

(Minutes approved 2/1/24)

STATE OF CONNECTICUT – CHILD SUPPORT GUIDELINES COMMISSION MEETING

Minutes for the 11/2/23 meeting, *via Microsoft Meetings*. Agenda items bolded. Scribe: Beth Rude, DSS/OCSS

5:00 pm - Call to order, provision for meeting minutes.

Roll call. Present: Chair CFSM Michael Ferguson; Graham Shaffer; Carolyn Signorelli; Campbell Barrett; Cara Pavalock D'Amato; Virginia Brown; Amy McNamara (arrived at 5:08); Rose Colon; Vice Chair Darren Pruslow; Steven Hernandez; Michael Williams (arrived at 5:08).

Not Present: Gary Winfield; Scott Storms.

Chair made one change to 10/5/23 minutes to correct spelling of former Chief Administrative Judge from Alvez to Albis. Change effected. No other questions about the last meeting minutes. Motion to accept the corrected minutes moved and seconded and adopted by unanimous voice vote.

5:03 pm - Assignment of topics with no volunteers and to Commission members not present at October meeting; designation of member to be primarily responsible for each topic.

Chair review assignments and ask for a point person on each topic. In addition, Chair, Vice Chair and Graham Shaffer will be on all the topics.

Imputation of income and minimum wage orders

- Attorneys Signorelli, Colón, and Barrett – Lead Atty Signorelli.

Issues pertaining to high income orders

- Attorneys Barrett, McNamara, and Storms – Lead Atty Barrett

How to handle orders where income is lower than what is contemplated by the guidelines

- Attorney Signorelli – Lead Atty Pruslow

How to handle lump sum awards considering the rule established in Jenkins v. Jenkins, 243 Conn. 584, 704 A.2d 231 (1998)

- Rep. Pavalock-D'Amato – Lead Atty Shaffer

Adoption of current order when there is an arrearage at time child emancipates

- No volunteers. Atty Hernandez will serve on this topic. – Lead Chair Ferguson

Arrearages calculations

- No volunteers. Will return to this topic assignments and lead at next meeting.

Methodology for orders in instances of shared custody

- Rep. Pavalock-D'Amato and Attorneys McNamara, Barrett, Storms, and Hernandez – Lead Atty McNamara

Crediting other orders

- Attorney Colón. Lead – Atty Colon

Addressing situations where there are more than 2 parents following passage of the CT Parentage Act

- Attorneys Hernandez and Brown. Lead – Atty Hernandez

Providing or defining a method for calculating a monthly and/or bi-weekly expression of child support in the guidelines

- No volunteers

Chair Ferguson and Atty Shaffer suggest this topic be more of a group discussion.

Setting an age at which the childcare contribution portion of a support order terminates, unless ordered otherwise by the court – 46b-215a-2c(g)

- Attorney Signorelli. Lead – Atty Shaffer

Protecting an actual amount of the obligor's income as a self-support reserve, as is done in some other states

- Attorney Brown. Lead – Brown

Extracurricular activities

- Attorneys Storms, McNamara and Barrett. Leads – Attys Barrett and McNamara, unless Atty Storms wishes to.

Chair Ferguson points out that Deputy Commission Michael Williams not yet assigned to any topic. Deputy Commissioner explains that DCF has a new chief legal counsel, Susan Hamilton, who may be joining this commission in his stead. DCF has a special interest in the CT Parentage Act changes, and she may be joining that and possibly other topics. Chair states that we will hold off until the next meeting to find her assignments.

Additionally, if any member decides that they wish to be on any additional topics, they need only ask.

