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CHILD SUPPORT ADVISORY COMMISSION
December 11, 2014

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The Child Support Advisory Commission met on Thursday, December 11, 2014, in Room 1103 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a meeting. Members present: Senator Kathy Campbell; Judy Beutler; Angela Dunne; Amy Holmes; William MacKenzie; Hon. Karin Noakes; Troy Reiners; Monty Shultz; Eric Thompson; and Byron Van Patten. Members absent: Senator Brad Ashford, Chairperson; and Hon. Paul Merritt.

ANGELA DUNNE: (Recorder malfunction)...Dr. Venohr on the line with us, so we might take a brief pause. But we can start the preliminary advisory, and we'll be nominating/electing a Chair. I think we can accomplish that prior to Dr. Venohr getting on the phone with us this morning. We are subject to the Open Meetings Act. There is a copy of that on the table back there. The law related to that is there for anyone's review. At this time, does anybody move to approve the agenda? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll so move to approve the agenda for today. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Second? [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Would you call roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler, on behalf of Corey Steel. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. We will call roll for attendance this morning. You want to go ahead and call roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY

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WILLIAM MACKENZIE: Present. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler, on behalf of Corey Steel. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY
COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And do we have a motion for approval of the minutes from the last meeting? We were e-mailed that earlier this week. [CHILD SUPPORT ADVISORY
COMMISSION]

WILLIAM MACKENZIE: I'll so move. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Call roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY
COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY
COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Corey...Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so that brings us to our first item on the agenda this morning, which is to nominate and elect a Chair to guide us in this meeting this morning in the absence of Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Madam Chair? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I would nominate...move the nomination... [CHILD SUPPORT ADVISORY COMMISSION]

_____ : It says (inaudible)...yes, yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...of Angela Dunne. I'm sorry. I was listening to her. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Yeah. I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Will you take roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Okay. Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Is this motion up for discussion? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We can have discussion. [CHILD SUPPORT ADVISORY COMMISSION]

_____: (Inaudible.) [CHILD SUPPORT ADVISORY COMMISSION]

_____: I guess it would be, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I have a prepared statement directed to Chief Justice Heavican, as well as the clerk of the Supreme Court. This letter is to inform you that you have made...that there have been grave errors made in this committee since service began on May 29, 2014. Previous legal counsel Jennifer Piatt... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Mr. Shultz... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: ...made contact with economist... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Mr. Shultz, is this relevant to the motion before us? [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: It is relevant to the motion because this motion is not outlined in statute, that somebody be appointed the Chair of this commission. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's not outlined that you can't either... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: The Chair of this commission is the Speaker (sic) of the Judiciary, who is Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. We're not nominating a different Chair of the commission. We're nominating somebody to move us through the meeting today, just to chair through... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right, and we've had now five meetings...six meetings that Senator Ashford has not chaired, which is a disservice to this commission. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: If you have a letter that's directed to people who are not on this commission, I'm not sure that that's helpful or instructive for... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It will be directed towards the...if you let me finish, I'll...it'll be directed towards this commission. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, you just...you started saying it was addressed to two separate people. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Let me finish, please. [CHILD SUPPORT ADVISORY COMMISSION]

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_____ : Right, right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Go ahead. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Contact with competing economists happened approximately two days...excuse me...Jane Venohr...contact with Jane Venohr approximately two months before the first meeting was held. Contact with competing economists happens approximately two days before the meeting. While this may seem trivial, it has set the tone for a continued indifference towards noncustodial parents statewide. Dr. Venohr simply sees dollar signs to equate the best interest of the children. According to Nebraska State Statute 43-3342.05(1)(g), the Chairperson of the Judiciary Committee of the Legislature shall serve as the Chairperson of the commission. That would mean that Senator Brad Ashford, who is the current Chairperson of Judiciary, should serve as the Chairperson of this commission. Brad Ashford has chaired one meeting of the six meetings held to date. He has appointed Senator Campbell to chair two meetings and Angela Dunne to chair three meetings. Again, when reading the statute, it makes no reference to Senator Ashford having the legal authority to appoint anyone but himself to chair this commission. This should be taken as a final slap in the face to every parent in the state that our legislators are simply too busy to follow through with their statutory obligations. Furthermore, we have members who are not respectful enough of this commission to attend every meeting, members who sleep through parts of the proceedings, and both have proceeded to vote during these sessions. On December 9, Joshua Eickmeier sent a follow-up e-mail that included an agenda for a December 11 meeting. Included in the agenda were item two: time for the nomination of the...and election of Chair. Again, this setting...this is setting precedents, as there is nothing in statute 43-3342.05 that references the election of a Chair for this commission. Simply put, the Chairperson of the Judiciary is the Chair of the commission. The state of Connecticut has had its difficulties with adopting language to uphold...update their child support guidelines. As of June of this year, they have not updated their guidelines since

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2005, as the commission has not been able to find common ground. The majority of this commission is outlined by statute. While the state has had issues with other agencies following statute, it has been in the statehouse that they have passed judgment. This cannot be allowed to continue. Every vote taken in Brad Ashford's absence as Chairperson should be vacated immediately, as the body of work from this commission has taken place in the absence of the Chairperson outlined by state statute. Without a consistent Chairperson, the group has not been able to complete contested votes and the most difficult votes are yet to come. As the different Chairpersons of this commission have utilized their position to attempt to interject their own agenda onto the commission, this commission should be put on hold until there is a new Chairperson of the Judiciary elected and no further meetings or votes should take place at this time. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody have any additional comments or discussion related to nominating me to chair today's meeting? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Senator Campbell, was your motion to nominate someone to chair this meeting, not chair our commission? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. I'm sorry. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. Maybe... [CHILD SUPPORT ADVISORY COMMISSION]

_____: Should...could...Oliver, could you repeat that? And I apologize, Monty, if I misspoke. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'm not sure whether you did or not. I just want to make it... [CHILD SUPPORT ADVISORY COMMISSION]

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_____: Hold on, Chuck. Hold on, Chuck. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You want to clarify your motion? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Well, the motion should be that you would chair this meeting. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I will second that motion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any further discussion? Call roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. (Phone rings.) [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Good morning. This is... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Good morning. We are in the middle of a vote on who will be chairing the meeting this morning. So if you just want to hold for one second, we need to resolve this administrative business. [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Okay, thank you. I'm going to put you on mute, so there will be a delay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Okay. Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: The motion does pass. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, we're ready to move forward with the substantive portion of today's meeting if you want to come present to us. [CHILD SUPPORT ADVISORY

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JANE VENOHR: Thank you. Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We can. Thank you. Okay, we have a lot to cover today. So as a reminder that we...and what we talked about last time, try to stay focused, respectful, and make sure that you're following through with any discussion you'd like to have, but be mindful of the clock, that we'll need to move forward to getting to motions and voting so that Dr. Venohr is able to prepare a report for our review for December 22. So again, if I'm being short or cutting you off before you want to complete your thoughts, just let me know. I'll just kind of be keeping tabs on the clock this morning. So the first item to review are follow-up actions from our November 19 meeting. And Dr. Venohr has provided us with updated tables and a comparison based on the questions that were set forth at the last meeting. Does anybody want to start on the discussion of the review of the updated table that we received? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Madam Chair? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It might be helpful...oh, thank you. It might be helpful if Dr. Venohr just gave us a brief summary of the updated...from her perspective. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, did you hear Senator Campbell? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I did. Thank you. And what the document on December 2 is, is that there was some confusion as far as the difference between option A and option B.

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Option A was the U.S. number, so unadjusted for Nebraska's cost of living and no ordinary medical expenses included in the table. And option B was updated for Nebraska's prices, which national data suggests are approximately 10 percent less than the national. So for something that costs a dollar nationally or nationwide, it costs 90 cents in Nebraska, 90.1 to be precise. And so option B considered that and \$250 per child per year in ordinary medical expenses. So there is some confusion as far as our system, some...or it needed some clarity. One of the commission members asked to see the tables, not only those two options but to see the USDA with the \$250 and the...Nebraska, without any medical costs, you know, because, theoretically, it should be exactly \$250 per year difference. So these tables, if you go to the back of the document, you'll see options A and B. And then to the left of option A, you'll see the USA medical with the \$250. And then to the right of option B, you'll see the Nebraska adjusted one with no medical, so you can compare them. And it's not exactly perfect in some areas, and that's explained on page 1 of the report. That adjustment for Nebraska's purchasing parity, it only affects...if you look at the center paragraph, it notes that there is an exception at lower incomes because below \$40,000 net per year--and that's 2012 dollars; it's just where my raw data are coming from--families spend more than their income. And the adjustment is made by multiplying the percentage of their expenditures by that 90.1 percent. So if they spent 200 percent, it would be \$180.02. Obviously, we don't know state...or it's usually a policy decision to say that we don't want people spending more than their income, so I capped that. So if somebody...a family on average was spending...or families of that income bracket on average were spending 200 percent of their income, I've capped it at 100 percent. So that's why you can see the amounts being the same for Nebraska and USA at lower incomes. So the second thing--and I'll be really brief; I apologize; it's a little hard to explain quickly--is that \$250 medical. There's some imperfections in that, too, as well. One is that some families spend less than that. So obviously, when you look at the one at the very low incomes, it's not going to be exactly \$22 per month difference because the...if a family is not spending any medical, it's not going to show up. And that happens at lower incomes. And then there's also some distortions created just because I used

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those 2012 numbers. And I get them as a percentage and they're very small percentages, and we don't take them out to more than three decimal points...four decimal points. And, I mean, I would love to go back and fix it all perfectly, but I'd have to go back to the raw numbers and it would take several months. So there's some places where it ends up being, excuse me, about \$30 over...\$30 difference, and that's just because of the distortions of taking that 2012 number. And then I had to take the childcare and I'm using some data on that. All those little bullets on page 1 and 2 explain it. So the short of it is it's approximately \$250 per child per year. And, I mean, I would love to get it perfect, but we just can't in this time frame. So...but anyway, that's all I have to say. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. Does anybody have any additional questions for Dr. Venohr about what she just explained? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, this is William MacKenzie. I just have a question. The option B, which is the BR4 for Nebraska with \$250 medical credit in there, is it correct that that should represent approximately 90 or 91 percent of the national BR4 that you have listed in...I guess it's the second column... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: (Inaudible.) [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...because that also includes a \$250 medical. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. It would...it should, except for at very low incomes, just because of that cap that we imposed. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay, but... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: So families that...you know, at the very low-incomes, families spend more than they take in, in income, so there we just...we didn't do that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: All right. And then it seems to be approximately that...off a few percent, perhaps, but I just wanted to make sure that I'm tracking the logic of us using a Nebraska cost of living in option B, which, as I recall, is 90 or 91 percent of the national average. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's 90.1, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. And the...and I think you had indicated earlier that the big difference in cost of living here versus California or New York or Florida is the housing. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So that pretty much would be across the board at all income levels. Is that your opinion? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: No. My opinion would be, for those families at...that are spending more than what they take in, that their...you know, I wouldn't do an adjustment. I mean, they still have higher...the prices of housing for very poor populations is still...it's more uniform across the country. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. And then they may be...they may be living in subsidized housing. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: But it... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: You know,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: But it... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: And I guess, if you wanted to, you know, let's just cut to the (inaudible) option. As an economist, from what I know about expenditures, I wouldn't include that 90.1 percent difference at very low incomes. But as a commission, you could direct me to do that if you, you know, decided it was appropriate, just, or whatever criteria the commission wants to use. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, actually, if I look at your tables, there really is no difference at low income. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Exactly, and that's because I didn't...my...you know, based on my expertise as an economist and what I know about expenditures, those families that spend more than their income, I didn't make that adjustment for Nebraska prices because, if they're spending \$200 a month and I'm making adjustment for \$100 a month and saying that it should only cost them 90.1 (percent), you know, it just doesn't make sense. But you as a commission, if you wanted to direct me and say that those amounts between that second column and that column B should be 90.1 percent for every single income level, I would certainly do that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. Well, I'm not asking for that. I'm just...it looks like, for incomes under \$30,000 a year, there's really no difference. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay. That's...you answered my question. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so I'll recap on what the commission...what we're looking at in terms of the tables. So the options that are laid out in the most recent working draft are: (1) keep the existing Nebraska tables; (2) adopt the BR4 without the adjustment for Nebraska's cost of living and including the \$250 on uninsured medicals; we could adopt the BR4 without the Nebraska cost-of-living adjustment and with no medical adjustment; we could adopt the BR4 with the Nebraska cost-of-living adjustment and including a \$250 uninsured medical portion; or we could adopt the BR4 with Nebraska cost of living, no medical adjustments. So those are the different options that we've been looking at, and today we're tasked with deciding which of the tables we would like to adopt to support our guidelines. Does anybody have any questions or concerns about these being the options? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Did we not already tentatively agree that we would keep that \$250 in? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So I think that that further narrows our options today... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...or our discussion today to just the options that include that \$250 medical, which would be option B or the BR4 for the USA. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Am I reading that right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You are reading that... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Just to get us moving, I've spent some time looking at these. And while I...it's obvious that option B is...would reflect noticeably lower support figures at particularly middle and higher incomes compared with what we have now, it is...it does track Dr. Venohr's figures for the USA with that 9 or 10 percent cost-of-living difference. So just for me looking through, I've decided that I think option B is the best. I don't know where everyone else is. But if we could, you know, kind of work toward a vote on picking these or excluding them, I think that that would be great. Then we could move on to other issues. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are people feeling ready to have a motion put forward or do you want more discussion in advance of that, because I would invite Mr. MacKenzie to make a motion. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Option B adjusts for cost of living and includes the \$250 medical, right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, yes. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make that motion then. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I'll second the motion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any discussion? Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I really wonder if that cost-of-living adjustment is too high under this circumstance. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You think it's... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: You know, I don't discount the idea that there might be a cost-of-living adjustment both...given that most of the difference in the cost of living is due to housing, as Dr. Venohr argued, and both parents would presumably have to obtain additional housing when the children are staying with them, then on the things where the money is actually being transferred to pay for, we're not sure if there is a difference in cost. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I see what you're saying. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I have a question. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Bill, as you looked at the tables, what you're saying is that, if I think I hear you right, is that the incremental change between those two columns doesn't really start widening until you get to the \$30,000. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: If you look at...yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Am I saying that right? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. If you look at the very, very first column, which is the net income column, it's not one of the options. It's just showing what the family income is. If you get \$2,500 a month or \$30,000 a year, you'll see the difference between the national BR4, which is \$543 for one child, and the state-adjusted BR4 with the \$250 medical is \$541. It's a \$2 difference. That change stays very minimal up until you get to about...well, it depends on how you define "minimal," but until you get into the \$3,300-3,200 a month, so you're looking closer to probably \$34,000-35,000 a year. And it looks like it's gradually...they gradually part ways but never more than about 10 percent. So...and I don't want to put words in Dr. Venohr's mouth, but I think she's already addressed this, that there isn't much difference for the low-income parents. And low income, I guess you'd define, is under \$30,000 a year or even \$35,000 a year. And I appreciate the concerns. And I've had some concerns, too, as to whether our costs of living are really that much lower. But then I travel and I talk to people who live in higher-priced areas, the coasts, particularly, and they pay gosh-awful much more than we do--you know, \$4,000 or \$5,000 a month in rent and...or their mortgages for a two-bedroom, you know, living...home. And I think that's where the difference is, is in

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housing. I don't see that our cost of living is less when it comes to going to the grocery store or buying gasoline--or possibly buying gasoline. In some areas it's cheaper here. But I...you know, you go to the doctor; you go to the dentist; you buy clothes. It's pretty much constant nationwide. But I think housing is the big difference. And since that affects everybody that we deal with, because they're all presumably living in a home of some sort, I think it is appropriate to look at that lower of cost of living here. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Thompson, was your point that...say the national average for a housing expense is \$3,000 a month and in Nebraska the average might be \$2,000. I mean, I'm making numbers completely up just to make it easy on us this morning. Say the national average in Nebraska is \$2,000. Was your point that...but when you have two separate households supporting one child, probably both of those households combined are spending \$3,000 a month for housing? Or am I completely misunderstanding? I think I might be. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: My point was that both custodial...presumably, the noncustodial parent has the child visiting them sometimes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: And so they would have to obtain extra housing also. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So the total... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So there would be a room for the children in each house and... [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Right. So the total housing for both parents would be... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Would be... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...close to what probably our national average is, if not more. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Well, I hadn't thought about it that way but, yes, that makes sense. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: But my point was, since...and I...maybe...since housing will need to be obtained at both households for the custodial parents and the noncustodial parents, the payment going from the noncustodial parent to the custodial parent would presumably be to support other costs because the child is more often with the custodial parent, nonhousing costs. And if we don't believe those prices are different, that would be a reason to wonder if that 90...you know, that 10-percent adjustment is too steep. That's the only point I was making. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody else have any questions about that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: My only comment is that child support is to cover overhead such as housing, not exclusively but if the fact that a family has two kids means they have an extra bedroom or two extra bedrooms, that does impact their housing costs. And the fact that you have two parents living apart in different households means that the father is going to have to have an apartment or a house with an extra bedroom. And that's an extra cost that he wouldn't have if he didn't have kids, and the same for the

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mom. So I don't know that...I don't have a problem with the way Dr. Venohr has worked the numbers, but I do appreciate Dr. Thompson's comments. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Madam Chair? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Does it give us pause that the difference between what is existing and what we are proposing here is an ever-widening gap? I mean, it...we are obviously...what we have now in any one of the categories that we'd pick, as you look down at the bottom of the page, is going to be lower than the existing. So the question then I think comes back to part of what Dr. Thompson is saying to us. You know, does that disparate...is that really significant enough to lower it to that amount? And you may want to comment on that. Maybe I'm reading into your comments, Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Oh, well, I...but I don't think this issue is the reason for the lower payment schedule. So the amounts are much lower for low-income families. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: And I think that's a decision the group made for the benefit of lower-income families and presumably the public sector would be making up this money in terms of transfer payments and so forth. So I don't know that this decision about the cost-of-living adjustment is the primary driver of that gap. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No, actually, it's not. [CHILD SUPPORT ADVISORY

