

Transcript Prepared By the Clerk of the Legislature  
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Rough Draft

CHILD SUPPORT ADVISORY COMMISSION  
November 19, 2014

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The Child Support Advisory Commission met on Wednesday, November 19, 2014, in Room 1103 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a meeting. Members present: Senator Kathy Campbell; Judy Beutler; Angela Dunne; William MacKenzie; Hon. Paul Merritt; Hon. Karin Noakes; Troy Reiners; Monty Shultz; and Byron Van Patten. Members absent: Senator Brad Ashford, Chairperson; Amy Holmes; and Eric Thompson.

ANGELA DUNNE: Good afternoon, everyone. Welcome back. We have a new face today on the commission. I want to introduce Judy Beutler, who is Corey Steel's designee. Is that the right term? So welcome. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you for being here today. This meeting is subject to the Open Meetings Act. All business will be conducted according to the provisions of that law. There is a copy of Nebraska's Open Meetings Act at the podium, available for public inspection. There is also a binder on the podium that can be viewed, and it contains the same materials that the commission has in its binder. Actually, is it...at that table, yeah, so...any binding action the commission takes will be initiated with a motion, followed by a second and a roll call vote. Do we have a motion to approve the agenda? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So moved. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Will you call roll? [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler, on behalf of Corey Steel. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a motion to approve the meeting minutes from the last meeting that you are all e-mailed in the last three weeks? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So moved. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. Call roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We have a full agenda today. We're going to attempt to complete by 4:00 this afternoon. My role today is to help us stay on track. I'd like everybody to feel...have sufficient time to make decisions and be thoughtful, but I will be kind of trying to move us along. We're at our second-to-last meeting, and today I feel like it's decision day. So I'm just going to ask that we all stay focused and keep it moving along. We'll take a break if we're needing it. But if we're having really great momentum or it's getting close to 4:00 and we're right about to make some final decisions, we'll just check in at that time and see what everybody's availability is to stay to keep it moving forward. Any questions about that before we start? Judy, for your benefit, do you want everybody to go around and introduce who they are so that you know what everybody's role is here at the commission? [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: If that can be brief. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, yeah. (Inaudible)...we'll start. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Troy Reiners, Troy Reiners, the director of the Nebraska Child Support Payment Center, which is part of the State Treasurer's Office. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Karin Noakes, district judge. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Kathy Campbell, District 25, Legislature. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Paul Merritt, district judge. [CHILD SUPPORT ADVISORY COMMISSION]

JOSHUA EICKMEIER: Josh Eickmeier, legal counsel and staff. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: He's going to keep me on track. My name is Angela Dunne. I'm a divorce lawyer. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: William MacKenzie. I'm deputy Sarpy County attorney representing the child...the county attorneys' interest on this commission. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: I'm Byron Van Patten, Health and Human Services' child support director. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm Monty Shultz. I represent the noncustodial parents. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: You're welcome. So first up on our agenda today...and it's my understanding that Dr. Venohr will be available and will be present for the meeting by phone, but she won't be able to get onto the line until about 1:15. So just keep that in mind. She'll be available to answer any questions that we have, but it's going to be about another five minutes before she's there. So the first issue that we have on our agenda, as we've been looking at, is whether or not we want to include any consideration for the cost of the parents' health insurance in the guidelines. Does anybody have any comments after reviewing Dr. Venohr's supplemental information related to how we should or should we include an adjustment for the parents' cost for their own health insurance? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I guess it's my opinion that we do not deduct the cost of the parents' health insurance. I think it...I don't think it's a terrible idea, but I don't know how we can...no, that's going to change all the time and it's going to result in having to modify orders a lot. So I don't know that it's real practical to do that when it's a figure that can go up and down every year. I think what we've been doing so far where we deduct the difference, allow the difference in carrying the child, has...I guess it's just made sense to me. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll just chime in briefly that in reading the proposed child support revisions in the Federal Register yesterday--which are still subject to a 60-day comment period--the federal government and the Office of Child Support Enforcement has come around to the belief, from my reading this, that that is an appropriate thing to do or at least something that the states ought to be authorized to do, to allow the full deduction for the full out-of-pocket cost to the parent not only for the child but for themselves. And with...again, I didn't know that when I proposed it, but I think it makes sense. It seems to be the direction the federal government has gone and going for the last several years. And with the Affordable Care Act in place now and most parents are required to obtain self-insurance, either at their own cost, through an employer, or

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through Medicare or Medicaid, whatever, I think it's appropriate that, just like taxes are something we don't have much of a choice of and the guidelines allow you to deduct your state and federal taxes in coming up to a net income figure, this is...healthcare is also required now under IRS rules, as well as the Affordable Care Act itself, I think it's appropriate that we allow parents to do that. I think it's also in the best interests of the child that their parent have health insurance coverage. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So what do you think would be the best way to handle that though? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: When I proposed some changes to the worksheet--I don't remember if it was our last meeting or the meeting before--I proposed that the parents' share of their health insurance costs be deduction...a deduction on Worksheet 1 on line 2. I proposed it as a new line "f," a replacement line "f," on two sorts of deduction. Just like taxes are deducted, retirement is deducted, support court orders for support of other children are deducted, to be treated that way, and that's in contrast to the way the health insurance costs of the child would be treated or are treated. Those are treated as a deduction further down the worksheet, on line 8. And so...or thereabouts. So that would change...I don't see a reason to change the way we treat the child's share of those costs. But I am proposing that the parents' share be allowed as a deduction off of line 2. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Judge, one of the things that we could look at in that--because I hear you and am concerned, too, about it being a basis to come in and modify because we try to avoid parents constantly engaged in litigation or in any type of dispute--the caveat that it changed the child support upward or downward by 10 percent would still be in place but perhaps we add a note that the health insurance premium has to change by X percent in order for it to be considered. You know, like, say it was going to be at 20 percent increase. We might decide that would be a good reason to reevaluate. I haven't



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run any calculations to know. We could do that. We could put it in the column where we do retirement now, just because that's...it reduces the net income, to get an idea of what are we talking about in terms of if somebody has a fluctuation in their premium, what are we looking at. What do you...how... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I don't mean to interrupt anybody. I do so many of these calculations that it became clear to me that deductions from gross income at the upper end of the worksheet have less impact on the child support amount than deductions lower on, lower down. Particularly, the child's share of the health insurance is prorated between the two, so that's actually an add-on to the child support amount, whereas this would not...this would be a deduction from gross income. And, for instance, when people have another order for \$300 a month for another child, that's not going to drop their support by \$300. That might drop it by \$50. It's more of a nip and tuck, a tuck rather than a slash and gash. But anyway, they're just my comments. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And there's the... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And then, you know, the other issue that may arise would be...I guess that's with anything, though, that it would be the same with retirement, mandatory retirement and things, that if they switch jobs or they don't pay for their insurance or, you know, (inaudible)...that issue as well, but...okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, are you on the line? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I am. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Welcome. Good afternoon. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Thank you. Good afternoon (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE We have already started our discussions, and right now we are talking about how we may or may not address the parents' share of a health insurance premium for their own coverage. And I was going to say, Judge, to what you just said, I've never actually had a parent come in and say, well, now I contribute more to my retirement because I switched to...I've just never had it come up. So as you said that, I said, well, I've never even...it's one of those things I think parents forget is included as a deduction, so...but I agree with Bill in that it makes at the upper portion... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It won't impact the actual support amount as much... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Not very much. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...because it's not a credit, it's a deduction, um-hum. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. Any other thoughts on the health insurance premium inclusion for parents? Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So it would remain at item "f" on the worksheet. Is that correct, Bill? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: If we vote to...if we... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I mean that's where you see it, as item "f"? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. And I don't know if you folks have that handy or not. It may be buried in your papers. But I had proposed a new Worksheet 1 a month or so ago, and it would go on as a line "2f" deduction, dropping...and then total deductions would then drop then to line "g." So it would be under the support for other children, under retirement, under FICA and taxes, but treated the same way as those. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. And so I guess I'm not as opposed to it being a deduction rather than a credit. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: My only concern--this is Paul Merritt--is that comparing it to retirement I think is apples and oranges in some respect because there is a ceiling on retirement of 4 percent, whereas you look at health insurance costs and from year to year they can just almost double. And I just don't know...I agree with Judge Noakes on...until you've run these through, are we going to be having everybody coming back in when they change costs or when the feds decide that ACA is going to cost a lot more or that the plans are available become less and less? I mean, I don't want to be a naysayer on this, but I just saw an article the other day relating to generic medicines now and the cost of some generic medicines have gone up 2,700 percent because of their driving certain competitors out of the market. And so I just don't know if that's going to happen. I am concerned. I agree with it being above the line, it's going to have less of an effect. But 2...10 percent of a lot of child support orders is not very much. It doesn't take them much to say that there's enough there to get it changed. And it is a...it's a concern. I'm

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not naysaying that. I'm just saying it does create a little concern and I don't think comparing it to retirement is exactly...they're apples and oranges. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think that begs the point though, if somebody is having to spend...say right now they pay \$250 to cover themselves for health insurance and it increases to \$700 and it significantly impacts their net income and what they have available for support expenses and otherwise. I just think that's the point. If we have parents who are all of a sudden having to spend \$700 a month, where before their net income was \$3,000 and now it's been reduced to \$2,300, it just makes a difference. And people I think will then struggle with support obligations. And I think that's why it's been raised to have us look at, because it's mandatory. They can't not cover themselves. So I don't... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, are we going...and I don't know the answer. I just haven't thought this out. We have a...is it 3 percent? Is that the statute on what's determined to be reasonable? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The gross... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Then under the federal...under the federal...the Affordable Care Act, it doesn't care about that. It's just making you pay it. But not everybody is going to apply...have applied to them the Affordable Care Act, correct? Is that 3 percent going to...does that come into play here anywhere? Bill, you might know. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, the Affordable Care Act has its own set of rules, and I thought it was 8 or 9 percent... [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: I believe it is. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...for that. That doesn't...you can have a cost too high to have our guidelines consider that the cost of health insurance is reasonable under our rules but not high...not too high that the IRS requires you to do it because Nebraska I think is the lowest in the country--and, Dr. Venohr, you may correct me if I'm wrong--that our 3 percent level, our definition of reasonable cost for health insurance is the lowest threshold in the country. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That's correct. It is the law. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And that's in statute. That's... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That is in statute. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: That's in our guidelines, our statute, right? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That's in statute. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What's the average, Doctor? What percentage? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The average, because the federal rule is 5 percent or a

