

STATE OF CONNECTICUT - GUIDELINES COMMISSION MEETING

Minutes for the September 5, 2024 meeting, *via Microsoft Minutes*. Agenda items bolded. Scribe: Beth Rude, DSS/COSS.

5:03 pm – Call to order, provision for meeting minutes. Vice Chair asked those who are not members of the Commission to please sign in on the chat.

Roll Call. Present: Chair Michael Ferguson, Graham Shaffer, Carolyn Signorelli, Cara Pavlov D’Amato, Virginia Brown, Amy McNamara, Rose Colon, Vice Chair Darren Pruslow, Michael Werner, Susan Hamilton.

Not Present: Campbell Barrett, Scott Storms.

Minutes of June 6, 2024, moved to accept by Graham Shaffer and seconded by Cara Pavlov D’Amato. Motion carried.

5:05pm - Recommendation of Chair, Vice Chair, and attorneys Shaffer, Signorelli and Pavalock-Damato concerning Social Security Disability Insurance derivative benefits.

Darren Pruslow discussed the issue of awarding derivative benefits from Social Security Disability (SSD) also called the Jenkins Calculation. In this situation, the custodial parent (CP) will receive a direct benefit from social security based on the benefits received by the non-custodial parent (NCP). The NCP does not know that benefit amount and the CP works directly with the Social Security Administration (SSA). These cases are often brought as modifications to an existing order as circumstances have changed. The Jenkins Calculation is already addressed in the guidelines and there is no need to change that language. The issue is to make the guidelines explicit as to the lump sum award that is usually made directly from the SSA to the custodial parent and does not pass through the state for accounting purposes. We propose that this payment be credited towards any arrearage owed to the custodial parent, not to any other entity to whom arrearages are owed.

Discussion ensued: regarding the current language in the guidelines about this issue; regarding the Jenkins Calculation; the rules of SSD; language of this amendment of the guidelines, including providing examples; where to place in the guidelines.

Returned this issue to the sub-group to refine this language and where to put it.

5:26 pm - Update and discussion on shared parenting topic

- **Summary of previous discussions**
- **Viewpoint of the Family Support Magistrates and Superior Court Judges**
- **Viewpoint of the Family Law Section of the Connecticut Bar Association**
- **Decision of the Appellate Court in *Wald v. Cortland-Wald*, 226 Conn. App. 752 (2024)**

Chair Chief Family Support Magistrate Michael Ferguson said that he, Chief Administrative Judge Leo Diana and former Chief Administrative Judge Michael Albas are against have a formula for shared parenting. Amy McNamara sought input from the Connecticut Bar Association and that meeting is scheduled for 9/10/24. She will present that the benches are strongly opposed to a formulaic approach. She will present her feedback at the November meeting. Chair Ferguson explained that we will discuss the appellate court decision at the meeting where we discuss shared parenting.

5:31 pm - Reminder to meet on outstanding topics

Graham Shaffer discussed the outstanding issues which include: shared parenting; multiple parents with the passage of the Connecticut Parentage Act; and extracurricular activities.

Chair Ferguson states the bench consensus is that there should not be a formula for extracurricular activities. While this may work out for the upper ends of the guidelines, it certainly does not for the middle and lower ends of the guidelines.

5:34 pm - Changes needed to the worksheet found at section 46b-215a-6 of the Regulations of Connecticut State Agencies?

Chair Ferguson tabled this issue until the next meeting until we discuss the Jenkins Calculation. Graham Shaffer requests members to bring any problems or issues you have with the guideline's worksheet, or instructions, to the attention of himself, Chair and Vice Chair.

5:36 pm – Adjournment

Next meeting is October 3, 2024.



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Draft language -
SSD Dependency



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