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ANGELA DUNNE: Because it looks like it's the updated tables, period, are causing the gap. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Yeah, yeah, yeah. That... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, because it...the medical...we've agreed to...I mean, any decision we've made about looking at a different table supporting is reducing the child support. And you're correct. And once you get into higher incomes, it's lowering support obligations by up to \$500 a month. But that's not being driven...if you look at...I think Bill's point is, if you look at the two options where we're talking about the \$250 uninsured medical, whether it's with Nebraska's cost of living or without, those numbers are not very great, the disparity there. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But I hear what you're saying. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Exactly, only I was raising the issue of whether we ought to at least pay attention to what the existing is. And are we ready to make that adjustment which would again lower it from the existing amount? That's the only question I'm raising here. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I think one of the concerns we've had initially at these hearings was where Nebraska ranked in terms of child support. And so I think when we were

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talking about that, that kind of was the feel of the commission, that the...our child support rates are much higher than other... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...than surrounding... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...than surrounding states'. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I think when there was the public hearing, part of what we heard from the public is, is that the cost of living in Nebraska is less. And so why are we not adjusting for that? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: (Inaudible.) [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we prepared to move forward with a vote on the existing motion to adopt the option B, which is the guidelines being supported with BR4, the Nebraska cost-of-living adjustment, and the \$250 uninsured medical--I don't know how to call...what to call that--cap, or whatever we're going to call it? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The offset. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, the offset. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Including the \$250 medical? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. Are we ready for a vote or would we like more discussion? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: My only comment to...for Senator Campbell is, while...if we adopt option B, it's going to reflect the...at least the middle and higher incomes, a substantial change and reduction in child support, the tables, and that whenever you go through a substantial change, it has a ripple effect. But...and I don't think any of these figures are perfect. I'm sure Dr. Venohr would agree. But my thought is that we ought to do what we think is most accurate. And if it's...if it results in the support tables being noticeably lower than they are or noticeably lower than even some of our neighboring states, if we're confident that those figures are based on sound economic data, then I think we should not be fearful to make that change and let the other states do what they do. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I just appreciate the discussion. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I do too. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I thought, for the record, we ought to have it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right, let's take a vote. [CHILD SUPPORT ADVISORY COMMISSION]

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JOSH EICKMEIER: Could you restate the motion? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The motion is to adopt the table, which is option B on page 5 of Dr. Venohr's report from December 2, 2014, which is the table showing the BR4 with updated figures adjusting for Nebraska cost of living and including a \$250 uninsured medical expense that would be first covered by the recipient of child support, and thereafter it would be divided. Is that accurate? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Not uninsured (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay, so the uninsured. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...anything that's not covered by insurance. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we have a second on that, so let's call roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Just want to congratulate the commission on moving to adopt updated tables to support our guidelines. This has been a lot of hard work, just looking at this, processing the information, and we have reached a conclusion on that issue. All right, now to move to the issue of the expense-sharing language. What we had agreed to at the last meeting was to reduce the number of days wherein parents would be eligible to utilize Worksheet 3. Judge Merritt sent some suggestions, Monty Shultz sent some suggestions, and I sent additional suggestions that we need to go over this morning. Does anybody want to start the discussion on the 4-212 language related to the use of Worksheet 3? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I also...it was late, but I also submitted something that was similar to Judge Merritt's, only I added another line to that. I think Josh is going to get people copies. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But it was just like Judge Merritt's, only where it says, "direct expenditures made solely for the child(ren) may be allocated between the parents, as ordered by the court, but, in no event, shall exceed the proportion of the obligor's parenting contributions," and then the part that I added is, "an in no event shall the obligor's monthly share of reasonable and necessary direct expenditures and child support exceed the amount set forth for that parents' (sic) final share of the obligation," on Worksheet 1, which... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I had included that, too, that suggestion. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: On yours? Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That way it can't...the joint custody worksheet, the amount that the obligor pays for child support and these additional expenses cannot exceed what they would have paid under Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. I had...so just so everybody knows, where we're talking about Worksheet 1, line 6, that's the percentage indication but based on each parent's respective share. So this is just saying, if the respective percentage is 55 percent to the person who is going to pay, they can't be ordered to pay 60 percent of expenses. That's what this means. What Judge Noakes and I are suggesting is that...and I think it's Worksheet 1, line... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Twelve. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: ...12, is that the obligor should never have to exceed what he or she would have been ordered to pay under Worksheet 1. Troy. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: The part I struggle with on that is, is that it's my belief that extracurricular activities would be expenses above and beyond the normal child support amounts. And so I'm a little concerned that if you say they should never have to partake in that amount, then I agree with the split. I totally agree with that. But, you know, if you've got a 16-year-old, their motor blew in their car and now all of a sudden you've got an expense to the family and, you know, the one that's the obligor says, well, my expense will never exceed this amount, regardless of how much it's going to cost to fix the motor in the vehicle, I mean, to me, that's...I don't agree with that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. One of the things that we have to remember: When you work to work...when you move to Worksheet 3, child support reduces significantly. We've talked about those cliffs that happen. And I think last time I talked about the case where Worksheet 3, in a case that I had, would have meant \$1,600 in child support for two kids. And the regular...the Worksheet 1 support would have been \$2,300. And in that case, we're trying to prevent one parent having incentive to overspend for children. I think that's the concern. So it would have been reasonable to cap that at \$2,300, you know, because in these situations, you have to remember, they're having more parenting time so they're fronting more of the food, shelter, those types of expenses. So I think that's the idea behind it. I hear what you're saying about when you have an extraordinary expense, kind of a one-time "we have to fix something for the child," but... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I guess I...my question is...referencing table 1 is maybe what my struggle is. I mean I understand what you're saying about there's more time. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But, you know, that's spelled out also above. And so they're ordering what those, you know, amounts would be based upon some of that time as well. And so... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They're...yeah, sort of. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: (Inaudible)...yeah. And that's why I kind of...I just don't know if referencing table 1 is the way to equate to what you're trying to accomplish. I understand what you're trying to accomplish, so. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That language, as I...is in the existing 4-212 to a large extent. It also references Worksheet 1, line 6, so that's already in there where this... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The first part is. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. I think where we're looking is maybe over...providing extra emphasis. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: This is just setting another cap on it, on what that could be. The addition of what I am suggesting is setting another top limit as to what an obligor parent would have to pay. And an obligor parent is a parent whether, you know...all child support orders start with Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: They're both obligated. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: So they all start with Worksheet 1, so... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Then they're both obligated. They're just...one is paying themself. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: One is actually paying. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right, obligated to pay. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So if you have a top limit and you set that top limit, what's stopping that judge from ordering that every time? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, no, no. All it would say is they can order Worksheet 3 support. Say support is going to be \$200 a month. What they're saying is the monthly reimbursements that the custodial parent gives to the noncustodial can't exceed what would have been ordered under Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So the judge isn't ordering then Worksheet 1. They're just saying...
[CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I understand that. But what's stopping the judge from going right to that and ordering that regardless? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Ordering... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: If he has it in there, it's... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, the way that... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Our...okay. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And we've heard Judge Merritt's testimony that we could take Worksheet 5 and plug in any number and come to the end result, right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So what's stopping the judge from doing that here? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, no. No, you can't, Monty, because you can only deviate from the guidelines...you can't just deviate for any reason. So... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I mean, that happens every day. The judge in my case deviated from the guidelines without a child support worksheet. So, I mean, it happens every day.

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[CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: What year was your order entered? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: What's that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: What year was your order entered? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Today...this year. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Entered in 2014? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: There has to be a worksheet attached to all orders. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm...(inaudible)...I could pull up the order and show it to you. There's no worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, no. I'm just saying that under (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Any references in the journal entry, there's no child support worksheet, so. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, that doesn't happen in my county, period. I mean...

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[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And maybe the commission should state that the worksheet should be attached so that it supports what the existing case law says. We can easily make that adjustment and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that could be a situation, Mr. Shultz, where there may have been a prior child support order and...was your case recently modified? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: In November. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: November of this year it was modified. Prior to that, was there a child support worksheet? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So that...oftentimes, a judge, if child support...if the...if no one petitions to modify child support, even if...did custody change? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So you were noncustodial and you're custodial now or... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm one of each. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. What happened in November? [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: My son come to live with me. My daughter stayed with my ex-wife.
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. So you went from noncustodial to custodial. If no one petitioned the court to adjust the child support worksheet, the judge likely went back and used the worksheet previously filed in that case, so. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. He didn't reference the previous worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's typically what happens if the parties don't introduce any new income information. The old worksheet would be used, so that could have been what happened in your case. But, yeah, you know, the Supreme Court has told district judges many times that all child support orders must be substantiated with a child support worksheet. So I don't think that is an issue. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That's...that ground has been plowed. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: A judge would do that at his or her peril at this point... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...to not include a worksheet because... [CHILD SUPPORT

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KARIN NOAKES: It will be reversed on appeal. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...it will be reversed. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: But I think...and I understand that it'll be reversed. But your...if you reference the Legal Aid, you know, here we have a whole bunch of noncustodial parents that use Legal Aid that can't afford to have an attorney to file that to have that modified. It sounds easy but it's not. It's something that's difficult for people who don't have an income. And with child support as it is, we have a lot of noncustodial parents that live paycheck to paycheck. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Absolutely. I think your question was, what prevents the judge from just using Worksheet 1 to begin with? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What prevents it is what we've done in the first two sentences of this section where we've said that it's a rebuttable presumption to use Worksheet 3 if a noncustodial parent has 104 days or more. I went back and looked at my...we have, like, 100-some cases pending in our office right now. It would change the support in all but two cases. And so the support would be reduced by the 25 percent or whatever it is in every single...well, not every single...in all of my cases, except for two, where...and those have circumstances that probably warrant where it's at, but...so the judge is already obligated to use Worksheet 3. All we're saying is the court can't enter an order such that it's going to result in the payor parent paying more than what would have been ordered under Worksheet 1. So it's a way to help the court define what is reasonable

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and necessary. Does that help? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It sounds like a way to get rid of Worksheet 3, because if you're talking...we're... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're adopting Worksheet 3 in most of the cases. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Go ahead. Let him finish. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What...go ahead, Mr. Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I mean if you're taking an upper limit and you're saying, okay, these expenses can't exceed this upper limit, what's preventing the judge from ordering that upper limit? [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They're not ordering...it's the...it's what's going to be... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm saying, what's preventing them? I understand that they're not ordering it because it doesn't exist right now. What's stopping them? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: It's stopping the custodial parent from seeking reimbursement that exceeds what ordinarily would have been...yeah, the... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Please...it's not appropriate for people in the gallery to make comment. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So here's how the order would work. I think there's confusion. Say the court adopts Worksheet 3 under this, as is appropriate because the noncustodial parent has more than 104 days. Okay? The order is not going to set any other amount. It's going to say child support is \$200 a month. The parties then are going to have to, monthly, exchange all of the receipts for any expense that was paid for the child that month. So say under Worksheet 1 support would have been \$800 and the person receiving child support submits receipts that total \$1,000 a month. Right? The payor parent is going to be...not have to pay anything over what they already would have been obligated to pay under Worksheet 1. So if you have a "spendaholic" who is spending a lot of money every month that we might otherwise say is not reasonable or necessary, you're protecting the payor parent. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So, like, in that case, if you used Worksheet 3, and instead of \$800, because of Worksheet 3, the obligor's obligation is \$400. That means then that, if there is an expense, if the motor blows, then that's not...that obligor wouldn't have to pay more than an additional \$400. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Well, that's not a necessary expense, the motor blows or... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: No, I mean,... [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, and... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But extracurricular activities, soccer camp, whatever you would want to (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And those aren't really necessary either. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: It is if the custodial parent now has to drive the child to school every day. Shouldn't we leave these complicated, varying issues up to the discretion of the judge? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, but they're splitting, so they're both driving them to school, I mean, because they're 50... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Well, it depends how...we may change it to weekends means you're a... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. And what Judge Merritt included, and I put it as included on mine as well, is, what constitutes reasonable and necessary direct expenditures shall be defined in the child support order. So that would have to be defined. You know, hopefully, the parties can agree and it wouldn't be buying a new car or...you know, it wouldn't. But the parties would then agree on what those expenses would cover. So that limits it. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: And the intention is to protect the payor spouse. I've had situations where that protection is warranted when we're...I'm not suggesting we eliminate Worksheet 3. We've broadened it. All I'm saying is you need to protect the spending because what child support...okay, if you'll...off of Worksheet 1, the person receiving child support pays the expenses. So they're already making decisions about what they can or can't spend based on whatever their budget is. When you open up expense sharing, all they have to do is say, well, I have to pay my 20 percent, the other parent has to pay 80 percent. They don't have incentive to manage what those expenses will be. I'm really trying to help out here, Monty, and I don't think you're...I'm not sure that you're seeing that we're trying to cap overspending. [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: Mr. Shultz, your concern is trying to control what the judge does on this matter. Our guidelines already say that it's a rebuttable presumption. Now that means that we have to follow this unless a party proves that this presumption should not be followed for some reason or another. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It will automatically be followed by courts where there is 104 or more days. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So actually, Worksheet 3 is going to be used more, not less,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's going to be used a lot more... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...a lot more. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...at least in... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes, much, much more. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Which is a positive thing, I would believe. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. Well, I think... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So the other comment I had about that, if you take away "shall," having expense sharing be required, and you say "may," I think we should look at the situation where if the court is adopting Worksheet 3 and chooses not to order expense sharing. I think that negates the point or the impact of using Worksheet 3. And then the court should go back to ordering Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : (Inaudible)...is that this? (Inaudible)...got it. I'll give this back so I don't just confuse myself further. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It appears to me that Judge Noakes has taken some of the ideas put forth by Mr. Shultz and Judge Merritt and maybe others that commented and done a pretty good job in drafting some language. And right now it's my intention to support that if we get to the point of calling it for a vote. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we want to talk about the additional language, Bill, that you had...we had looked at last time where any expenses over \$25 we wouldn't be seeking reimbursement and anything over \$100 would require agreement between the parties before those expenses were being made? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yeah. We didn't adopt that, but I think we discussed it quite a bit at the last meeting. And as I indicated, I'm pretty fluid as to what dollar thresholds we may use. But I do think it's a good idea that we also indicate in the guidelines that expense sharing should not be an issue in purchase...individual purchases under, say, \$25 per item, and that's something that's just part of the usual course of day-to-day life and that whoever incurs them incurs them. And on the other hand, if we perhaps look at a ceiling of \$100 per individual item, that if we come to a blown engine or a prom dress or a winter coat, that maybe we would require a consultation between the two parents before a parent goes ahead and buys that item. And if they two of them cannot reach a consensus, then the item can still be purchased, but they may just not get reimbursed unless perhaps they go back to court. So with...it is my preference that we include that language in addition to language that Judge Noakes has proposed. I didn't redraft that, unfortunately. I don't have it with me. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's in mine if you just take out the middle paragraph... [CHILD SUPPORT ADVISORY COMMISSION]

_____: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...which is...would be fine. But I really like that idea too. Any support that we can give so that parents aren't collecting their \$5 receipts, I mean, I think \$25 is probably a reasonable amount. After that, it should be shared. And again, the idea is to avoid parents making unilateral decisions about very expensive expenditures where the other parent would be on the hook and the only way to have a say in whether or not that was reasonable or not is to then go back to the court. We'd be giving them some instruction or some support that way. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Except those \$25 to someone making \$100,000 a year is much different than someone making \$30,000. So I favor leaving that up to each individual case. And that's something they could...we could put in the child...you know, if judges want to, they can say, in this case, looking at the incomes of these parties, maybe you can cap it at...you could put the caps. But these caps I just don't support. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, we could do this. We could say that the judge should identify a minimum expense where they would not be...you know, we could tell...but...because we're having this discussion now,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...judges won't know to do that unless... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, what it says: what constitutes reasonable and necessary expenditures shall be defined. So I think... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You don't think they'll just say this means extracurricular activities and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't know. But when you're... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I feel like they'll just be defining... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: When we're talking in terms of reasonableness, it's hard to put an

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exact number on anything... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...because reasonableness by necessity requires you consider the circumstances you're presented with in this case. So that's just my opinion on it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I agree with you. I think we could...if I were reading this, I think the courts are going to just define what should be included in the expenses. My concern is they're not going to understand that they could identify a threshold. In a high-income case, it might be anything less than \$100 isn't going to be shared, right? Or I think we could define it in a broader way, to address your point, to just identify for them the things that this commission was looking at and thought would be instructive in a court order. Do you know what I'm saying? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I also support it primarily based upon the fact also that both noncustodial as well as custodial parent go directly to these guidelines to look at and review in order to determine, "How is this going to impact me?" So the more information we're able to get out there, even if the judge...judges have leeway to decide. But if you put some sort of just parameter out there for all parties to view and see, I think it assists them as much as potentially a judge whether...I mean, I like Bill's language, the \$25 and the \$100. I thought it was a great idea. I mean, I think it's worthwhile. I don't...I guess I'm trying to look for the negative in it and I'm not...by not leaving it in there, you know, what benefit is there to that? I just..."What's the negative of having it in there," is my question. I mean I understand what you're... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The negative is... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean I understand what you're saying. [CHILD SUPPORT

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KARIN NOAKES: The negative is that you have two people who are divorced having to consult on things constantly. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But with this you're less likely to have that because they know that there's been... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...some sort of lower...I mean, do you kind of see what I'm saying though? It's that if they know that it's not...if the judge has said, based up on this, you know, lower threshold, anything \$2,500 you don't need to consult one another, you're on your own, \$100, you know, here's the thing: You should probably consult one another because there's probably going to be some differences here. And so it doesn't have to be those amounts. The judge has that ability. But if the parties coming in have some understanding that that's probably the route the judge is going to take, because they can read this also, it says, hey, I'm agreeable with that or I'm not agreeable with that, and they can kind of set the threshold coming in. Like Angela had said when...you wouldn't believe the amount of parties that there's just these teeny, little things that they don't have...the reason they don't know is because they don't have any other advisement that's free, you know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, they should... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean, and I'm not trying to advise. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: They should have their attorneys' advisement where their attorneys draft an agreement that's reasonable for these parties. And so that, that is what Judge

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Merritt and I have proposed, is that. Go ahead. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Is there a way to...that last sentence...and I agree with Judge Noakes. I...instead of setting up situations where you're going to...a potential for conflict is always there, otherwise they wouldn't be, in those cases, getting a divorce. What constitutes reasonable and direct expenditures shall be determined and defined on a case-by-case basis because, I mean, for some high-income families, \$100 is not a big deal. I mean it would be for most of us, but...so I...is there a way to make it determined and defined in each specific child support order, something to that effect? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think that's...here's what happens if we don't define it. I work in the counties where we use Worksheet 3. And you have parents collecting--well, I had to go buy a folder for school for my child and it cost 99 cents. It goes on the list for reimbursement because there's no guidance to say, look, anything under \$25 or...it's why...it's the same principle that we used in adopting the \$250 on uninsured medical. I'm not saying it's right or wrong. I'm saying this is what happens right now with no guidance, is that then you've got all of these little expenses that...and then it invites parents to want to argue about it for something that...it just...the cost of something that's \$25 or less, we shouldn't be inviting that. Do you know what I'm saying? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I know what you're saying, but why isn't it...wouldn't you...I mean, by saying, "determine what's reasonable and direct...necessary direct expenditures," there...you're directing the judge and the attorneys to define that. So for...and one size does not fit all, I don't think. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think...I don't disagree with you. I think that this is wise. I'm unclear that the courts, in reading, "What constitutes reasonable and necessary direct