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state-appropriate threshold, the average is 6...5 percent, but the feds are now telling states to use 8 percent or more just because it's more congruent with the Affordable Care Act. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So does that mean you anticipate that states will be changing...if, for example, Nebraska has 3 percent, Doctor, that they'll be changing that to something...if they weren't... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I don't know if Nebraska will. There's only...these rules...the 5 percent or more, you know, 5 percent or whatever a state thinks is appropriate, is actually what's in the federal reg and statute, federal statute. That came out in 2008, and only...less 20 states were quick to embrace it because, you know, it takes awhile for states to do their guidelines and they only have to review them every four years. And by the time the Affordable Care Act came in, it was 2010, so this rule was imposed in July 2008. So less than half of the states have something set in their statutes. So I don't know what states will be doing, you know, in the...it's the new federal rules that came out that require states (inaudible)...requires state changes, so maybe they'll change it up then. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Am I right that the Affordable Care Act has different levels, platinum, different levels that you can...but you can get any of those and satisfy yourself... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: ...under the Affordable Care Act? So if we have this cost to cover, do we want to say that maybe it shouldn't be the cost of the Cadillac, that a Ford or a Chevy is okay, and it shouldn't exceed that? I'm just wondering whether there should be somehow, like we limit the retirement, that we limit what deduction a parent can receive based upon...if that's what we're using, if we're looking at this because they...for

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Affordable Care Act, one of those different plans? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Some number that would be the same all the time... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...and would...you know, I know she talked about how if you go to the marketplace and, you know, put yourself in there, there's variables--whether you smoke, your age, and all of those kinds of things--but would it make sense just to say this is for a 30-year-old nonsmoker and see what that is and allow that to be the cap or the maximum? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: One other option might be to cap that at percentage of their gross income. That would be something that you could look right at the first line of the worksheet and come up with that figure. But that's just a suggestion. And I don't...you know, whether you make it 5 percent or 8 percent or whatever, that might be a very easy way. One of my concerns about changing the worksheet is there are attorneys that don't understand how to do these things and when you get the lay people out there, you don't want to make them so complicated that they don't...that they just run scared away from them. You want to make them so that the average person won't have any great deal of difficulty completing a worksheet. So...but by capping it at a percent, it's something that anyone with a \$5 calculator can figure out. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Dr. Venohr, this is Senator Campbell. A number of issues in a state that are now related somewhat to the ACA have used the equivalent of the silver plan in a state. Have you heard of that? Have any states done that? Because that would respond to the judge's comment...is that would be a figure that would...whatever that

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fluctuates to be, it would be something that all judges across the state could look at. Have you heard of that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. If you look at page 7 of the brief that federal costs (inaudible)...insurance. It has the girl and the computer on the cover, you look at page 7, it shows an excerpt from the silver plan. And that... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Doctor, we can't understand you. Just a second. It sounds like you're... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Garbled. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, we just can't understand you. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. (Laugh) [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Now that's better. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Better, that's better. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. So, yes, the silver plan is the plan to use. Can you hear that? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]



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JANE VENOHR: Yeah, and the reason being is the silver plan is the one that ACA is benching all the subsidies. And to get the subsidies for the copay, you have to be on the silver plan. So, yes, definitely the silver plan. And then on page 7 of the brief that has the picture of the little girl on the computer, it's probably the easiest way to go. There is an excerpt from the Nebraska Department of Insurance. They published some of the rates. It's right in the...kind of the top third of the page, and they show some of the silver plan rates. It's obviously going to vary by region and age, smoker, nonsmoker. I mean tobacco user. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Doctor, Paul Merritt. Is this a...is this an amount that is changed every year and there is a publication that comes out that changes that amount every year? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, it is an amount that changes. I'm not sure if it's every year or a shorter time period. You could go to that Nebraska Department of Insurance Web site, which is on that Exhibit 7, and check that. And what they do is they only publish some of the scenarios because, obviously, as somebody mentioned earlier, it varies significantly depending on the age, the tobacco use, and where that person lives. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: One advantage I see of capping it at a percent is that we can cap it. We...maybe they have a \$400-a-month premium. But if our regs cap it at a percent of their gross income, or if we cap it at a dollar figure, then they can...they're free to take the Cadillac or a Mercedes plan if they want. They're just not going to get the full deduction for that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think it's a question for those of you that deal with this every day and every day: What would be the easiest for the citizen to understand? And, Bill, you're saying it's a percentage of their income rather than indexing it to a particular plan.

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[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I agree with that, too, because what they'll say is that I'm not a 30-year-old nonsmoking, healthy, well, you know, whatever, and children come with the parents that they were born into their family with. So from my perspective representing clients, it would be easier if it felt like it was tailored to their specific situation, which a cap or a percentage would do. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Dr. Venohr, if we then tie it to a percentage of income, do you have...is there a...you know, what do most states do if they use that, what percentage? Dr. Venohr? Hello? I think we lost her. Okay. And I'm understanding what you're saying, that that might be easier for someone to understand than to tie it to a particular plan. So what's the percentage? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And I think it might be fairer too. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So what percentage do you think would be fair? I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I had not thought of that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: (Phone rings) Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are you back with... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. We were posing the question to you about whether or not you've seen a general percentage of income used as a...we're talking about the idea of capping at a certain percentage of gross income the amount that we allow as a deduction from parents' income. Do you have any insight onto if you've seen this before and, if so, what percentages are generally used? Is that right, Senator Campbell?  
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Correct, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. What the federal Office of Child Support is recommending is 8 percent, and that is based on the Affordable Care Act. And that's the...can you hear me (inaudible)...? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm getting background. Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We can hear you. We can hear you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay, excellent. I just have an echo, so. They're...the federal Office of Child Support is recommending 8 percent to be congruent with the Affordable Care Act. That's the threshold for the IRS penalty. If the insurance premium is more than 8 percent, then they won't assess the penalty. They also have talked about 9.5 percent,

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which is the highest percentage of income. It's actually modified, adjusted income that can be assigned to the health insurance in the exchange. So in short, 8 percent to 9.5 percent, there's only been a couple of states that have adopted that so far, and it's mainly just because the rules are pretty new and the feds have been...the federal Office of Child Support has been promising some guidance on this, and they just released the guidance in the last few months. So obviously there is a lag between when information is put out there and what states actually adopted. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, this is Bill MacKenzie. I have a question with regard to that 8 percent. Is that the parent's own self-insurance cost or is that for a family plan? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: The new rules are...and according to my conversations with the people at federal Office of Child Support, they're leaning towards using that for all...the whole premium. They're recognizing that the definitions and their existing rules, which says the child's share, is not the way the real-world act works. So they're saying to use that for the whole premium, meaning that it would cover the parents too. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Doctor, Paul Merritt. And that's of the monthly gross income? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Yeah, it would actually...officially, it's...to be congruent with the Affordable Care Act would be the MAGI, which is the gross income minus 5 percent. But I think, you know, you just can't perfect it. You'll just confuse people. I mean, I appreciate somebody...I think, it was Senator Campbell's comment earlier about asking guidelines users. You know, you want to keep it simple, I would think, but also have it

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make some sort of sense, congruency with the Affordable Care Act. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Any other comments, suggestions, questions? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, one of...not meaning to confuse things further, but the 8 percent cap, is that the parents' income you're looking at, or is that the family income under the... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Under the ACA, are they looking at a total family income, or are they looking at just the person's income who provides the health insurance? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: With the ACA, they look at the household income, so it would be the family income, everybody in that household. That's the way they structured the ACA. It's all with the tax units. So, you know, whoever...if it's a household and they're filing jointly or how many dependents are claimed in that household, that's the way the IRS will be enforcing it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. That, in my opinion, creates another complication for us because we don't know--and up until now we haven't wanted to know--about the income of other...of the spouse or of the 16-year-old kid that's living in dad's house and has a side job or whatever else. Those are all figures that we've managed to keep out of our calculations up until now, and I don't know that we want to start going down that road. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, I don't think... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: You know, I think that's a precision issue. I mean you can always make a guidelines deviation. I mean there's no way you can make it perfectly aligned to the Affordable Care Act without creating some sort of rule that's so confusing to use and nobody understands. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I might suggest that we cap it at a percent that's fairly low, maybe 5 percent. And again, if they want to spend more, if they have to spend more, so be it. But I think it's fair to allow the parent a deduction. But in order to keep it at a manageable figure and it's not going to send the child support off the cliff, I think if we capped it at 5 percent and left it at line 2, it's going to have a relatively minimal impact on the ultimate child support award. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, when you look at...okay, so I just calculated a few figures here. Would you...say somebody is making \$8 an hour. Based on their gross annual income, 8 percent per month would be \$110, which is a third...well, no, some of them are cheaper than that, but it's at least half of what they will actually pay on the silver plan. So 8 percent isn't even what they pay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: At that level, they're going to get tax credits, though, as I understand it. I don't know, Doctor, if you're comfortable enough going down that route, if you know enough about the ACA and how the tax credits work. But if someone is earning \$8-10 an hour or even probably more than that, aren't they very likely eligible for tax credits that are going to basically pay for that insurance, if you know? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. If they're \$8 an hour, let me just see what percent of poverty they are. You're saying they're working full time? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: They're at (inaudible), which is roughly 130 percent of the poverty level, so they would never pay more than 2 percent of their income on health insurance. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: The tax credits are given at 400 percent and lower, and it's graduated. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Four-hundred percent of poverty? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Four-hundred percent,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Of poverty? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...correct, of the federal poverty level, but that's the top that you could get any credit. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And then as you go down, what percentage you are of the federal poverty level, you get, obviously, more credit. So if you're at 133, most likely you're going to get almost the full measure of a tax credit under the ACA because, I mean,... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That's correct. It's close to 2 percent at about 133 percent of the

