

Child Support Task Force Minutes

April 24, 2019

9:00 a.m. to 1:00 p.m.

180 State Office Building

100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, MN 55155

Members Present: The following task force members were present on Wednesday, April 24, 2019:

<input checked="" type="checkbox"/> Beth Assell, by phone	<input checked="" type="checkbox"/> Shaneen Moore	<input type="checkbox"/> Rep. Peggy Scott
<input checked="" type="checkbox"/> Rahya Iliff, Chair	<input type="checkbox"/> Rep. Laurie Pryor	<input checked="" type="checkbox"/> Jason Smith
<input type="checkbox"/> Sen. Mary Kiffmeyer	<input checked="" type="checkbox"/> Melissa Rossow	<input checked="" type="checkbox"/> Victoria Taylor
<input checked="" type="checkbox"/> Lisa Kontz	<input checked="" type="checkbox"/> Joseph Russell	<input type="checkbox"/> Sen. Melissa Wiklund
<input checked="" type="checkbox"/> Jodie Metcalf	<input type="checkbox"/> Rachel Sablan	<input checked="" type="checkbox"/> Mia Wilson

DHS Staff:

<input checked="" type="checkbox"/> Tara Borton	<input checked="" type="checkbox"/> Jessica Raymond	<input checked="" type="checkbox"/> Stacy Sjogren, facilitator
<input type="checkbox"/> Julie Erickson		

Other Meeting Participants:

Welcome, Announcements and Meeting Objectives

Agenda review and introductions of the group.

Review and approval of March Meeting Minutes

Minutes approved with amendment: Task force members discussed page 2 of the meeting minutes which stated that the majority of the task force voted in favor of using the same deduction for nonjoint children regardless of whether a parent has a court-ordered support obligation. Members stated that they had a different recollection, the vote was to explore this option, not to affirmatively adopt one uniform deduction. The minutes were approved with the understanding that the minutes would be amended to reflect this. Jessica will make the change and the minutes will be posted to the public website.

Reminder of Task Force Purpose and Decisions to Date

Jessica went over a recap of the task force's decisions surrounding the update of the basic support table.

Presentation on Adjustments for Nonjoint Children, Discussion and Decisions

Tara presented data on the current Minnesota child support caseload as it relates to multiple families: 86% of obligated parents had one case, 12% had two cases 2.5% had three or more cases. Tara then went over some examples based upon real Minnesota cases. The examples compared the three options of applying the same deduction for nonjoint children regardless if there is a court-ordered support obligation: Minnesota's current method of calculating the deduction for nonjoint children in the home, Minnesota's method but increased from 50% of the guideline amount to 75%, and the Oregon and Texas method.

The group discussed the decision-question of whether the same deduction should be applied for all nonjoint children. Jessica went over the presentation from March on this issue and the group identified the following concerns about the option of moving away from the practice of deducting actual court-ordered support amounts from a parent's income:

- Medical and child care obligations aren't accounted for in the uniform deduction for nonjoint children
- Arrears-only court orders for emancipated children would not be included in the uniform deduction
- Spousal maintenance obligations would not be included in the uniform deduction
- Children in separate households result in higher obligations than children in the same household

The task force also discussed the fact that the current Minnesota method of deducting for nonjoint children leaves out children who are legal children but neither live with the parent nor are the subject of a court order. Having the same deduction for all nonjoint children would help with this issue.

After the discussion, the task force took a vote on the issue of whether the deduction for all nonjoint children will be the same, or there will continue to be two deductions depending on whether there is a support order, (but with some changes to the deduction for nonjoint children who do not have court orders). The task force voted unanimously to keep the current method of providing two deductions for nonjoint children, but with some changes.

Decision: Keep Minnesota's current method having two separate deductions for nonjoint children: One for nonjoint children with court-ordered support obligations and one for nonjoint children without court orders, but with changes.

The task force also discussed the rationale for taking 50% of the guideline amount versus 75% (as most states do). Minnesota's method of taking 50% of the guideline amount for parent with nonjoint children is likely based on the premise that there is another parent who is responsible for the support of the children. The method of taking 75% employed by other states is meant to not only reflect that there is another parent who is obligated to support the child, but also if that parent's income was included in the support calculation, the obligation would likely be higher. The task force voted unanimously to increase the percentage to 75% of the guideline amount when calculating the deduction for children without court orders.

Decision: The deduction for nonjoint children who are not the subject of court orders will be 75% of the guideline amount for the parent's income.

The task force also what the cap for nonjoint children without court orders should be. Staff suggested that it be six since that is where the basic support table ends. The group discussed that cases that involve six children are rare, and also it is logical and transparent to have the cap match the number of children on the basic support table. The group voted unanimously in favor of raising the two nonjoint children cap to six nonjoint children.

