

FAMILY COURT IMPROVEMENT COMMITTEE - CHILD SUPPORT GUIDELINES REVIEW SUBCOMMITTEE

Minutes

January 8, 2021 3:00 p.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:

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

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

The January 8, 2021, meeting of the Family Court Improvement Committee–Child Support Guidelines Review Subcommittee (FCIC-CSGRS) was called to order at 3:00 p.m. by Judge David Gass, chair. This 12th 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.

II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. Draft Proposed 2022 Arizona Child Support Guidelines

The subcommittee examined the proposed amendments to the draft guidelines. The chair informed the members that after today’s meeting no further substantive edits would be made until after the January 15 Public Hearing unless it was to correct an error.

The members offered minor grammatical and technical edits. Highlights of those changes include:

Section I.

- The parenting time language in Step 4 was separated into its own section (new Step 7). Additional language was added to better explain the parenting time adjustment process.

Section II.

- The decision to revise the language regarding historically worked overtime in Section II.A.3.a.ii was tabled until after January 15.

- Language specifying a child “common to the parties” was added to Section II.A.5.iii. No opposing viewpoints were raised.
 - An alternative for the term “primary residential parent” in Section II.B.2.c is still being developed.
 - As of January 1, 2021, minimum wage was changed from \$12 to \$12.15 per hour. Example 2 in Section II.B.2 will be amended with technical and conforming changes.
 - Arizona Revised Statutes Section 25-320(Q) was added in 2012. It states that the superior court shall not consider the factors in 25-320(D) when making child support orders. References to 25-320(D) were removed when it referred to all relevant factors in 25-320(D).
 - The use of conditional language “may be” in place of “is” tabled to after the Public Hearing.
- Section V.
- An example was added to show how equal time sharing would work.
 - There was some dissent over the 50% adjustment change and whether it was substantive or *de minimis* and consistent with other assumptions made by Dr. Venohr.

Section XIII.

- It was suggested to insert a hyperlink to the Title IV-D State website to paragraph A.

Section XIV.

- Strike language “approved by the Arizona Supreme Court” and change to “provided by the Arizona Supreme Court”.

Section XV.

- Whether to strike “without further court action” in paragraph B to be addressed at January 25 meeting as it is a worksheet and ATLAS issue.
- Further discussion will take place concerning special needs children as it impacts presumptive termination date and whether to modify language regarding orders originating in Arizona and order originating outside of Arizona. Issue was tabled for future discussion.

B. Draft Report and Recommendations

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

Motion: To approve the changes to the proposed 2022 Arizona Child Support Guidelines from the January 5 and January 8 meetings as the draft that will be presented at the January 15 Public Hearing with the permission to make technical and conforming changes. **Moved by** Judge John Assini. **Seconded by** Judge Joseph Goldstein. Motion Passed unanimously.

III. OTHER BUSINESS

A. Announcements/Call to the Public

- No one responded to the call to the public.

B. Next Meeting. January 15, 2021, 10:00 a.m. Virtual Meeting

The meeting adjourned at 5:05 p.m.