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poverty level. It goes up to 9.5, so (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So if somebody makes \$25,000 a year, they could foreseeably spend \$3,200 on health insurance. That's 12 percent of their income. So it sounds like we're muddying these waters pretty bad here with...as far as how to make these deductions for medical insurance, how not to make them. I don't...and I...Mr. MacKenzie's suggestion that it seems like we're making them more difficult for the average citizen to go in and represent themselves and understand what deductions they can have and whatnot, the silver plan, the bronze plan, this percentage or that percentage, and I don't know that's something that should be added to this calculation. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: As somebody who pays child support, do you feel like you would want a credit for your health insurance premium or... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: To me, it makes no difference... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It doesn't. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: ...because I have disability through the VA, so. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, okay. Well, pretend you didn't. (Laugh) As a person paying support, are you feeling like... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Do I get to deduct a fine I pay for not having insurance too and...? I mean that's... [CHILD SUPPORT ADVISORY COMMISSION]



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ANGELA DUNNE: I'm just saying if...say your child support obligation were \$800 a month and all of a sudden your health insurance premium went up by \$400 a month. Would you...as a noncustodial payor, how does that impact your ability to pay your support? Do you just skimp on everything else or...? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: You know, yeah, I live paycheck to paycheck right now. So I don't know that I could afford that insurance to begin with, so. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And that's what...that's, I think, the point. It's mandatory. So if you're...want to be compliant under the law and pay that, would then...do you think it'd be fair for that to be adjusted for in the calculation? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I guess my concern would be with...on page 3 of the Word document that she...Dr. Venohr sent out was that the cost of adding the child to a policy in situations which a parent may be required to purchase family health insurance, it may be appropriate to consider the full cost of the parent. So are we going to give that parent a deduction for the full cost of that plan? And then the noncustodial parent, what do they pick up, the part of that? I guess that's my question. If there's not a deduction, how does it become equal, or how do we break down what costs are spent for the child versus the family? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The cost for the child--correct me if I'm wrong, Bill--is already apportioned between the parents equally. So...well,... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, it's not...it depends on...it's proportioned between the

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parents. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's proportionate to the income. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So now we're saying we're going to spend...if you make \$25,000, 12 percent of our income goes to a single person for insurance. If we're going to give that person the deduction for 8 percent, where do we pick up the cost for the child if we're deducting the entire plan? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're not. That's why we're suggesting that we cap it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: As of now, you'll...the person paying insurance only gets to deduct what the additional cost to insure the child is. So that's the state... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...of affairs right now. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's the only part that gets considered. So what we're looking at is, because it's now a mandate from the federal government to keep coverage, should we have that capped. We're not saying 12 percent. We're saying let's cap it at 5 percent so they're getting some type of credit for the amount it costs them to cover themselves. So included in that would then be at the end of the worksheet...the child's portion would still be included, yes. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Couldn't you... [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Well, and it appears that she has information here that supports a between 8 and 9.5 deduction based off of what other states have done. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, that's what we're... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that would be for both parents, right? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean, as I view it, each party gets a deduction. It's for the individual obligation of their insurance. And so my thought was...is, can you not bring the amount of these plans in line with the poverty level so that, if you say at this income you're going to have to pay the full amount and then determine now what percentage is that and then work off of that and have a deal that anything under that we realize credits are going to come into play, so those are going to assist those folks and anything over that, well, as I say, the deduction is reducing the total obligation for both parties? So, you know, I was concerned about, well, what about the noncustodial payor, the parent making \$200,000 and now he gets 12 percent of that deducted because...and you know he's not paying 12 percent for his, you know, for his health insurance. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Then they would still have to prove though. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah. Well, and not only that, but the amount is going to increase that

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child support by so much that even that still will probably minutely impact what he's going to end up paying for...him or her will pay for the share is what...I mean, is kind of what I was looking at, so. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's going to be, in my opinion, very complicated to try to sort this out because, if we allow it for one parent, we should allow it for the other parent. So you're going to have two sides. You know, maybe one has a plan through their work and the other has the lowest plan or the highest plan, and then try to factor in the tax subsidies you might get, you know, that's... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, I mean, that's my idea... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's difficult. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...if you take those in consideration. You say, well, what amount of pay does somebody have to make in order to fit these plans? So if that's what you're getting paid, this is what you're going to pay. Now we say we'll use the silver one, then we go with that. And then you figure that percentage and say if it goes below that, you know, that's the thing, you're going to be getting credits. So the \$8-per-hour person still gets to deduct. I mean, you know, I'm saying is that what they deduct will come into play because they get the credits is what they...I mean, to me, I know it sounds complicated, but yet I think that's the thing. If you're looking at review and modifications, if you have a valid reason to review and modify, you should review and modify. And so due to the fact that these are deductions, the impact is minimized because, you know, all it is, is lowering that total. So it's going to be harder to change that total because it's still health insurance. And if you tie it to a silver plan, then--you know what I mean--it puts it in a perspective that people would be able to understand, because the Affordable Care Act is here and that is something that people will become more and more familiar with and they can understand. Oh, well, I guess that makes sense, your basing it on that, you

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know. I mean, I know it can be complicated, but I think there's a formula to make it work. I don't want to not allow it as a deduction because I think it should be a deduction for both parties equally. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And what we do now for all these deductions...for instance, if you have another child support order, you have to prove it. You have to prove you have an order, and you're supposed to prove that you're paying it. The parent would have to be able to present to the court pay stub deductions or some other...you know, check stubs or something to show the fact that they have the plan, it's in place, and this is what it costs them. If they don't go through those hoops, then they don't get the deduction. So I think that I'm fairly confident that we're not going to have people making things up. And we can further cap it. We can cap it at 5 percent of the gross income or whatever figure we decide to do. Or we could cap it at a dollar amount, which I'm less comfortable with because if you're earning \$200,000 a year, capping it at \$200 is...well, why bother? It's not worth the paperwork for them to do that. But if they're at \$20,000 a year, they'd consider it differently. So my thought is to cap it at...require them to provide proof of it, cap it at X percent of gross income, not worry about whether it's a silver plan, a gold plan, a what plan, and... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And not worry about subsidies? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And not worry about...well, you know, they should then...if they have to prove the cost, I think you have to prove that they're not going to get a subsidy or they're not eligible for a subsidy. I think the burden would be on the parent. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So we're going to...if they present it...but how would they present...how would they prove they aren't getting a subsidy? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Well, they get the subsidy when they file their taxes, as I understand it. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So their prior-year taxes, which show... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, in the...it's going to have to look to the future. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So, you know, right now I think there...it's probably not something that's going to be able to be done for another year or so. But these guidelines aren't going to take effect until next summer or fall, so...but then they will have had the 2014 taxes, you know, in the can, so they would be able to look at those. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay, I have a question. So if that's the approach, that they have to prove that they have a plan in place and it's costing X amount of dollars and not to exceed a cap, as I understand from what Dr. Venohr said, the plan covers the entire family of the person who is purchasing it, be it the mother or the father. Am I right, Dr. Venohr? It covers the family? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, the plan covers the family (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay, so if you're looking at giving them this credit above that we're

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talking about here, do you still give credit below? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That would be... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, I thought we would be carving out... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...the portion that was attributable to them identical to the way we do it with the kids. So the parent's portion is the top part. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That's not what they were saying though. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We're talking about a percentage. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That's not what anybody here is saying. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, and I'm a little confused by that because on this particular line we say "cooportunity individual rate," (inaudible)...I mean, to me, these are the individual rates, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: (Inaudible)...well, on this it is (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: Yes, and that's what I was kind of looking at, was... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, that's your brief...second brief, page 7. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right, so are you... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Those are the...yeah, those are the silver plans from Nebraska Department of Insurance. I do...on page 8 and 9 I have some case examples that show how big of a... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But those...but where you...I think what was pointed...you pointed at... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I think what was being...I think what you show there on page 7 is for an individual rate. Are you saying that a person who has a family cannot purchase the individual rate? He or she has to purchase a family rate? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I don't know that with the health exchange. I imagine that they would...I don't know that. I think they can purchase an individual plan. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, of course they can, because the other parent may be providing the health insurance for the child. So my thought, not to confuse things, is that the line 2 deduction is just for that individual's share, the out-of-pocket cost per month to insure that parent. It's...it disregards a family plan or anything else. We treat the extra



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cost to insure the child as a deduction, I believe, on line 8 of the worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: But, Bill--and I agree with the thought process there--but the fact is, is that both parties could be paying for family plans. So when they're proving off their stubs, it's going to show that family plan rate. And unless you have something else to base it upon, then you're going to have a lack of consistency. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: That's why, when I was looking at the silver plan, I was kind of saying that gives you a guideline and a basis even for those parties that both have a family plan and the children are benefiting from both of those plans because of the way the insurance is covering. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think I can help here. So when we're figuring out, determining the portion that's attributable to the child now, not only do we get evidence of their pay stubs, we have to get the sheet from HR showing employee, employee plus spouse, employee plus children. It's the exact same chart we would use to figure out employee-only portion. Do you see what I'm saying? So say they're paying \$300 a month and it says employee only is \$85, and then to add the children it's \$200 and then the spouse is some other amount. That's how we calculate it now, so it's...we're not requiring anything more of our parents than we already do. It's just taking then the employee portion and plugging it in. Now what we would need to do is get it from whichever parent wasn't providing the health insurance. But to be honest, we get that normally in most cases because we're trying to determine who has the best coverage at the best rate and we're making those types of determinations. So from a practical standpoint, in practice we're already getting that information. Now, Bill, you might have a different view there. But it's...so I was always under the assumption that we were talking

