

Child Support Task Force Minutes

October 25, 2017

12:00 p.m. to 6:00 p.m.

South Central Technology College, Conference Room C

1920 Lee Blvd, North Mankato, MN 56003

Members Present: The following task force members were present on Wednesday, October 25, 2017:

<input type="checkbox"/> Jimmy Loyd, Chair	<input checked="" type="checkbox"/> Senator Mary Kiffmeyer	<input checked="" type="checkbox"/> Representative Laurie Pryor
<input checked="" type="checkbox"/> Melinda Hugdahl	<input checked="" type="checkbox"/> Representative Peggy Scott	<input checked="" type="checkbox"/> Lisa Kontz
<input checked="" type="checkbox"/> Jodie Metcalf	<input type="checkbox"/> Jeffrey Jorgenson	<input type="checkbox"/> Rachel Sablan
<input checked="" type="checkbox"/> Jason Smith	<input checked="" type="checkbox"/> Melissa Rossow	<input checked="" type="checkbox"/> Rahya Iliff
<input checked="" type="checkbox"/> Senator Melissa Wiklund	<input checked="" type="checkbox"/> Pamela Waggoner	<input checked="" type="checkbox"/> Mia Wilson

DHS Staff:

<input checked="" type="checkbox"/> Sonya Smith
<input checked="" type="checkbox"/> Tara Borton
<input checked="" type="checkbox"/> Julie Erickson, alternate
<input checked="" type="checkbox"/> Brynn Rhodes

Other Meeting Participants:

<input checked="" type="checkbox"/> Jessica Raymond	<input checked="" type="checkbox"/> Charlie Petersen, facilitator
<input checked="" type="checkbox"/> Jennifer Sommerfeld	<input checked="" type="checkbox"/> Jane Venohr, economist
<input type="checkbox"/> Bruce Erickson	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Welcome:

Agenda review and introductions of the group.

Updates:

1. Updated Exhibit 2, Major Factors and Assumptions underlying Minnesota's Guidelines Schedule distributed to Task Force. New version includes a column for impacts.
2. Task Force 2018 meeting schedule- unanimous to continue on the last Wednesday of every month. Rooms at the State Office Building have been reserved. At the January 31, 2018 the Task Force will decide whether to hold meetings during ask Force will held meetings during legislative session (February – April)?
3. Selection of task force chair- Jimmy Loyd one year term is expiring. The chair will help keep Task Force on track, plan agendas including meeting with Department of Human Services, may serve as the public face of the Task Force, may be called on to address process concerns and has other authority/duties as assigned.
4. Review Dr. Venohr' s July report- clarification on typos

Review of September meeting minutes:

Minutes approved: The September meeting minutes were approved and will be posted on the Child Support Task Force website. **Completed 10/26/17**

Dr. Venohr-Addendum to July Report

Task Force asked Dr. Venohr to summarize the economic models- when comparing USDA to Rothbarth- what are the reasons for adopting each?

USDA:

1. Minnesota already uses it
2. Most transparent, accessible, and easy to read
3. More current, concern about “price sticker shock” as a political matter
4. Looks at gross income

Opportunities to adjust:

1. Low income
2. Can be done with SSR
3. Review multipliers/equivalency scales

Rothbarth:

1. Other states are using it which makes it easier to get a policy change
2. Weakness is that it has not been updated since 2010
3. It includes a lot of assumptions. Example: 30-40% of single family homes are in poverty, so including them is difficult
4. Estimates are probably the most credible
5. Starts with child rearing expenditures of their after tax income

Upcoming Decisions

1. Economic Measurements-Vote
2. Rothbarth: eliminated
3. USDA: 9 votes
4. Comanor: 3 votes
5. **Decision to use USDA as the economic measurement.**
6. Self-Support Reserve
7. Modification due to change in law including the parenting expense law - Can we clarify that if \$75/20% standard is met with the new PEA that is enough to get modification- We don't want people denied because the only reason they meet that is because the law changed?
 - o Subd. 2. **Modification.** (a) The terms of an order respecting maintenance or support may be modified upon a showing of one or more of the following, any of which makes the terms unreasonable and unfair: (1) substantially increased or decreased gross income of an obligor or obligee; (2) substantially increased or decreased need of an obligor or obligee or the child or children that are the subject of these proceedings; (3) receipt of assistance under the AFDC program formerly codified under sections 256.72 to 256.87 or 256B.01 to 256B.40, or chapter 256J or 256K; (4) a change in the cost of living for either party as measured by the Federal Bureau of Labor Statistics; (5) extraordinary medical expenses of the child not provided for under section 518A.41; (6) a change in the availability of appropriate health care

coverage or a substantial increase or decrease in health care coverage costs; (7) the addition of work-related or education-related child care expenses of the obligee or a substantial increase or decrease in existing work-related or education-related child care expenses; or (8) upon the emancipation of the child, as provided in subdivision 5.

- (b) It is presumed that there has been a substantial change in circumstances under paragraph (a) and the terms of a current support order shall be rebuttably presumed to be unreasonable and unfair if:
 - (1) the application of the child support guidelines in section 518A.35, to the current circumstances of the parties results in a calculated court order that is at least 20 percent and at least \$75 per month higher or lower than the current support order or, if the current support order is less than \$75, it results in a calculated court order that is at least 20 percent per month higher or lower
 - A child support order is not presumptively modifiable solely because an obligor or obligee becomes responsible for the support of an additional nonjoint child, which is born after an existing order. Section 518A.33 shall be considered if other grounds are alleged which allow a modification of support.
 - (d) If child support was established by applying a parenting expense adjustment or presumed equal parenting time calculation under previously existing child support guidelines and there is no parenting plan or order from which overnights or overnight equivalents can be determined, there is a rebuttable presumption that the established adjustment or calculation will continue after modification so long as the modification is not based on a change in parenting time.
 - Like to relevant case law: <https://mn.gov/law-library-stat/archive/ctappub/0905/opa081063-0512.pdf>
8. Adjustments- 2nd Household, non-joint children, and adjustments for more than three children.
 9. Modifications Standards
 10. Explanation of any tax assumptions within USDA

Public Comment

Seven audience members provided public comments.

1. Brill Winkler, custodial parent, representing herself
2. Marilyn Lilland, grandmother, representing non-custodial parent
3. Mark Jaycox, non-custodial parent, representing himself
4. Molly Olson, representing the Center for Parental Responsibility
5. Bob Olsen, non-custodial parent, representing himself
6. Jason Bodin, non-custodial parent, representing himself
7. Michael Seeber, non-custodial parent, representing himself
8. Lindsay Olson, CP and CSO representing herself

New Action Items

1. Department of Human Services will prepare proposed legislative language to address modification standards/Parent Expense Adjustment (PEA) issue for next Task Force meeting.

Meeting Adjourned at 6:00 p.m.

Next Meeting:

Wednesday, November 29, 2017 from 12:00 p.m. -4:00 p.m. Council Chambers Coon Rapids, MN. *Public comments received 4:00 p.m. - 6:00 p.m.*