STATE OF CONNECTICUT, CHILD SUPPORT GUIDELINES COMMISSION MEETING

Minutes for the May 1, 2025, meeting held via Microsoft Meetings. Agenda items are bolded.
Scribe: Gregory Bennett, DSS/OCSS

5:03pm – Call to order, provision for meeting minutes.
Roll Call
Present: CFSM Michael Ferguson, Chair, Graham Shaffer, Amy Guido, Susan Hamilton, Virginia Brown, Darren Pruslow, Michael Werner, Cara Pavalock D'Amato, and Susan Hamilton.

Not present: Carolyn Signorelli, Gary Winfield, Amy Calvo MacNamara, Scott Storms, Rose Colon

Minutes from April meeting moved to adopt by Graham Shaffer and seconded by Susan Hamilton. Motion carried unanimously.

Present in the meeting who are not on the Commission and signed into the chat include; Maria Lopez, Lynn Reeves, Edgar Young, Colleen Michelson, and Andrew Celinski.

5:06 pm – Review of final report from Dr. Venohr Commission for Child Support Guidelines Concerning Child Support and Arrearage Guidelines

Graham Shaffer began a discussion with the Commission members and offered time to speak up about something that inadequately represents our decision making or our thought processes. Cara Pavalock questioned if the commission voted on 30 hours per week or 34 and Magistrate Michael Ferguson stated that we came up with 32. He then stated it should reflect the 32 hours for full-time employment. Graham Shaffer stated there is a section 6 to the proposed regulation and in subdivision 2 of that new subsection it says for purposes of imputing income full-time employment shall be considered employment at 32 hours per week. Cara Pavalock questioned if we want it to reflect more. Graham Shaffer stated that he thinks the report reflects the average number of hours for all employees in Connecticut is 33.8 hours, so it is slightly higher than what we set it at with the caveat that she notes in the report that in several industries the average number of hours is actually lower than 33.8. Magistrate Michael Ferguson stated it is important because in court everyday he sees where people come in and they are working 32 hours and another part time job to get up to 40 hours. He stated most of them are working in box stores like Walmart, Amazon, or the warehouse and they will not employ them past 32 hours. He stated he thinks it is something to do with if they go past 32 hours then other things kick in such as health insurance and benefits. Darren Pruslow stated that is exactly right and that is when they have an obligation to give health care benefits, and he thinks that is why we pick up 32 because employers intentionally don't give employees more than 32. Amy Guido reported a concern that if we lower it to 32, we are encouraging people not to show up in court for only imputing 32. She stated people who do the right thing and come to court and are working more hours are going to get higher orders than the people who don't show up. She stated there is absolutely no reason if you are working less hours why can't go out and get another job and work more hours. She stated that it only benefits the child to have parents who are working more than 32 hours and most people that come through that she sees in court 4 days a week are getting 40 hours and overtime. She stated it is doing children a disservice. Michael Ferguson thanked Amy Guido for her comments and stated that we have voted on 32 hours and it makes sense. Discussion ensued on the number of hours and whether the commission voted already further.

Cara Pavalock questioned if retirement contributions were talked about and any variations on that. Graham Shaffer stated that she (Dr. Venhor) talked about the deductions that are used in the guidelines, which include mandatory retirement. Cara Pavalock questioned if she found any disparities between somebody who has a pension, somebody who is mainly self-employed, or has a job. Question was reserved for next "go around".

Magistrate Michael Ferguson asked the Commission if there were any comments or concerns with Dr. Venhor's report, and there were none. He then questioned what is next to do on this report. Graham Shaffer stated he can tell her that the Commission agree with the findings in her report and she can finalize it. He stated that we will post this in a section of the Department of Social Services website for all these Commission meetings. He stated that when he receives the final report, he will share it with the Commission.

5:20pm - Review of updated proposed regulation

Graham Shaffer stated that he shared a draft a while back and wanted to share some changes that have been made since. The latest version was circulated, and two changes were made based on comments received from Cara Pavalock. He stated that Cara points out that our guidelines currently only allow deductions for union dues or fees if they are mandatory. He stated that she pointed out that some years ago the Supreme Court determined that union dues cannot be made mandatory in the Janus decision. Graham stated that in subparagraph G in the definition section it is subdivision one that defines allowable deductions to remove the mandatory requirement for those union dues and fees.

Graham Shaffer then stated that Cara Pavalock pointed out that there is a lot of language here that says any parent, and she wanted to stave off any confusion with that terminology that somebody like a stepparent who has not otherwise established actual legal parentage under Connecticut law might be drawn into some of these disputes. To resolve that concern we included a new definition of parent, which was a definition of parent and it simply referring to the definition in the statutes which refers to a section of the statutes that outlines all the ways in Connecticut that a parent child relationship can be established by law.

Graham Shaffer then stated that another change that was made about unreimbursed medical expenses and that it is on page 60. He stated that there is also a provision about the childcare contribution. He stated there is a protection for paying no more than 50%. He stated that in cases involving more than two parents a percentage rendered by dividing 100% of the total number of parents and rounding to the nearest whole percent. He stated that should a case involve more than three parents, the judge or family support magistrate shall apply the rule set forth in the guidelines using multiple worksheets if necessary to reach a presumptive support amount. Magistrate Michael Ferguson stated the new language makes sense to keep it at 3 parents for now.

Graham Shaffer stated that he is still finalizing trying to come up with language on the worksheet to provide clear instructions about how to do everything with more than two parents. There are provisions in the guidelines about shared physical custody and split custody. He then shared definitions of both. He stated that he has no solution and is still thinking about it. He stated his thought is to include a line at the end of each of these provisions that just says that the court should use its discretion, taking all circumstances in the best interest of the children. Discussion ensued how difficult this process will be to determine. Commission

members were all in agreement to draft language giving the court discretion in determining these 3+ parent custody matters.

Graham stated the last thing he wanted to raise from the proposed regulation is that he thinks it's feasible that we will have the worksheet completed to share with you by the June meeting. He stated that we could vote on the final language at the June meeting and draft the notice of intent during the two-month period of July and August where there are no Commission meetings. He stated that we do want to have at least one public hearing on the proposed regulation to get in person feedback from the members of the public in early September. Magistrate Michael Ferguson stated this is a good idea and we can vote on the regulation next meeting and set up a time frame for the notice and things. He also stated that we need to have multiple public meetings that way some may not be able to make it to one. Magistrate Michael Ferguson questioned who writes up the preamble and stated we just must determine once we get the proposed regulations down, we can divvy it up and everyone could take a section and go from there. The Commission members then discussed the need for in person, zoom meetings, and have CTN coverage.

5:42 pm – Adjournment

Magistrate Michael Ferguson stated the next meeting is June 5, 2025.