

FAMILY COURT IMPROVEMENT COMMITTEE - CHILD SUPPORT GUIDELINES REVIEW SUBCOMMITTEE

Minutes

January 5, 2021 10:30 a.m. (Virtual Meeting)

Present:

Telephonic: Judge David Gass (chair), Carol Park Aden, Judge John Assini, Laura Belleau, Mary Boyte Henderson, Judge Bruce Cohen, Kellie DiCarlo, Judge Joseph Goldstein, Jennifer Mihalovich, Janet Sell, Rosa Torrez, Steve Wolfson

Absent/Excused: Jeff Fine, Tiffany Harvey, Vance Simms

Presenters/Guests: Don Bays, Horne+Horne; Chris Gorman, Gorman Consulting Group, LLC; Priscilla Valdez

Administrative Office of the Courts (AOC) Staff: Theresa Barrett, Angela Pennington, Susan Pickard, Diana Tovar

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

The January 5, 2021, meeting of the Family Court Improvement Committee – Child Support Guidelines Review Subcommittee (FCIC-CSGRS) was called to order at 10:00 a.m. by Judge David Gass, chair. This 11th meeting of the subcommittee was a virtual meeting, with all attendees being online, on the phone, or both. Susan Pickard discussed “housekeeping” issues and performed the roll call.

Judge Gass briefly discussed the restyling changes that were made to the Guidelines and thanked the members for their efforts during their tenure.

The December 15, 2020, meeting minutes were presented for approval.

<p>Motion: To approve the minutes of the December 15, 2020, meeting. Moved by Janet Sell. Seconded by Steve Wolfson. Motion passed unanimously.</p>
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II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. January 15 Public Hearing Update

The public hearing is a forum for members of the public to express their opinions and concerns about the changes being proposed for the Arizona Child Support Guidelines. Members of the public will be allowed to address the subcommittee for 5 minutes by computer audio and video,

computer audio, telephone, or in writing by submitting a comment. The website address was provided, and Ms. Pickard walked through the registration process. Ms. Pickard also discussed expectations for the members and administrative staff during the public hearing.

B. Draft 2021 Arizona Child Support Guidelines

Without making substantive changes, the subcommittee worked section-by-section making grammatical and technical amendments to the proposals offered by the workgroups.

- Section I. General Information

Motion: To use numeral version of numbers and not spell the numbers out. **Moved by** Carol P. Aden. **Seconded by** Judge John Assini. Motion passed unanimously.

Motion: To adopt Section I as revised and the amendment in Step 12. **Moved by** Steve Wolfson. **Seconded by** Mary Henderson. Motion passed unanimously.

- Section II. Determining Income

Motion: Subsection F to be moved up to become Subsection B with the subsequent subsections to be renumbered. **Moved by** Steve Wolfson. **Seconded by** Mary Henderson. Motion passed unanimously.

- Section III. Determining the Combined Child Support Obligation

Motion: To adopt Section III as revised with the addition of new examples. **Moved by** Janet Sell. **Seconded by** Rosa Torrez. Motion passed unanimously.

- Section IV. Determining the Preliminary Child Support Obligation

Motion: To adopt Section IV with technical and conforming changes. **Moved by** Carol P. Aden. **Seconded by** Judge John Assini. Motion passed unanimously.

- Section V. Applying the Self-Support Reserve Test

Motion: To adopt Section V as amended deleting the language regarding court-ordered arrears, spousal maintenance in Subsection D, and amendments to Subsection B. **Moved by** Laura Belleau. **Seconded by** Janet Sell. Motion passed unanimously.

- Section VI. Deviations

Motion: To adopt Section VI with the Workgroup addressing of question regarding A.R.S. subsections 25-320(D) and (Q). **Moved by** Janet Sell. **Seconded by** Rosa Torrez. Motion passed unanimously.

- Section VII. The Child Support Order

Motion: To adopt Section VII with technical and conforming changes. **Moved by** Judge Bruce Cohen. **Seconded** by Steve Wolfson. Motion passed unanimously.

- Section VIII. Tax Benefits Associated with Minor Children

Motion: To adopt Section VIII with technical and conforming changes. **Moved by** Janet Sell. **Seconded by** Judge Joe Goldstein. Motion passed unanimously.

- Section IX. Special Circumstances.

Motion: To adopt Section IX as amended with technical and conforming changes. **Moved by** Janet Sell. **Seconded by** Laura Belleau. Motion passed unanimously.

- Section X. State Involvement in Child Support Cases.

Motion: To adopt Section X as amended with technical and conforming changes. **Moved by** Judge Bruce Cohen. **Seconded by** Judge John Assini. Motion passed unanimously.

- Section XI. Modification.

Motion: To adopt Section XI as amended with technical and conforming changes. **Moved by** Laura Belleau. **Seconded by** Carol P. Aden. Motion passed unanimously.

- Section XII. Duration and Termination.

Motion: To adopt Section XII as amended with technical and conforming changes. **Moved by** Judge Bruce Cohen. **Seconded by** Judge John Assini. Motion passed unanimously.

At this point in the meeting, a quorum of the members was no longer present. The recommendations of the remaining members are noted as tabled motions in these minutes.

- Section XIII. Child Support Arrears.

Motion: To strike language regarding without further court action in subsection B and adopt Section XIII as amended with technical and conforming changes. **Tabled.**

- Section XIV. Effective Date and Grounds for Modification.

Motion: To adopt Section XIV as amended with technical and conforming changes. **Tabled.**

C. Draft Report and Recommendations

Revisions and edits to this report was tabled until a later date.

III. OTHER BUSINESS

A. Announcements/Call to the Public

- No one responded to the call to the public.
- An additional meeting before the January 25, 2021, was scheduled at the end of this meeting.

B. Next Meeting. January 8, 2021 10 a.m. Virtual Meeting

The meeting adjourned at 7:45 p.m.