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about only attributing to the part for the actual parent, not their...the rest of their family or their new spouse. I just thought that's what we were looking at, so perhaps I've confused the issue. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So then what's wrong with just using that amount? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, that's what you would do, and then what we're suggesting is that you cap it at...so say somebody's plan provides that their portion is \$300 and that's what they've elected because they've elected a high amount of coverage. And we say, no, it has to be capped at 5 percent of your income so that...because parents are tricky and what we'll see is one parent will pick the absolute maximum health insurance that they can have in order to reduce the...you know, I deal with worst-case scenarios, yes, every day, so to reduce their obligation. We would prevent that by capping it at a certain amount that we thought was reasonable to be included. We're about an hour into our discussion this afternoon. Is anybody at this point...well, let's just say this. If a motion were to be made--we don't know what that would be--are we feeling comfortable that you could assert some type of opinion on whether or not we should keep discussing this? Or do we want to see if there's a majority of...we just...say we don't even have a majority of people who want to use this as a deduction. I feel like we need to move forward on it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, you know, at these meetings we really haven't had a chance to talk and hash things out. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So I was kind of expecting that's...that is what we'd do today. So I don't know. Does anybody else have any other comments or anything else to say on it? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: I would just agree with what Angela said, that we're not requiring any more data, any more paperwork from HR, from the parent. We already have all that information. What we do is we just look at more of the information on the sheet. And I do think...I think it's fair, which is a word we don't always use when we talk about the law, but I think it's fair that we give the parent a deduction for their cost of health insurance. But I also think it's fair to cap it. And where...whether we cap it at 5 percent or 3 percent or whatever, I...that would be my desire, that we recommend that to the Supreme Court. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And one thing I...the law is going to require both parents to be insured. So why do we want to put that in the child support calculation? You know, they're both going to have that expense, and it's just assumed they're both going to be paying that. And... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But it's not equally assigned, because what we're seeing is people are covered by their employer health insurance most of the time. They don't have a lot of discretion on how much they're able or not able to spend on it. So parents are not treated equally in that way, dependent on where they're working, unless they both work at the same place. So I might have a dad who is having to pay a \$635...this just happened in my office this week. Dad had to pay \$635 a month for coverage for him and the children, and mom under...she had not been employed, so she went on the workplace. Hers is going to be \$200. So they're just paying disparate amounts, so... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Depending on their employment, depending on all sorts of things, which could change day to day. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: A cap is not going to make it fair. I mean, it's still going to be a percentage of something. I mean fair to me means they pay the same thing, you just set a limit. I don't think you can get fair that way. I think what we're just...is...you can't change the fact of who they work for or what benefits are available to them through their employer. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Would you prefer to cap it at a dollar amount? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No. I mean, I'm just saying I...the \$600...there's \$300, \$500, or the \$200 earlier. You're never going to get that fair, in my opinion, by a cap or anything. I think a cap is just saying this is the most we're going to let you reduce. It has nothing to do with fairness. It has to do with what's the most that we think it should be allowed. And my only concern is if we're going to talk about that is that we not just pick a number, a percentage. And I'm not being critical. I'm just saying that we have some way to articulate how we came up with whatever that percentage is so that when somebody says, where did you come with 9.1, we can say, Dr. Venohr said that was the...what the feds were saying is the ceiling, or something like that. Or if we say 8 (percent) is what it is and we just think that in Nebraska it should be a little bit less, I don't necessarily have a problem with the ceiling. I appreciate now that we're talking about what we're talking about here in this line is the end...the amount, whatever he or she is paying for insurance. It's what it would cost them for the individual of that same type of insurance. I didn't understand that initially because I thought Dr. Venohr was saying it would be the whole family. So if we're talking about just what the cost would be for the individual, I appreciate that because then we're covering what his or her...what the costs are for he or she to have the coverage. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And she did say their statistics at 8 percent is for the entire family

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coverage. So I think the idea or the support behind reducing that to 5 percent is that we're not deducting the full family coverage. So her...so it should be reduced if we're only looking at the individual. Is everybody following that? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah, I follow that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Okay. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Makes sense. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is anyone else concerned about what we may be asked to deduct next after this? I mean do you think this will just be limited to health insurance or...? You know, there are other things we have to pay. I don't know. You know, motor vehicle insurance, we're required by law to pay that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, my concern is this...I see this as federally mandated. I mean... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: People are just being told if you don't do this you're going to pay a penalty. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: So it's...okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I mean, this isn't like if you don't register your car, you're going to go out and drive it without a registration. Well, that's a decision that you make. This is federally...I liked Bill's initial analysis with...like taxes, this is what the feds said you've got to do. And I suspect as time goes on there's going to be more enforcement to ensure that this is being done. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So what if we just deducted the minimum plan from both parents, just include that? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, you want to still have evidence that they're paying it. So if we just did an amount, then people are getting credit who might not be...they might be on Medicaid and there's a credit built in. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: They would still have to prove. I'm just saying we're picking the silver plan because that's what is the basic. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, you know, most...many people--I don't know if it's most--but a plurality of people get their health insurance through their employer. And if you're like me, you don't have a choice. It is what it is. It's not take it or leave it, it's take it. You don't have a choice and you can't say no. And whether it's 5 percent or 8 percent or 2 percent--it's not 2 percent--you pay it. It's just there. It's like you pay your taxes. You actually have a little more wiggle room with your taxes. You can play around with deductions, but you...there's no way, at least where I work, with the cost of the health insurance. And as Judge Merritt indicated, because it's a federal requirement, just like paying your taxes is, I think it's fair to allow that deduction. It's not a...it's a significant cost to most families to provide health insurance. Twenty years ago it wasn't, but it is now and I don't see it's going to get any easier. So I just think it's an issue of fairness. Those are dollars that they don't have to spend on child support or anything else. So I

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think that they should be entitled to a deduction for the cost of self-coverage. I do...but just to eliminate these possible issues of someone buying an exorbitant prime health insurance plan on their own, capping it. The 5 percent figure plus the 3 percent figure that we cap the child's health insurance premium at under Nebraska law adds up to 8 percent. So that seems to be what Dr. Venohr has indicated and what the federal government seems to be indicating is what they're looking at is like a total family healthcare cost. So I kind of like the 5 percent. It's easy to do the math and it also seems to dovetail with what the feds are saying, that this is kind of where we're at right now. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I would move that proposal to cap it at 5 percent. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: I would second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Will you please call roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that's based on your gross income. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Correct? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Yes. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Am I saying that correctly, Bill? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, yeah, I'm not sure we don't have the cart before the horse, but yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]



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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Judge Merritt, what was your... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm feeling like I want to know... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, the only reason I'm saying is we've said 5 percent but we haven't said that we agree that...with Bill. We haven't had a motion that I've heard that says that cost to cover a parent with health insurance coverage should be a deduction added to the child support guidelines. We haven't done that yet, have we? [CHILD

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ANGELA DUNNE: Well, I thought that was included in the proposal. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I thought that's what we just did, but... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: If...well, maybe we'd better restate (inaudible)... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, I didn't hear that in the proposal. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I heard the proposal say 5 percent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do you want... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And so there has never been a proposal that we...and, quite frankly, also, we're talking about just the Worksheet 1. There's going to have to be language also that goes into the worksheets that describes what this means, to explain all this 5 percent. And we've not approved that language yet. But that's all I'm saying, is we...this was a motion on 5 percent, but...of gross income, but it didn't say where it would go or anything like that. That's what was...that was my only concern. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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\_\_\_\_\_: That's fine. Why don't...we can go back. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You want to make a... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make the motion that we include in our recommendations that there be a deduction on Worksheet 1 from gross income to allow each parent a deduction for the cost of health insurance for themselves only to be capped at 5 percent of their gross income and that we work out the language...that this, I guess, be a preliminary vote, that we'd work out the language, and then we vote on that language as part of the overall package at our next visit, but the...and that the part of that language require them to provide proof of that, that they're actually covering themselves and that...and proof of what those costs are. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And be consistent through all the worksheets. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes, although I don't know if it shows up anywhere other than Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It shows up because they calculate Worksheet 1 to get to Worksheet 3 and Worksheet 5. It's going to be...so it...right, I mean, it's the same information you plug in and it transfers into the...it doesn't show up on the addition. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The only place that this would show up would be on Worksheet 1. But if you're using other worksheets, it's built into that final figure. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: That's what I...does that make sense? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Provided they have to provide proof. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: The amount of time that 5 percent is going to come into play, it's probably going to be minimal, I mean, because they have to provide that proof. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That's my motion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is there a second? Oh, you have a question? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I do but I'll wait for the second first. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Go ahead. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And we're...the language you have here on paragraph...on "f" that you have here, it would read something similar to "cost to cover parent with individual health insurance coverage"? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yeah, so that one would say cost to cover parent, but...and adding the word "individual" is fine. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Because then that's what we're talking about, so it's whatever the cost for the individual coverage is. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Or...yes, um-hum. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we ready to call roll? Yep. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

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JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think that means we can move to childcare expenses because we're all warmed up now. (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Can we turn the air conditioning on? (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: It's warm in here. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, you're wearing a sweater. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: I know. I figured it would be cold in here, so. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We could open a window maybe. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Childcare expenses was also addressed in Dr. Venohr's briefing, too, that we received. I'll open it up to anyone who has any initial comments, questions, concerns about including work-related day care. And to clarify, in our prior discussions on this issue we have been talking about this not as a deduction but as an add-on, which is a credit against the...or to the child support obligations. So I think we should limit the scope of our discussion to...and understanding that we've already agreed that that's the appropriate place where it would be considered. Is that right? I just want to get as...yeah. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I had, again, in my proposed worksheet from a month or so ago, I had included as line 9 deduction on Worksheet 1 for out-of-pocket cost for work- or school-related childcare for either parent. So it would be treated the same as the child's...the health insurance deduction representing the cost to the...to insure the child. So it's at...when I say it's a deduction, it's actually a...it's an add-on because we would be adding that to the...what would otherwise be the child support figure, and then we'd be prorating that out like we do the child's share of the health insurance. [CHILD