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expenditures shall be defined," I don't know that they will read that to identify, "I need to set a cap of what is going to be reasonable and after that they decide." And a minimum on anything under \$5 or whatever it's going to be shouldn't be divided. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that's correct because in not every case will that be necessary. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. Ms. Dunne, I might offer a proposal that at the end of Judge Noakes's proposed language we have in parentheses language such as, "A court may establish a minimum dollar amount at which an individual expenditure shall qualify for expense sharing and may, likewise, establish a maximum dollar amount at which purchase of an individual expenditure will qualify for expense sharing without the parents first having agreed to the purchase of the item." In other words, it's an...it's not...it's an example of what the language above means, to give a little bit of extra direction, not just to the court but maybe to the parents. And so that way you might get away from that \$25 rigid figure. And the court may think that, in a lower income situation, \$10 might be more appropriate. And then if you're, you know, Mr. and Mrs. Gottrocks (phonetic), it could be \$1,000. I don't know. But that gets the court a little more flexibility than putting a rigid dollar figure in there but also would include a little clarifying language as to what the rule means. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you for articulating what I was trying to suggest. I appreciate that. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I like that idea also, and I wouldn't mind hearing from the noncustodial parent and custodial parent whether they support or not support. Monty, I mean, what do you...how do you feel about this particular item? [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Well, I think you allow then the custodial parent to maintain that...maybe a negative control over that other person: I spent this money, and so you're going to pay me. And I think you have to take that off the table if you're going to maintain an idea of someday having shared parenting or joint or equal parenting. This has to fall back on the parents and the parents need to be responsible. The more leeway that we give judges, it seems like the worse issue that this becomes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Monty, in these cases, you as the noncustodial are also gathering your expenses for the children. It's an exchange between both parents, so it's not... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It's not...it doesn't...in a perfect world it may work that way. I don't get along with my ex-wife. I pay for what I pay for when I have the kids. I don't deal with her. She doesn't deal with me. We get along that way. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But you pay child support, right? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I don't pay child support right now. I did up until last month. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But if you're...if the judge is adopting Worksheet 3 and says, here's what it is based on the time, and you have to do expense sharing,... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I can give you an example. I had custody of my oldest daughter. She needed new tires on her car. I said to her, you know, it's the middle of winter, it's

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dangerous, she needs new tires on her car--I'm sorry, I can't help you with that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, this is what...this is...you're making my point. When you're only ordered to pay child support, custodial parent can make that decision or not. When we move to Worksheet 3, that decision is not allowed to be made because you're both...you could have bought the tires and submitted your reimbursement to mom. You have to do expense sharing. So... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: But I think when you're looking at this and...you know, Judge Noakes said at last meeting that she leaves somebody in charge. That allows that person to dictate to that other parent what's going to happen. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Which was my point, that then that's not joint custody. If it's...all I can say is in...when I get orders for joint custody and we're using Worksheet 3, it's not a mom or dad who is paying. It's both parents are submitting their receipts to each other. They reconcile it at the end of the month. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And other well-known attorneys, divorce attorneys, throughout the state say to me that, hey, Worksheet 3, it works. When that parent...when that child is with one parent, they pay; when that child is with the other parent, they pay, and that's how it works out well. And, you know, they're a prominent attorney throughout the state of Nebraska. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But that's not what this provides. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It's not. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So...I agree with you. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And so it needs to be...I think you have to have less discretion for the judges, not more. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're not giving the courts discretion. We're giving the parents tools to know what they're supposed to be including in their monthly reconciliation reports. Well, but... [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: So (inaudible)...Monty, so help me here. So with the example of the tires, just for my own clarification, how would you see that happening in a way that would be fair to both? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I paid it. She lives with me. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So that...that's a worksheet... [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: But how would you...and that's how you would like it to go? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: You know, that's how it maybe should go. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: And so it leaves less of this open to interpretation. I don't know that, you know, adding more fluff to a guideline makes it easier to follow. I think it makes it much harder to follow. Less is more in a lot of cases. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So you're saying that based on the relationship that you have with your...the...your ex, expense sharing is not feasible in your situation because you don't get along. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yeah. I wouldn't even attempt it. No. I...we have different views on everything. That's why we got divorced. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So if you were ordered to share... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And I think if...you're creating conflict. Parents are divorcing for a reason. Very few choose to get along for the kids. They're divorcing for a reason. I think when you create an environment where they have to have contact for expense sharing, you're creating conflict. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I couldn't agree with you more. It's what I have been saying over and over and over. [CHILD SUPPORT ADVISORY COMMISSION]

_____: You've been telling me that. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So I think you have to make it simpler in that the parents have to be responsible for the child, period. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: I honestly could not agree more. It's what I've been saying until I've been red in the face about my concerns with this, because that's not what this directs us. It's not what the court orders are going to say. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And I think if you put more in here, it's worse. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, now, to be fair, Angela, not every justice or judge in the state has problems, like you are explaining you have problems with. I mean, that...it's not fair to presume that there's this problem throughout the state and that judges aren't able to determine what's reasonable. It isn't fair. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: You know, we're talking about 13 percent of the cases in the state of Nebraska. That's what we're talking about, 13 percent. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, not if this change is adopted. It'll be a lot more. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: This would open it up. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: This will open up a lot more cases. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. So do we want to make that easier for that to happen, or do we want to make it hard for that to happen? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: We've already opened it up. What we're trying to do is make it easier to minimize the conflict that you just talked about. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. And so when we start putting things in here that we have to have parents listing their direct expenditures and exchanging receipts, we're opening things up for conflict. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, that's already in the guideline now. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: That what...it doesn't need to be there. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I guess we can vote on that. But unless there's... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And to your point, Judge Noakes, what I'm seeing courts do where they have parents in conflict, they are doing what we're discussing. They're setting a minimum and they're setting a maximum. They're saying any...Judge Kelch in Sarpy County will say anything over \$75 you have to reach agreement. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: But it's based on that case, specific case. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: He does it in all of his cases. [CHILD SUPPORT ADVISORY COMMISSION]

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JUDY BEUTLER: The same amount? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Um-hum, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: (Inaudible.) [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So that's my only...I practice in front of, all told, 19 different judges that do...and I'm not saying...I'm just saying that what we're...they all do 19 different things and if we could give them a guide...I understand about not setting specific amounts. But each of us could interpret this all differently right now, which is exactly what happens with the judges. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: That's their job. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I think Bill's language was very good in how he changed it to take the amounts out. [CHILD SUPPORT ADVISORY COMMISSION]

_____: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

_____: I do too. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we...do we want... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And if the language is, "a court may establish,"... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's what it says, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: I think if you leave that language in there, you know, it may...as a, you know, (inaudible) thing, it's more likely they change that when they read that guideline to "will." Yeah, I mean, I see that over and over again with people who are paying child support beyond their means. So that whole issue throughout the state, and the discussion, has been that child support is too high across the state of Nebraska. So if we make this more difficult, it makes the...Worksheet 1, line 12, your obligation can be this high. So what's stopping, again, stopping that judge from doing that? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: There's a distinction between the obligation and what they might be required to pay each month under expense sharing. So we're not saying that they're paying up to Worksheet 1 each month. We're saying that it stops there. So there's a good chance they'd be paying less. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And also, it's not a monthly thing that's going to occur. An extracurricular activity is a single thing, so...and that was part of why I struggled with, you know, utilizing page...the Worksheet 1... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, because if you're not... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...is because I don't...yeah, I just...my question is, is that the right guideline to use, because, you know, to me,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, if you're paying volleyball and (inaudible)...yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...I like the idea of limiting the amount because I like where you're

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trying to drive it, is you don't have one parent who can afford way more and then having to have the other one pay even more towards higher expensive items that not both parties agree with. So I just didn't know if the worksheet dollar one was...you know, I understand. And also, since it's not reoccurring, it's just a one-time extracurricular thing, so. So I think, Monty, that would address your deal that, you know, they're not going to continue to pay the higher amount because this is only for the expenses during that particular month, whether it be a soccer camp, whether it be...whatever it might be, that we have to figure out some way to pay this. And "we" being better than just one of the parties, is how I look at it, because if both are participating, you know, I think overall both parents feel better about it. But I think even the children both feel...I mean, the children feel better about it as well that, you know, there's some sort of equitable way to figure this out. What is it? This assists with that, is my belief. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So, Bill, did you want to amend your motion to include the additional language? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. And if people want to see it, I can have Josh or somebody make copies. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. I would. Before we vote on it, I'd like to see that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'm just finishing writing it out legibly so he can perhaps make copies here real quick. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Great. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I don't know if...maybe this might be time to take a break. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yeah, lets...why don't we take a five-minute break while we get copies so we can read... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Almost done here (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...what we'd be voting on. Does that work? [CHILD SUPPORT ADVISORY COMMISSION]

BREAK

ANGELA DUNNE: I think we'll come back together. Okay, so we have, in addition to the already proposed changes to 4-212...I'm not sure whose...whose version is this (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That one is mine. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, that one is mine. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So to add to Judge Noakes's suggested change, we would be adding a sentence at the end that would read: A court may establish a minimum dollar amount at which an individual expenditure shall qualify for expense sharing and may, likewise, establish a maximum dollar amount at which purchase of an individual expenditure will qualify for expense sharing without the parents first having agreed to the purchase of the item. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: And I put that in parentheses. It didn't get typed that way, but...
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So that's the current motion on the floor. Did we have a second on that one? [CHILD SUPPORT ADVISORY COMMISSION]

_____: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Did you have a question, Judy? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Did you have a question, Judy? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Has this amended 4-212, has that been... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: I wonder... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: My proposal would go at the end of what Judge Noakes had proposed. [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: I'm wondering if we shouldn't mark these or something,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That's fine. [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: ...like make an example and say... [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : There's two. [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: ...and just...because we have a lot of different ones floating around and that way Dr. Venohr gets the exact written...do you want to take this? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, or I could go through and we could vote on each of the changes so that we're crystal clear. You want to do...no? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I think that's a good idea. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : I don't think we have to do that. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Yeah, because... [CHILD SUPPORT ADVISORY COMMISSION]

JUDGE NOAKES: Let's...let's... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, people are saying yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: One at a time. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: People are saying no. [CHILD SUPPORT ADVISORY

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SENATOR CAMPBELL: If the two people would withdraw their motion at this point, because it's really not...you could call it out of order in the sense that we did not have a motion on the floor with regard to what this...what is this amendment to be attached to. So if we could sort of start over maybe and start with a motion, which I will make, to adopt the Noakes amendments to Section 4-212... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will second that motion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Without the addition of... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think we ought to vote on that in the sense of getting that on the...are you...are...we could discuss...let's put it this way. We should discuss any points we have on this, and then we could take the amendment to it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Very good. So for clarity, what we're calling Judge Noakes's suggested revision is to change...is to already adopt what we voted on last time, which is to: lower number of days; change the...such as clothing...it's just an example, would be clothing and extracurricular activities...changing the "shall" to "may be allocated between the parents as ordered by the court"--should we say "or agreed to by the parties," because they can certainly agree, either way, okay--"but, in no event, shall exceed the proportion of the obligor's parenting contributions (worksheet 1, line 6,)"--which is the percentage share--"and in no event shall the obligor's monthly share of reasonable and necessary direct expenditures and child support exceed the amount set forth for the parents' final share of the obligation (Worksheet 1, line 12). For purposes of

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these guidelines, a 'day' shall be defined as including an overnight period. What constitutes 'reasonable and necessary direct expenditures' shall be defined in the child support order." That's what's presently on the table. Does anybody want to have discussion about that, or can we vote on... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But now we would take an amendment. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You want to do that, or do you want to vote in...vote on it as it is? I don't care. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Or do we need to take an amendment? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think what the discussion should be among us first is, are there any other changes to that original motion before we take the...your amendment? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The only concern I have about this is if we change it from "shall" to "may," if we have a court ordering support under Worksheet 3 and there's no expense sharing ordered because they're not directed to do it, what happens then? I had suggested that then they go back to Worksheet 1 because if...because then I'm just not sure who is paying the expenses. That was my only concern about...if you don't make it mandatory, that they order expense sharing with the reduced child support, who is paying? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: They both are. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But that's not what this says. [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: So... [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: What was the reason that you changed it to "may"... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: That's what we'd do on the floor. Maybe that would help (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: ...from "shall" to "may"? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think Judge Merritt did that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That may have been Judge Merritt that proposed that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But do you see what I'm saying? If they don't, then...the concept between...behind Worksheet 3 was you've got more equal time sharing; child support should go down. But some of these expenses that are not repeated in households--they're the expenses for the kids' extracurricular activities, these one-time expenses--the idea is...the reason that the Child Support Commission adopted expense sharing years ago was because then it's fair that these are getting shared. But if we change it from "shall" to "may," the court doesn't have to do it. They can reduce child support significantly, but then we don't know who is covering these expenses that are not duplicated inside the households that are just incurred for the child. So... [CHILD

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MONTY SHULTZ: So if I may, you added, "or by the parents' agreement," right, after the...after "ordered by the court," "or by the parents' agreement." So if there's no expense sharing, that maybe would assume that it's by parents' agreement that there's no expense sharing, right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, you could have it... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So why do we need to add that language to make a judge determine what the expense sharing is? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because if you don't have parents' agreement, then the judges have to decide. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And that's the point and that's okay, right? But what's...in the guideline, it's to guide the judge what decision he needs to make about child support. If the parents agree that there's no direct expenditures between them, then we don't really need to have that. Right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You're right. It's only in litigated cases where the parents haven't reached agreement. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And so the judge has the opportunity to do that. Right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They can order it or not. [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Right. So why do we need to have that, you know, further defined, I guess? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because you don't want to...okay, you don't want to have this scenario: Court, because of the time, adopts Worksheet 3, is silent on expense sharing, then there's no clarity for the parents on who is paying what for the expenses that are not duplicated in their household. We want to avoid that because then nobody knows who is paying what for those expenses. That's my point on that. When you have "shall," the courts have to say, we're going to have expense sharing and this is how it's going to work. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I don't agree with that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: As I recall, Judge Merritt didn't like the word "shall." I think he...with the transcript, it'll be clear as to his exact words. But he felt it was more of a club to use the word "shall." And then if the parents are...we presume the parents are in agreement or we wouldn't be using Worksheet 3. There's...they've got to agree to joint parenting or the court can't use it. As I understand the case law and the statutes, you don't go to... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But we changed... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Pardon? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We changed that with the days. It's a rebuttable presumption now. We've changed that, Bill. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Well... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So the court is not going to have discretion in cases it... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, it... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, we've just changed the minimum... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: He could rebut the presumption if he...if the court finds that parents aren't getting along enough to share these expenses, then the court can go back to Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Which is why I suggested the additional language, but that's not in here right now. You see what I'm saying? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's why I was suggesting that we incorporate language, so that... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...because right now, as it is, if this were what it was with no other clarifying language, it changes the support in the majority of my cases and there...whether there's agreement or not on it. And if we change this from "shall" to "may"... [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Well, it's a rebuttable presumption. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So it's not an automatic. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And it's also when a specific provision for joint physical custody is ordered. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, but if the court says that somebody is going to get 106 days, they can't say that it's not joint physical custody. I mean, if you're ordering parents (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: One hundred and six days that your (inaudible), right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's what I'm saying... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...which, in my counties, that's my...the parenting time exceeds that

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and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So you're just wanting to change the "shall" to the "may"? Or the "may" to the "shall," I mean. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct, or we give a directive if they're not...if we leave it discretionary, that they may or may not, we need to say, well, what happens if they don't order it? But I think we saw that by saying that they have to talk about it, whether it's zero or...you know what I'm saying? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Ms. Dunne, do you want to make an amendment to the language... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or do you want to withdraw it? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...to strike the word "may"? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I think maybe the whole thing should be read into the record if we aren't going to mark a copy. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: When we get to the final, then we should read the final. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I would propose an amendment that we not change...not strike the word "shall" and substitute "may," that it reads, "shall." And that would be the only change right now to the court provision that we're looking at before we look at an amendment. Do we want to vote on that? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: You need a second? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, we need a second. No second? [CHILD SUPPORT ADVISORY COMMISSION]

_____ : I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: You beat me to it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can we call roll on that? I'm going to read what we're...so the...4... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The section that (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Section 4-212, "Joint physical custody," would read as follows:
"When a specific provision for joint physical custody is ordered and each party's parenting time exceeds 104 days per year, it is a rebuttable presumption that support shall be calculated using worksheet 3. When a specific provision for joint physical custody is ordered and one party's parenting time is 91 to 104 days per year, the use of worksheet 3 to calculate support is at the discretion of the court. If child support is determined under this paragraph, all reasonable and necessary direct expenditures made solely for the child(ren)"--for example, clothing and extracurricular activities--"shall be allocated between the parents, as ordered by the court, but, in no event, shall

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exceed the proportion of the obligor's parenting contributions (worksheet 1, line 6) and in no event shall the obligor's monthly share of reasonable and necessary direct expenditures and child support exceed the amount set forth for that parents' (sic) final share of the obligation (Worksheet 1, line 12). For purposes of these guidelines, a 'day' shall be defined as including an overnight period. What constitutes 'reasonable and necessary direct expenditures' shall be defined in the child support order. Ready to take roll? All right. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And now Bill would like to make a motion to add a sentence to that.
[CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay, and it's been passed out to everyone. It would be in parentheses at the end of the language that Ms. Dunne read: "(A court may establish a minimum dollar amount at which an individual expenditure shall qualify for expense sharing, and may likewise establish a maximum dollar amount at which purchase of an individual expenditure will qualify for expense sharing without the parents first having agreed to the purchase of the item.)" [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do I have a second? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Further discussion or can we move forward with a vote? Let's vote. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: No. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Madam Chair, I would move now the guideline 4-212, as amended, so that there is a record that we accept the whole. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Do I have a second? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Judge Noakes, do you want it read? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That, what, that you accept that that would be included as part of 4-212? No, I think we're good. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: As amended. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You want me to read it in its entirety? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Judge Noakes, do you want it in the record? [CHILD

