

4/28/22, 5:00-7:00pm – CT Child Support Guidelines Commission Meeting, minutes

Conducted via Microsoft Teams

(Agenda items bolded)

5:01pm Call to Order. Agenda Approval: Graham Shaffer, designee for Department of Social Services Commissioner Gifford. Attorney for the agency, calls meeting to order.

Agenda circulated and posted to St. of CT public meeting s website by GS, moves for agenda to be approved. Seconded by Chief Family Support Magistrate Ferguson – approved by voice vote.

5:02 Introductions: Beth Rude, (was stated that she is from UCONN Office of Skills Development, but she is in fact a Public Assistance Consultant from the DSS/Office of Child Support Services, working at behest of John Dillon, IV-D Director of OCSS) administrative support, taking minutes. Minutes will be approved at the beginning of every meeting moving forward. Introduced John Dillon, non-member, but IV-D director who administers the child support program in CT.

Introductions of Commission Members:

- Graham Shaffer, Attorney at DSS, designee of DSS Commissioner Gifford
- Michael Ferguson, Chief Family Support Magistrate, designee for Chief Court Administrator
- Sean Kehoe, Section Chief of the Child Support/Collection, Office of the Attorney General, designee for Attorney General Tong.
- Campbell Barrett, divorce lawyer at Pullman and Comley, designee of Steve Stastrom
- Virginia Brown, attorney for the Office of the Child Advocate and designee of the Child Advocate, Sarah Eagan
- Amy Calvo McNamara, family law attorney, and past chair of the Family Law Section of the CT Bar Association, designee of the CT Bar Association by recommendation of Judge Cecil Thomas.
- Lucy Potter, Greater Hartford Legal Services Designee and served on 5 previous CT Guidelines Commissions
- Darren Pruslow, Supervising Attorney at the CT Veterans Legal Center, appointed by Governor Lamont to speak on behalf of obligors.
- Scott Storms, family law attorney appointed by Senator Kissel
- Zoe Stout, Legal Division Director for the Department of Children and Families, appointed by Governor Lamont to be the representative on behalf of the rights and best interests of children.
- Steven Hernandez, attorney and Executive Director of the Legislature's Non-Partisan Commission on Women, Children and Seniors, Equity and Opportunity.
- *Representative Craig Fishbein – representing himself but not appearing at this meeting
- *Senator Garry Winfield Jr. – representing himself but not appearing at this meeting

A few members stated in advance that they would not be able to remain for the second hour of today's meeting and GS stated he was moving forward to cover as many topics as possible.

5:10 – Election of Chair and Vice Chair

GS - DSS staff this commission and DSS had recommended CFSM Michael Ferguson as Chair of this Commission due to his unique position on this commission as he is making the tough decisions regarding deviations and circumstances to be taken into consideration. GS moves to consider CFM Ferguson as Chair.

And also, the staff recommended Lucy Potter as uniquely qualified to serve as Vice Chair due to her long association with these Commissions, previously held Vice Chair position and brings historical perspective and it will be very important for the Commission.

Open up the floor to others who wish to be considered for either post or nominate another person for either post.

No other nominations.

5:13 – GS moves to nominate CFM Ferguson to be appointed as Chair for the Commission, second DP. Vote affirmative.

GS moves that Lucy Potter be appointed Vice Chair, seconded by MF. Vote affirmative.

5:14 – Commission Economic Study

GS suggests the Commission approve a Survey of Economic Conditions in CT for the Commission to consider when developing the new guidelines. Attached the previous economic study for reference, 2012. Considers economic study imperative. Any questions about previous study? None.

GS moves to give authorize DSS to pursue this new study. Seconded. Vote affirmative. And will report back to the commission when we have more information about previous vendor or other vendors for the economic study.

5:16 – Schedule of future meetings

Discussion.

Last commission ran 6 years. How long does it take to get an economic study done? Previous vendor said they could begin a study for us by the end of summer. Past commissions had hearing for public input before the guidelines study.

