

# Child Support Task Force Minutes

Wednesday, October 26, 2016

9:00 a.m. to 3:00 p.m.

Room 10, State Office Building

100 Rev. Dr. Martin Luther King Jr. Blvd, St. Paul, MN

**Members Present:** The following task force members were present on Wednesday, October 26, 2016:

<input checked="" type="checkbox"/> Jimmy Loyd, Chair	<input checked="" type="checkbox"/> Senator Melissa Wiklund	<input checked="" type="checkbox"/> Senator Mary Kiffmeyer
<input checked="" type="checkbox"/> Representative JoAnn Ward	<input type="checkbox"/> Representative Peggy Scott	<input checked="" type="checkbox"/> Tammie Campbell
<input checked="" type="checkbox"/> Laura Vang	<input checked="" type="checkbox"/> Jason Smith	<input checked="" type="checkbox"/> Jeffrey Jorgenson
<input checked="" type="checkbox"/> Melissa Rossow	<input checked="" type="checkbox"/> Lisa Kontz	<input checked="" type="checkbox"/> Jodie Metcalf
<input checked="" type="checkbox"/> Melinda Hugdahl	<input checked="" type="checkbox"/> Pamela Waggoner	<input type="checkbox"/> Tribal Rep. (vacant)

**Other Meeting Participants:** Charlie Petersen, facilitator

**DHS Staff:** Julie Erickson, Brynn Rhodes, Tara Borton, Elizabeth Rusinak Mowers

**Other Attendees:** Kathleen Heaney (Alternate)

**Welcome:** Agenda review and introductions of the group

**Review of September meeting minutes:** The September meeting minutes were approved with no edits and will be posted on the public Child Support Task Force website. The draft October meeting minutes will be sent ahead of the November meeting for review (i.e., no printed copies will not be brought to meeting). [September Minutes posted to website](#)

## 1) Updates

- Introduction of Task Force Administrator: Elizabeth Rusinak Mowers
  - Elizabeth will manage and guide the work of the Child Support Task Force, provide subject matter expertise, prepare Task Force reports due to the legislature, and research and analyze policy options to determine issues related to each option.
- Video recording of the meeting:
  - Senator Wiklund presented Senate counsel's research on the issue, including an IPAD advisory opinion. The group consensus was to proceed under the Open Meeting law and permit the video recording to continue.
  - There was continued concern over the ability to truly make this a safe place for discussion of difficult topics if there is the possibility of a recording being edited and taking comments out of context. It was noted that DHS is having the meeting audio recorded so there will be an "official"

record of what was said and could be used if anything is taken out of context. This brought up the question of how long the recordings are going to be kept and whether they could be considered data collection requiring a Tennessee warning.

- ACTION ITEM: Elizabeth will research and return to next meeting with what she has found.
- Email communication list:
  - There was a question regarding who should be included in the emails sent to the Task Force. (For example, House Research staff not directly connected to a Representative.)
  - The group decided that communications regarding meeting agendas and meeting notices (that would go on the public website anyway) can be sent to the broader group, but all other Task Force communication, including proposed meeting minutes, should be limited to the Task Force members and alternates, the Task Force member's staff and DHS staff.
- Cultural and Ethnic Communities Leadership Council
  - Jeff Jorgensen brought to the group's attention that the statute requires that the Task Force consult with the Cultural and Ethnic Communities Leadership Council at least annually on issues under consideration by the Task Force.
    - ACTION ITEM: Elizabeth will follow-up with the Council to see how best to set up a meeting between the two groups.

## 2) Discussion and Clarification of the Meeting Process

- Vice Chair
  - Jimmy Lloyd proposed the idea of a Vice-Chair for co-decision making and to be at the meeting if the Chair can't attend a meeting.
  - Tammie Campbell volunteered to be Vice-Chair and the group agreed.
  - There was some discussion as to whether they should be co-chairs instead, but in order to preserve clarity regarding roles and duties, they agreed to be Chair and Vice-Chair.
- Public Comment
  - There was a discussion of the public comment time: the statute requires at least one meeting being devoted to public comment, but the group agreed that a portion of each meeting should be reserved at the end for public comment as well.
  - It was discussed and decided that the agenda for the next meeting should be posted on the public website prior to the meeting so the public can see what will be discussed at the next meeting and be able to plan whether to come to comment or not. The agenda should also make it clear how much time will be reserved for public comment at that particular meeting. Elizabeth's contact information should also be included in every agenda so that a person can submit their comments in writing if they feel they will exceed the time allotted or cannot attend the next meeting.

- Voting
  - When a decision for a recommendation needs to be made by the group:
    - All of the members of the Task Force have a vote.
    - Alternates to the Task Force may vote if the original member is not at that meeting.
    - The Legislators have the ability to send staff in their place, but there was a question about whether that staff person should have voting rights. Charlies asked that the legislators think about that and decide, but asked that it be consistent across the board (either they all have staff that can vote or none do).
    - Parents may not send an alternate to vote for them since they not representing a group but rather are there in their own individual capacity. Therefore the group agreed that the parents at least should have the opportunity to vote via email if they cannot make it to a meeting.
  - It was agreed that the Task Force would need a quorum to bring an item to vote (at least 8 members or alternate present) and a super-majority for a vote to pass (66% of the vote). This sets the minimum number of people to pass a vote at 5 (if only 8 members or alternates are present).
  - Wherever possible, we will give advanced notice in the agenda when an item is coming up for a vote so members can plan to attend.
  - Because this is an advisory body, any vote taken will be in an effort to provide recommendations to the Legislature. Therefore, if anyone disagrees with the outcome of a vote, that person has the opportunity to write a minority report with his/her own recommendations. It is the responsibility of the person with the minority opinion to write the report his/herself.
- Bringing new items for discussion to the Task Force
  - The Task Force has a full plate with a lot of priority items to discuss. If additional items come up in the discussion, Charlie will make note of them in the “parking lot” for further discussion as the group is able.