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KARIN NOAKES: I don't. I don't think so. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. It's fine with me to just proceed. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But we should vote? Yeah, so we need to vote. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Okay. Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: No. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Okay. That concludes our discussion on Section 4-212. And...what (inaudible) says. Josh? Says now (inaudible). Dr. Venohr, can you, the next item on our agenda is to review, discuss, and take possible action on Exhibit 1, summary of motions with guideline changes. Can you tell us what we're...where we should be looking?
[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. Can you hear me? I kind of lost track of whether I have the mute on.
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, we can hear you.
[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. Excellent. This is on the December 8th brief with...has a picture of a kid with a pencil.
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The...would you mind saying that again?
[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's a brief that was prepared by Center for Policy Research with the child with a pencil--he's doing some work in a classroom--and it's dated December 8th.
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I have one that's dated December 2nd.
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: November 8th you said?
[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: December 8, 8 as in Crazy Eights.
[CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: I don't know that I've received that yet. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: We have a December 2nd one that says "Review of the Nebraska Child Support Guidelines," compare... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. Unfortunately, the same picture was put on both of them. There was one that Josh sent, I think it was yesterday or the day before, that has the strikeout. The title is "Review of the Nebraska Child Support Guidelines" draft strikeout redline. It was with the agenda when he sent it out. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I didn't get that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I don't know that I have it (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Let me go and make copies (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't think any of us have it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Dr. Venohr, we're going to have to pause for a moment so we can get copies before the commission. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. And I want to thank you for spelling out or saying all the specifics that will make it...that will streamline and expedite the drafting of the report. So

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thank you so much for taking the time to do that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You're welcome. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Could we skip this and move on to something else? I have a feeling it might take him a while to get that stuff copied. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Sure. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: (Inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Sure. One of the issues that we had discussed last time was to add day care as an add-on into the guidelines. I had e-mailed out a compilation of what I had gathered from the examples that Dr. Venohr provided regarding how other states handle this. I'm not tied to anything; that I was just capturing kind of the main points that seem to be consistent in each of the statutes about how we do that. And then I attached a sample order to show that the courts would have to or should be required to include both the calculation with and without, so parties don't have to modify later once day care is no longer a cost to the parents. Does anybody have any comments or want to start the discussion on...I sent this sheet. It had eight points on it. Again, this is just, I was picking out what seemed to be consistent in every state when they were adding on day care, which we had decided to do. So I'll just kind of...I'll go through 1, that it only include day-care or preschool expenses that are due to employment of either parent or to allow the parent to obtain training or education necessary to obtain a job or enhance earning potential. That's how it's treated now across the state. We don't exchange day care for social outings or entertainment. It's work or school related. Essentially, we would just be preserving that. Two, that the childcare and/or preschool expenses shall not exceed the level required to provide quality care from a licensed source for the

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children. And I think Dr. Venohr had said... [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: I don't think all of us have copies of what you're referencing. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I sent it on December 5th, last Friday. Amy, I can't read from it. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Is there a date on the e-mail? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: December 5th. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It would have been last Friday? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, in the afternoon. Don't know what I was doing working on a Friday afternoon. [CHILD SUPPORT ADVISORY COMMISSION]

(PHONE CALL DISCONNECTED--BUSY SIGNAL AND NOISE)

WILLIAM MACKENZIE: I don't know what I did but obviously hit the right button. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Venohr. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I'm sorry, I was disconnected. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Ms. Dunne, is this what you're referring to, or is it this, or is it both? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The child's...the childcare. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: This? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. We're done with that one in red. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: All right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: To spin the guidelines she's proposing like... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so we had... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...under 4-214? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So this would be Section... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: 4-214. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...4-214. The commission has already decided to include day care as an add-on to the worksheet, but our existing guidelines don't give any guidance to how is that included. So what I did is I looked at the sample statutes that Dr. Venohr provided and I included all of the main categories that different states had. So I think we should just go through each one and say, yeah, do we think this is a good idea or not. I'm, again, I'm not tied to anything here. I just wanted us to all be talking about how other states have addressed it. So the first one was do we want to limit it just to employment or school-related day care or preschool... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Childcare. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...childcare; day care, childcare, preschool? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And day care of children, not day... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And the way it currently reads... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, I'm sorry. I was like, I don't know what I'm saying that's upsetting you. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The way it reads now is, childcare expenses are not specifically

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computed into the guidelines amount and are to be considered independently of any amount computed by use of these guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we voted to include them, so now we need to define how that's going to be done. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, they were always included but you want them on...we included them on the worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. So do we just...shall we just go down... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, let's see... [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: I made copies. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Thank you. We've moved on to a different topic just to keep it moving, so. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Sure. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Madam Chair, in our large books we do have the guidelines and so it might be helpful, if we're proposing some changes to those guidelines, that we all take a look at what they are. They're in the very first section under background materials and... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, and we're referring to 4-214. [CHILD SUPPORT ADVISORY

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SENATOR CAMPBELL: ...214, okay. And so what is...all eight of these points would go in there? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Is that what you're proposing? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: In place of 214... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...as it is now? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: All right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Do you want to have discussion and vote on each individual number? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think that would be the easiest if we just went through so we...right? So the first suggestion is simply that we define that the childcare or preschool expenses that should be included in 4-214 are due to employment of either parent. It's essentially

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the employment or school-related day care, so we're not talking about social or...
[CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: And isn't that already in there? [CHILD SUPPORT ADVISORY
COMMISSION]

ANGELA DUNNE: It's not in here. It's what courts do already when they're ordering a
division of the childcare costs. They limit it to these two: employment or school-related.
I'm just saying... [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: That what it says. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And currently. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, maybe we should all just take a minute and read it first and
then let's maybe discuss, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, yeah. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Because that's in there already. [CHILD SUPPORT ADVISORY
COMMISSION]

ANGELA DUNNE: So I think Section 1 is do we want that to remain? [CHILD
SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, I don't think we change the definition of childcare expenses
so... [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: You want to make that motion? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't think we need to make a motion to keep it the same,... [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: It's already there. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. All right. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...yeah, so let's just...so we've just discussed 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Then, "The child care and/or preschool expenses shall not exceed the level required to provide quality care from a licensed source for the children."
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And is...are you saying that it shall not exceed...what was our health and human services source? Do you remember what it was called? We had day-care expenses and we had in-home...or center expenses and in-home expenses, and that's available and updated every year, is it not? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yeah, I believe that's true. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Kind out of my area a little bit but... [CHILD SUPPORT

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ANGELA DUNNE: So shall we add to that the source site, "as defined by"? Can we do that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Are you getting too hypertechnical if you do that? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Maybe. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'm just a little concerned that sometimes people are capable of taking things and reading comments since explanations into...interpretations of what it says. Let me back up just a minute. What were we going to do with number 1, paragraph 1? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's already in... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: One is already in the guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...so we're just not...we're not changing. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It is in 2...4-214? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Except it's not. The first line is, but in our...if we're going to follow what we have agreed before, we'll need to change the guideline where it says, shall be allocated to the obligor parent, as determined by the court, because we wanted, instead, for it to be allocated to the obligor parent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's going to be added to the basic obligation. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's going to be added as what? Number 9 on... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah, in 9... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's going to be deduct... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Worksheet 1, line...new line 9, and so we couldn't use the existing language because that would be conflicting. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: At least the second part of number 1, right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: When I drafted it, I just went to what... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: That's okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I didn't read the...I'm sorry, I didn't read the existing. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, that's okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I just said this is how it should... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: These are talking points basically, sure. So we need to figure out different language, so what we decided on the day care was that... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is this: We said it shall be added to the basic obligation and shall be divided between the parents in proportion to their adjusted gross income. Is that... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So it's added to the basic... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...it's added to the table amount. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: And that's what I wrote in paragraph 1 of my suggested language.
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So let's change it then: shall be added to the basic obligation and shall be divided between the parents in proportion to their... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Adjusted gross income. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is that what that is? Adjusted gross income, Worksheet 1, line 6. Worksheet 1, line 6 is... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is the percentage of (inaudible) it's the percent contribution of (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So that it just can't, if it's 50/50, they can't order it 60/40. (Inaudible) how it works now. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But is it added to the monthly net income or is it added to the monthly gross income? Doesn't...aren't items 1 and 2 , "a" through "g," determined, and then we get a net income? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It's added to net income. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So we change this to their adjusted net income. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. Or I don't know about adjusted. How about just "net income," since our worksheet says...just says net income. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, adjusted gross. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, that's what I was... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Let's just say net income. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So what we're suggesting is that we revise Section 4-214 to say, "Child care and preschool expenses, which are due to employment of either parent or to allow the parent to obtain training or education necessary to obtain a job or enhance earning potential, shall be added to the basic obligation and shall be divided between the parents in proportion to their net income (worksheet 1, line 6)." And that would replace the first...well, I think... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, that would just replace from here on here. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, we can't say they're not specifically (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Oh, yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I think you've got to start at the very beginning with a new beginning. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, we've got to just take this out and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We're going to need, yes, probably some time. But maybe we should go through the talking points and decide on those, and then we come up with a draft to vote on. Should we do that? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Good idea. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So does anybody want to move that we agree that it should still be limited to employment? It's going to be added to the basic obligation and divided between the parents in proportion to their net income? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: In other words, language in paragraph 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: I'll so move. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any further discussion? All right, let's take a vote. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right. Okay. All right. Then the next provision that we could add or not is that childcare and/or preschool expenses shall not exceed the level required to

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provide child care from a licensed source for the children. The intention in other states around this is that one parent can't choose a childcare facility that far exceeds what Nebraska has identified as reasonable childcare. They can choose it. They would just pay anything over the top of what the cap would be stated in our Nebraska...in the Department of Health and Human Services, what they define as reasonable. I think this is the intention. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: My question is, we're going to go back to Monty's question much earlier and that is, if you're trying to figure this out for yourself without an attorney, or we'll go to Amy's point, how are you going to know where to go for that? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, that's why we would need... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, that's what I was saying. Is there a link that we could add to it, because... [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Well, is there, I guess? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...as we understand it, it's updated every year. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yeah, that's sort of outside my area. I could get the information but... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It's Title XX, isn't it? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, did you mention to us that annually these are published and accessible? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: No, they're not. Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, they...I can't remember how often they must update it but it's not annually. I think it's every time they renew their state plan, which might be...I would...off the top of my head I would say three to four years. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Are we referencing the Title XX hourly rates that are set? Is that what we're talking about? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Is that what you're doing? [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Those are the only Title XX guidelines I'm aware of. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I'm not even sure. You don't know from the departments? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: No. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Actually, let me correct that. The department is going to set rates that they use for reimbursement. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes, that's what you were referring to. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, but they...they're required to do a market study as part of their state plan, you know, where they go out and collect data. So that study is done not...isn't done annually, but they update their market rate probably annually. I mean a lot...I don't know that for sure, but a lot of states do update it for inflation, you know, to see (inaudible) you know, a COLA or something like that. The one thing that I do want to caution is that those rates are usually 70 percent of the market rate, just the way the rules are for the childcare subsidy program, the block grants. That states what they can reimburse is 70 percent of the market rate. So it's on the market. If there's 100...a sample of 100, they'll take the amount for the 70th per provider. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, I think that's... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But in Nebraska statute, it...I mean we just went through this a couple years ago. We also set the floor, that it couldn't be less than 50 percent. I mean there's great discussion about this whole market study thing. I don't know whether there's a quick link to what this is. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I, you know, frankly, I think you're going to want to check that out to figure out exactly where you're going to send an attorney or a parent to look at that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't...I don't think we should do that at this time. That's my opinion. I don't think we should include paragraph number 2 or any form of it at this point in our guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: So what does a judge do to determine that (inaudible)? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, the parties...if someone is objecting to it,... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: If the parties (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...they can always present evidence to the court and say, she's...which has happened, she's paying day care to her mother at twice the rate she could get it here. And then it's up to the judge to determine what's reasonable, so. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So if the idea is to create a cap, because, I mean, I look at this and I see market is different, Omaha is different than Lincoln, which is different than Kearney and, I mean, across the board. If the idea is to create a cap then, you know, it's not like you need to find a total in every market. You need to find the highest cap in the highest market in, potentially, Nebraska. I agree with you, I don't know if it's a good idea to even cross, but if we did, I think that approach would have to be the route because you're trying to establish a cap. So if it was determined that there is a county or whatever, because childcare providers have to be licensed and there are, like, the market variables that you can establish and determine. All families are aware of it because in order for them to receive the subsidies and that type, that's how they fall into it. It would be like Omaha or some market is what you would have to utilize, in my mind, or something. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But, folks, we tend to really, in the Legislature, we have a great understanding that Mrs. Smith who lives in Oakland, Nebraska, is probably not going to

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be licensed. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. That's the point I was going to make. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And when you start saying this has to be from a licensed source, you are opening up a situation in which there are parts of Nebraska there are not licensed providers. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, I... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I don't think what she's saying... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...is it has to be from licensed; that's what we would use. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's the monetary standard. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yeah, I understand that, but... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But there are many communities that don't even have a single licensed provider in that community. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: So how do you compare that? So I... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I agree with Judge Noakes. I think 2 should not be included. I think it's too difficult to look at something statewide. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, and the states didn't give any further clarifying. I just pulled the sentence they were using. So do you want to move that... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't know we need to move anything... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We don't need to move. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...because these are just talking points. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Okay. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: This isn't anything really. So...but I think it's great that you put this together because it's going to bring out a lot of things that we've discussed. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. So it would only be if somebody wants to move to include it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. I would say. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Are we complete on the discussion about the....okay. The third talking point is, "The court has discretion to determine whether proposed or actual child care or preschool costs are reasonable, taking into consideration the income and circumstances of each party." I think this, Judge Noakes, is what you just said, what courts can do. We would just be saying that they can decide what's reasonable and necessary, given the market in their county, licensed or not. And I think this is what you said. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think we're already doing that. I don't think it's necessary to include anything like that. But that's just my opinion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think if we're changing how it's structured into the guidelines, it's helpful to remind the courts that they have the discretion to determine the reasonableness of it. I think, yeah, yeah, but I'll see about that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I don't see any downside to including it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Neither do I. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So I'll make a...do we need... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And then... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make a motion that we adopt... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: And what do you mean by...the only thing, if you're wanting to do that, one of the concerns I have is, considering the income and circumstances of each party. What do you mean by "circumstances"? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think it's what you said about if...so say we've had a stay-at-home parent now is going into the workplace. Day care is going to be required, so that's why we're talking about proposed expenses because the situation is going to change. The court can just decide. If one parent is saying, well, we should pay \$1,200 a month for day care and another parent is saying, yeah, but we could pay \$900 and it's comparable care, they're just...they're looking at, well, what do each...what does each party make and what's reasonable given those circumstances. It can go...I can give you a... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I just feel like that may be inviting conflict. It may be inviting one parent to say, I don't want my kid at that day care because, you know, they're a different religion than we are, you know, that kind of thing. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Wouldn't you have that with and without this, and don't we have that now? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll go ahead with my motion that we include paragraph 3. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY

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TROY REINERS: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any further discussion? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: What was the motion that... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: To include it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: To include paragraph 3. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And maybe you should read that because it's really not in the record. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. We are voting on the inclusion of the following language: "The court has discretion to determine whether proposed or actual child care or preschool costs are reasonable, taking into consideration the income and circumstances of each party." Any further discussion? (Inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Motion does not advance. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. The next talking point is, "Additional child care and/or preschool expenses may be considered if a child has special needs." I think actually we would have only needed this section if we had included number 2, because this is contemplating care for special needs children that far exceeds care that would have been defined in number 2. I think that's the intention of why we provided that, so I'm not sure that we need this if we weren't capping it in any way, because then the court can still consider special needs children and care. Does everybody...is there agreement on that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Fine. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So I think we can move past number 4. The 5th talking point was "If child care and/or preschool expenses fluctuate during the year because of the

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seasonal employment of either parent or the child's school attendance, the court must determine child care and/or preschool expenses based on an average monthly costs." This is the annualization provision. We have a lot of cases where parents work, say they have a lawn service, and childcare is not needed in the winter months because that parent is then at home. Or, two, that childcare always increases for most parents in the summer versus what's happening in the school. And this is just saying we annualize it so that the child support office is not having to calculate what support or what day-care credit gets counted for each month, because I'm guessing you can tell me, Troy, if that would not be an administrative nightmare, but I am guessing it might be. So this is to just annualize the cost to make it simpler. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It would be the same every month. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Well, we've talked quite a bit about parents who are living from paycheck to paycheck. Does that create a difficulty for them if they're not getting the correct amount that they need in a particular month? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What it means is that parents who are receiving the support, yeah, you're correct, they're going to have to budget to know that in the summer months they'll be paying more in childcare but they won't be receiving more support for that. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They're just going to have to figure...that's absolutely right. [CHILD

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WILLIAM MACKENZIE: But the rest of the year they'd be receiving more than... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: More. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...they might be expending. [CHILD SUPPORT ADVISORY COMMISSIONS]

ANGELA DUNNE: So, presumably, they'd be tucking that aside. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Should balance out. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I don't know how realistic that is. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : So it's that presumption versus the difficulty of this to those who are administrating it. That's what we're weighing here? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's weighing whether or not we have a... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: How do we monitor that is what will be difficult... [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: That it would change... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...when it's the different amount every time. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...every month. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: (Inaudible) enough (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because, for example, childcare changes for parents typically in December during Christmas break. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: This is what we'll need next? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any further discussion on annualizing the add-on? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I absolutely think it's impossible not to annualize it and to use the guidelines. Otherwise, you'd be modifying it three or four times a year, and by the time you got it modified, it would be six months later, so. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And income is annualized, I mean, so... [CHILD SUPPORT

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WILLIAM MACKENZIE: Uh-huh, absolutely. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...they are already having to... [CHILD SUPPORT ADVISORY COMMISSION]

_____: Having to deal with that? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...to deal with that. So I don't think it's unreasonable. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: (Inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody want to... [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: And it would tend to work out that you'd be...the months where your expenses grow are later in the year anyway, so you'd sort of be getting prepaid. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. Does anybody move to include what we have as talking point number 5? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: I'll so move. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm going to read into the record what we're contemplating. The inclusion would be as follows: If child care and/or preschool expenses fluctuate during the year because of the seasonal employment of either parent or the child's school attendance, the court must determine child care and/or preschool expenses based on an average monthly cost...based on, yeah. Any further discussion? All right, take roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY

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JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY
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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY
COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY
COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY
COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY

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AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. The next talking point came from states that address when childcare is not actually paid there should be a source to have that straightened out without the need for a court-ordered modification. So I'll read what other states have done to address this: If an obligor pays court ordered child care and/or preschool expenses that are not actually incurred, the obligee must reimburse the obligor for the over...I'm just...I have a...okay...must reimburse the obligor for the overpayment if the overpayment amount amounts to at least 20 percent of the obligor's annual childcare and/or preschool expenses. "Any ordered overpayment reimbursement shall be applied first as an offset to child support arrearages of the obligor. If the obligor does not have child support arrearages, the reimbursement is in the form of a credit against the obligor's future child support payments and the credit shall be spread equally over a twelve-month period." [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: How would that happen, with child support enforcement? I mean how would they be notified of (inaudible) because you're talking about an arrearage that's cut by child (inaudible), so how would that work? Do you know? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Usually when we do abatements or where we're changing amounts, the parties have to file an...it's similar to what I wrote in number 8 about...I didn't add it here but parties file an affidavit and say child support wasn't used for this amount; I need to get offset. That's how we address it now. We don't really have issues with that. Generally, if parties submit an affidavit and there's no objection, the child support office makes the adjustment. So how it will work is if there is an arrearage, it just reduces the arrearage. If there's not, it serves as a credit that's applied towards the next month's child support. [CHILD SUPPORT ADVISORY COMMISSION]

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AMY HOLMES: And parents are able to submit these affidavits on their own? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Uh-huh, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think they have it on the Web site. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think you're right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think they have that form on the judicial branch Web site. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Why is it 20 percent? I mean... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We...because we were trying to figure out. I think states look at...say it was the issue of modification. Doesn't have to be that way. It was just if you didn't...like it would have to exceed a certain amount before it made sense to do it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh, I understand if it's, you know, \$10, you're not going to worry about it, but 20 percent could be hundreds and hundreds of dollars over the course of a year, and I don't know that it would be fair to tax the obligated parent, not give him or her the chance to get reimbursed if he or she has paid hundreds of dollars more than...