5:15 pm - Adjustment of Betson-Rothbarth study to CT incomes and cost of living

Atty Shaffer explained that at a previous meeting, the commission decided to utilize the most up to date Betson-Rothbarth study for our child support guidelines. There is another component that we need to decide on, which is the methodology for adjusting the data to reflect Connecticut incomes and cost-of-living so Dr Venohr can complete a guidelines schedule for our consideration. The Betson-Rothbarth study is a national study, and we should contour it for Connecticut by using either the income realignment model or the price parity model which are the models used by other US states. CT has historically used the income realignment model. After Chair Ferguson, Vice Chair Pruslow, Atty Shaffer and Atty Brown discussed these models with Dr. Venohr, there were some differences in how the numbers for orders would be expressed and Dr Venohr stated that economists view both methodologies as equally valid. Atty Shaffer stated that they recommend the commission to continue using the income realignment model. Discussion opened to the commission members.

Atty Barrett asked if the income realignment model is the same as the income shares model? Atty Shaffer explained that the income shares model aims to determine how much income the family would use on child rearing if the family was intact. The income share model has always been used in CT and the intention was to continue to do that. Once that decision was made, we voted to use the updated Betson-Rothbarth study. Dr Venohr takes this national data set for the Betson-Rothbarth study and updates the current standards to determine how much of their income an intact family would use on child rearing in CT. The question is how to update the Betson-Rothbarth to CT incomes and cost of living and our suggestion is to use the income realignment model described in Dr. Venohr's presentation. Atty Pruslow said that after a long discussion with

Dr. Venohr there was no major distinction between the two models, so it makes sense to stay with the model we have been using historically. Atty Shaffer moved to adopt the income realignment model for the update of the guidelines schedule and Atty Pruslow seconded. Motion carried.

5:20 pm. - Recommendation of Chair, vice-chair and attorneys Shaffer and Brown to extend the current Guidelines schedule to \$5,000/week.

Atty Shaffer explained that the current guidelines schedule was updated in 2015 and extends only to \$4000.00. Dr. Venohr has data from the income realignment schedule that permits her to up to \$5000.00 per week and that is the guideline limit that they recommend. This limit is for the shared net income. Motion made to extend the guidelines schedule to \$5000.00 per week net, moved and seconded. Motion carried.

5:23 pm. - Recommendation of Chair, vice-chair and attorneys Shaffer and Brown to have Dr. Venohr update the low-income adjustment of the schedule (the shaded portions) from 100% to 125% of the Federal Poverty Guideline (FPG).

Atty Shaffer explained that we do not necessarily need a vote on this today and shared his screen to show the low-income shaded portion of the guidelines where only the obligor's income is considered, and the percentage of the income considered for support is lower in this section. In the past, CT has used 100% of the federal poverty guideline, which is a precursor to the federal poverty level, published regularly, which is used to determine which portions of the schedule should be shared to account for the low-income adjustment. CT has seen an increase in wages, including minimum wage, since the 2012 economic data used in this schedule. Our neighboring states use higher percentages of the federal poverty guideline for instance: NJ – 150%; NY – 135%. Based on these circumstances, we recommend after speaking with Dr. Venohr, that the low-income adjustment should be increased to use a higher percentage of the federal poverty guideline. We are going to ask Dr. Venohr to update the guideline to 125% of the federal poverty guideline for us to consider and evaluate the changes that entails. We can then decide if this should go up or down from there and it could help inform us in setting the lowest weekly income stated on the guidelines schedule, currently at an obligor net income of \$50/wk., below that there is no obligation. It has been set at this level for multiple iterations of the schedule. Open to the members for discussion. Atty Pruslow said that the Judicial Branch uses the 125% level regarding fee waivers. Asking Dr Venohr to give us a sample schedule of 125% gives us some hard number to evaluate. Vote to ask Dr Venohr to update the low-income section to 125% of FPG, moved, seconded and motion carried.

5:30pm - Open Discussion Chair Ferguson asks members to begin their research into their topics and hopes that Dr. Venohr will have numbers for us to start discussing the low-income adjusted portion of the schedule at the next meeting. Need to begin work on these topics so we can allow enough time for public feedback. Hoping that at the December meeting we can assign dates for presentations by the lead of each topic. January, we do not meet. Chair Ferguson will distribute all the email addresses of the members to every commission member so you can all get in touch regarding your topics.

5:35 pm – Adjournment



