

Child Support Schedule Workgroup Agenda and Minutes

Location: Green River College
12401 SE 320th St, Auburn, WA 98092
Meeting also available by webinar:
Click this link:

Date: 3/10/2023

Time: 9:00am – 3:00pm

Note: Coffee and light refreshments will be provided – starting at 8:30am
Lunch will be provided

Attendance

Members appearing by phone/virtually	Bernardene Charley, Tami Chavez, Kaha Arte, Kimberly Loges, Terry Price
Members appearing in person	Amy Roark, Anneliese Vance-Sherman, Carol Ann Slater, Gaston Shelton, Janelle Wilson, Jennifer Turner, James Clark, Joy Moore, Kathleen O'Shea Senecal, Raymond Allen, Sharon Redmond
Members not appearing	Senator Claire Wilson, Senator Matt Boehnke
Division of Child Support staff	Jake Hughes, Rachele Jennings, Rachel Tumbleson, Chris Theine, Lucas Camacho, Jana Ekstrom, John Mallea, Brady Horenstein, Ian Hall, Josselyn Green
Public attendees	Gordon Bock, James Salomon, Cindy Guo, Heidi Zibell Jenkins

Agenda details:

- 1. Welcome (9:06am)**
 - Chris Theine filling in for Janina Oestreich as virtual facilitator
- 2. Workgroup Logistics (9:11am – 9:15am)**
 - Travel and Dropbox
 - Two Dropbox folders: one for public materials, another for items in progress
 - Anyone requesting travel reimbursement will need to obtain a Statewide Vendor Number. Workgroup members contact Holly Scott if you need help making travel arrangements.
- 3. February Meeting Summary (9:15am – 9:30am)**
 - February 24, 2023 meeting minutes have been posted on Workgroup Website.
 - It was noted there is a change in the organization title of Washington Association of Prosecuting Attorney's Support Enforcement Project to Washington Association of Prosecuting Attorney's Support Enforcement Program.
 - Minutes approved with the adjustment recommended per the previous point.
 - Briefly went over roles, responsibilities, and group agreements
 - Members of the public who are not part of the workgroup, comments are limited to the assigned public comment period.
 - Question:** What are our common goals?

- **Answer:** This group’s goal is to review existing support guidelines and the support review report and determine if the guidelines result in appropriate child support orders, then forward recommendations to legislature.
 - d. Briefly discussed consensus and reviewed topics that were brainstormed in the previous meeting.
4. **Child Support Order Basics (Brady Horenstein/Legislative Manager and Policy Chief Assistant, Division of Child Support) (9:30am – 9:46am)**
- a. Order Types
 - Court Orders
 - Administrative Orders
 - b. Administrative Process
 - c. Court Process
5. **Break (9:46am – 10:00am)**
6. **Child Support Order Review Report (John Mallea / IT Data Management, ESA Management Accountability and Performance Statistics) (10:00am – 11:01am)**
- a. Report summary (Link to the full report [here](#))
 - b. 93,662 Washington orders entered between 8/2018 – 7/2022
 - Court and Admin orders
 - IVD vs Non-IVD
 - c. Sample size calculator used to determine appropriate sample size w/ 95% confidence level with 3% margin of error. Random sample of 1056 orders
 - d. Worksheet Basics
 - Used as part of order creation process.
 - Briefly reviewed parts I – VII of the existing worksheets.
 - Whole Family Deviation – granted when a non-custodial parent has additional biological children. Described in section 26 of the worksheets.
 - Data Analysis

Table 1. NCP Median Net Income and Child Support Order Amount

	Number of Cases	Percent of Cases	Median NCP Monthly Net Income	Median CP Monthly Net Income	Median Monthly Order Amount	Percent of Order Amount in NCPs' Income
Overall Sample	1,038	100.0%	\$2,313.84	\$1,977.00	\$400.00	17.3%
Admin Order	398	38.3%	\$1,871.88	\$1,768.00	\$335.00	17.9%
Court Order	640	61.7%	\$2,820.89	\$2,321.50	\$436.63	15.5%
IV-D Order	882	85.0%	\$2,152.16	\$1,920.88	\$400.00	18.6%
Non-IV-D Order	156	15.0%	\$3,954.90	\$3,125.71	\$436.05	11.0%
Father as NCP	842	81.1%	\$2,593.00	\$2,048.00	\$430.50	16.6%
Mother as NCP	196	18.9%	\$1,768.00	\$1,696.00	\$255.71	14.5%