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[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Than they should have, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...the actual cost of the childcare was. I would prefer maybe you put a dollar figure in there, maybe, I don't know, \$100 or something. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, if this were my independent thought, I'd be able to contribute. I'm just taking what other states have done, so I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: But I mean if that childcare is not occurring, wouldn't that probably be associated with extra effort on the part of the person that's watching the child at the moment? So they'd be compensated for that instead. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Or maybe they've lost their job and they're at home, sitting at home, and so they don't have the day-care expense. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: But they... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Or when they quit their job. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: But they're contributing to the welfare of the child. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yeah, we were...I think it's both of those situations. If there's something more permanent, that's going to fall into number 8, Bill. So if you're looking at child support or the day-care obligation is terminated because somebody has lost a job and now they're at home, I think that moves us to paragraph 8, which we haven't gotten to. This would be more, somebody is taking a vacation and, you know, they're not going to be paying day care for that week. Do you want to completely redo that and file an affidavit and get a credit where it's not exceeding...we could say it's 10 percent. We could say that's the intention, is that you're not...because both parents will equally take vacations or have...they usually always have equal vacation parenting time set forth in their orders. So it will even out. Nobody is getting...there's not an advantage one way or the other, but it's avoiding them having to go in every single month where you've had a child stay home sick for school so you didn't have day care, assuming that you have those places where you pay each day. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And the fact that you're annualizing it, you're already spreading the costs out over a year. So you know, in the first three months, oh, you know, don't have a quibble over it because the 20 percent probably wouldn't apply for the first three months. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean you don't really know what's going to happen in the ninth month. Day care could have changed completely. So... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, so... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I also have a concern about how is it practically going to be done. I mean is it going to be the clerk? Is it...? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: I think it's going to be that they're filing affidavits with the clerk like they do now with the abatements, and then they submit it to the child support payment office and they do their magic there. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: He's the magician. (Laugh) [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. There, over there. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I'm just a banker. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Am I saying the wrong thing? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So would there be language then, instructional language added to the guidelines that say that you'd handle this the way you do summer vacation abatements, because otherwise I don't know how it's going to be done. I don't know how practically it's going to happen. How does the father know Mom didn't spend the money? And Mom may be under a legal obligation to tell Father, I didn't spend the money because we went on vacation for a week; or Aunt Jane handled it; he was home sick with the flu for a week and couldn't go to childcare. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Dr. Venohr, how do other states handle this? I think you've indicated that...more moving towards including this on the worksheet in that matter. [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Most...this language on number 6 is what you're talking about, right?
[CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. Sorry. This is...there's only one state that does this, Washington. And it is...one of the reasons I think states don't do it, it is kind of a difficult bookkeeping thing. I will say that this is a common complaint that I hear across the country as far as, you know, the childcare expenses and the obligor doesn't know about it. And so he or she continues to, you know, you can't do retroactive modifications, so it's definitely an issue. That's all I have to say. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, Senator. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Dr. Venohr, wouldn't the cases where it really seemed to be an issue would be covered in item 8? In other words, if there is...that a person, if you really found out that they have not paid out those costs, and you've paid them, then you'd file the affidavit. Isn't number 8 cover what might happen in 6? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Yeah, the is that, because of the Bradley amendment, when there's a request for a modification, and the attorneys should correct me (inaudible) correct amendment, that you can only go back to the date of the filing. So you know, let's say that Mom is the custodial parent and she stopped working, and she stopped working in January. And it's September that the father, who is in my example the nonresidential parent or the parent obligated to pay support, realizes that, hey, I've been paying \$400 dollars more a month for childcare expenses but she quit her job, she got remarried, had another baby, and now she's a stay-at-home mom. I mean I hear this throughout the country as a type of example. So that means from January through September that he was paying that \$400 more and he can't get that (inaudible) modified. Because of the Bradley amendment, he can only go back to September. Does that makes sense?
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And 6 is designed to address...maybe we would even add the word "temporary," not...you know, temporary situations where you're not using. And again, it's mostly designed for the vacation or sick days. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'm just not comfortable with it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I know. [CHILD SUPPORT ADVISORY COMMISSION]

_____ : But, Dr. Venohr, in your example, this parent wouldn't know that their child was no longer in childcare because over a seven-month period they've never once dropped off or picked up their child from day care? [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, I've never heard that level of detail, but I will say that I have heard examples across the country and I never asked that question, so. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, you may have parents living in different cities or states, so. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And in a lot of cases in childcare, you're paying whether your child is there or not. And in fact, Nebraska Medicaid has just gone to the point, or child subsidies, I should say, has gone to the point where they will pay whether the child is there or not. And they used to not do that and there was much hue and cry because parents were having difficulty finding a childcare provider who would take them and not get paid for the days they weren't there. I mean that's a very hard budgeting thing. And so, you know, you kind of wonder how many situations really are allowing people to say, well, if you aren't here on Tuesday, I won't charge you. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Not very many. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Not very many. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh yeah, they try to drop the kids off on snow days, you know, when the schools are closed. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So are we ready to just move past this talking point? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Unless Dr. Venohr has different language that gets to the point she brought up. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Unfortunately, I don't. I can't showcase any state's language on that. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: So what you're saying to us, that parents have the ability to do this now should they agree that one party is owing the other (inaudible) if this couldn't happen right now for the affidavit process. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, they can't on the day care because we don't address it right now. So what I'm saying, what we can do now is in our orders is they'll do this a lot doing summer parenting time, where parenting time expands. Parents can say what we provide for in the order. It will... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I was going to say it's an order... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...and that's why the clerk can monitor that,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can do it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...because they can refer to the decree and say, yeah, this affidavit

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works with this decree. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, matches. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And that's why I guess I question how does this differ from the current abatement, that there's different ways they even do abatements now, whether it be summer or whether it be each month or there's, you know, one month where they don't pay anything. I mean that all fluctuates now. I guess I just don't know how this would be really different than what that would be. And is it the obligor who should be the one that would know? I mean they're the one that would benefit. You know, so, I mean... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The way it... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...I think some obligors might have a problem if they didn't know, but if they did, at least they have a mechanism to where they can say, you know, hey, I'm going to file this affidavit because it's my understanding the kids told me you weren't, you know, dah dah dah, I mean whatever it might be. And if the mechanism isn't there then are we going to do away with the mechanism on abatements too then? I mean... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, the difference is that on the abatements, they are provided for specifically in the decree because that can be predicted. I can predict, I can look at the custody order and know you're going to get eight weeks of summer parenting time. So as long as that's exercised, your child support will be abated by whatever amount. Where the affidavits come in is then you could either file an affidavit that he didn't exercise or that he did exercise. So this, trying to fashion something in the guidelines to predict what may happen is going to be very difficult. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Refresh us as to the percentage of cases that involve an order of childcare. It's pretty small. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's higher among non-IV-D. And I'm talking from state-specific studies that collect these data and there's a variation. And I would say it ranges from about 20 to 30 percent in non-IV-D cases and then about 10 to 20 percent in IV-D cases. The IV-D cases are generally lower income and they might include public assistance, so they might be getting, you know, a childcare subsidy. Lower income families tend to use relative care more. I do, while I have the floor, I do want to add that some states, when I was asked about another way to approach it, some states do have language that the custodial parent is required, or the parent that's receiving the childcare adjustment, is required to notify the other parent if that childcare expense stops. And in theory, that would make the custodial parent, I mean the parent that's receiving that credit, in contempt, you know, in that case example that I gave you earlier from January to September. So there is a potential remedy if that did occur by including that clause that the parent receiving the adjustment for the childcare expenses must notify the other parent if that expense changes or is no longer in existence. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right, so we put that burden on the parent receiving the extra money to file an affidavit within a certain amount of time. But the problem with that is, okay, now the child is in school and they only have day care from 3:30 till 5:00. And so they'll have to file an affidavit for that. Think we'll need to decide... [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Isn't that part of annualized? I would think that part would be annualized. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, I think... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Not year to year. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: What's that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I don't understand why they would file an affidavit. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah, I don't...I'm not... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, that didn't make sense to me. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Year to year, as the child ages, the day-care expenses change. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, but they would start off expensive, so they would notify the, you know, they might be...they should start off expensive, assuming that the parent works, so they might be \$1,000 a month. And then when the kids go to school, you know, they reduce down to \$400 a month. So the custodial parent would send a notice that, hey, those expenses...and it wouldn't have to be by the court. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: They could notice...they would just have to notify the NCP that those expenses went down and then it would be up to one of those two parties to seek a modification. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, we don't want to presume that all orders with childcare provisions include infants. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Include, I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We don't want to presume that all support orders with childcare provisions are providing for childcare for infants or toddlers. I mean the kids may be 9 or 10 years old when the parties divorce, so. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. And in that situation then, you know, those childcare expenses could go up. Maybe they worked part-time, you know, when they were age...you know, who knows? Maybe they were at \$200 a month. The kids are older but then they...she goes back to work full-time. They go to \$400. She would still notify the other parent. But she might also want to pursue a modification. That would be motivation for her to (inaudible) seek it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And that's why we have number 7. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. My thought is if only about a quarter of the orders contain childcare provisions to begin with, and that doesn't mean a quarter of the orders out there have active childcare provisions, does it? That just means at one time or another during the life of that order there was a childcare order in place. Is that... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Yeah, I would guesstimate from Nebraska's work participation rates and stuff, that's probably less than a quarter. I would probably say 20 would be my best guess, based on what I see in other states and knowing the demographics of Nebraska. And that would be the percentage at the time of order establishment or of modification,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: ...so it's included in the calculation. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: My thought is that if we're dealing with 75 or 80 percent of the orders that this isn't even an issue, I'm more comfortable leaving provision 6 out completely and let the court, in each individual order, address it as they think it's appropriate, other than trying to fashion something that I think is going to take more time than we have in the rest of the year to do, language that would work for everybody, not just the parents but the clerk's of court, possibly the IV-D office, the judges. I just...I think it's a Pandora's box that we're opening here. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And, Judge Noakes, can't the courts, in equity, if there's an abuse on this, can't they...you know, if there has been overpayment, there's nothing that preclude...I mean separate and apart from the modifying restriction. The court, in their equity power, could say, well, I know you didn't file this until September 1 but what happened in these months prior isn't right, can't they correct that? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't see why not. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: I mean I'm just...because they're courts of equity. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, and I don't...we haven't moved on to number 8, but if we require the parent to file an affidavit under circumstances as described in number 7 and they don't, then they can be found to be in contempt and part of the contempt purge order could be to repay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody want to move to include number 6? No? Okay, so we're going to move on. All right, number 7 is just the intention on this is to make the existing 4-217 also applicable to this addition to adding day care in, which is the modification. And here what, Judge Noakes, what you were saying, is we could say if there has been a material change the recipient parent must. So number 7 is modification. Number 8 is termination of the expense. They're two different things. We were just trying to keep consistency that, yes, if there's been a change in day care, that's going to qualify as a material change in circumstances. We might not need that. I just thought it would be helpful that people knew, because this is probably going to change the child support figures by 10 percent or more. So maybe we don't need it because 4-217 is... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Already (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It's already in there. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is already there. Okay. Does anybody want to move to include number 7? Okay. Number 8 was an attempt to include language for...what I modeled this after is how we do it right now with the affidavit so that parents don't need to go to a lawyer. They can file their affidavit. And this would be when the expenses have terminated. And that's why I provided this sample of how lawyers could draft it, is that

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you have one child support payment amount with the day care included, and they're required to put in the amount that would be when day care terminates so that parties don't have to go back to a lawyer to have them determine it. Just upon filing of the affidavit, it's going to revert to the lower child support amount, because the childcare has stopped. Does that make sense? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And I think that's a good idea. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I do too. However, you know, when you have more than one child, and one child doesn't need day care anymore, it really reduces it, you know? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So probably what we need is... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Step-down. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, a step-down provision. Termination we probably have it good the way it is, but we need is, okay, well, when kids age out, to your point. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we could do...most day cares, they have a rate per child. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You could add language... [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: You could figure it out. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...if the parties are no longer incurring costs for childcare for a child,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...and so if the youngest child...or if the oldest child is no longer needing it but there's two other kids, they'd still have to provide a worksheet, a separate, a step-down worksheet. So there may be two or three work... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...three or four worksheets in that order, oh goody, but... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's just like how we do kids aging out of child support. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It will be the same, the same. You're right, it will be more work. But the truth is, running these calculations, once you have the income...I mean once you have the number, it's not... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Once you have the information and put it in... [CHILD SUPPORT ADVISORY COMMISSION]

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ERIC THOMPSON: So is there a place in statute where it says that there's maximum age that you can order child support? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We don't have that. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Right. So just... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You mean day care or child support? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Or for, sorry, child care, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, yeah, childcare. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, there isn't. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So foreseeably, somebody could be in childare for an extended period of time whether they may need it or not. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I've never seen that happen. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: It doesn't happen very often because both parents are typically sharing that expense. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. Now with a special needs child that may be different. That may continue beyond their majority, but other than that, no. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So do we want to add? [CHILD SUPPORT ADVISORY COMMISSIONS]

WILLIAM MACKENZIE: I would propose adding on the fourth line of paragraph 8, toward the end: If the parties are no longer incurring costs for childcare for a child and/or, etcetera. In other words, that tips them off that if one of the kids drops off then they should have another worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then you know what I didn't add was what I did in the order, which is requiring...making sure that the courts, having the lawyers or the parties attach their worksheets. We should probably say that, don't you think? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, so at the end of 8 it should say something--Bill you're a good wordsmith--something to the effect of all child support or all childcare... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, how is it...how did they word...how is it worded for the children? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Don't you address that at the beginning of paragraph 8: All orders setting forth a child support obligation must attach a child support calculation, includes a payment of child support, etcetera, and a child support calculation that does not. You've got the two... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. So we need to say, "must attach child support calculation that includes the payment of childcare for each child." That's going to graduate it down, right? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. Child care and/or preschool expenses for each child. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: For each child. And we could even say in a graduated manner so that they understand what we're doing is 3, 2, 1. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Unless you want to put it as a footnote. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, couldn't we add that language to 4-208 maybe? Why don't you look at that, where there's more than one child. We can add: The court order should specify... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think we should keep it just in the childcare section. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I would just have it as a footnote rather than, you know, as an explanatory footnote to 4-217. Is that what we're on, 4-214, I'm sorry, rather than include any additional language in the actual section. But I would make the changes that you mentioned to the first sentence, line 2: includes the payment of childcare and/or

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preschool expenses for each child and then... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And what do think about that, "in a graduated manner," so that we... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, it doesn't hurt. You know, it's a little wordy, but it doesn't hurt. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so do you want to...does anybody want to move and then I can read the language that we're... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will so move that we include that language, that additional language to paragraph 8, as an addition on line 2 and then an addition on line 4, to add the words "for a child" after the words "child care." [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: You need a second? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. I'm going to read the language in its entirety that we're contemplating: All orders setting forth a child support obligation must attach a child support calculation that includes the payment of child care and/or preschool expenses

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for each child in a graduated manner and a child support calculation that does not include the payment of child care and/or preschool expenses. If the parties are no longer incurring costs for child care for a child and/or preschool, the obligor shall file an affidavit with the clerk of the district court setting forth a request to utilize the child support worksheet without...oh, it's going to be the graduated...we're going to have to fix that. It's either the graduated worksheet or the worksheet without the childcare and/or preschool expenses associated thereto. "The obligor must provide written notice to the obligee within five days of filing the affidavit. If the obligee objects to the filing of the affidavit and disagrees that the alternate child support calculation shall be used, then the obligee shall file an objection to the affidavit within 30 days of the affidavit being filed." [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I would make one other correction then. On line 4, we were going to add the words "for a child" after the word "childcare." Let's move that back a few more words and say...so it would read: If the parties are no longer incurring costs for child care and/or preschool for a child... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: A child, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That reads better. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And, oh, one of the things that I changed when I read it was that the obligor, I said "shall" file instead of "may." It should be a requirement that they file once the childcare or preschool, right? We want it so then not any of those (inaudible) contempt powers. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And where is that change? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: It's: If the parties are no longer incurring costs for childcare and/or preschool for a child, the obligor... [CHILD SUPPORT ADVISORY COMMISSIONS]

