

Minutes

Child Support Schedule Workgroup
Friday, February 24th | 12:30pm – 5:00pm
Teams Webinar

To access the meeting online and to register: [Webinar Registration](#)

Attendance

Members appearing on Teams	Amy Roark, Anneliese Vance-Sherman, Carol Ann Slater, Gaston Shelton, Janelle Wilson, Jennifer Turner, James Clark, Joy Moore, Kaha Arte, Kathleen O’Shea Senecal, Kimberly Loges, Raymond Allen, Sharon Redmond, Tami Chavez, Terry Price
Members appearing in person	
Members not appearing	Senator Claire Wilson, Senator Matt Boehnke
Division of Child Support Staff	Ian Hall, Jake Hughes, Jana Ekstrom, Janina Oestreich, Josselyn Green, Lucas Camacho, Rachel Tumbleson, Rachele Jennings
Public Attendees	Anne Stone, Bernardene Charley, Dieter Jacobs, Gordon Bock

Agenda Details

1. Welcome (12:37-1:23)

a. Sponsor Kick-off (Sharon Redmond)

- Introduced all workgroup members and attendees to the quadrennial review of the Washington State Child Support Schedule.

b. Introductions

Sharon Redmond	Chair of Workgroup, DCS Director
Professor Terry Price	Professor of law specializing in family law
Kimberly Loges	Washington State Bar Association Family Law Section Executive Committee
Anneliese Vance-Sherman	Economist
Tami Chavez	Superior Court Judges’ Association
Joy Moore	Administrative Office of the Courts
Janelle Wilson	Washington Association of Prosecuting Attorneys – Support Enforcement Project
Kaha Arte	Legal Services
Raymond Allen	Noncustodial Parent
James Clark	Noncustodial Parent
Gaston Shelton	Noncustodial Parent
Jennifer Turner	Custodial Parent
Carol Ann Slater	Custodial Parent
Amy Roark	Custodial Parent
Administrative Law Judge Kathleen O’Shea Senecal	Office of Administrative Hearings

Members of the public: Anne Stone, Dieter Jacobs, Bernardene Charley, Gordon Bock

DCS Staff introductions:

Facilitators: Janina Oestreich, Rachel Tumbleson, Rachelle Jennings

Support Staff: Ian Hall, Jake Hughes, Jana Ekstrom, Josselyn Green, Lucas Camacho

c. **Housekeeping**

- Logistics – The facilitators briefly went over the use of Microsoft Teams, Miro boards, and DropBox.
- [Public Site](#) – From here, you can get meeting agendas and sign up for the [workgroup's listserv](#).

d. **Roles and responsibilities review**

- Review the [Roles and Responsibilities Handout](#)
- Overview of each project team roles and who handles what
- Member Roles - Workgroup members are expected to act as subject matter experts, attend meetings, contribute to workgroup efforts, attempt to reach consensus on matters, adhere to norms and agreements, complete assigned tasks between meetings, provide progress updates on subgroup activities to organizations/stakeholders, solicit input from whoever necessary to support or decline a recommendation, and gather and relay feedback whenever needed.

2. **Agreements**

- a. Ideas for the group agreements were proposed on the Miro Board and in Teams Chat



Break (1:33 - 1:43 pm)

3. **Travel (1:44 – 1:50 pm)**

- a. Travel documents are in the resource file in Workgroup Member DropBox
- b. Resources include forms and a quick guide

c. Holly Scott will make travel arrangements

4. Lived Experience Compensation (Sharon Armstrong / Equity, Diversity, Accessibility, and Inclusion Administrator, Division of Child Support) (1:50 – 1:55 pm)

- Briefly introduced the group to the concept of community compensation, which is monetary compensation allowed via Senate Bill 5793 (2022)
- Aimed at compensating community partners who bring their lived experience to the work. The Office of Financial Management has a funding stream that supports this.
- Partners’ time, effort, talent, and skills are worthwhile and deserve compensation. [Office of Equity website has more guidance and details.](#)

