

Residential Credit Subcommittee Meeting (conference call) March 14, 2010 Notes

- Set future meeting dates – 2nd and 4th Monday of each month beginning in April 2011
- Note taker to change each meeting. Notes to be posted on Child Support Workshop website after 2 days for subcommittee to review
- Discussed the 2007 Residential Credit (RC) Subcommittee findings. Each member provided their thoughts:
 - Kristi – 2007 subcommittee felt RC was needed but how should it be calculated and if NCP does not use time how quickly can they change RC. When asked about mechanics of RC, Kristi thought per day makes sense but should be a threshold for minimum time (maybe 25% - 30%). Also think there needs to be a mechanism for CP or NCP to get support changed if actual time with child differs from parenting plan doc (agreed upon time).
 - Tim – Should be a threshold for time with children, but maybe lower than 25%. For example if have every other weekend and in summer, but still need rooms, food, etc. Does not like the multiplier, but prefers the per day calculation.
 - Gary – Noted to subcommittee the standard parenting plan seen in courts with alternate weekends and a day a week is very close to 20% of time. Presumption that when parents divorce there is a whole bunch of excess money is a fallacy, in fact it is the opposite (there is less money, due to more expense). Another issue in court is one parent does not want to let overnight visits unless there is a separate bedroom (creates catch 22). If do not allow for RC in TANF cases, then run risk of equal protection statute. Also keep in mind that parents may not follow actual plan in situations of one parenting needing a grant. The day by day credit makes the most sense, and no need for a threshold. Thought the RC should be combined with the Economic table discussion.
 - Kevin – Discussed equal protection issues with TANIFF. Would suggest some minimum threshold, even if it is 20%. Looking at 2007 Subcommittee work there is concern credit would create more litigation. The WA Bar Associate indicated they will not support RC unless threshold of 33% is met. Thinks there needs to be a written parenting plan before RC can apply.
 - Andrew – Offered a suggestion regarding if RC did apply and actual time with child was different than agreed upon time, then one parent would need to repay child support based on proper RC calculation. Thinks we need to look at multiplier and above the line calculations in examples.
- Group agreed we should review some examples of how credit would be applied if used multiplier versus above the line adjustment. Group asked staff member Smylie to prepare several examples applying Appendix VI methods from the 2007 Workgroup final report to several of the scenarios which he earlier presented to the entire work group
- Concluded meeting