina Quick had made a motion at the September 22, 2022, Statute Review Subcommittee meeting, and that clarification was needed to confirm if Ms. Quick's motion addressed just the 7% test for special expenses for child rearing or all three types of extraordinary expenses, or should they be treated separately. Elaine Johnson explained that the 7% only concerns the special expenses for child rearing and the other expenses are for extraordinary medical and educational. The question is either to include or not include the other two expenses. There was discussion on the word "shall" in OCGA 19-6-15(i)(2)(J), and the Co-Chairs agreed that "shall" as used here in the statute needs clarity. Co-Chair Williford suggested this issue should be addressed further by the Subcommittee. Further discussion on the 7% test prompted Subcommittee member Regina Quick to voice concern on whether the 7% is built in the table or not. Staff member, Elaine Johnson, will clarify these questions with Dr. Jane Venohr and circle back to this committee with an update by the next Statute Review Subcommittee meeting that will take place November 18, 2022.

The Subcommittee revisited the discussion on replacing terms in O.C.G.A § 19-6-15 for custodial parent and noncustodial parent, based on a recommendation from the Parenting Time Deviation Study Committee. Currently 36 states use custodial and noncustodial parent labels. Staff member, Noelle Lagueux-Alvarez, suggested placing a notification on the Child Support Commission website for the public to answer a very short survey with their input.

For new business, Subcommittee member, Pat Buonodono, raised an issue from the statute at O.C.G.A § 19 6 15(f)(3), concerning Social Security Disability or Retirement payments paid by the Social Security Administration (SSA) to children on the noncustodial parents' account. Ms. Buonodono shared that currently the statute allows the amount paid to the children to be applied to the current child support only and any overage between the amount of the SSA check and the amount of current child support cannot be applied to child support arrears accumulated under an order owed by the noncustodial parent in the same case. She asked the Subcommittee to investigate this issue further as it seems that overage should be applied toward the arrears. The Co-Chairs agreed that this matter should be investigated and discussed further.

The next Subcommittee meetings will take place on Friday, November 18, 2022, at 1:00 p.m. and Wednesday, December 14, 2022, at 1:00 p.m. Both meetings will be conducted via Zoom Webinar.

This meeting was adjourned at 11:15 a.m.