Skip to discussion of **Connecticut Regulatory Process**. Guidelines are regulations and have to be promulgated pursuant to the CT Administrative Procedure Act, Chapter 54. Requirements including notice and comment rule making and public comment process. Question – public hearings at outset or wait until we have had some initial conclusions and have a working product. Discussion.

Steven Hernandez and his staff will help to orchestrate the unofficial public hearings if the Commission decides to do that.

GS suggest a monthly established meeting so we can post them on the State's site. Discussion. Chair/MF suggests first Thursday of the month from 5-7 pm, beginning June 2. Next meeting 6/2/22 at 5:00-7:00pm

Regular reoccurring meetings first Thursday of every month from 5-7 pm, moved, seconded and approved.

Sending out invitations, and link to public and call-in number posted on the state public website.

5:32 Gender and Racial Composition Report

Commission required to compile and report the gender and race of the Commission members. This is self-reported and GS requests email to him and “cc” the Chair to self-report or decline to report this data.

5:33 Adoption of Ground Rules.

Document sent to members about ground rules of previous Commissions. Dropped into Chat. Discussion. Members wish to review ground rules and this matter will be tabled until next meeting.

5:36 Historical Overview of Commission

Attachment discusses the Commissions charge.

Outline membership of Commission, Commission holds public hearings, gather input from public about how to amend guidelines, conduct surveys and focus groups, invite experts in to guide the Commission, prepare the amended version of the guidelines including preamble.

5:38 – Regulatory Process

Previously discussed and we can discuss further at another meeting.

5:38 Topics for the Commission to Consider

Do commission members have topics that they wish to address? GS started discussion with two topics will have to be addressed due to changes in law.

1) the adoption of the CT Parentage Act, 2021, section 23. There is a possibility that where there are competing claims to parentage, that the court may find that it is in the child’s best interest to resolve those competing claims by finding that the child has more than two parents. Researching other states, ex. CA, that have addressed this issue, parentage act, in their recently adopted guidelines.

2) Federal Regulation, 45 CFR 302.56, details what states must include in their guidelines need to be reviewed. It was amended since the Guidelines Commission last met. Federal Office of Child Support Enforcement (OCSE) document attached gives state’s changes that need to be made to their guidelines to comply to the changes to the federal regulation. CT currently complies to many of these, but we may wish to revisit these issues, for instance: low-income obligors ability to pay child support as well as basic subsistence needs. Discussion. Additional issue on the change to provision, whenever guidelines use imputation of income, there are now factors and circumstances that the state must take into consideration.

Any other thoughts on issues that commission members which to are seen as required to do or interest of commission members?

Chair/CFSM Ferguson – the OCSE changes which must happen, child support agencies will no longer be able to impute minimum amounts based on minimum wage. Discussion.

LP, other decisions over the last 5 years that other members see as issues that need to be addressed by the Commission? Discussion about higher income issues.

Paul Bourdoulous, Director for Judicial Branch Support Enforcement, SES ask the Commission to consider the rules for giving credit for other support orders; presently limited to amount of payment.

Additionally, shared custody, where deviations are now becoming the rule instead of the exception. And SES can provide to the Commission data regarding these issues.

Discussion included above and shared custody, disability, and the Jenkins Calculation.

5:57 Formulate Agenda for Next Meeting

Chair/CFSM Ferguson, formulate agenda off-line and email it to members, reply all or just to Chair and GS.

5:59 Adjournment

GS move to close, second Chair. Adjourned.

Referenced Attachments:

 Agenda - 4.28.22.doc	 Commission Overview.doc	 PA 21-15 - CT Parentage Act.PDF	 CGS 4-9b.pdf	 46b-215a Commission for Chil	 45 cfr 302.56.pdf
 Groundrules from previous Commission	 Membership-Comm ission for Child Sup	 OCSE - final_rule_guideline			

As submitted by Beth Rude, 5/3/22.