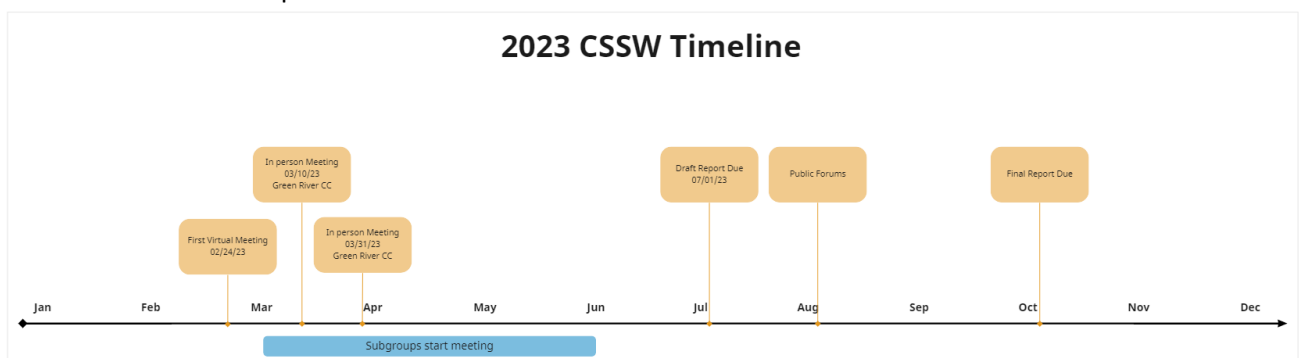
5. Public Records (Marla Randall / Public Records Manager, Economic Services Administration) (1:56 - 2:14 pm)

- [Open Public Meetings and Records \(PowerPoint\)](#)
- All meetings open to public per [RCW 42.30](#) unless specific law preventing that.
- All records of a government agency are subject to disclosure per [RCW 42.56](#) unless exemption to withhold or redact them.
- Workgroup records (communication, documents, etc.) are subject to public disclosure – use SupportSchedule@dshs.wa.gov
- Any writing containing information (email, texts, sticky notes, photos, GPS coordinates, voice recordings) per RCW 42.56.010(3).
- ESA Public Disclosure Unit handles public disclosure requests and their team can answer questions and take requests as needed - ESAPRR@dshs.wa.gov
- Questions:
 - If we use a personal email address for this, is that whole account subject to public disclosure requests?
 - Your entire email is not subject to Public Records Act. If you have an email on your personal device that falls under the PRA, it’s only that email that’s subject, not the entirety of that device’s contents.

6. Workgroup Basics (2:14 – 2:28 pm)

a. **Timeline**

- Reviewing prospective dates of meetings and deadlines
- Agendas will be sent out one week before each meeting
- [Workgroup Calendar](#) is available and will be updated with meeting dates
 - 3/10/23 – Green River College in person and virtual webinar
 - 3/31/23 – Green River College in person and virtual webinar
- Draft report due July 1st
- Public forums will be held in August
- The final report is due on October 1st



b. Workgroup Goals/Objectives

- The objective is to review child support guidelines and determine if the guidelines result in appropriate support orders. Findings and recommendations will be brought to legislature by 10/1/2023.

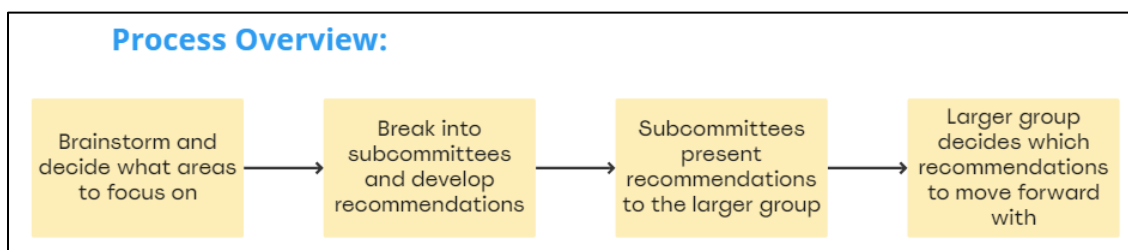
Goals/Objectives:

Review child Support guidelines and the child support review report and determine if the application of the child support guidelines results in **appropriate support orders.**

Report workgroup findings and recommendations to the legislature, including recommendations for legislative action by **October 1, 2023.**

c. Process Overview:

Process Overview:



Break (2:28 – 2:40 pm)

7. **Child Support Order Basics** – Brady Horenstein is unavailable. This agenda item will be covered at the March 10th meeting.

