

Minutes

Child Support Schedule Workgroup

Subcommittee: Residential Credit

June 15, 2023 9:30 – 11:30 am

Teams Webinar | [Miro Board](#)

Attendance

Members Appearing:

Kathleen Senecal	James Clark	
Jennifer Turner	Carol Ann Slater	<i>Facilitator: Rachel Tumbleson</i>
Gaston Shelton		<i>Note-taker: Ian Hall</i>

Public Attendees: None

Agenda Details

- Welcome & Introduction
 - Final meeting to determine recommendations
 - Previous minutes confirmed
- Report outs
 - No update from Legal Services at this time
 - [2015 Workgroup Report - Appendix IX](#)
 - Disagreed with Self-Support Reserve as threshold
 - When should residential credit be offered?
 - 200% Federal Poverty level (2016 New Jersey Model) was supported by Legal Services
 - The group supports this model
- Questions/concerns from full workgroup
 - What is the threshold for residential credit (number of overnights)?
 - There is already assumption that there is shared custody
 - Standard parenting plan of every other weekend and one night per week. [2 weeks in the summer. Split holidays (Mother's and Father's Day, every other Thanksgiving and Christmas)] – Unclear if this is Washington or other states
 - May not be in statute, more informal
 - It is not a specific percentage of the Basic Support Obligation, but is included
 - Is there a credit for less than 80 nights?
 - Start 81 nights for the formula?
 - Group supports 81 nights, will get feedback for final recommendations
 - 91 nights was the previous standard
 - New Jersey had 2 sets of worksheets, solo parenting and shared parenting, but used the same economic table.
 - Shared Parenting worksheets were used if annual overnight threshold was over 28%
 - Changes the family law landscape
 - Change language so that a judge "shall" sign off on agreed settlements
 - If parties agree, judge should not be able to disregard
 - Court times are already lengthy
 - 'Substantial Change of circumstances' doesn't always work for Non-Custodial Parents to change parenting plan.

- Suggestion: Request data gathered around domestic violence and Residential Schedules?
 - The group did not come to a decision about this
 - What formula to be used?
 - Plotnick had historical opposition
 - Straight time calculation – easiest to understand/implement.
 - Deduction = [(# of nights ÷ 365) × Standard Calculation]
 - Need to consider 'built in' nights
 - Changes to previous recommendations
 - 200% Federal Poverty Limit as lower income limit rather than set at Self Support Reserve
 - 81 nights is the threshold
 - Formula based on time, rather than Plotnick
 - Additional info on Domestic Violence & residential Schedule
 - Could the workgroup get more data from Parenting Plans? Maybe incorporate into recommendations.
 - If parties agree, the judge should be required deviate accordingly.
- Next Steps
 - Kathleen plans to use 2015 recommendations as starting point, will adjust where things differ
 - Jim will work with Kathleen on options for formulas
 - Jim will make some worksheet examples, so they are easy to review
 - Rachel will check in with Janelle on the 80 night threshold.
 - Draft recommendations to subcommittee members 6/21. Members need to review before 6/23