

# Minutes

## Child Support Schedule Workgroup

Subcommittee: Residential Credit

Thursday, April 20, 9:30am – 11:30am

To access the meeting online and to register: [Webinar Registration](#) | [Miro Board](#)

## Attendance

### Members Appearing:

Gaston (Tui) Shelton	James Clark	
Jennifer Turner	Carol Ann Slater	<i>Facilitator: Rachel Tumbleson</i>
		<i>Note taker: Ian Hall</i>

Public Attendees:

## Agenda Details

### 1. Welcome & Introduction

- a. Review and approved 4/6 meeting minutes

### 2. Report out

- a. 2015 workgroup/subcommittee documents
  - Recommendation One: There should be a formula.
  - Recommendation Two: Available in both court and admin processes
  - Recommendation Three: When does residential Schedule not apply? TANF and Low income based on Econ Table.
  - Recommendation Four: Statute should specify how and when the residential schedule deviation is to be calculated.
    - Question about whether or not this would force process to be court based, against administrative process goals.
  - Recommendation Five: WSCSS Worksheets should be revised to provide enough information concerning the residential schedule deviation that would be easy for unrepresented parties to calculate the amount of deviation before determining whether the deviation was appropriate.
  - Recommendation Six: Parent receiving residential schedule deviation does not spend time with children then other remedies should be available.
  - 2019 put forth 2015 recommendations again
  - There is a table in summary/discussion document that seems reasonable to the group.
  - Question: What if there are no overnights, but sees child every day after school?
    - An ALJ/Judge could provide this type of credit, group could provide guidance.
- b. Roadblocks and issues identified by 2019 subcommittee
  - 2019 Final Report: Counted hours in parenting plans. 'Significant Time'- plans 35-50% would qualify for residential credit.
  - Feels like TANF muddied the waters in the residential credit discussions in 2019.
  - Still not clear why the recommendations weren't adopted by legislature
  - Jim was a public participant in 2019, range of complexity for these cases is a significant and discretion is important for judge/commissioner/court time.
    - Standard operating procedure/formula offers less inconsistency and potential for discrimination, but may not be totally inclusive of all scenarios.
  - Conference Settlements are a more informal

- One less burden on NCP, hard to prove before the circumstances are solidified.
- It should always be a consideration in the worksheets, rather than being a consideration needing proof.
- Question: Does the group support hourly credits for parenting time?
  - Can research logistics of hourly vs overnights
  - Standard operating procedure vs discretion on part of judge

c. Case Law

- [Child Support Enforcement Program: A Legislative History](#)
- [Marriage of Arvey](#)
- [MMG V Graham](#)
- [Amendment to HB 1603 \(2017-18\)](#) [Unpassed]
  - Potential starting point
- Question: Maryland has a shared worksheet. Can we recommend a shared parenting worksheet?

d. Child Support Order Review Report

**3. What other research is needed?**

- Other states with residential credit in worksheets – Jim and Carol Ann
  - California (very granular system)
  - A few other states (Proximity & Population focused)
- Hourly credits done by other states - Jen

**4. Decisions, Tasks, and Next steps**

- Talking points
  - Looking to develop a worksheet to address residential split/expenses. Could use another state's existing worksheets
  - Wanting to use 2015 recommendations as a roadmap
  - Always considered, not just discretionary application
  - Want the residential credit to be attainable without going through the court process (want it at the admin level as well, and manageable pro se)
  - Want the full group's input on these ideas

**Meeting adjourned at 11:21am**