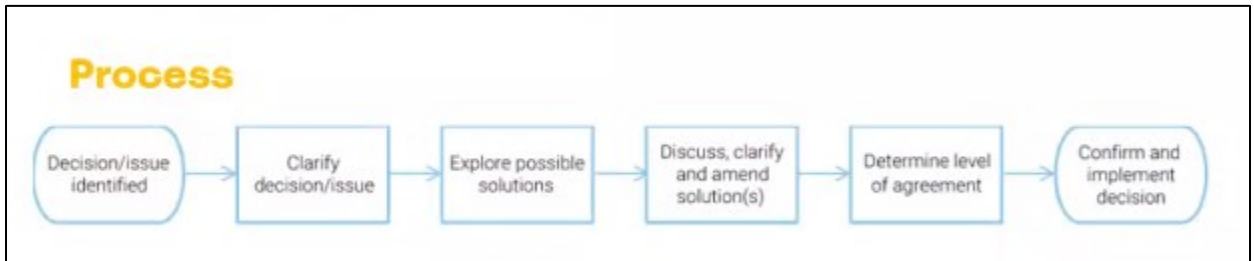
- Combined monthly net income (CMNI) – Over 50% of orders between \$1000 and \$5000 CMNI. 43.1% over \$5000. 89.9% of orders have CMNI in range of WSCSS.
- Reasons for deviations [RCW 26.19.075](#)

- a. 187 cases had deviations
- o Adjustments: reduces Basic Support Obligation to allow parent to retain higher proportion of their income.
 - a. 402 orders contained adjustments

7. Break (11:02am – 11:17am)

8. Consensus (11:17am – 11:30am)

- a. The workgroup agreed to a model to reach consensus
- b. Process



• **Voting**

- o If you support the proposal – THUMBS UP
- o If you have some reservations but are otherwise willing to let proposal pass OR you do not support the proposal but don't want to stop the group – THUMBS TO THE SIDE
- o If you have a fundamental disagreement with the core of the proposal that has not been resolved – THUMBS DOWN
- o Virtual workgroup attendees to use corresponding emojis using the chat feature to indicate their vote.
- o **Question:** What percentage of the group needs to give a thumbs up for a proposal to proceed?
 - a. The group can decide on what consensus entails when deciding upon recommendations.
 - o Members of the public and support staff do not get a vote.
- c. Which of the agreements can the group use when we are making consensus?
 - Raise hand to speak and do not interrupt
 - Active listening and feedback
 - Be present
 - Clarifying questions
 - Assume good intent
 - Put forth an option that can get you to consensus / offer improvements or clarify points of contention
 - Don't judge
 - Be patient

9. 2023 Workgroup Topics (11:30am – 1:06pm)

- a. The ideas brainstormed from last meeting were placed into groups.
- b. **Question:** Is the Self-Support Reserve and increased minimum wage across the state addressed anywhere?
 - Imputing parties at current minimum wage does not trigger the Self Support Reserve, so should it be higher?

- c. Modifications
- d. Economic table
 - Ideas include expanding the table beyond \$12k, incorporating a 3 parent worksheet, and considering what goes into the model.
- e. Additional Topics for Consideration
 - Adding deductions onto the worksheets.
 - Worksheet analysis – remove rounding with combined income and economic table
 - Regarding NCPs with children in different families – the ALJ and courts don’t consider other families in calculating the Self-Support Reserve. The 125% SSR should apply to all children that the parent supports.
 - “Pro rata share based on self-support reserve” or “formula for low-income parents”
 - What defines “insufficient resources”?
 - Allowing temporary modifications in emergency situations.
 - Deviations/modifications based on custody change

10. Identify Workgroup Focus and Priorities

- a. Criteria – Impact and Feasibility
 - Feasible means the proposal directly relates to establishment of an obligation and does not include enforcement remedies or any post-establishment provisions.
 - Impact means the proposal creates stability for all involved, results in a more accurate calculation of income, affects a large amount of families, reduces poverty, and/or reduces reliance on public assistance.
- b. Prioritization Matrix – Impact vs Feasibility