**3) Presentation of the Guidelines for basic support:** Powerpoint presentation by Tara Borton, DHS on the economic theories behind the development of the Child Support Guidelines. There were some questions and comments that came up during the presentation:

- **ACTION ITEM:** For follow-up with an economist: why is there inconsistency in the Consumer Survey where we are getting our data on the cost of raising children? In one area, the survey takes into account public assistance received for food expenditures but in another section it is left out when calculating rent. We would like to have data that is consistent—it either fully includes public assistance or it does not.

- Is there any background as to why Minnesota is the only state to use the USDA model for calculating basic support?
  - There is a law review article from William Mitchell that goes into some detail regarding Minnesota’s decision making process: [Improving Child Support Guidelines in Minnesota: the “Shared Responsibility” Model for the Determination of Child Support](#)
  - [MFSRC Case Law Key Word Search](#): [this](#) links to a topic list with associated statute and page numbers for the statute books that were handed out at the October meeting.
- What is the most recent data set used in the USDA model?
  - The latest report available is from 2013 that uses data from 2004 and 2005.
  - The group was dismayed to know that this model that Minnesota uses is based on such outdated data.
  - ACTION ITEM: A question for the economist, why is such outdated data used when we know the CPI is updated much more quickly? [Consumer Expenditure Survey](#) and the [Consumer Price Index](#)
- ACTION ITEM: Another question for the economist to look at: the cap on income has not been adjusted since income shares was implemented in Minnesota. It used to be adjusted up regularly. Should it be again? Should it at least be looked at?
- A question regarding the Comanor Model: the statement that a family spends more on children as income levels go up—was that proportional or a dollar amount?
  - ACTION ITEM: This is something to follow-up on if the Task Force decides to explore the Comanor method further.
- ACTION ITEM: For the economist: Can any of the models be adjusted for the age of the child? Expenses change as the child ages.
- ACTION ITEM: For the economist: Is there another proxy for estimating the standard of living that uses an adult-specific line item in the budget (other an Engel or Betson)? What might that proxy be?
- Does the Task Force intend to use some form of all the models for determining the cost of raising a child? Or one more heavily than the other?

- 4) Discussion of November’s meeting:** The group discussed what they would like to see for the next meeting. It was agreed that the next meeting would be shorter one, rather than a full day.
- The group would like a road map for the next several meetings that includes discussion of each of the seven priority issues.
  - Define commonly used terms for each of the seven priority issues and what exactly are the problems with them that came up in the work group.

- A step-by-step walk-through of the grid and how it is used with examples at various levels of income, for multiple families, etc. Every day examples.

**5) Process for Hiring an Economist:** DHS provided a brief overview of the process for hiring an economist through a Request for Proposal (RFP). The RFP is a long process, so in the meantime, DHS suggested engaging in some short term contracts with Dr. Venohr and Dr. Comanor to produce mini-white papers comparing and contrasting their different approaches to calculating child support.

- This produced a discussion in which everyone agreed that they would like to know what exactly will go in the RFP before it is posted. There were differing opinions regarding what the group wants from an economist (for example, to hear multiple economist's debate? To provide neutral analysis only?), and so the group would like to have the opportunity to discuss what is being asked of an economist before the RFP is posted.
- ACTION ITEM: DHS will provide more information on the language of the RFP and the process at the next meeting and set out a road map for how the economist might be used for the 7 priority areas.

**6) Public Comments** One member of the audience, Molly Olson, addressed the Task Force. Ms. Olson is a volunteer citizen advocate who has been working on Family Law reform for 17 years. Ms. Olson had several points she wished the Task Force to consider:

- She had previously heard the decisions would be consensus-based, but now hears that it will be based on voting. She would like this clarified and noted that it is not consensus based any longer.
- She indicated that federal IV-D does not require that child support be based on a standard of living, but only requires what is necessary to keep children off of public assistance. Standard of living sounds entitlement-based.
- She wanted the Task Force to consider an additional model for calculating the cost of raising a child: for example, whatever the state uses to pay foster parents.
- She would like any underlying presumptions that the guidelines were previously based on to be examined—that the Task Force would not just accept any previous underlying assumptions.
- She noted that the Consumer Survey used to calculate the cost of raising a child is based on what parents said they spend on their children, but she feels that far too many people spend beyond their means and put things on credit cards which should not be considered in the overall amount spent on a child.
- She noted that spending habits vary widely, even among families of the same income level so assumptions of spending habits across the board shouldn't be made. She would like something in the law that notes that private families not on public assistance shouldn't be locked in to using the guidelines.

These comments from Ms. Olson yielded a brief discussion wherein it was agreed that previous assumptions should be re-examined and that it is important to base guidelines and calculations on much more current data—including looking in to whether there is any data on the cost to raise a child based on single parent households.

**Meeting adjourned** at 3:00pm

**Next Meeting** will be held on November 30<sup>th</sup> from 9 a.m. to 1 p.m. in room 300N of the State Office Building

**Additional Websites:**

[Task Force Website](#)

[Child Support Calculator](#)