WILLIAM MACKENZIE: Oh, okay, shall. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I...okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Or maybe it's the obligee. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Are we discussing yet or not? I'll wait. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We can discuss, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: If our goal in including this... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...is to make it easier for the noncustodial parent or a custodial, I guess, to figure out how they do this, I don't know that when I'm having a hard time figuring this out, and I deal with this every day, I don't know that laypersons are going to be able to figure out what that means. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I think you should leave it as is, "obligor may," because the

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obligor. If the obligor doesn't want to do it, that's his or her business. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Got it. Got it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: But it gives him the right to do it he wants to. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Got it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But the obligee is who I was thinking should have to. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: But how quickly would they have to do it? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: How quickly would who have to do it? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: The obligee. I mean wouldn't the "may" be better just to, I mean... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah, it is better. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: But it says "obligor," not "obligee." [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And the other thing that this is doing is so the clerk is going to be charged with looking at the order,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Uh-huh, and going to the reduced amount. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So there's going to be... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because we're trying to avoid parties having to come back, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I know what we're trying to avoid. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'm just trying to avoid...I don't know that... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Causing one probably, solve another one. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will tell you that clerks come to my office all the time with questions about interpretation of orders and not a week goes by when I don't have other clerks scratching their head at one of the orders, saying, what does this mean? I'm like, boy, I didn't draft it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And really, apparently, nobody intelligent did. But, yeah, but we don't want to make life more difficult for the clerks either because they have plenty of work to do as it is. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. And that's why I tried to draft an order, to see how practical I thought it would or would not be. I was trying to do what you're doing, wrap my head around how is this going to work and how difficult or easy would it be. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, I'm not being critical of what you have done. I'm just trying to look through and see how this is going to play out eventually. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we want to break for lunch now? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'd just as soon get through with this and then maybe break. [CHILD SUPPORT ADVISORY COMMISSION]

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ERIC THOMPSON: Yeah, be a good stopping point. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I didn't know if people wanted to think about it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: What? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I guess the point I was making is I just didn't want someone...I remember how many important things I used to forget when I had to drop off a bunch of screaming kids at day care. I don't want someone to get in any trouble because they didn't notify anyone quickly enough, like legal trouble. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: That concerns me. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: This, the way it's drafted, no one gets in trouble. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: This doesn't require anyone to do it either. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No, it doesn't. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: So why... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It doesn't. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...so what's the...I guess you're thinking that a parent who is paying child support... [CHILD SUPPORT ADVISORY COMMISSION]

_____: Childcare. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I mean what... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Will definitely go in and file their affidavit. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Then they should do a modification, in my opinion, rather than file an affidavit with the clerk. I mean the clerk isn't...so the clerk is going to have to analyze. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Five. If you already have that other worksheet attached to the decree, which is the drop-down or step-down amounts for it, yes, it will be a learning curve for the clerks. But I think if the affidavits are there, it's like summer vacation abatement. It kind of...it most of the time is on autopilot--it works. There are occasions when it doesn't, but most of the time it's just kind of a...there are forms on the Web site that they fill out and there could certainly be a form added for this to the court's Web site that hopefully smart people would draft that would avoid confusion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It helps in the situations where all of the expenses are right now predictable. So I have 8- and 10-year-olds. They're going to have childcare for the next

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couple of years. I can...we know right now what that would graduate out to. I shouldn't have to go into court, file an action, hire a lawyer to do that when we can reasonably predict it. Now of course if things go wildly different and they hit that 10 percent modification, that remedy is always available. But I think we should support and empower parents to be able to do, if it's easy, to say, okay, we have one child who's in day care. They're going to age out. It's X amount of dollars when that happens. File an affidavit saying when that does. Both parents are going to probably know when the day care is stopped because it will impact their parenting time. We're not removing their ability to modify if something has changed that impacts it dramatically. What we're doing is providing a mechanism for them to avoid going back to court. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think the intent is noble. I'm not questioning what you're trying to do at all. When we say, as a judge, when I say in an order that the affidavit is to be mailed within five days and if within five days an objection isn't filed, they waive any right to contest the reduction. Okay? Five days is a pretty short amount of time. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We could say whatever, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So somebody can be on vacation for five days. I mean sometimes I don't get through the pile of mail on my countertop for ten days. So I just...I think we need to put a little more time and thought into this. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, then that's easy enough done. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Would you suggest 10 or 14? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, we... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or 30. [CHILD SUPPORT ADVISORY COMMISSION]

_____: I like 30. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean I looked at 6, 7, and 8 as almost being all, each one, sort of mechanism and that's why I really think if, you know, 8 is the mechanism, then let's figure a way to make it work. The obligor is the one that has to probably be made aware somehow, and then the five days, you know, that means when do they become aware? You know, they may become away six months later. But still, once they become aware, then they file. And then I think there should be a fair amount of time for the, you know, for the custodial parent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And here's...I think you misread. The affidavit is filed within 30 days of the expenses changing. Within five days of submitting their affidavit, they have got to mail that or give that to the other parent. The other parent then has 30 days within receipt of that to file an objection. So I was giving...this is a 60-day period. It was just within five days of them filing it they've got to get it to the other parent because we have people who dink around with that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Why couldn't we achieve what you want to achieve by putting a form that would be accessible on the Web site and in the clerk's office where they could fill out a modification? I'm requesting this be modified because the day-care amount has reduced and this calculation should not apply. And then at least it has some judicial supervision, not that I want more work for myself, believe me, but I feel real

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uncomfortable. There are 15 counties in my district and the clerks in some of those counties have very few cases and don't deal with these things routinely like some of the larger counties do. And I don't know that that's within the scope of their authority either, really. They can file things. I mean they file things. But what is the purpose of this then? Is another order issued or... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, when the affidavit... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...it allows them to just adjust the payment record. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: When the affidavits are filed... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or what is it doing? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...doesn't it go to the payment office and they make the adjustment? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The affidavits go to the clerk. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, and then... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The clerk... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...forwards them? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I don't... [CHILD SUPPORT ADVISORY COMMISSION]

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_____: Troy (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: We don't receive. DHH, I think it files through JUSTICE and they would make an entry in that... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doesn't the clerk... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...goes into CHARTS and then reduces... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So all the clerk is doing is taking the affidavit for filing. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Correct, they're filing it through JUSTICE. Yep. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's the only work they're doing. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, they're notifying Lincoln, the payment center, to adjust their records. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, HHS. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. Yeah, so. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then HHS is doing the actual. So it just shows up on their...
[CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. And so like abatements, I mean I think it's very similar to abatements. And believe me, there's a variety of ways they do those now, which is, you know, I don't necessarily agree with all the ways they do those, but. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Judge, my concern about calling it a modification is that requires a 30-day answer period, that requires all that other stuff. And like we, you know, and I...you know, I don't know that that's what you're wanting to have happen because potentially that could cause a huge number of increases, a huge increase in the number of modification actions pending in your court for something that's sort of simple, I mean unless you're wanting to completely revisit incomes and all that other information, you know, which then makes it a regular modification action. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Because given that, you know, you're doing a divorce now, you probably have your day care, it's probably established so you know what you're paying and you know when your child reaches a certain age four years from now, if they're that young, that it will go down to that. You know those things ahead of time. I agree that a modification, if something drastically were to change such as the provider entirely or the one, you know, CP loses her job and now there is no day care, that I think would maybe fit for a modification. But for the regular stuff that, you know, you can look at today and say up until they turn 12 or 13 or whatever age they're going to stay home by themselves, I can pretty much attribute what my costs are going to be, then these

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worksheets would be that mechanism to do that, as well as this would be the mechanism that if some change were, just utilize the worksheets. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: When you have four children, we'll need eight worksheets, right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, we'd need five. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You would have five. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You'd have one for when each child ages out and then your termination. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, you'd have one for when a child ages out, one original one that includes the day care. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: At four kids, right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Once a child ages out of day care, that child ages out of day care, you would need another child support worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: When the next child ages out, you'd need another one. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: And so on. And then when a child, when you go from only three children subject to the order, you would need another child support work sheet; two, you would need another. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So you'd have four and then your termination one. You'd have child support or the day care for four, three, two, one, zero. So if you have two kids, you'd have two, one, zero. You're going to have one more than the number of kids, always. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Judge, would you be comfortable if orders included sunset provisions on childcare for each child at, say, age 12 or something and just said, unless the parties file a motion otherwise, or unless the court otherwise orders? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't think so. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I'm just trying to work through this. And I'm not...I guess you guys can do what you want at this point, but I'm not comfortable with it as of yet. I'm not saying I won't be, but I guess I wasn't really...I didn't prepare myself well enough to address this at this point. But other discussion? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Do you feel like you do need the lunch period to look it over? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, I think so. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Maybe even just a few minutes without discussion might help. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That's fine. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Can we take a break? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: You want to break for lunch? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we want to take a break for lunch? Why don't we just take...can we take a break just till 1:00, have a shortened lunch hour? Senator Campbell, do you have a concern? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or should we just... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I just, I mean, I just think you're going to...you're not even to this document yet. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. Can we just take about, you know, maybe ten or... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Or could we order something in and eat while we're working,...

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[CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I think Dr. Venohr had some information in there on this too.
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, let's do that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...because, quite frankly, there's a lot in this... [CHILD
SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Let's do that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...to go over. We haven't even touched it. So if we did Jimmy
John's and everybody put in what they want, could we do that? [CHILD SUPPORT
ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Or is it just as quick to go to the cafeteria? [CHILD SUPPORT
ADVISORY COMMISSION]

SENATOR CAMPBELL: Well, I'll tell you, Jimmy John's is pretty fast to the Capitol.
(Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, let's do that. Let's. [CHILD SUPPORT ADVISORY
COMMISSION]

SENATOR CAMPBELL: But I mean even if we have to wait a little bit to get it, we could

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just keep working, is the point. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, I don't disagree. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Or you can take a ten-minute break I suppose. You can run down there and get something. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Maybe we should just take a ten-minute break to order or go get your food if you want. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do that? All right. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: I would probably recommend going to the cafeteria and ordering a sandwich there, because we're not really set up to take a mass order. They do have sandwiches that they can make for you, that you can...it's not called Jimmy John's but they're pretty good. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Aren't they already outside the door? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Not quite that fast, but they're pretty fast. And you can go right up to the counter and order a sandwich. Shouldn't take very long. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is it going to be busy down there now? [CHILD SUPPORT ADVISORY COMMISSION]

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JOSH EICKMEIER: I don't imagine today it will be, no. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: That will be my recommendation. [CHILD SUPPORT ADVISORY COMMISSION]

_____: Are we recessed then? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're going to take a recess till 1:00. [CHILD SUPPORT ADVISORY COMMISSION]

RECESS

ANGELA DUNNE: Okay, so who are we missing? Dr. Thompson? There he is. All right. So we passed around a revised section 8 where we adopted the language from the existing 4-208, which addresses what we do with support when there's more than one child. So we just incorporated that into how we clearly define that the child support obligation should reduce and be graduated as the day care is...as kids are aging out of day care. So that's what the current revised...does everybody have a copy of it? So I think this addresses what we've been trying to remedy. Any comments or questions or concerns? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay, now I'm looking at 4-214 as is in our guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

(RECORDER MALFUNCTION--TESTIMONY LOST) [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: ...want that to remain. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that...I mean, are we making other revisions? We will have to...I think we're keeping the childcare definition. Then we would change where it starts with "shall be allocated to the obligor" and delete that section, right? Will we include the value of federal income tax credit for childcare in the remainder of that in 214, in Section 4-214? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any thoughts on including the value of the federal income tax, tax credit for childcare? Does anybody want to move to change that? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And we would still leave that but... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so we'll keep it in, yep. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So is anything remaining of the existing 4-214 on this first page? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, sort of. Only in that we're keeping the section about due to employment of either parent to allow, but we're changing...I'll read it in its entirety once we've figured out how we're going to be changing it. But what we're deciding now is

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does anybody want to move to include number 8 as it's been revised? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And that will become a part of 4-214? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then I'll...then I think the next motion will be the number 1, 5, and 8 that we voted to include. I'll read the whole thing. Does that make sense? Does anybody want to move to include number 8? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: To speed things along, I will so move. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Second? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Any further discussion? And this is the... [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Did you have language about "in a graduated manner"? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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JUDY BEUTLER: Is that in there? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's the underlined provision where it says, "The court's order should specify the..." [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: So that's in replace of the word "graduated." [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Okay, got it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that mirrors the language that's used in the guidelines already under Section 4-208 when there's more than one child, so I think it works better. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any additional discussion? Okay, can we vote? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So, for clarity, does somebody want to move to adopt changes to Section 4-214 based on the talking points we agreed to, which were number 1, 5, and the revised section 8? And then I can read that in its entirety how it would be revised. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And does 1, 5, and 8, does that...do those three provisions constitute then the entirety of 4-214? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. I have to read the value of the tax. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh. Oh, okay, other than that, the tax credit language at the end. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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JUDY BEUTLER: So are you going to indicate what you're striking? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I could do it one way...I think it's easier to read what we think it's going to...how it's going to read. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So and you'll take them in order then, 1,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...where are we at, 5,... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Five, eight, and then... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...and 8 as amended, and then at the end of 8 you'd pick up where it says the value of the federal income tax credit for childcare shall... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. I understand that. I don't know that you need to read it, but if you think for the record it needs to be read, that's fine. [CHILD SUPPORT

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KARIN NOAKES: I think we do, because... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, would that be easier for you if I read it in its entirety so that you know what to incorporate in the report? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Actually, it would be even better if, it sounds like you're looking at it written, if you could send that to me after the meeting. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Should still read it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. I'm going to read it just so that we make sure that all of the commission members are on the same page. So the 4-214 childcare expenses would read as follows: "Child care and preschool expenses, which are due to employment of either parent or to allow the parent to obtain training or education necessary to obtain a job or enhance earning potential, shall be added to the basic obligation and shall be divided between the parents in proportion to their net income (worksheet 1, line 6). If child care and/or preschool expenses fluctuate during the year because of the seasonal employment of either parent or the child's school attendance, the court must determine child care and/or preschool expenses based on an average monthly cost. All orders setting forth a child support obligation must attach a child support calculation that includes the payment of child care and/or preschool expenses for each child and a child support calculation that does not include the payment of child care and preschool expenses. The court's order should specify the amount of child support due for the

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children with the amount recalculated and reduced as the obligation for child care terminates for each child. If the parties are no longer incurring costs for child care and/or preschool, the obligor may file an affidavit with the clerk of the district court setting forth a request to utilize the child support worksheet without the child care and/or preschool expenses associated thereto. The obligor must provide written notice to the obligee within five days of filing the affidavit. If the obligee objects to the filing of the affidavit and disagrees that the alternate child support calculation shall be used, then the obligee shall file an objection to the affidavit within 30 days of the affidavit being filed. The value of the federal income tax credit for child care shall be subtracted from actual cost to arrive at a figure for net child care expenses. The court may impute the value of the federal child care tax credit using Worksheet 6 if the parent incurring the child care expense has monthly gross income above \$2,100 for one child, \$2,500 for two children, \$2,600 for three children, \$2,700 for four children, \$2,800 for five children, and \$2,900 for six children. The value shall be imputed at 25 percent of the child care expense, not to exceed \$62.50 per month for one child and \$125 per month for two or more children. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: To your knowledge, are the tax credit figures that Ms. Dunne just read still accurate, because I notice that the worksheet, excuse me, the guidelines, 4-214, hasn't been modified in six years. I just wanted to make sure that nothing else needed to be updated. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The last sentence is correct based on the federal child care tax credit (inaudible) credits, the value to be imputed at 25 percent. Those income thresholds might be a little bit lower. I'd be glad to run a calculation and give it to you all for the next meeting. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Okay. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any further discussion on the proposed revision to Section 4-214? [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: What were the allowable reasons that you read for a change, seasonal employment and what was the other one, school attendance? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. Seasonal employment of either parent or the child's school attendance. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because there are some school districts that have all year. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Would there be any other reasons what we could foresee that should be allowed? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that's just when we're saying it has to be done on an average monthly...and none are coming to mind right now but I'm sure there might be. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yeah, I know I can't think of any right now. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But we...that's something that we can handle without specifying that in here I think. [CHILD SUPPORT ADVISORY COMMISSION]

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AMY HOLMES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we ready to vote? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The only thing I had, the only...I hate to do this but putting...okay, I know sending notice is commonplace for attorneys. When you have...we're trying to keep the attorneys out of this and so when you put...when you say the obligee must provide written...or the obligor must provide written notice to the obligee within five days, I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're saying if they're filing the affidavit within that five days they should send it... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Should we rely on a nonrepresented person to provide notice, is all I'm saying. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Is that what they do on vacation credits though? I think they do. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do they say...do they say they have to? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I copied this from... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, okay. Okay. All right. That was my only other question. I'm okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right, let's vote. The motion to revise Section 4-214 that I just read. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: That she just read. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: There was a pending motion (inaudible) read for clarity. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And then we discussed. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY

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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY
COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY
COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY
COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY
COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right, the next, now does everybody have a copy of Exhibit 1 with

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the date on it, December 8, 2004...2014? Sorry. So our task is to review, discuss, and take any action on Exhibit 1. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: May I just interject? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, please. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: What I did (inaudible), I think this meeting has been really excellent as far as the level of detail that you're going into and earlier in the other previous meetings you were still debating some of the issues but took a much general approach. So this list of Exhibit 1 is just the motions made to date, but some of these motions were refined today and it's just a reminder of where you're at and where you are, what...and hopefully trigger some ideas for where...if you're exactly where you want or you want to review some other provisions of the guidelines. But Exhibit 1, the first thing is there was already a motion to not retain existing tables. Today you clarified that you're going to adopt Option B or a motion to adopt Option B. So it's a moot point at this point. The second row was about the health insurance deduction. If you want you could probably refine the language today. The third row is also about the health insurance deduction. The fourth row is the child care expense. You have went into great detail today. This was just the general motion. The fifth select motion was to reduce the number of days that trigger (inaudible). You refined that today and so there's no real reason to review it again, and the same with the second to the last one with the 4-212. And then finally the last row is just to adopt the able with the \$250, which you refined your vote today. So in short, I guess what I'm asking is that the commission review these recommendations and think about whether there's any additional ones that I did not capture here that need more refinement. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Sorry, I'm eating. So it sounds like we've done most of these, right? Is that a... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay, maybe could you tell us again? You went through all of them but which ones do you think we need to do further work on? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The only one is maybe the language of the health insurance. Mr. MacKenzie submitted some language. I don't have his language prior to November 19 in this brief, but I have his worksheet in this brief, and then the other things that are attached to his brief are suggestions made by individual commission members that were sent after the November 19 meeting but before the December 5 deadline, and that would include something by Judge Merritt. On page 20 of this brief he had a deduction for 4-201 and I believe Mr. MacKenzie had a deduction on the modification threshold that was appended to this, but it's not showing up in my document. So those are two issues yet to consider. And then I took a first stab at the strikeout which begins on page 2. Some of this, you've done some an excellent job refining it that, you know, I need to already edit out what you've done for paragraph 4-212, 4-214. So it's really up to the commission if you want to tackle this strikeout or wait till later. This is already out of date. So again, the three issues are just that Exhibit 1. It seems like everything has been covered in more detail today except the health insurance and, again, Mr. MacKenzie had proposals earlier. There's a couple other issues that I heard that are still on the table: the one that Judge Merritt posed for Section 4-201; the third thing would be Mr. MacKenzie's proposal on the modification thresholds. There might be other stuff. And then the third issue is whether you want to even look at my graph strikeout knowing that it's out of date based on what the commission is already recommending (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I do think we should take each section in order,... [CHILD