Topic	Feasibility	Impact
Changing Economic Table	High	High
Adding Worksheet Deductions	High	High
Streamline Modification	High	High
Residential Schedule Credit	High	High
Add Deviations for Non-Traditional Employment	Low	Mid
Deviations for Parents in Treatment/Parenting/Mental Health Programs	High	High
Requiring Providing Invoices to the Other Parent When Daycare is Ordered	Low	Low
Casino Winnings / Online Betting	Low	Low
Implementing Guidelines for Post-secondary Support to Make it Easier for DCS to Collect	Mid	Low
Pro-rate Support Based on the Self Support Reserve	High	High

Lower Interest Rate on Arrears	Low	Low
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11. Break (1:06pm – 1:16pm)

12. Establish Subcommittees (1:16pm – 2:05pm)

- a. Subcommittees will take a deeper dive into a particular topic to do additional research and engage in further discussion.
- b. Renaming Topics
 - Economic Table
 - Modifications
 - Adding Deductions
 - Residential Credit
 - Non-traditional Income Deviation
 - Self-Support Reserve
- c. Voting

Topic	Thumbs Up	Thumbs to the Side	Thumbs Down	Result
Economic Table	15	0	0	Consensus reached
Modifications	11	3	1	<i>Blocked, will discuss</i>
Residential Credit	13	2	0	Consensus reached
Adding Deductions	12	2	1	<i>Blocked, will discuss</i>
Non-traditional Income Deviation	0	9	5	Blocked
Self-Support Reserve	13	2	0	Consensus reached
Post-Secondary Support	2	7	4	Blocked
Daycare Invoices	1	3	10	Blocked
Interest	4	5	6	Blocked

- d. Further Discussion
 - Modification – Some members do not see a problem with current modification process
 - Question: Can we zoom in on those going through hardship specifically?
 - a. The existing process for significant hardship modifications is already fairly streamlined.
 - b. The process might seem easy for an attorney to understand, but not as easy for a layman.
 - c. Several individuals reported having negative experiences with the process.
 - d. If parents get divorced, set a parenting plan, and then one or both parties don't adhere to that agreement, how long does someone have to wait before the order can be changed?
 - e. More modifications would bog down the court system. Can we move some of the court responsibilities to the administrative side? Per Kathleen, the

administrative process for modifications is fairly relaxed but their dockets are bogged down as well.

- Re-vote: 5 thumbs up, 9 thumbs to the side, 1 thumb down. **Blocked.**
 - Adding Deductions – The courts already account for added deductions elsewhere on the worksheets.
 - Despite this, it would be nice to modernize the worksheets to match federal guidelines.
 - These deductions are inappropriately identified in the worksheets.
 - a. Even with existing workaround, explicit labelling aids self-represented litigants.
 - Revote: 12 thumbs up, 3 to the side. **Consensus reached. This topic will be added onto the Self-Support Reserve subcommittee.**
 - e. Final Subcommittees + Members (2:05pm – 2:23pm)
 - Facilitators and note takers will be present
 - All subcommittee meetings will be virtual
 - Meetings are usually 2 hours in length
 - Subcommittees will report out to the whole workgroup at the full meetings
 - **Economic Table**
 - **Lead**: Anneliese Vance-Sherman
 - **Members**: Sharon Redmond, Anneliese Vance-Sherman, James Clark, Kimberly Loges, Janelle Wilson, Gaston Shelton, Amy Roark
 - **Next Meeting Date/Time**: 3/24 – During Business Hours, final time TBD
 - **Residential Credit**
 - **Lead**: Kathleen Senecal
 - **Members**: Kathleen Senecal, Jennifer Turner, Gaston Shelton, Carol Ann Slater, James Clark, Bernardene Charley,
 - **Next Meeting Date/Time**: 3/23 - Morning - final time TBD
 - **Self-Support Reserve + Adding Deductions**
 - **Lead**: Raymond Allen
 - **Members**: Terry Price, Tami Chavez, Kaha Arte, Amy Roark, Joy Moore, Raymond Allen, Jennifer Turner
 - **Next Meeting Date/Time**: 3/24 – Afternoon – final time TBD
- 13. Public Comment (2:23pm – 2:31pm)**
- a. Gordon Bock discussed the economics of child support
- 14. Wrap Up and Closing (2:31pm)**
- a. Subcommittee meeting times TBD on 3/23 & 3/24
 - b. Next full workgroup meeting Friday, March 31st

Meeting Adjourned 2:45pm