

**MINUTES**  
**CHILD SUPPORT COORDINATING COUNCIL SUBCOMMITTEE**  
**Wednesday, June 2, 1999**

**Members Present**

Hon. Linda Aguirre  
Beverley Boyd for David Byers  
Brian Chambers  
Kat Cooper for Michael Jeanes  
Hon. Robert Duber

Kim Gillespie for Kirk Burtch  
Pat Harrington for John Clayton  
Nancy Mendoza  
Hon. David Petersen  
Hon. Rhonda Repp

**Members Absent:**

Hon. Mark Armstrong  
Jodi Beckley  
Laura Elmer  
Conrad Greene  
William Hurst

David Norton  
Commissioner David Ostapuk  
Hon. Rebecca Rios  
Chuck Shipley  
Bianca Varelas

**Staff:**

David Sands

Patrick Scott

**Guests:**

Chris Sotiriou

Parent

**Call Meeting to Order**

The meeting was called to order by Senator Petersen at 10:15 a.m.

**Announcements**

Senator Petersen welcomed Beverley Boyd. Ms. Boyd was recently named as the Manager of the Domestic Relations Unit at the Administrative Office of the Courts.

**Legislative Review**

The Child Support Coordinating Council was presented a review of enacted legislation impacting child support, child custody, or marriage. The review was presented by David Sands

from the Administrative Office of the Courts.

The recap distributed to Council members is attached.

Mr. Sands identified several amendments to bills that the Council reviewed at the last meeting and detailed key provisions of each bill. Nancy Mendoza clarified the amendment to SB1184. The original bill stated that only those parties for whom a child support arrest warrant had been issued would be placed on the agency website. The amendment to the bill would require that before posting the delinquent parent on the website, that there also be a photograph of the individual. The amendment is to protect individuals with similar names.

The notice provision of the Council Bill, SB1152, was amended to include language that would require a date by which parties would need to obtain a written judgment. Mr. Sands pointed out that while desirable, it may not be practical as it requires the parties at the time the order is entered to predict when emancipation of the children will occur. Council members discussed a provision of the bill that would in certain instances restrict the agency from using A.R.S. § 25-505.01 from adding an arrears amount to the administrative assignment issued by the Department of Economic Security. The department currently uses a formula provided in statute to increase the amount of an assignment based on the level of delinquency. The statute would now prohibit an increase in the court-ordered amount if it is specifically stated in the court order. Nancy Mendoza stated that the ATLAS system has the capability now to accommodate this requirement and the department has been doing this since October, 1998.

Mr. Sands discussed an amendment that added a provision that would allow an adult to establish their biological parent. The effect of the amendment was not clear as it was included in the paternity statutes.

### **Domestic Violence Issues**

Kat Cooper distributed materials dealing with orders of protection, the state case registry, and the family violence indicator. Kat proposed that a work group be formed to examine how the court process of issuing orders of protection interfaces with law enforcement and affects the child support enforcement agency. Consequently, there is no single point for the Department of Economic Security to obtain this information for the state case registry.

Council members discussed how a determination is made that a family violence indicator should be placed on a party in the state case registry. Nancy Mendoza stated that the existence of a valid order of protection, a good cause exception, or a substantiated case of child abuse were currently being used as a basis for activating the family violence indicator on a party.

Judge Duber expressed concern that a Judge might be less willing to issue a protective order if it were thought that this would in some way impede the ability of a non-custodial parent from locating his/her child(ren). The Council agreed that the issues deserved further study and approved formation of a work group. It was recommended that the Domestic Relations Reform Subcommittee be informed of the work group and interested parties be encouraged to participate. Additionally, it was suggested that the workgroup include participants from the Arizona

Coalition Against Domestic Violence, the Committee on Domestic Violence in the Courts, non-custodial parents, the Governor's Office for Domestic Violence Prevention, law enforcement, and judicial officers from the lower jurisdiction courts.

David Sands volunteered to draft a letter, for the Councils' approval, notifying interested parties of the work group.

### **New Business**

Judge Duber requested that the Council form a work group to address the issue of intrastate enforcement actions. There currently exists some confusion on where it is appropriate to enforce an order. Members discussed the concepts relating to jurisdiction, venue, abatement, and the states right to enforce according to the law. David Sands informed the Council that a work group was already in existence consisting of statewide court personnel. Mr. Sands suggested that the existing work group be made a Council work group and that Brian Chambers as well as a representative from the Attorney General's Office be added. Senator Petersen agreed and instructed Mr. Sands to report the progress of the work group to the Council at the next meeting.

### **Public Comment**

Mr. Christopher Sotiriou addressed the Council. Mr. Sotiriou stated that the laws relating to child support and garnishment need to be reviewed. Chris related a personal story to illustrate the how a potential problem exists.

### **Next Meeting of the Council**

The next meeting is scheduled for August 26, 1999, from 10:00 a.m. to 1:00 p.m.

### **Adjournment**

The meeting was adjourned by Senator Petersen at 12:00 noon.