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KARIN NOAKES: Well, I like it because we see a lot of contempts because they aren't paying their day-care bills, and it just takes...like Angela has said in the past, it takes a little...it's one less thing for them to keep fighting about. So I am in support of adding it as line 9 on the child's basic income and support calculation. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I would add that, if we make this recommendation, I think I liked looking at some of... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh, I really wasn't serious about that. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Well, if you want to...if you can crack it open a little bit, that would be great. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: (Inaudible.) [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I don't want you to hurt yourself. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...to look at what some of the other states have done to help define what that does so that it's annualized so that we're not having to recalculate for someone. That was my concern, is that childcare amounts are also fluid. I think we have some good models of states that have gone before us and looked at this, so I just think, if we decide to adopt it, at some point we should have a conversation about some clarifying language to avoid that multiple modification scenario. [CHILD SUPPORT ADVISORY COMMISSION]



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TROY REINERS: I agree. I mean I think it should be in there. I'm not sure how to factor it, but I...everybody, I mean...I hear from custodial parents that say, well, he owes me this, you know, and I don't have the resources to hire an attorney, I don't have...you know, so if it was somehow an enforceable item, I think it would way, way come into play. How it gets factored, I have no idea because it does change too. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: There's going to be a practical impact on the parents, and Angela and the others have mentioned that or alluded to it. Right now, this is not a...enforcement of childcare is not a IV-D function. If a parent--and they call my office all the time saying, well, he's not paying his childcare. I'm saying, I'm sorry to hear that, you're going to have to hire your own attorney or go at it yourself, good luck. And some are able to do that but, you know, that's expensive. And if the money isn't...if he doesn't owe enough to make it worth the cost to hire the attorney, they're not going to do it. If this is changed, it will become a IV-D function because it'll be part of the child support. It'll be considered child support and treated that way. We already do that for other states because states like Minnesota lump it together--child support and childcare. They run it under one figure. And if the Minnesota order gets transferred to Nebraska to enforce, we enforce it all. It's the way it is. So we're actually giving more...right now, we're treating people in our sister states better than we treat our own citizens. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: On page 2 and 3 of that second briefing, the...again, the one with the girl on the computer, this is where Dr. Venohr provided us with examples from different states carrying over into Washington. She noted that Washington includes a provision that requires the custodial parent to repay the obligor if the guidelines calculation includes childcare but then they opt not to use childcare, and those are examples of some pretty wise provisions I think we should look at. Should we go...should we see if we have a majority that wants to include this or is that premature? And then we can kind of talk about the next action. I don't want to be too pushy, but I'm trying to... [CHILD

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KARIN NOAKES: Do...before...so does any...do we have any other discussion on whether or not we include it as number 9 on the worksheet or on the child support calculation? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I guess my problem with that is, is that you're already seeing that come to your court as something that's not paid, and we're talking about not reducing or, at least, based on the tables, the child support guidelines. So then we're going to add more to the burden of the noncustodial parent for orders they can't already pay. How is that going to work? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It won't change their obligation. So say right now they have to pay child support of \$500 and 50 percent of day care. It's not going to change what they already owe under a court order; it's going to change the ability of IV-D folks to get in front of the court. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It's still not... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Well,... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: So it will only impact those who are not paying their day care. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It will impact... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. Right, exactly. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean, and that's what we're trying to eliminate. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Yes, yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, it'll eliminate one source of friction between the parents...  
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...because they won't be coming...the mom won't have...the custodial parent won't have to come to the noncustodial on a weekly or monthly basis: Here's the bill and this is why it's higher, this is why it's lower than it was last month. It's all going to be run through...just like child support, it'll be a deduction, you know, through wage withholding, or the obligated parent will send one check into Lincoln a month rather than having to deal directly with the other parent. It's not going to raise their obligation any because that was something that would have already been set. It's just going to make a single payer, one way of paying both. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I mean, I say we move forward on it and we figure out the rationality of it later. A concern I would have later is when you have the day care which is being provided by another family member and that, at that point, out of pocket may not exist. But that doesn't mean there still wasn't a day-care expense, and that is something--not today but at a later time when we do dig into it a little bit further--that I think should be seriously taken into consideration is the thing, so. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That happens now with the say we do it too. So that's...I don't know if that's something we can fix in the guidelines or we just have to deal with individually on a case-by-case basis. So I guess I would move that...I'm sorry. Any other...anybody else want to say anything? [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Yeah, I... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Go ahead. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I'm not sure that I'm understanding the effect this is going to have on the child support amount that's payable. I just want to make sure I'm walking this through. If...and just using ballpark figures, let's say childcare is \$500 a month, which is not uncommon; in fact, it's probably low. Let's just say \$500 a month and that the...and let's say that the mother is custodial parent, just for purposes of this, and that she's paying...she has 25 percent of the total income. So he has 75 percent of the total income. Let's use \$400 because then I don't have to try to figure out in parts. (Laugh) That would mean that...would that mean she would get subtracted \$100 and he'd get subtracted \$300? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And the \$300 would move to his support obligation, just like how we do the health insurance premium. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, that's why I'm trying...does that mean his child support increases by \$300? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Yes. []

\_\_\_\_\_: Correct, correct. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And then you still have the basic subsistence. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: You still have the poverty level that you can't go under, which I guess we had that before, too, without including that. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, yeah, in fact, I think you can't order childcare if, in fact, it takes them below. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right, right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's right. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: You can't order... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, I was curious too. In Nebraska, I know a lot of them are 50/50 on the childcare regardless of what the income percentages are, are they not? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: In our...at least in Douglas and Sarpy County, our judges are really good about following the guidelines, which they... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Proportionate. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It should be the percentage proportionate, and we're...it's not to exceed that. Judge Merritt, I'm sure that's a consideration that you having a... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Oh, I always look at it. Unless the parties agree, I always go by what their percentages are. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So we have, like, 38 percent, 40, so it's...I always want it to be a nice, rounded-up, nice, easy number. But we usually adopt a child... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Judge Merritt points out something important, though, is that just like right now you won't order childcare if it's a case where minimum income is being earned by the obligated parent. And we don't see it in our orders either; we don't see child...it's lower down the totem pole of priorities. So the guidelines would...should be clear, if we do adopt this, that the court is to consider whether...the poverty guidelines in determining whether childcare should be ordered to begin with, you know, or a split of the childcare or additional childcare in the worksheet. And if the person is only earning \$8 or \$9 an hour, the court is not going to order it. The childcare may still be there, but it's not going to be part of the child support order. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And what is the year of age then that it actually ceases? Is that...that's... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, that's what I was saying. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: A lot of these states have looked at that, and I think that we can dig into that and give some nice parameters to what we're creating. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I? Is the sole purpose of recommending this be included in Worksheet 1 so that it becomes a IV-D case? Because I, quite frankly, don't understand why it needs to be in Worksheet 1. I mean every order that I have says you...not every

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order, but if, in fact, a person has the income where he or she can pay a percentage of childcare--we'll say, for example, you shall pay 37 percent of work-related or educational-related childcare expenses as long as it doesn't take you below the poverty level or something, you know, language very similar to that--that's an order. It's enforceable. Yes, they have to come in and they...somebody has to come and say, he or she hasn't been paying it, I want to have them in contempt of court and everything. All that is available to the person right now. So why do we move that to...what's the advantage of moving it to Worksheet 1? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The advantage is it can come out through income withholdings, and that minimizes the amount of contempt actions you will see. When it's automatically taken from their pay stub, we don't have the ability to do that now with day care, so day care is the most frequent issue where parents are having to exchange receipts and somebody is not paying. Child support is easy. We can issue the notice to withhold income. Their obligation is satisfied. So that's one of the other reasons why we would look at it. It builds it in. It's easier for the recipient parent to get at it with...I mean, because a retainer to go in on a contempt is going to be \$2,000. So we say... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But that...but...okay, I'm sorry to interrupt you, but that's...the reason it's automatic withholding is because the Legislature has passed a law. It's not because we have a guideline that says it. It's because the Legislature says it's automatic withholding for child support and spousal support under certain circumstances. It seems to me if that's what the purpose is, then go to the Legislature and tell the Legislature to say you can also get automatic withholding for court-ordered childcare. And you can do the same thing. Except for what happens today, I think in most cases, is that orders don't have a dollar amount because you don't know what the dollar amount is because it varies so much. It says support at a certain percentage of work-related or education childcare. And I'm just...not trying to be argumentative, I'm just saying I'm trying to figure out why we want to put this in the Worksheet 1. What's the function, other than

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automatic withholding--and maybe there isn't one--automatic withholding being available and IV-D being available? I wish IV-D was available because I think county attorneys...it would help some people to be able to try to enforce these things. I agree they're expensive, but I'm seeing a lot of self-represent litigants nowadays that are using the child support. I mean the order to show cause forms are on the Supreme Court Web site. I'm seeing a lot of them. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The only other thing that could come into play occasionally is the poverty threshold. You know, when I enter an order saying you're to pay 60 percent of the day-care expenses, we don't even know what those are, like you said. So, in effect, we could...and I have seen it happen. It may be rare, but I have seen it happen where the other party files a contempt on that, it comes in--well, couldn't afford to pay it. So that's a safeguard there where, you know, then I don't find them in contempt. But if we use the worksheet, that spills into that, so... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do you...you know what's interesting about that? We never look at the custodial parent's ability to pay. So we never give consideration to whether or not paying day care so they can keep their job at Burger King is putting them in poverty level. And so I just think there's a disadvantage. I guess that might be opening a whole new can of worms, but it's just something for us to be mindful... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So with that... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's because somebody has to pay it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]



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KARIN NOAKES: And if the custodial parent that is... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: As... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...going to have to pay it or get sued for it... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...or get garnished for it... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: There are so many different things. Title XX is available. I mean there's...it's so many...you go to so many different variables then. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Um-hum. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: You start looking at that for childcare expenses. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And while I know that that complicates it, I still think complication figured out is better than no action at all. And that's why I asked about the age, because I know extracurricular educational things are above that. But a custodial parent cannot allow their child at...under a certain age to reside in the home with no attendance; and they can't work and they're not getting the money even when they do go to work. And this will assist in that, is how I see it, so. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Dr. Venohr, I have a question. Are you still there? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I am here. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. Do you have a feel for how many states include childcare in their child support orders now? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: There...most states include what Nebraska is proposing, where it's part of their child support guidelines. There's only a couple states that don't include it above the line. And as far as how many state orders, if we look at case file data from states, it's anywhere from 10 to 30 percent of cases include childcare expenses in the calculation. Those that include it in the calculation tend to be higher income. And obviously, the children are going to be younger because it's below 12 and below that, the threshold is, for childcare assistance. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay, so... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Did that make sense? Am I... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That was even more information than I was requesting. What...I want to make sure I understood. Is it your belief, based upon your research, that Nebraska is an outlier state now by not including childcare in its child support orders,

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as... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That would be correct. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Nebraska is an outlier. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay, and so if we were to adopt this, would we be joining the mainstream, or would we be doing something different from what most states are doing? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You would be joining the mainstream. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But we do include it in our orders, in most of our orders. Childcare is mentioned in virtually every non-IV-D case. I mean I get those and they don't have them. They just cover the requirements. But if I get every...divorces where there are children, there is a provision for childcare. If there are younger children for whom childcare is provided, there is a provision in there, in the, if you will, what's called the property settlement agreement between the parties as to who...what's doing it, and there is a provision in at least 75 percent, if not more of them. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Probably isn't that... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: It just...it's not in the guidelines, but it's in the settlement agreement.

