

**2011-12 Guidelines Review
Child Support Guidelines Advisory Committee**

Thursday, February 23, 2012, 9 AM to Noon, Siuslaw Conference Room
Capitol City Business Center, 4600 25th Ave. Ste 180, Salem, OR 97305

SUMMARY

FACILITATOR: Kate Cooper Richardson

MINUTES: Susan Baker

Members in attendance: Claire Anderson, Donna Brann, Lisa Buss, Vonda Daniels, Chris Eggert, Kelly Evans, Jean Fogarty, Laurie Hart, Martin Herbest, Jack Lundeen, Shelly Matthys, Carol Anne McFarland, Mike Ritchey, Linda Scher, Concetta Schwesinger, Robin Selig, and Judge Susan Tripp.

Support Staff: Barb Bellek, Jeremy Gibons, Tom Hedberg, Vince Hill, Julie McNeal, and Melissa Park.

Minutes Review and Approval	Kate Cooper Richardson
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Once complete, the minutes for January and February will be posted on BaseCamp for review and comment.

Final Report	All
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The Policy Team will compile the workgroup reports into the final report, editing for format and consistency. This is the full committee's report, and all committee members' input is appreciated. We expect it will take about a month to formalize the report.

Medical Support

Final report on Medical Support is highlighting areas of concern or in need of clarification. When no health insurance is available, cash medical support or findings will be mandatory. There will be screening questions in the calculator to ascertain whether the child's medical needs will be provided for in another way.

The workgroup did not reach consensus on the amount that the parents could be ordered to pay for *future* health care coverage.

The current worksheet carries each parent's obligation through to the end, making it less than clear who the obligor is, or whether one number should be deducted from the other. This is because ORS 416.416, new in 2009, allows for orders that flip the obligation from one parent to the other when the children move from one parent to the other without the need for modification. For this review, we need to do a better job of clarifying who owes what to whom for both for cash support and medical support.

Parenting Time Credit

Principal recommendations:

- Replace the current credit formula with a graduated curve
- Eliminate the 25% parenting time threshold. Instead, provide a smaller credit for even minimal parenting time, increasing rapidly as parenting time approaches 50/50
- Do not apply parenting time credit to children attending school (ORS 107.108)

The report includes draft amendments to OAR 137-050-0730 (Parenting Time Credit).

Child Attending School

The workgroup recommends providing support for the minors before providing support to the Child Attending School where income is insufficient to fund both in full. We would like to see new, expanded rebuttal criteria for the support of Child Attending School.

Income

The workgroup's recommendations are unchanged from the October report, but the text is reorganized and includes the draft income rule.

Recommendation #3, regarding the applicability of the non-joint child deduction to a Child Attending School, needs to be better clarified.

Recommendation #5, inclusion of overtime language in the income rule, in particular, the bolded language in (a).

*(a) employment-related income including salaries, wages, commissions, advances, bonuses, dividends, **overtime pay to the extent that the overtime is recurring**, severance pay, pensions, and honoraria;*

Miscellaneous Issues

More explanation on how to use rebuttals is addressed. Some outreach could be done especially for the self-represented.

- Add commentary to explain rebuttals and consider the targeted audiences, such as self-represented litigants, practitioners, etc.

Design

The design recommendations were presented with explanations of the work still needing to be done.

Next Steps	Kate Cooper Richardson
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With the quadrennial guidelines review process, the Program is about to move into project development, forms, and calculations. As Child Support Program Director, Jean Fogarty will be reviewing the Advisory Committee's recommendations. Some working target dates are ahead. By July 1, 2012, the Program must submit its final business requirements to the Department of Justice Information Systems section and LightningDocs team to achieve implementation of

updated forms by January 1, 2013. We will issue the Notice of Proposed Rulemaking on October 1, 2012. In November 2012, we will conduct public hearings and receive and review comments on the proposed rules. In December, and both before and afterwards, the Program will conduct outreach and education about the guidelines changes. The Program hopes to implement the new guidelines effective January 1, 2013. This is an aggressive timeframe.

The Oregon Child Support Program leadership is grateful for all of the Advisory Committee members' time and their commitment to improving the quality of life for Oregon's children.