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KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...just work through, and that way we won't miss anything.
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so Section 4-201. [CHILD SUPPORT ADVISORY
COMMISSION]

WILLIAM MACKENZIE: Is that the one that Judge Merritt has proposed additional
language to? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. He added...do you want me to read it? [CHILD SUPPORT
ADVISORY COMMISSION]

WILLIAM MACKENZIE: If you have it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: All right. It's the introduction to the guidelines, 4-201, so it will be on
the first page of the guidelines. The main principle behind these guidelines is to
recognize the equal (inaudible) of both parents to contribute to the support of their
children in proportion to their respective incomes. What Judge Merritt suggests we add
is: Under these guidelines, child support is calculated based upon, among other factors,
the custody of the children. However, child support shall not be a factor in determining
custody of the children. In fact, child support is to be determined after custody of the
children has been determined. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make a motion that we approve those changes to 4-201.
[CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any discussion? (Inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, then the next that I heard Dr. Venohr talk about was Section 4-217. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Can we look at 4-203 though? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, your tables, support tables, go beyond \$15,000 in net monthly income now. Is that correct? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct, based on the economic data, we could go as far as \$18,050, so \$18,050, based on the validity of the data. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Recognizing that very, very few cases are in that stratosphere income that come before courts, I don't think there's any harm in bumping the upper limit up from \$15,000 to \$18,000. I'd just say an even \$18,000. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody second? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Maybe Warren Buffett may have an adopted kid and get divorced. You never know, so. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Roll call vote. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: I'm sorry, I need verification of what the motion is. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: There's a motion to amend Section 4-203(C) where it reads "if total net income exceeds \$15,000 monthly." The proposal is to change that to "if total net income exceeds \$18,000 monthly." [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And then the \$15,000 is repeated throughout the... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That (C). [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...and those \$15,000 would be changed to \$18,000. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: And some of the examples would need to be recalculated too. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And one thing the commission might want to consider is whether you want to make edits for conforming changes, meaning you know like when, if you do update to \$18,000, you want the table amounts to look like the table amounts at \$18,000, and that's a conforming, not a substantive, change. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Judge Merritt had left a message at my office wanting me to ask you, Dr. Venohr, the minimum wage increase, is that going to have...what, if any, effect will that have on our tables? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It would just affect the application because your subsistence limitation is based on the federal poverty level and it's updated annually the way it's written in the rules. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So it won't. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So it won't. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Next would be Section 4-205, the deduction section. There's a proposed subsection (F) which is the cost to the parent for health insurance for self that

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we discussed. So as it would read, the proposed language would be, "Cost to the parent for health insurance for self: A deduction shall be allowed for the monthly out-of-pocket cost to the parent for that particular parent's health insurance. This includes the cost of coverage for the parent only. It does not include the cost of health insurance for the children, which is addressed in subsection 4-215(A). The parent requesting the deduction must submit proof of the cost for health insurance coverage of the parent. The amount of the deduction for the cost to the parent for health insurance for him or herself shall not exceed 5 percent of that parent's gross income." [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And what I had passed around just a moment ago, I'd forgotten this was done already so I redid it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So we don't need to worry about this... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...if you will accept the language in red and it's highlighted. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do you want to make a motion that we... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will. And preparatory to that, I'll just indicate to remind people where we are, we agreed that or the commission agreed that we would allow parents a

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deduction for the cost to cover themselves under health insurance, but we talked about capping it so there wouldn't be the Cadillac plans necessarily. So this language does that. It caps it at 5 percent of a parent's gross income. Then I'll make a motion that we adopt the proposed language to Section 4-205(F), to (F) I think it is. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. Any further discussion? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So this is just to modify what had already been agreed to. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. We hadn't done the language last time. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: (Inaudible) take (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William Mackenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. The next redline section is 4-206, monthly support. And the comment Dr. Venohr made is that we need to conform the changes to dollar amounts required if the table is changed. Dr. Venohr, can you just explain that in real...in plain English? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, if you see the sentence, for example, of the combined monthly net income was \$1,500 and there were three children, we'd find \$530 in the top part from table one. It's probably not \$530 anymore. It's a different amount based on your adoption of table B. So I just need to put that in there. And the same issue exists for 4-208 to be consistent with the table amounts. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So the suggested revisions to 4-206 and 4-208 are to update the language to be consistent with... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The new tables. [CHILD SUPPORT ADVISORY

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ANGELA DUNNE: ...the table that we've adopted. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. I call those conforming (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a motion to? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will move that we allow Dr. Venohr to update those figures using the new tables that we adopted today. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: (Inaudible) vote. Any discussion? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William Mackenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right. And I believe we have satisfactorily resolved the proposed language changes we wanted in 4-202 and 4-204. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. Do you have that written down, Angela? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I can...we read it very specifically into the transcript. It will be there. And then I'm going to go...I'm going out of town tomorrow so I can't transcribe it. Is there... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The only reason I ask is those transcripts take about ten days. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And it was very detailed, so if somebody wrote it down it would be a great concern. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: I can provide it to Josh to type. Is that okay? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And then you can send it out. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: To everybody. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: If there's no argument about it then we can send it on to Dr. Venohr. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. All right. So, yes, we will provide that to you typed up... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Excellent. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...for Section 4-212 and also 4-214. All right, the next section is 4-215. These are, again, conforming changes to the worksheet lines based on the changes that we've made for the \$250 as opposed to the \$480. Is that correct? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The conforming changes to the worksheet would be the introduction of the childcare expenses, since that's going to be a line item in the worksheet now. So...and also the (F), yeah, you're right, the deduction for the health insurance. So those would be the two things that you would see different in the worksheet and...

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[CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: That would apply to 4-214 also. I noticed that when we were talking about it, that those line numbers are going to change. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. Yes. Does somebody move to ensure consistency with the changes that we've made to the worksheets? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So moved. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any discussion? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right. I think we then turn to Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I would like to address 4-217. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, yep, sorry, sorry. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And I was late sending out requests, but I would suggest that we consider modifying the language in 4-217 slightly. The only change I'm proposing is that the number 10 percent be changed to 15 percent or more but still not less than \$25. My number one concern is that with these changes, if the Supreme Court adopts our changes to the tables, incomes above \$35,000 a year are going to see noticeable changes in the child support amounts versus what the existing law is with no change in income necessary. You know, they may have the exact same dollar income that they had three or four years ago when their order was entered, but with the changes in the guidelines it may automatically cause all those orders to be out of sync at the 10 percent level. That's not necessarily bad. But my concern is that there could be a run on the bank, so to speak, that at least potentially there could be a lot of people with 11 and 12 percent changes in their orders that are filing for modification, to review and mod., for instance, asking for the free reviews, which I'm sure that Byron has got ample money,

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he can hire another five or ten people to work in that department--wink, wink. But it's going to slow things down with his department and then not...and then those cases eventually will work through the system, but the private mods will also, you know, done by a private counselor done pro se, may just...may overwhelm the courts for a year or two. Again, that may just be something we have to live with, but my thought was--and Dr. Venohr, please chime in when I'm done here--are there states that have a higher threshold to trigger review than 10 percent now, 10 percent, \$25? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I would say the norm is more like 15-20 percent. So Nebraska is lower than most states. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So I would propose that that 10 percent be changed to 15 percent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is there, to look at this further, Bill, are we saying typically when the guidelines change there's language that it's...it will only impact orders prospectively or it can...because that would be crazy because, like I said, every one of my cases is going to be...open up too. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, I seem to recall in some of the materials you provided previously that some states may do that, whether it's by rule or statute or judicial opinion, say that these changes to the guidelines can only...can't be used if...by themselves to justify a modification, but in Nebraska law that's not the case. As we have right now, you can succeed on a modification with no change in parental income whatsoever just based upon a change of the guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right, I would say more states limit it, meaning that a change in the guidelines is not considered a change in circumstance, and that there would have to be

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something that...a change in circumstance (inaudible) is a change in income to trigger a modification. That states, I would say, are mixed on that, but they tend to lean more on limiting it. I would say over half will not have a change in the guidelines result in a change in the order amount. And I will say this while we're talking about it. These are some big changes because of the changes in the tables that decrease this. In states that I've worked with that have had subsisted through these substantive changes to the guidelines amount, some of them have imposed a moratorium on requests for modifications for a year. Tennessee is a case in point. Georgia was a case in point. Actually, it was just Tennessee because they did allow a change in guidelines via change in circumstances. The reason they did that was because they were anticipating a flood to the court of requests. They went from a flat percentage of 25 percent of income to...it was a little less than 25 percent--that was the amount for two kids--to almost like 15 percent is what they did. They were very concerned about it. And they did have some requests for modification but it did help that they imposed that moratorium for a year. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I personally don't think that we should recommend to the court that the change in the tables can't be used to modify existing support orders, because if we're coming to the conclusion as a commission that the guidelines tables needed to be adjusted, then I don't know why people can't, with existing orders, shouldn't be able to apply to have their orders adjusted. But I think that we might temper that possible wave by creating a slightly higher bar for them to succeed on an adjustment by raising that change to 15 percent. We'd still leave the \$25 in place, under my suggestion, so it would still have to be a \$25 change. And if was a \$26 change but still 15 percent, it would still qualify for a modification. But I'm just...I think it's kind of a compromise that I'm proposing that we raise it up a little bit to 15 percent but still allow people with existing orders to secure modification. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, can I...when we look at the tables where you had the five different options, where it says net income, is that combined? [CHILD SUPPORT

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WILLIAM MACKENZIE: Yeah, it's combined. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So if we're talking about two parents who earn \$2,500 a month... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Total. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...total, the support that we've adopted as \$1,034 would have been existing, it's going to go down to \$839. You guys, it's going to be every single case. This is way more than \$25 and it's more than 15 percent. So I don't know, Bill, that that's going to be helpful. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: What income level are you looking at? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The \$5,000 combined. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Five thousand. So that's \$60,000 a year. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Between both parents. So if you have both parents... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: ...earning. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right, \$60,000 parental income. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think, to go back, Bill, you had identified, I think, a lower where it really starts to widen is at, what, \$3,200... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...for both, for both parents. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It starts to deviate at \$3,200. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's not...that's not a very high threshold to have both parents earning more than \$30,000 a year; that all of those cases would be opened up for modification. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Shouldn't they be? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I don't disagree with that but, wow, that's...and for anybody that thinks I'm only in this for the money, certainly that's going to be helpful. But, damn, that is just a lot of...the courts are going to be flooded with this. And I don't disagree because we've decided as a commission that's best. I'm just...that's really...I mean talk about the counties that... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: This is Jane. I'm going to look up what most states use. They might use 20 percent, and I'm going to...I've got it on my computer and I'm looking it up right now as way of background information. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Is there some way to make the modification process easier somehow? I mean I know through DHHS, like Bill said, do they hire 10 to 15 people? I don't know what the answer is but how do you find a way for these cases, where you know it's not an income change, you know it's not the other variables, it's a set thing? I mean, to me, there ought to be a law debated almost and say, we automatically adjust these; that's what we do. I mean systematically they're all in the system, whether they're IV-D, non-IV-D, whatever have you. So I mean just a thought, find some way to speed up the process. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, that would require a change in law, I think, because our modification rules are pretty hard and fast. And that's not saying it couldn't be done or the Supreme Court couldn't address that issue. Byron, how many people work in your review and modification office? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: About four. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Four for the whole state. And do you have any idea how many cases...how many referrals you get in an average year? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Several thousand. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And you do wean a lot of those out. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: But how many go...get referred on to the local offices for possible filings? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: I'm not sure if I could tell you that accurately, Bill. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I know it's hundreds. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: It's certainly hundreds. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And if...my concern--and it's not self-centered at all really--if we have maybe a factor ten times the number of cases that might be eligible for review, you may get, rather than several thousand, you may get 10,000 or 15,000 or 20,000 requests. You could...your office couldn't handle that without quite a bit of additional manpower. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Probably not. What I can say is the last time we made a table change, though I don't think the table change was as significant as this, we didn't see the rush at the bank that you were referring to. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: We might with this. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yeah, because these changes are more significant than what we proposed eight years ago. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And to your point about unilaterally doing it, what you have to remember is that there are a lot of people receiving child support now that have based their housing expense, all of their expenses on their existing support. If it's being cut by \$300, I'd hate to do that unilaterally without giving people the chance to secure different housing or different car payments or... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah, I was looking at the overall process,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...not just a blanket, say it's done. I mean... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...just try to find ways to simplify it because these aren't ones where you would need to request their income statements. These are ones where you're saying the tables are changing. That's what's happening. And if you believe you deserve this or would like to pursue it, then here's a hoop, jump through that hoop, and here's another. I mean what I'm saying is adjust the way you go about it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. Right. But I think that's a valid that there are... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Oh, I agree. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: ...parents who have relied on this, you know, I guess much in the same way they rely on their husband or noncustodial parent having the same job and earning more. And you know, when job losses occur, that affects their child support, too, in ways that they can't predict. But, yeah, when you're talking \$300, that's the difference in, you know, a family owning a home and renting an apartment oftentimes. I don't know. It... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we're hitting that threshold very early on, which I'm not saying it's a...it's going to have a very significant... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We need to consider that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...impact on existing support orders for people who didn't have the ability, like cases going forward. They'll have the ability to figure out what are their budgets going to be if they're divorcing or...so I'd be... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I was just looking at the fact that he said the percentage is more than 15 percent, so I'm going like, well, you have to make a decision. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Either you're going to allow everybody to do it or you're not going to. And if you're going to allow everybody to do it, then figure out a way where it's less of an impact on DHHS or even on you folks or the courts or whoever it might be. Because the numbers are in the system already and you can say this is what you're paying now,

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here's the table with the new table, this is what it would go to. I mean, do you know what I mean? You could actually pull all that and extract it directly from there and then, you know,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, actually you can't, because you have to look at their incomes. You got to line... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Their health insurance. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...Worksheet 1 and go through all those financial questions with each parent. You can't just look at the tables change; you have to go through everything else. So some of those people wouldn't qualify because their incomes have increased since they were last in court. I mean... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And it's the health insurance and the day care. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's every worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Well, and there could be... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: All people paying are going to look at this and say, well, mine will be lowered for sure and they're going to want it, because if they know day care is deducted and they can deduct their health insurance now... [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: And why shouldn't they? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Initially, they're going to...and we aren't saying, I'm not saying they shouldn't, but that's what we're going to get. And how do we manage that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The other issue is if the childcare is added in, well, all those orders are going to go up, not down. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, it's probably going to wash. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It may balance out. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's true. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Although those people are already paying the childcare. They're just not doing it as part of the child support order. So it may just be taking it out of one pocket, putting it in another. I don't think everyone is going to apply, I know everyone is not going to apply. I know most people are not going to apply. But if even 20 or 30 percent of the hundred and some thousand cases we have in his state apply in the first year, it could be an overwhelming challenge to everyone. So that's my point. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: But if we're willing to ask custodial parents to live with less, \$300 less a month or something like that, seems like we should be willing as a state to, you know, have more people in your office at the county level to pay more taxes in order to do what needs to be done. Because it's...we're already, we're already asking a lot, so.

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[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: For every custodial parent there's a noncustodial parent paying the child support. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: This is Dr. Venohr, and when I can, I'd like to interject some stuff just because we have researched this issue and there is some information available from the federal Office of Child Support on this. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. I think you have already told us some...I read it maybe in some literature you provided or maybe you told us that there...you don't...historically there hasn't been a huge increase in applications to modify following something like this. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. I mean the states that have gone through large changes haven't experienced that. One of the reasons that they don't is people that request modifications are on the obligor side, are usually paying cases, so we don't see it that predominantly in lower income cases. And to be honest, the research, it might be a little bit different now after the recession, but it used to be that only half of the filings resulted in an actual modification because, first, you know, the parent or a parent has to request a review and then they might not submit all their paperwork or they start looking at what really happens. You know, their incomes change or the child care expenses change and they go, uh-uh, this isn't what I really wanted, and they withdraw their request. And I still hear that it's still high, as high as 50 percent, but it has changed a lot since the economic recession. And the (inaudible) also tells us that custodial parents generally don't pursue modifications when the orders go...when the guidelines go up just because they, based on surveys of custodial parents, they are just happy to get payments.