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[CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Probably, isn't that true with the outliers also though? So I mean, to me, the mainstream would still make more sense. I mean, I just think it's more manageable. I think it's...it'll help those that are not able to do it because now they can utilize services to also say, I am not able to pay my 60 percent. And, you know, if it's on the outlying portion, they don't even have access to those services because it's not part of the IV-D function also. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, I believe Judge Merritt has some concern, and let me rephrase my question to you. In your knowledge of how the 50 states handle childcare, do most of them include childcare as part of the total child support order now or...

[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Doctor, this is Paul Merritt. Let me ask you, are you saying they have it in something similar to 640...excuse me, our Worksheet 1? Or are you saying that in an agreement between parties or where a court decides when there is not an agreement and orders the payment of child support, childcare, uncovered meds, every...all those types of things, that that is included within an order? Are you saying that's the majority? Or are you saying just the Worksheet 1 is the majority? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: I'm saying that a majority include it as a line item in their equivalent of Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Okay, thank you. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Did we have a motion? [CHILD SUPPORT ADVISORY  
COMMISSION]

TROY REINERS: I motioned to move forward with it, didn't I, and figure out the details  
later? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: (Inaudible) [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do you want to say it more specifically maybe? [CHILD SUPPORT  
ADVISORY COMMISSION]

\_\_\_\_\_: Yeah, you need to clarify that. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Okay, yep. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I'm probably not good at that. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Judge Noakes, do you want to... [CHILD SUPPORT ADVISORY  
COMMISSION]

KARIN NOAKES: Well, I guess...shall I move? [CHILD SUPPORT ADVISORY  
COMMISSION]

\_\_\_\_\_: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'll move to allow childcare expenses as a credit on the basic net

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income and support calculation, and that would be as item 9. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Would you please call roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can we...should we agree that now we could consider or perhaps everybody could review pages 2-4 for next time and we can have the discussion then about how to clarify the use of the day-care credit? Or does...do people want to talk about it today? I don't want to... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: We have one more meeting planned? So we would have to have two more meetings planned then if we do that, right, because will our last meeting be the actual final report that we would vote on accepting or...? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: That's the way I understand it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It would be unless another meeting was...but hold on, hold on. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Depends how much we get done here today. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Shall we skip over this and go...plow through the rest, and if we can get back to it maybe? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. Does anybody need a break? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I do agree that we need clarifying language, and I think that that's something that we can bounce back and forth to Joshua in the next couple weeks. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Maybe we could do some of that via e-mail. I just want to give people time to think about and read through. I'm feeling like people are not prepared to do that today. Is that right? Okay, yep. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: This is Paul Merritt. I think that before the next meeting there's going



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to need to be language very similar to what Mr. MacKenzie has done for today on 2-point-212 (phonetic) I think it was, something like that, that people can actually look at, see what the language is so if they find anything...so the final matter can be done. I mean, quite frankly, I voted yes for paragraph 9 because I want to see what the language is. I may not agree once we get to any proposed language. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Right. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But I'm willing to vote for yes to keep the door open, but... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And, Judge, these...page 2 through 4 gives us about eight examples. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right, I...yeah, I saw those. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But, I mean, but somebody is going to have to grab something that...for us to look at in those regards, being...even if it's plagiarizing one of those two codes, that's fine. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: And just to clarify, you're welcome to send me draft language, as you've done, and I will forward it out to the commission members. We just need to be careful that we don't get into a virtual discussion over...by "replying all" and having more or less a cyber meeting. So you're welcome to send me whichever language you come up with and I'll forward it out. And maybe you can be thinking about which language you prefer so that, when we do get to the next meeting, we could have a discussion on that

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but have a pretty idea of what direction you want to go. We just have to be careful not to do it all over e-mail. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Thank you for that reminder. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I make another...I make a motion that this document that we've all been using as the basis to refer to as paragraph "2f" and paragraph 9 be marked as "Exhibit A" or "Attachment A" or something, attached to the record here so we have something to show what we're all referring to, just so we have that for the record. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I second. I second. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Does somebody have one of those we can give to Josh? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : We have a...yeah. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You have it? Okay. All right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Will you call roll? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY  
COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY  
COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY  
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY

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COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right, next on our agenda is to talk about a possible adjustment for shared physical custody parenting time. And that is...Dr. Venohr looked at that issue also in briefing number two, and that begins on page 9 of that briefing. Does anybody have any opening comments, questions, suggestions for how we start this conversation? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, I think--this is Judge Noakes--the joint physical custody proposal, I think...Bill, this was from you, right, the guidelines? Or, no? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. The 4-212? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. I sent that out today to John (phonetic). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. And so what that proposal does is lowers the number of days in which we could use the joint calculation rather than just the standard calculation, Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Maybe...why don't you explain what this all reflects. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. What I had talked about at our previous meeting is that with regard to Worksheet 3, I think it's too difficult for parents to utilize the joint custody worksheet. What we have is kind of a dropoff where the support is the full amount and then you've got to go to quite a bit of parenting time with the obligated parent before he or she gets any credit or any reduction in child support under the guidelines. Right now under 4-212, there's a two-step process. If you have less than 109 days of parenting time with the obligated parent, they get no credit...or no deduction in child support for that parenting time between 109 and 142 days. It's at the discretion of the district judge whether or not to give them a...to use Worksheet 3 and to give them that credit or that deduction. And that at 142 or more days, then they have to use that Worksheet 3. My proposal is that we lower those steps down a little bit. And the reason that I came up with the figures, it's not on a percentage. This is on two days a week. If the obligated parent is having the child spend two nights a week in their home, I think that's a significant amount of time and I think they should be entitled to a reduction in the child support for that parenting time. Right now they're not...they don't get that. That's not even an option. You'd have to go up to 109 days. The...142 days to get that as a definite use of Worksheet 3. One hundred and four days represents two days a week. The 91 days, which would...is a lower figure. I can't remember if that's 25 percent or not. If a parent has a child 91 days a year and they're home, I think that's also substantial enough time that the court ought to give some consideration as to whether or not Worksheet 3 should apply. Right now, that wouldn't happen unless it was at 109 days. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And you're using the term "days" to mean overnight. [CHILD

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WILLIAM MACKENZIE: Nights, nights. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Overnight. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Overnights. Our Supreme Court and our guidelines define a day as an overnight. And I know there's been a discussion as to whether that's the best way of doing it. I don't think it's perfect but I think it's probably the least imperfect way of doing it. But in any event, that's my proposal, is that we lower those steps down so that's it's a little easier for the obligated parent to make use of Worksheet 3. Having said that, worksheet comes with some baggage as Angela Dunne will...has said will advise you from her experience, something that I don't deal with because I'm a state attorney, but it requires them a shared parenting expenses. And that's where they start bickering because they're having to share all kinds of paperwork and e-mails and texts and yada, yada, yada about money which may be why they broke up to begin with. So I did tuck some other language in in the proposed 4-212 changes. And these figures are very fluid. I propose, in order to try and reduce that, I propose that we also look at putting some kind of a floor on what those expenses can amount to before the parents have to start sharing those expenses. And I threw \$50 in there just as a figure to start the discussion. Maybe \$10 is more appropriate, maybe \$25, I don't know. But there ought to be a figure there that's...so they're not bickering over, you know, bubble gum or something like that, or a pair of socks. I just think that's just silly. And it just causes problems. And Angela had sent out, at least I've seen it, language that her office--I don't mean to speak for you, Angela--language that her office uses with her customers, her clients when they try to work out parenting plan arrangements or wording that tries to minimize those issues. And so I just tossed in rather than a whole sheet of paper of information, a line that says, single item purchases exceeding \$100 in costs shall be proportionally reimbursed when first consented to by each parent. I don't think that's perfect language, but I think it might be a starting place for discussion on that. On my

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way down here today I thought that maybe additional language could be added that would require that if Worksheet 3 is utilized by the court in setting support, that there be a requirement that it be coupled with a parenting plan that would address those financial issues about how they share those band uniform and school trip to Washington and those other expenses that are just issues that can cause, you know, the fuse to be lit. So I think that if Worksheet 3 is used that the court ought to be required to have a parenting plan that would address...or some sort of...I shouldn't say parenting plan. Some sort of language in the order that would address those shared expenses so that there's...the parties can look to the order and say, oh, okay. This is what we have to do rather than both going off on their own directions. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So I had provided to the commission sample calculations. I put that into a chart so you could see what we're looking at as practitioners about the big cliff. I talked to Bill about expanding so that parents are getting credit for time sooner. My opposition to that is this expense sharing. And I didn't send out the language to everybody. We can make a copy of that for everyone because we do a whole page to address expense sharing because I can give you horror story after horror of how ridiculous expense sharing can become. So that's my primary concern. I think if we're looking at worksheet...and so there's been a school of thought that we could eliminate the use of it or perhaps modify what we call Worksheet 1, the guidelines that are attached to be a certain percentage of time. That was this kind of radical idea I suggested last time. But my guess would be if you were to ask most of the divorce lawyers in Nebraska who are observing parents do this expense sharing, they will tell you that we don't prefer it because it creates a lot of conflict. One of the other things I think we should look at, too, is allowing the obligor parent to pay support under Worksheet 1 even if they have joint physical time. And here's an example of that that I litigated last week. Dad and Mom, they had joint physical custody. To what Bill said, there was a lot of testimony about how they have disparate financial philosophies: One is a spender; one is a saver. This led to the breakup of their marriage. They