8. **Workgroup Scope** (Sharon Redmond) (2:40 – 3:04 pm)

- [RCW 26.19](#) sets forth the need to be uniformed amongst the state and that the schedule needs to be reviewed every four years (quadrennial review).
- There is also a similar federal guideline.
- We are asked to look at how often deviations are applied (child support schedule, economic table)
- We are also asked to look at economic data, minimum wage, average earnings, family incomes below 200% poverty level and how it influences the child support obligations.
- We are asked to review the economic table and the assessment of child support.
- In looking at scope, here is an example. A Popular topic – placement of children and whether WA should have presumption of 50/50 custody. I would suggest we as a workgroup aren't within scope to address this) – but we are in scope to discuss in a 50/50 custody, how are child support obligations computed
- Questions:
 - Do deviations affect DCS or courts?
 - Both
 - What about mental health issues that arise from the process?
 - Not sure if we can include that in scope, but that conversation can be had. It depends how it comes into play during establishment.
 - Is the interest rate on arrears within scope?
 - The economic table does not account for interest rates, but the group can discuss this.
 - Does the intercept of tax returns fall within our scope?

- We would have to somehow tie that to the calculation of child support. One could argue collection remedies aren't in our scope because it doesn't pertain to establishment, but the group can discuss this further.
- Did the source data for the 2022 DCS order review include custodial splits between parents?
 - Yes, that is a consideration. For our in-person meeting, we'll have data experts present more on residential schedule credits and how it affects calculations.
- Do we have to do anything with modification?
 - The worksheets are definitely involved in that process, so yes.
- Will we have access to the data that goes into the Economic Table?
 - This is why we have an economist in the group. The Economic Table was developed quite a while ago and a deeper dive might require rereading the initial proposal.
- How is an order skewed when the residential credit is not ordered?
 - In the past, a workgroup recommendation was made that discussed that exact topic and tried to create a formula for determining residential schedule credits. What was found is that the residential split would be established and the order would be tailored accordingly, but later the parents might create an alternate informal agreement that then made the child support ordered obsolete/incorrect.
- Are there any impending federal guidelines for next 4 years?
 - There are plenty of things that the feds might want us to consider. Sharon is not aware of anything pending.
- Is it out of scope to make recommendations to the legislature for shared parenting?
 - This example is out of scope. But the group can discuss the matter further.
- Wouldn't informal agreements be better than court orders? Can we change the language and process to be less formal?
 - Sharon: Hard to see where this ties in as it doesn't have to do with the economic table/establishment calculations.

9. Workgroup History (Sharon Redmond) (3:04 – 3:30 pm)

- a. Historical accomplishments and outcomes reviewed
- b. [Child Support Schedule Workgroup History Handout](#)
- c. Questions:
 - Why can't Division of Child Support garnish the winnings of a person who wins a jackpot in a casino?
 1. Lottery winnings can be garnished, but we can discuss more in depth why casino jackpots cannot if we would like to.
 - Can the workgroup ask the four legislators per RCW 26.19.025 to participate?
 1. The sponsors of the last set of recommendations was a member in 2019. The meeting schedule competes with legislator's obligations right now. Although beneficial to be present during all conversations, we can also advise and inform in order to fill the gap when legislative session closes. **Break (3:30 – 3:40 pm)**

10. 2023 Focus (3:40 – 4:45 pm)

- a. Created a list of potential 2023 topics and identify gaps and areas of further research/additional information needed. [Miro Board List](#)
 - Deviations – what they are, how they are applied (non-recurring, non-traditional employment, Airbnb, stock options marijuana industry)
 - Accounting for shared parenting and creating deviations for parenting time when there's an existing parenting plan but no order for support

- Lowering interest rates on arrears
- Casino winnings/online betting
- Expanding economic table above incomes of \$12,000 (possibly 20,000?)
- Economic table and what goes in to the model being used
- Three parent worksheet
- Shared parenting/make statute clearer when zero out for collecting child support
- Making changes to the Self Support Reserve
- Post-secondary support that can be more easily enforced through DCS
- Streamlining modification process – challenges in the process now
- Deviations for people going through treatment programs that aren't necessarily court ordered, such as someone who's taking parenting classes, substance abuse classes, etc
- Develop supplemental worksheet to be used in different situations (i.e. when there is a custody split)
- Adding explicit language to orders about daycare to make it so a party has to provide invoices to the opposite party
- Allow modifications outside of standard timeframes if the residential split changes
- Developing flexible orders that can be changed based on the number of nights a child spends with a parent

11. Public Comment (4:15 – 4:19 pm)

- a. No questions or comments from members of the public

12. Wrap up and Closing (4:19 – 4:30 pm)

- a. Next meeting will be both have an in-person and virtual option
 - Child support order basics
 - Child support review report
 - Disusing consensus
 - Exploring further ideas brainstormed today

Meeting Adjourned 4:30 pm