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They're more interested in enforcement issues. I do have a list of what states use as their percentage threshold if you want me to read it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. This is done in 2007, so it's a little bit dated. Nationally, almost all states report having (inaudible) to their modification threshold. Thirty-six states set a percentage threshold, fifteen states provide both a percentage and dollar-based threshold, and two states have only a dollar-based threshold. A few states apply a higher threshold if the review is requested outside the (inaudible), usually three years. Most of the percentage thresholds are eventually divided among a 10 percent...are equally divided among a 10 percent, 15 percent, and 20 percent change in the support amount to be paid, although four states set a threshold at 25 percent. Dollar thresholds range from \$10 to \$100 per month, but most dollar-based thresholds are either \$25 or \$50 per month. Most thresholds (inaudible) the order amount, but a few states also have thresholds that apply to changes in a party's income. The lowest reported percentage threshold is a 10 percent change. The highest threshold is a change of 50 percent or more in a parent's net income, but this state only applies it (inaudible) to requests made less than 24 months since the order was entered, last modified, or last reviewed. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So Nebraska is at the very low end is what you're saying. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. Well, I'm going to make a motion that we modify that 10 percent figure in 4-215 to 15 percent. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: I'll second that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Wait, what is that, in 4-2...? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Is it 215 or... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: 217. It's 217. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: 217. I'm sorry, I'm on the wrong page here. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: 217. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: 217. There we go. Yes, we modify that 10 percent figure to 15 percent, but leave the remainder of the language exactly the same. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: I'll second that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any more discussion? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any other further motions on addressing the application of the changes to the tables to retroactively or is there anything that we want to do about this or just let it...? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is this something we do or is this something the Supreme Court would decide when the rules are effective? Or is that something you did the last time the guidelines were changed? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I'm not sure I understand your question. They put it out for comment for about 60-90 days. It was four summers ago. And then I'm going to say in July the Supreme Court announced...well, actually, let me back up. They put it out for comment and I don't think they changed anything after the comment period. They did...they became effective September 1 of that year so people had a fair amount of warning before they were going to change. And, you know, there was plenty of comment period. I don't know if that answered your question or not,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...maybe it didn't, but. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Does the Supreme Court, will they...this is just some advice to them. They can do whatever they want. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh, absolutely. They...they... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So they might choose to phase this in or something of that nature. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: They could. They could do all kinds of things. We, four years ago, we didn't have that much of...a large number of proposed changes as compared with four years earlier in 2006. But they still didn't adopt all of our changes. They tinkered with the cash medical, doing it differently than what we had suggested they do. They did make most of the...adopt most of our changes but not all of them. So they're certainly free to talk to their district judges hear of the fear of blowback, you know, of 10,000 modifications being filed and decide that that can't be used on existing cases as a grounds to modify. Or they could move that 15 percent to 25 percent if they wanted to. They can do darn well whatever they want to do. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I was talking more about the retroactive nature than... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Should we just say to the Supreme Court, you deal with it? (Laugh) [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, that's what I'm wondering. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is that something we discuss? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, that's inferred. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can we make a recommendation to them that... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or do we...do we (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...that they include a provision to deal with? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's what I mean. Are we going to make a recommendation stating that... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They need to address it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, or do we want to make a recommendation as to whether or not it would have a retroactive effect? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We could certainly make a recommendation or an observation that we're concerned that if these changes are adopted that it may cause an overload to the court system on a temporary basis, like kind of like a tsunami. I don't think we have

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to include that as part of our proposed guidelines language but we could,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Like in a cover letter or something? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...in a report we can mention that it's a concern that they should review and address. They can talk to their district judges, you know, and get some feel from them and decide how they want to do that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So we would, in effect, make no recommendation regarding whether this would have a retroactive effect. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're just going to highlight it as something they should... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Think about. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody want to make a motion to address it? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I would like to add to that, that we're all...this is my opinion, we're also concerned about the sudden change in child support for recipients of child support,... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: ...and that might be another thing to consider. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Absolutely. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So how we'll address it, either in the report or in a cover letter to the court, we'll just say, of note, we didn't make specific recommendations but we're concerned about the impact of these orders changing existing child support orders to recipients and the retroactive application. Is that fair enough? Dr. Venohr, did you catch that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. Do you mind saying that one more time? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We'd like it to be in the report or in a letter that goes with our report to the Supreme Court that we haven't made specific recommendations around the retroactive application of the change in the table, but we have a concern about the impact that the new table will have on existing child support orders, particularly to the recipients of child support, and we would encourage them to look at that. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: (Inaudible) clarify what you mean by "the retroactive application of a change in table." [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Sure. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm having a little trouble with the vernacular. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Sure. So the child...assuming that the revised table that the Supreme Court adopts it and it goes into effect, say, September 1, 2015, we are concerned about existing cases... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...coming in to modify, because it will, no doubt, reduce child support obligations. Well, it would increase the day care... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Not necessarily. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You're right. It will increase day care. We're just concerned about the influx of modification cases that we might see and we think the...we want the Nebraska Supreme Court to know that we were concerned about that. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. So you're concerned with substantial cases, particularly among recipients, that could affect their cost of living. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: (Inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: So what's your purpose in saying that, to warn them, to say whatever you do don't blame us? Or what...I mean what's the purpose of that? [CHILD SUPPORT

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ANGELA DUNNE: Kind of that. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I mean so...I mean if that's a concern then why isn't there a recommendation to address it? [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Good point. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I mean I'd just leave it. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: What? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I don't know that I'd agree with that. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: No, no, no. I don't know if... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, if I may, just from working with other courts where the guidelines are in court rules, it's a nice heads up because even though you guys are making recommendations, you don't have final authority. So this brings diligence that you acknowledge that. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I mean the court's not...the court is pretty smart, so they're going to know. These are going to have some...I mean something is going to...there's going to be some fallout from this. So I mean it sounds like it's kind of a weak...here's our

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recommendations but don't blame us if you're going to have a lot of problems. That's what it sounds like to me. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, not "don't blame us." Just be aware that we did, we did consider these problems. We don't know how... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: How to fix them. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...how to... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And I think maybe by clarifying the variables that will impact it, because by integrating the child care you may not have a run because once an NCP looks at it they'll go, wait a minute, mine is going to go up because now I've got to pay it through the courts on the childcare expenses and what I'm paying now or not paying now, we're still getting along fine or, you know, it's still working. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, but they're paying day care now; it's just not... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I know that. No, no, no, I know they are, but believe me, there are a lot who are not. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And there's nobody taking them to court... [CHILD SUPPORT

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KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I see what you're... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...because it's not...they can't afford to. [CHILD SUPPORT
ADVISORY COMMISSION]

KARIN NOAKES: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And so that's what I mean by the run on the bank may not be to the extent that you believe because we won't know the population and what all the population is doing. There's changes for both good and bad. I mean there's lowering in the tables, but there's integrating of the childcare expenses. [CHILD SUPPORT
ADVISORY COMMISSION]

ANGELA DUNNE: Well, Bill is... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So make them aware of these are the variables that make us shrug our shoulders and say we don't know what will happen. You know, I mean... [CHILD
SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Forewarned is forearmed. I think it's our...it's only fair to the commission to go on record saying we recognize that our proposed changes may have dramatic impact on the lives and the financial livelihood of parents across the state, and we recognize that, you know, that some people may be financially harmed, and in addition the court system may be overwhelmed, at least temporarily, by a lot of filings. I think it's appropriate to...for us to go on record as recognizing that we know our work may cause... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: We considered all of those things. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...pain to people, collateral damage to the courts, as it were. That doesn't mean we're going to make a recommendation that they phase it in or that they don't allow existing orders to apply. It's just recognition of the facts. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: But we stand by these recommendations. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Absolutely. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, and they're for the good of the children. That's what I mean, the recommendation is for the good of the children. That's the critical thing. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: That's different. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And what the impact is, it's still for the good of the children. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, that's a great question. Do we...I think this goes to the core of it. Do we think the recommendations we're making are for the good of the children who have existing orders where their life is set up under a certain financial structure that would be very different under the new? I mean I get the new, but that's what we're talking about is the kids. So say we've got kids who are all older than 12. We've got three kids who are 13, 15, 17, and child support is about to go down 500 bucks to their custodial parent. Now that parent needs to move out of their house. Do we think that's in

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the best interests of children? I think this is. We get it, because parents prospectively will be able to budget appropriately for what it's going to be. The existing children under orders, I think that's our concern. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Well, but if you look at the other side of that, you can say, well, the noncustodial parent is operating to their detriment. I mean maybe, if they are not able to provide for the children in the way that they would like, because of their existing order. You know, flip that around the other way and so it's like it's okay for us to take care of one party but not the other in that situation. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Which potentially is also impacting the program because you have noncustodial parents not able to meet their obligations because of the old tables; hence...I mean, I think, to me, it's for the good of the children that we're making it equitable. That's what we're focusing on. And... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We are helping the custodial parent in the day care... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...because many, many custodial parents never recover their day care. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And so it is helping custodial parents who have custody of children who are in day care. Where it may not is the situation you described when there's teenagers left and you have to go back and it's lowered, the custodial parents, lowered

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because of the guidelines. They may not see a whole lot of benefit about what we're doing. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: And we haven't... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But then if you have a paying... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But overall, I think it's... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: We haven't really been talking about whether it was impossible for the noncustodial parent. We were just saying is the current system fair. They all have the potential to work more and make more money. And 40 hours a week, as a high standard of living that we have in this country, there's plenty of opportunity to work more and make more. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, and Dr. Venohr mentioned the fact is that those that are paying are probably going to be less likely to request one anyway. If the NCP is capable of paying, I mean the relief is for those noncustodial parents who have massive arrearages and flat-out are not able to make their payments. And those are the public people that were crying out to us when this all started as well that, you know, I'm not able to meet this obligation, I have this much in arrearages and there's no relief in sight. The tables are too high, you know, so. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And, Kathy, what do...do you think this will have any...you seem to know more about this than I do, or maybe Byron. When the total income of the custodial parent goes down, I'm...there's a lot of people who get child support who still also get government assistance, I'm assuming. So what do you think that's going to do to...I mean are we going to have a lot more people needing assistance or do you think it will

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be negligible? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I don't know that we know the numbers. I think you could make some assumptions that, yes, there is, but, you know, if I sit and listen to you all, and I apologize because I need to leave for an appointment, but it seems to me that we've tried and maybe the best thing to say to the Supreme Court is we realize that there is substantial change to some of the recommendations we are making, but we feel on balance, on balance the recommendations are in the best interests of the children and families in the state. And leave it at that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That sounds wonderful. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Don't try to overexplain or over...I mean I agree with Judy, the judges and the justices, they understand. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: They're going to know. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But I think we can say that we have made substantial recommendations but on balance we feel, because that's exactly what you're saying, is on balance... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...we think this does support children and families. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. Sounds great. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Very good. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Can you just phrase that one more time? (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It will be in the transcript, right? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Let's move on. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That the gist is that on balance we support the recommendation... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We, on balance,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No, no, no, no, no. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We recognize...we recognize that there is substantial change in the recommendations we are making, but on balance we believe that in totality the recommendations are the best for children and families in Nebraska. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Perfect. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Excellent. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Excellent. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And I cannot say it again. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I know. That was wonderful. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So does that conclude any suggested revisions through Section 4-222? Yes. So turning to Worksheet 1, this work... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: May I interject on these worksheets, please? [CHILD SUPPORT ADVISORY COMMISSIONS]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The way I did these worksheets is I downloaded the court forms in PDF and then I had them transferred to Word so I could edit them, but they didn't do the formatting quite right. So one issue I have is if anybody has got a Word version of these, that would be wonderful. It would streamline things. And the second thing is that with regard to Worksheet 1, I made some changes and then I forgot that Bill, Mr. MacKenzie, also had changes, and so he has his worksheets in this document too. That's the second thing I want to highlight. And the third thing is that some of these worksheets, it's a very crude draft so I don't know if, you know, you'd want to spend the rest of the time going through it. Part of the problem is, like I said, it wasn't in Word and I had an issue with columns and so the edits might be difficult to read. So I just want put those caveats out there. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Dr. Venohr, do you create the day-care worksheet then? [CHILD

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JANE VENOHR: What's the day-care worksheet? You mean the line (inaudible)?
[CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Or how is that created? [CHILD SUPPORT ADVISORY
COMMISSION]

KARIN NOAKES: It wouldn't be a separate worksheet. It would just be a line item.
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's line 9. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Oh, is it just a line? Okay, so. [CHILD SUPPORT ADVISORY
COMMISSION]

_____ : Right. It's on page 9. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But there aren't worksheets that people would utilize somehow to...
[CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And are those not going to be in here? [CHILD SUPPORT
ADVISORY COMMISSION]

JANE VENOHR: There is. Let me just, if you look at, just to add clarity, if you look at
page...of the beginning of the guidelines, Article 2, it lists all the worksheets that you
have, and I'll just run down what are what I call the conforming changes to your other
recommendations. So Worksheet 1, the basic net income and support calculation, what

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needs to be changed there is the deduction from income for the parents' health insurance, and the second change would be the childcare that's now on the worksheet. For Worksheet 2 the calculation gets a little bit messy. If you're a user of Worksheet 2, the split custody one, you know, obviously it also is going to have that income deduction for the parents. I think actually it does direct you to use Worksheet 1 for the income. But then at the very end there is this little complicated calculation, depending on which parent is providing the health insurance, and that complicated calculation has to be extended now to childcare because, I mean I hope I read this right or understood it right, that childcare addition could be applied to either the custodial or the noncustodial parent. Did I understand that right? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, it's going to be assigned to the custodial parent. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: But it could be applied to either the mother or the father, right? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And so you'd still have to do that sort of calculation that you now do for the health insurance for the childcare, since it's an add on. Am I understanding it? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: That's exactly right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: So the changes that I show in Worksheet 2 are to accommodate that. Worksheet 3, obviously you've got to do the changes for the number of days. I think it's in here. I'm not sure about that. It starts with Worksheet 1, so you don't have to use...do that deduction for the parent's health insurance, but you still have to do the adjustment for now the way childcare expenses are treated. I'm not sure if you have to make any other changes for the language that you did with regard to the shared parenting expenses. I hadn't thought about how... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That won't be in the worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay, excellent. And Worksheet 4 is the number of children calculation and this is just as kids age out of the order. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, can I back you up just a moment, going back to Worksheet 3? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You've got line 12, each parent's additional expenses paid. Oh, okay, so that's 10 and 11 added. Never mind. I understand that. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And there is more than one way to do the math on this but will get you the same result. So you know, you might have a preference in...I know some states feel very strongly on, you know, whether, when you have A plus B plus (inaudible) C they'd

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rather have A taken out and parens around B plus C. So that's just something to think about. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. I guess maybe I was confused by your terminology. For instance, on line 14 you say you've added the term "combined additional expenses." When you're talking about those combined additional expenses, you're talking about childcare and health insurance. Is that correct? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct, and that's sort of the vernacular and language issue that you really do want it to make sense for practitioners. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And make sure I don't flip something in there that's a foreign term. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'll just walk through the other two worksheets. Worksheet 4 is the number of children calculation as the children age. And you have more worksheets than any state I've ever seen, to be honest. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, it's good that we're number one in something. (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You're number one in a lot of things I think. I won't brag about you guys right now but...I'm going to stay focused here. So for Worksheet 4 we just have to add the childcare expenses. Worksheet 5, adding the childcare expenses and the

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adjustment at the end. And there's no change to Worksheet 6, which is the childcare tax credit unless I find out those income thresholds are different. And as I think about it, I now realize those dollar amounts might have changed too. I think it's \$75 per child once you get to two and three children. So there might be some, just to be consistent with the federal childcare tax credit. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You'll check that out for us. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I definitely will. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anyone want to move? So I just want to make sure everybody is on the same page. What we just did was go through each of our existing child support worksheets, 1 through 6. Dr. Venohr was highlighting for us what we have identified would be changes and what somebody...we need a motion to adopt all of our recommendations be consistent with work...I just used bad grammar and I hate that but I'm too tired to fix myself. So anyway, Worksheet 1 through Worksheet 6 should incorporate all of our recommendations. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Somebody want to make that motion? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So move. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Is Worksheet 6 in the material? [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Uh-uh. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I didn't see it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That wouldn't change. [CHILD SUPPORT ADVISORY
COMMISSION]

WILLIAM MACKENZIE: All right. Thank you. All right, has it been seconded? [CHILD
SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What? We're waiting for a motion. [CHILD SUPPORT ADVISORY
COMMISSION]

ERIC THOMPSON: I said so moved, if that counts as a motion. [CHILD SUPPORT
ADVISORY COMMISSION]

ANGELA DUNNE: Oh, yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It does. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll second it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we have a second. Any further discussion? Let's vote. [CHILD

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Congratulations, team. (Laugh) [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is that it? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do I believe, Dr. Venohr, you're going to correct me if I'm wrong, that number 5 is what we all...what we just did. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. And we...one thing I do want the commission to do is I want to...if somebody has a Word version, that would be very helpful. And the second thing is that when I draft that report, I'm going to review these, but somebody...you're going to have to have somebody review them carefully. I mean it could be somebody at the court, it might be somebody on the commission. I don't have a staff person that knows Nebraska well enough to trust that staff person to review me, so...because these worksheets it's very easy to make an error. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm going to appoint Bill MacKenzie to...or I don't think I can appoint.

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I'm going to move that Bill MacKenzie... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We're not voting on that, but I will, I'll be happy to look it over.
[CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: He volunteered. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I've been volunteered, Doctor. [CHILD SUPPORT ADVISORY
COMMISSION]

JANE VENOHR: Oh, that's lovely. Thank you so much. [CHILD SUPPORT ADVISORY
COMMISSION]

WILLIAM MACKENZIE: I did, you know, they're giving my office off at noon on
Christmas Eve, so I'm just so thrilled that I'm willing to work hard before that, so. [CHILD
SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So the next steps are I'm going to provide to Josh the
language for Section 4-212, 4-214 to send to you, Dr. Venohr, for inclusion in the report.
And Bill is going to review... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: With you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...with me... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You're coming back, aren't you? [CHILD SUPPORT
ADVISORY COMMISSION]

ANGELA DUNNE: On the 22nd. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Oh, you won't be back? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The 19th, that night. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You're going to send it out to everyone though, aren't you? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. Ms. Dunne, I have your e-mail address,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I know you do. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...as apparently does the rest of the world now but... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's also true. What was your question? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You'll send it to everyone, though, prior to the 22nd? Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: There's no harm, Josh, oh, Josh isn't here, there's no harm in everyone getting to look at a copy because the more eyes that review this, the better. We're all going to spot a few typos or a few whatnots. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. So we'll copy everybody. Any additional next actions? [CHILD

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JUDY BEUTLER: Meet on the 22nd. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. So our next meeting is Monday, December 22, at 9:00 a.m. We're hoping that that will...we'll have all reviewed the report in advance and show up that day to cast our vote on whether or not that gets...what happens when we have somebody vote...we don't need to make this on the record. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: If we all have the material a few days ahead of time, we'll be able...if we spot problems, we'll be able to address them to Josh and he'll be able to pass that word out and hopefully we can address them all succinctly and quickly and then vote on the final package. And I'm sure there will be a few loose ends. There always are. So hopefully they'll all be resolved before the meeting. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does anybody have any other business? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Then what happens? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Then the Supreme Court blesses it. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I mean who...do you carry it to the court? (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I have no idea. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: You do. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I don't know. Josh probably knows the answer to that, so... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'm sure it's delivered to the Clerk of the Supreme Court. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: (Inaudible) talked about a cover letter and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think she'll (inaudible). That's the way it looks. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The Chairman will probably do that. Chairman Ashford will probably sign that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: He'll be here, yeah. Any other additional business for today? Does anybody want to move to adjourn? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Move to adjourn. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any discussion? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

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AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]