

The following minute are draft minutes, which are subject to revision and have not yet been adopted by the Commission.

STATE OF CONNECTICUT – CHILD SUPPORT GUIDELINES COMMISSION MEETING

Minutes for the 10/5/23 meeting, via *Microsoft Meetings*. Agenda items bolded. Scribe: Beth Rude, DSS/OCSS.

5:05 pm – Call to order, provision for meeting minutes.

Roll call – Present: Chair CFSM Ferguson, Graham Shaffer, Carolyn Signorelli, Campbell Barrett, Cara Pavalock, Virginia Brown, Rose Colon, Darren Pruslow.

Not present: Gary Winfield, Scott Storms, Amy McNamara, Steven Hernandez, Michael Williams.

Chair asked members if they had questions on the minutes from the last meeting, none. Graham Shaffer moved to accept minutes and Darren Pruslow seconded. Unanimously carried.

5:08 pm – Assignment of Topics to Commission Members

Chair CFSM Ferguson, Vice Chair Pruslow and Graham Shaffer will be on all the committees. Members of the commission who will be assigned on these topics are designated by each topic. If absent members wish to be assigned to any of these committees, they can elect to do so by notifying the Chair, Vice Chair and Graham Shaffer by email.

1. Imputation of income and minimum wage orders – Carolyn Signorelli, Rose Colon, Barrett Campbell as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.

Chair Ferguson stated he received a letter from the former Chief Administrative Judge, Judge Alves, the Director of Judicial Division's Support Enforcement Services, Paul Bourdoulous, and the current Chief Administrative Judge, Judge Leo Diana. The Chair will forward these letters for the group.

2. Changes needed for higher income orders. Campbell Barrett, Amy McNamara, Scott Storms as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.
3. How to handle orders where income is lower than what is contemplated by the guidelines? Carolyn Signorelli as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.
4. How to handle lump sum awards considering the rule established in *Jenkins v. Jenkins*, 243 Conn. 584, 704 A.2d 231 (1998). Michael Ferguson, Darren Pruslow and Graham Shaffer.
5. Adoption of current order when there is an arrearage at time child emancipates. Michael Ferguson, Darren Pruslow and Graham Shaffer.
6. Arrearages calculations. Michael Ferguson, Darren Pruslow and Graham Shaffer.
7. Methodology for orders in instances of shared custody. Amy McNamara, Campbell Barrett, Cara Pavalock, Steven Hernandez, Scott Storms as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.
8. Crediting other orders. Rose Colon as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.
9. Addressing situations where there are more than 2 parents following passage of the CT Parentage Act. Steven Hernandez, Virginia Brown as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.
10. Providing or defining a method for calculating a monthly and/or bi-weekly expression of child support in the guidelines. Michael Ferguson, Darren Pruslow and Graham Shaffer.
11. Setting an age at which the childcare contribution portion of a support order terminates, unless ordered otherwise by the court – 46b-215a-2c(g). Carolyn Signorelli as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.

12. Protecting an actual amount of the obligor's income as a self-support reserve. *Priority issue as Dr Venohr needs a response to update the guidelines.* Virginia Brown as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.

13. Creation of an automated calculator in the guidelines -

Graham Shaffer suggested that this Commission may make a recommendation regarding the creation of a guideline's calculator to DSS/Office of Child Support Services, but this requires funding and a vendor to create. Perhaps an official recommendation by the Commission would be considered at some point.

14. An additional item that failed to make the agenda was suggested by Scott Storms, that of extracurricular activities. Scott Storms, Amy McNamara, Barrett Campbell as well as Michael Ferguson, Darren Pruslow and Graham Shaffer.

5:21 pm - ** In addition to making a decision about how to move forward with the low-income adjustment approach, we need to make a decision about whether:

(1) to the extent the current methodology for making a low-income adjustment is maintained using the shading on the Guidelines schedule, the shading should be expanded to higher incomes.

(2) the current Guidelines schedule should be extended beyond \$4,000/week (perhaps to \$5,000/week?); and

(3) the data from the updated Betson-Rothbarth study (which the Commission has already voted to use) should be adjusted to Connecticut incomes and cost-of-living using the income-realignment or price-parity methodology (see slides 8-12 of Dr. Venohr's most recent presentation)

At the next meeting, the commission will address these issues and reply to Dr. Venohr so she can continue to contour the guidelines to Connecticut's requirements.

5:23 pm - Presentation of findings and recommendations to Commission

Chair Ferguson discussed the bullets of this agenda item:

- Commission members assigned to these topics will be responsible to research the issues and presenting their research to the broader
- Commission and making a recommendation. Commission members assigned to the same topic can correspond via email but are not expected to meet.
- Chief Magistrate Ferguson, Attorney Pruslow, and Attorney Shaffer will work with Commission members on all topics.
- Commission members should be prepared to present to the broader Commission when assigned to do so at a regular meeting. This presentation should include a description of the issue or problem that needs to be addressed, how previous Commissions addressed the issue, if at all, any relevant case law or other sources of law that are relevant to the issue, and a recommendation on how the current Commission should handle the issue.

Chair Ferguson: At next meeting, we would like an update from the members of each topic to find out where you are in your research or if you have concluded your research and are ready to present. The Commission needs to keep making progress so we can conclude this portion of our work so that we can move on to public comment, making their suggestions and recommendations for us to consider.

Graham Shaffer states prior to the next meeting he will be circulating the previous versions of the guidelines and the report that was issued with them for the members to review how certain issues were dealt with by previous commissions as well as identify portions of the existing guidelines that may need amending and what will effectively be a proposed regulation for us to submit.

Cara Pavalock requested the Chair restate the topics which only he, the vice chair and Graham Shaffer are assigned at present. They are: 1) lump sum awards, 2) adoption of current order when there is an arrearage at the time child emancipates, 3) arrearage calculations, 4) a method to calculate a monthly or biweekly expression in the guidelines.

Chair Ferguson, for those not present today, if he does not hear from them regarding assignment to a topic/s, he will assign them a topic/s so every commission member is participating.

5:26 pm – Open Discussion. No questions or comments.

5:27 pm - Adjournment. Next meeting November 2, 2023, at 5:00pm via Microsoft Meetings.