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fundamentally disagree about what types of brands of clothing to buy for clothing to buy for children or what kind of caps. So I represented Dad in that case. Again, he had joint physical custody. Child support under Worksheet 1 was \$2,300. It was \$1,600 under Worksheet 3. He wanted the court to order \$2,300 because he did not want to mess around with expense sharing and changing receipts and the like. And there was a lot of testimony to support that. And the judge said, I have to use Worksheet 3 and order expense sharing. And Mom in that case happened to get on the stand and say, I want \$1,600 and I want him to pay his 80 percent of all the expenses. And there's no incentive then for her to attempt to be reasonable in what those expenses would be. So I think we need to give some support to if parents want to pay the higher amount they should be allowed perhaps to do that. But it's...I see all kinds of challenges every day. And I was telling Bill, people will fight about...okay, so we have a high school student who is taking ACT prep classes or SAT prep classes and these are reasonable and necessary direct expenditures. But then the issue is, well, how many times does the kid get to take the prep class? You know, this is what parents will fight about under this expense sharing provision. And so maybe it's that we fix it by giving more language to the courts to say this is what we're calling these because right now parents will...everything is up for dispute if somebody can classify it as a reasonable and necessary direct expenditure. So perhaps that's an easier fix. But I think if we're going to expand the use of Worksheet 3, we need to look at the expense sharing that's attached to it to avoid the conflict that we're seeing. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So are you saying if they have a plan, they can use Worksheet 3; if they do not have a plan, they use Worksheet 1 and custodial parent makes all those decisions on extracurricular activities and expenses? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They don't necessarily make the decisions about the extracurricular because a lot of times they have joint legal custody. But they're the parent who is paying



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the expense so there has to be agreement. It's messy. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, one parent has to make the ultimate decision if they aren't agreeing on things. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, usually what happens is if there's disagreement then the parent who wants it goes and pays for it, right? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So what's wrong with that? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: There's nothing wrong with that. It's just... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So I think it's interesting that, you know, we look at a worksheet and say, okay, the parents should get along because it's on the worksheet. They're getting divorced for a reason. They don't get along. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm not suggesting that we're telling anybody to get along. I'm suggest that we try to minimize post-decree disputes because it impacts their coparenting relationship, which I believe in turn impacts children. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And I am for your ideas here. I also think for every group of parents who are always constantly disagreeing and bickering, you have additional parents who completely are in compliance but do not have proper guidelines to give them any idea how to do it properly and come to an agreement and be willing to do it. And so what happens in those cases is usually the parent that is the custodial parent ends up settling

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for considerably less than what, if they had better parameters, they could both mutually come to an agreement on. So more complication, yes, but it assists everybody involved, in my opinion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And I can even say, in my own life, I do this. We didn't want to mess with the child support so we didn't do that. We make about...we do 50/50 parenting time. And we just said, look, you cover day care and I'll cover everything else. And if any of us...if either one of us ever felt like that wasn't fair then we would bring it to the table. But we didn't want to do expense sharing. We wanted it to be fair. But like you just said, there was no guidance for us on how to do that. It was just kind of the smell test on, do you think if the day care is exceeding anything in extracurriculars or clothing or that kind of thing? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And my current spouse has a similar situation. And I think her ex-spouse is just unaware. And so he's not...he would be more than willing to be compliant, but she's also feeling where she doesn't want to ask because there isn't anything that lays it out and tries to equalize it and make it fair. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What do our guidelines...I don't have our guidelines right now for some reason. What do they specifically say? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: If you look at Bill's 4-212... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I mean just generally, not on a joint custody. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, this is the... [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: It's the same. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: This is the only direction they give us when we're moving to Worksheet 3. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: There's nothing...so Worksheet 1 presumes that the custodial parent would take care of all of the extracurricular things. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. And sometimes our courts will say, well, if we're getting into select sports, they kind of have carved that out because it's become more popular and it's very expensive. So courts...usually one of the parents has said, well, we agree that they're going to be in select baseball or whatever it's going to be. And the judge will say, okay, that's above and beyond anything I'm ordering on child support or expense sharing. They'll look at it kind of separately. But how it's treated now, if Worksheet 1 child support is ordered, it presumes that the recipient parent is paying all the direct and necessary expenditures for the child, at least that's how we advise our clients. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And I think I've seen where the decree will a lot of times specify more of this type of stuff in order to avoid using the sheet also. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, yeah. Or like private school tuition, they're only going to include that if the parents have agreed that that's separate and apart from the child support order. Does anybody have any questions about what I talked about? Do we think it's a good concept to minimize post decree? I mean, Monty is saying maybe that's not our concern. So I think we should probably look at our intention. [CHILD SUPPORT ADVISORY COMMISSION]

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TROY REINERS: What are other states doing? I mean, I guess I would ask Dr. Venohr, like what is...you know, are we an outlier here also...to get a feel for what other states are doing for this. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Expense sharing is an outlier unique to Nebraska. Most states don't (inaudible) guideline provisions addressing that. I think a lot of states would like it, but it definitely is an outlier. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It seems like Nebraska in your presentation, Dr. Venohr, has a lot issues to address as far as parenting time and joint physical custody which seem beyond the scope of this commission. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Is that a statement? I'm sorry. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm just asking the question that...is that what you're including in here? There's several bullet points of issues with Nebraska's, seems like, statute. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Some of these are actually within the guidelines that, you know, the lack of modern terminology, I think from my (inaudible) there's stuff in the other parts in the statute that are more consistent. And the definition of day overnight I think is fine. I mean, it's a little bit...there's been better language. One of the bullets says that the time-sharing threshold works better as you...the lower threshold like Mr. MacKenzie proposes. Somebody mentioned earlier about...I'm looking at the second last bullet on page 11, poverty income, setting a limit. There's a couple states that do. If somebody has a poverty income, eliminating the adjustments. But as far as the expense sharing that is unique to Nebraska, that adjustment. In all honesty, I think it protects the lower income parent to a certain degree. I'm done saying anything. Are you still there? I can't

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hear you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We're just all thinking hard. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: This is Paul Merritt. A couple things: With respect to giving more guidance to the judges, I understand there are complications. My first belief is we cannot micromanage every single...get an answer for every single question. We can't do that because every time I have an answer for a question there's another question that comes up. That's just the way it happens. That's been my experience. The guidelines, although there's a rebuttable presumption, there is language that says that the judge may deviate if he or she believes their application is unjust or inappropriate. And I think that that means different things to different judges. But as long...I believe...I know we're supposed to use Worksheet 5, which is a worksheet I don't like because I think Worksheet 5, you get to the number you want at the bottom and you just work your way up and you get the deduction. I mean, I think that's how a lot people use it. I prefer where a judge, if he or she is doing it, articulate the basis for the deviation downward or upward. And so I think there are things that a judge could say if he or she wanted to. I'm not bound by going under 212. It's rebuttable and if you can show me why I should be going to Worksheet 1 rather than Worksheet 3 and if I agree with that then I think unjust or inappropriate would be appropriate. I mean, you have a basis for that. I never have liked the language of trying to say, all reasonable and necessary direct expenditures solely for the children because I think it creates gigantic potential for conflict for people, as mentioned, who are getting divorced probably because there is some conflict, be it emotional, financial, who knows what the reasons are. There are various reasons. And quite frankly, I thought when this all came up with us trying to look at--as this commission at least--look to joint physical custody, it was a way of, what can make this...my recollection is that the reason, one of the reasons we were looking at this is because there were a lot of noncustodial parents who felt that they weren't being given the option to have more parenting time because of what it did to reducing child support.

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And so that was creating an environment in which people were not getting more parenting time because it would reduce the amount of child support paid to one person. And we heard that and I think we heard at the very beginning at a number of our early meetings and on that there was discussion about that. And I'm just not sure when I look at all these worksheets that were done--and I really appreciate the summary, too, the summary page--how anything in this worksheet as proposed by Mr. MacKenzie, which I think is great to get started with, is going to change that issue. I mean, I don't see where...in fact if anything, this is going to create more of an issue because it lowers the numbers to allow the figures. And I'm not saying that's something we...I don't know whether we should be concerned with that or not, that is, what this effect this is going to have. But you look at these figures and going from basic on the very first one of \$1,400 to \$552--if I'm reading that right--from Worksheet 1 to a 50:50. And one of the things I thought we were charged with: Is there something that we could do in our guidelines that might have some bearing on that? And I haven't seen anything in the guidelines proposals that would affect that. Am I missing something on that, Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry, Judge Merritt. I'm not sure I understood your question. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. Here's...one of the things, I think, that we started looking at as a result of information we were hearing at the very outset was there was concern that using--and I'm sure somebody will correct me if I'm wrong--that there was concern that using our guidelines, that if you go from Worksheet 1, what the child support would be to a custodial parent under Worksheet 1, and they used Worksheet 3 and said 50:50 split, under some of those, that reduction in child support was a significant reduction in child support. And there were people who were concerned, particularly I think noncustodial parents who were saying that we believe we're not getting more parenting time because of the reduction of child support that is occasioned by us having more parenting time as calculated by Worksheet 3. And so one of the things we were, I