Decision: The cap on the deduction for nonjoint children (who are not the subject of court orders) will be increased to six.

The group discussed the possibility of changing the calculation of nonjoint children whom parents do not have court orders. One advantage to changing this is that it includes a group of nonjoint children that are currently overlooked. Disadvantage is that some people who have legal children without court orders and who also do not live in the household will get the deduction even if they are not contributing towards the support of the children.

Members of the task force clarified that the deduction would only apply to legal children, (i.e. a properly and filed signed recognition of parentage, a court ordered adjudication, child born during a marriage and parents' names is on the birth certificate). The group voted unanimously in favor of expanding the deduction for nonjoint children from "nonjoint children in the home" to all legal nonjoint children for whom a parent does not have a court order.

Decision: The deduction for nonjoint children who are not the subject of court orders will apply to all legal children, not just those who primarily reside in parent's home.

Presentation of New Basic Support Table's Extension to \$30,000

Amy Anderson went over the new basic support table as adjusted for four, five and six children as well as the extension to \$30,000 combined monthly incomes. Amy stated that she believes the USDA measurements do support the amounts at higher incomes and the assumption that expenditures for children continue to increase as income increases even for higher income families. Amy also stated that the extension from \$15,000 to \$30,000 will help decrease the skewing of results that can occur when both parents have higher incomes. Amy also pointed out that with exception of incomes from \$5,200 to \$9,000 for one child, the new table's support amounts are all lower compared to the current table. The reason for the increase is due to the increase in the cost of living at that income range. One member expressed concern that the USDA's numbers do not match the numbers in the new basic support table. Jessica will follow up with Dr. Venohr.

Presentation on Non-Nuclear Families, Discussion and Decisions

Jessica started presentation on non-nuclear families. The first decision is whether Minnesota should continue to disregard the income of the non-parent caretaker when calculating support owed by the legal parents. One member stated that one reason the caretaker's income is not considered is because the caretaker does not have any legal duty to support the child. Another issue raised by the task force is when support is sought from both parents, the calculation will be 100% of the guideline amounts for each parent's individual income and this can be a problem. After a brief discussion, the group felt ready to take a vote and they voted unanimously to continue to exclude the caretaker's income when calculating support.

Decision: Minnesota will continue to consider only the parents' income when establishing support when the child is with a non-parent caretaker.

The group generated other information and/or issues related to the topic of non-nuclear families they would like to examine including:

- Should we calculate the parents' support differently in cases where child resides with a non-parent caretaker? What do other states do?
- What would the calculation look like if it used 75% of the guideline amount in these cases?
- Examples at various income levels and with varying number of children
- Administrative redirection of support
- Foster care

Review of Outline of Task Force Report

Jessica went over the outline of the task force report. The task force stated that they felt comfortable with the proposed format. The task force will have the draft of the report by the next meeting. The group will also discuss what they would like to recommend as far as how to address the remaining work as well as the need for a way to keep the guidelines updated.

Discussion of June 26th Meeting

The group discussed how they would like to recognize their work at the last meeting. Various ideas were discussed including inviting past task force members to attend, having lunch and sharing some statistics about the work of the task force over the past three years.

Wrap Up and Look Ahead

The task force will continue exploring the topic of non-nuclear families at the next meeting. Jessica provided an update that the Cultural and Ethnic Communities Leadership Council asked that an update on the task force's work be presented at their May 17th meeting. Jessica will be giving a brief presentation, task force members were invited to attend if interested.

Public Comment

1. Diane

- Would like examples of cases where obligor's support amount increases when obligee's income increases (with new table) at the next meeting
- Asked if task force was changing the concept in law that states that prior-born children should receive more support
- Task force should also be examining issues related to paternity
- Complaint that public comments are limited to three minutes while other audience members are given permission to speak during the meetings

2. Michael

- Hypothetical about two children with different fathers with very different support obligations
- Child support program should be simplified
- Suggestion that if task force continues there should be an audit of the program and a study of the program's effects on children

New Action Items

1. Jessica will email Dr. Venohr about the question raised about the basic support table amounts.
2. DHS staff will do additional research on how other states calculate basic support in relative caretaker cases.
3. Jessica will have a draft of the task force report by the next meeting on May 29th, 2019.
4. Jessica will send out an invitation for the additional meeting scheduled for June 12th, 2019 from 9am to 1pm.

Meeting Adjourned at 12:45 p.m.

Next Meeting

Wednesday, May 29, 2019

9:00 a.m. - 1:00 p.m.

Room 400S of the State Office Building, St. Paul, MN