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CHILD SUPPORT COORDINATING COUNCIL SUBCOMMITTEE

ANNUAL REPORT 2002

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CHILD SUPPORT COORDINATING COUNCIL SUBCOMMITTEE

Members

Co-Chairs

Representative Peter Hershberger - House
Senator David Petersen - Senate

Honorable Linda Aguirre
Arizona State Senate

Robert Barrasso
State Bar of Arizona
Executive Committee - Family Law Section

Jodi Beckley

Executive Assistant, Governor's Office

David K. Byers
Administrative Director of the Courts
Arizona Supreme Court

Vacant
County Attorney's Office (Rural)

John Clayton
Director
Department of Economic Security

Honorable Kathi Foster
Arizona House of Representatives

Bruce Gentillon
Non-Custodial Parent

Kim Gillespie for Noreen Sharp
Office of the Attorney General

Honorable Bethany Hicks
Domestic Relations Judge (Urban)

Penny Higginbottom
Custodial Parent

Honorable Michael Jeanes
Clerk of the Superior Court

David Norton
Non-Custodial Parent

Honorable Rhonda L. Repp
IV-D Commissioner

Benidia Rice
IV-D Director,
Division of Child Support Enforcement
Department of Economic Security

Chuck Shipley
Business Representative

Russell Smoldon
Joint Custodial Parent

Honorable Monica Stauffer
Domestic Relations Judge (Rural)

Carmela Trapani
Custodial Parent

Bianca Varelas for Barbara LaWall
County Attorney Office (Urban)

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Membership

One position remained vacant and two resignations were received in 2002. The county attorney (rural) position was vacant due to the resignation of Bryan Chambers from the Gila County Attorney's Office.

Barbara LaWall, County Attorney (Urban) member, submitted her resignation from the Subcommittee due to the termination on June 30, 2002 of child support services provided through the Pima County Attorney's Office. Ms. LaWall's designee, Bianca Varelas, was thanked for her many years of dedicated service to the Council and related workgroups.

Judge Hicks, Domestic Relations Presiding Judge member, also resigned due to her rotation from the Domestic Relations bench to the civil bench in the Superior Court in Maricopa County. Judge Hicks was thanked for her service to the Council, including her service as chairperson of the Statute Cleanup Workgroup.

Meetings

The Council met on May 28, 2002 and discussed the following issues:

Barbara Guenther reported that the bills proposed through the Council, SB 1028 and SB 1029, were combined into one bill, SB1028. Senate Bill 1028 initially contained technical changes while SB 1029 contained a substantial change in that it authorizes automatic stoppage of a child support order when an obligee and obligor on the same case marry each other. The bill was signed by the Governor on May 28, 2002 with a general effective date of August 22, 2002.

Elizabeth Baskett, Senate Research Assistant, reported that Senate Bill 1088, proposed by Senator Mary Hartley, establishes the Child Support Committee and the Domestic Relations Committee, their members and duties until December 31, 2007. The bill also repeals the Child Support Enforcement and Domestic Relations Reform Committee, the Child Support Coordinating Council Subcommittee and the Domestic Relations Reform Study Subcommittee. It eliminates the quarterly reporting and joint meeting requirement. The bill was signed by the Governor on June 4, 2002.

Marianne Hardy reported that House Bill 2095 increases the time period in which the clerk of superior court or the clearinghouse has to locate an obligee, changes the administrative review procedures and time frames, revises the distribution of support in cash assistance cases and assigned support in foster care cases. The bill was signed by the Governor on May 17, 2002.

Barbara Guenther, Arizona Senate staff, provided a presentation on how a bill becomes law in Arizona, how the Council fits into that process, how to access the Arizona legislature, how to do bill tracking on ALIS, the availability of watching proceedings on the Internet and TV, and how to individually register support for or opposition to a bill. Ms. Guenther also gave a presentation on Arizona's open meeting laws. She defined Council meetings as "open meetings" and explained the open meeting laws as they pertain to Subcommittee meetings.

Members voted to adopt a streamlined process of formalizing legislative proposals initiated from within the Council. All workgroups, Council members or members of the public will be required to utilize a proposal form that provides detail as to the individual proposing the idea, the statute cite, reason for the proposal and suggested language.

Members asked Barbara Guenther and Marianne Hardy to provide a training session regarding the Council, its purpose and role at the legislature's freshman orientation in December. They will provide information regarding upcoming meetings and direct anyone interested in working with the group to speak with current Committee members and/or attend a meeting.

The Cochise County Attorney's Office notified the Division of Child Support Enforcement (DCSE) that they would be terminating their child support program contract with the state, effective September 30, 2002. A Request for Proposal has been released to private vendors with an expected awarding by end of summer 2002. The Pima County Attorney's Office notified DCSE that they will also be terminating their child support program contract with the state, effective June 30, 2002. The state DCSE will take over the program on July 1, 2002 and Bianca Varelas (former Council member) has been hired to manage the state program. It was noted that the state is not saving any money by taking over the Pima County child support program; in fact, the transition will most likely cost the state. Pima County's withdrawal from providing child

support services leaves the Council's County Attorney from an urban county membership position vacant with no possibility of filling it. Both urban counties' programs, Pima and Maricopa, will now be state provided, thereby necessitating a legislative change to change the requirements for this Child Support Committee position.

Changes in federal distribution laws will have an impact on DCSE's funding. While the impact will be significant, DCSE's goal is to adopt a different business model to increase efficiency and reduce costs instead of asking for an increased appropriation.

The Relocation Issues workgroup has been in an information gathering mode to review national trends. When the group convenes, they will discuss parenting time via the Internet, providing incentive for parents to be more involved with a child who is relocated, financial issues associated with child support of a relocated child, and the best interest of the child in relocation situations. This group will fold some issues in with the Guidelines workgroup and the Domestic Relations Committee.

The Statute Cleanup workgroup has reviewed proposals for possible revision:

1. A.R.S. § 44-1692 - would eliminate confusion in terminology and clarify that the Department of Economic Security can look at the credit report of either parent.
2. A.R.S. § 25-502 - would eliminate confusion as to who should sign the order to transfer the case to another county when there is no objection and provide that, once transferred, the case stays in the new county for all purposes unless and until a new transfer order is issued.
3. A.R.S. § 25-520 - would require a date certain for the termination of child support.
4. A.R.S. §25-510 - would provide that in non-IV-D cases the court would have discretion to allocate monies in a manner other than provided in statute.

The Finance Workgroup did not meet in the second quarter, has officially met its charge and disbanded.

The Nondisclosure of Information workgroup discussed the federal requirement to protect child abuse victims who are involved in a child support case. The group will bring findings to the Council in September.

Although the Guidelines workgroup was disbanded, the guidelines review for 2004 is underway. After the federally mandated reports are completed in January the Guidelines workgroup will convene in March or April, 2003.

Final Report

This serves as the final report of the Child Support Coordinating Council Subcommittee. The new Child Support Committee that becomes effective on August 22, 2002, will determine the issues to be discussed in the new committee.