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thought, talking about perhaps looking at, is there anything that can be done to Worksheet 3 or some other mechanism that might alter that? And I don't know whether you received the materials that were sent out, I think, on October 22, by Ms. Dunne dealing with the various worksheets that she had done--no pun intended. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: You know, I couldn't open that file, but I do think that both Ms. Dunne and Mr. MacKenzie had good suggestions with...regarding to how to deal with Nebraska's provision on that. I think unfortunately I can't shed much light from other states just because the Nebraska provisions is so unique. But both what Ms. Dunne and Mr. MacKenzie proposed are consistent...or I can't think of any pitfalls to what they're proposing in regards to other states. I think Ms. Dunne's proposal that they, in some situations it might be a separate to use Worksheet 1 versus Worksheet 3 makes sense. There's states that have the reverse as far as if one results in a lower amount, that they should use that so that's consistent, even though usually it's a different calculation, meaning that because states don't have expense sharing that it usually works (inaudible) that results in a lower amount in that Worksheet 1. But other states do have that provision, so her recommendation is consistent. I think Mr. MacKenzie's proposal about having the \$50 or \$100 threshold before they start calling it a shared expense is consistent with what we see in Georgia and Tennessee only they use 7 percent of extraordinary visitation. So I think both of them are trying to come up with suggestions on how to fix the problem in Nebraska with regard to what Judge Merritt said earlier about parents that...using the 50 percent threshold was a barrier to some parties getting shared parenting. There is evidence of that in other states, that, you know, unfortunately there are some parents that just play the game of money and funds with the child even though what is supposed to happen in all courts is that parenting time gets determined first and then the child support arrangement...not the child support arrangement but the child support amount is determined second. But you know, of course people will work with their attorney's and argue for one thing before it ever gets to the judge. And in Michigan they had some cases and when they thought about reducing their

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time-sharing threshold, oh, probably about ten years ago, it came out that it was the custodial parent or the parents with more time-sharing that (inaudible). And then Michigan did eventually reduce their time-sharing threshold. So I'm done talking right now. I'm not sure if I answered the question. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: One of the things that we keep seeing and I want to clarify, too, and remind us all, I think we've said it over and over, this commission is not tasked with looking at what parenting time should be awarded in Nebraska but what...it's the chicken and the egg. This is what keeps coming up. We come up into the legislation and we're looking at the Parenting Act. And the Judiciary Committee repeatedly says to us, but how are we going to fix this problem? And so they were hoping that the Child Support Commission could look at that. So that's why I brought the language that the Judiciary Committee had been looking at because it's creating a problem with parents making decisions for the best interest of their children related to time. It's inevitably linked to the finances in a very disparate way based on that chart that I gave you. And if there was some way to...and I think that's what Bill is trying to do, is kind of decrease the sharp edges around it. I think that's the intention behind it. I'm not opposed to that. I just think if we do that we need to address, like I said, the additional then obligation or part of a coparenting relationship which is to exchange the expenses. So it's a...we're in a very tough position because we can't make policy decisions, but anything that we do will inevitably...it's linked to what's happening for parents in the state. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yeah, I think the joint physical custody thing obviously is for the benefit of the children across the board. That's not arguable. How do you incentivize the parents to have kids or to not have the kids? That's the difficult part. This I believe assists and it's not a matter of incentivizing or not because I mean if you have them, you're paying because you're supporting them. I think this gives you parameters. I don't know that there's a Wikipedia somewhere that I can go to that will give me these



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parameters as agreeable exes or nonagreeable exes. We are the Child Support Advisory Commission tasked to create guidelines, Wikipedia guidelines. I mean, the more I think guidance we can provide, whether or not the courts are going to sign off and agree to it or the attorneys are going to help, I just think it's still beneficial to all the parties regardless is my opinion. I like this. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What would you...you know, I'm looking at our guidelines and I don't see anywhere in our guidelines that really defines in a...if we use Worksheet 1, what the custodial parent is responsible for paying. And it comes from our table. Maybe if from the table we use, whether it be BR4 or the USDA to determine the amount it costs to raise a child, if we could include in the guidelines somewhere perhaps something that says, this is what was considered in coming to the amount for Worksheet 1. And so if we go to Worksheet 3, are we saying that takes that out of...are we saying because we use the income...the information from Worksheet 1 and put it into Worksheet 3 so it's not being accounted for in Worksheet 3. You know what I mean? Okay, when we say in Worksheet 1, the custodial parent is going to pay the...I guess we're assuming they're paying all of the clothing and all of those types of things. But we aren't assuming that in Worksheet 3. So if we could define exactly...well, you aren't get to do exactly, but I don't know. I think if we define it in Worksheet 1 then in Worksheet 3 it's defined as well as to what is not being covered by either parent and that they're going to both have to pay for. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I'm going back to, if I heard Dr. Venohr correctly, there really is no way to deal with Worksheet 3 per se to address the issues that have been expressed by a lot of people. I agree that that goes beyond what I believe is the charge of this commission. But from day one, it's been something that we've heard from Senator Ashford at least over and over and over as a concern that he had. And I'm wondering

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whether to try and maybe address this is to include in 4-201...4-203 rather, 4-203 of our guidelines starts off: "The child support guidelines shall be applied as a rebuttable presumption." I'm wondering whether we need to also say in that sentence...I don't know if this would help but maybe try to show that the commission believes this is important. Also in there somehow...in that sentence talk about what's referred to in 42-364(3), which is that...generally speaking, I know there's always exceptions. I haven't figured out how I would word this exactly, that it is in the best interest of the children to have joint legal and physical custody, something like that to show that this is tied in, too, also that that's a basis because that is what it says. The statute says: Custody of a minor child may be placed with both parents on a joint legal custody or joint physical custody basis, or both when they agree and if the judge...if a court decides after a trial it's in the best interest of the child. But I'm wondering if we tie that into the rebuttable presumption, that that somehow is also sending a message and allows at least to be able to argue judges are rebuttable. But remember, this is the best interest of the child, too, so let's look at one and let's look at three and let's see what maybe we can do here. And, Doctor, am I right that that's what you were saying to look at three and one and try to determine what's best under all the facts? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: I think I was...when I was referring to looking at one and three, I was referring to what Angela Dunne was saying about how that one case where (inaudible) the one obligor wanted to go with three and that was...I'd go with Worksheet 1. And that would be consistent with the way that some states would do it. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Again, I can understand that. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: I think...and I'm having, too, but I think...did you say that most states would focus on Worksheet 1 and determine what was fair and reasonable under all the circumstances? Is that a paraphrasing? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: No. Can you hear me better now? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. Sorry. I have a new headset. First of all, that expense sharing is unique to Nebraska and most states... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'm sorry. I couldn't hear you. What is unique to Nebraska? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The expense sharing... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: ...to require that, most states are silent on that. When they go to a worksheet, they have like a Worksheet 1 and a Worksheet 3. That's very common. But they don't get into the expense sharing for Worksheet 3 like Nebraska does. The only time they get into the expense sharing is the extracurricular activity. So that would be like horseback riding, travel soccer team, travel hockey team, and that stuff. They don't get into the prom dresses and some of the nuances that Angela does on her cases. In fact, the most common assumption, but I've heard problems with it, is that the parent with more time is going to incur like the prom dresses, the senior photos, those sort of expenses. They don't require...most states do not require that explicitness in their Worksheet 3 calculation. Is that making sense? [CHILD SUPPORT ADVISORY

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ANGELA DUNNE: Yes. So here's...if you have parents, the reason that Nebraska looks at expense sharing, if you have parents who have 50:50 parenting time and that reduces the child support significantly--a lot of times it zeros it out--you are still...one parent is going to be tasked with, like she said and what we see in our cases, buying the prom dress. Who's paying for senior pictures? Who's picking up car insurance for the kids? There's no clarity so I think the intention when Nebraska included that was, well, that's not fair if we've got zero support going but one parent is still paying the majority of the expenses that are not...I don't know why...well, they do include clothing but not food and utilities and those types of things. But I think that was...that would be my best guess at the intention. It's...the idea is to fairly...and because it's not a 50:50, it's proportionate to income, the idea was they should still be sharing so it doesn't get stuck with one parent over the other, whoever that might be. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I see that. That's what your...your Worksheet 3 is called a cross-credit formula. And that's what most states use for their time-sharing adjustment. And it will zero out if there is equal income and equal custody. You know, there are just few states that use, sometimes it's called Indiana Adjustment or the New Jersey Adjustment. I put the New Jersey one in there, where they'll divide child-rearing expenditures into three categories: variable which is like the food, so if one parent picks up the food, the other parent doesn't have to pick up the food for the child; another category is duplicated fixed expenses, so that's housing. So both parents would incur housing costs if there is a time-sharing arrangement with the child. And the third is called nonduplicated fixed and that's like the kid's iPad, the kid's clothing, etcetera. And those states that use that adjustment assume that one parent controls those expenses. And that's kind of what you're saying with this is you have a cross-credit formula but your concept with the shared expenses is like this controlled expense is this thing that doesn't get duplicated between the parents. And only a few states have that sort of

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adjustment. It would be Indiana and New Jersey that abide by it. Arizona theoretically has it, but then they zero out with zero when they have equal income and equal custody, equal time-sharing. So I can't really say Arizona follows it or adheres to it. So Indiana and New Jersey are the ones that you want to look at. And New Jersey, what they do is they assume there's always going to be one parent that has more expense. And it's the parent that lives closest to the school if there is equal income and equal custody. You know, what those expenses amount to that sort of thing, that nonduplicated that one parent controls is usually about 20 percent. So I don't know if that helps, but I think one of the reasons that you're...that I can't shed light on it is that what you're trying to do is kind of, I don't know, make a different...make your car perform differently than it is. You don't have...your cross-credit formula isn't designed to do what you want it to do so you've come up with language. So I guess I'm wondering if you want to change your time-sharing adjustment, but that could be really confusing, too, at this point. I'm done speaking. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, Paul Merritt. You refer to New Jersey. Do we have that someplace here? I just...what page? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: 10. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Page 10? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or is that 10? Eleven, eleven, at the bottom of eleven. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And then there's more stuff on 12. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. Just referred to it... [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: I might not have the whole language in there. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: You just refer to what they say in it. You don't have their language in here. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: She gave it to us I think the time before, but I don't have my... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Did she? Okay. Well, I've got the other stuff here too. Okay. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, and I guess, Angela, when you were talking before, in your decrees or in the parenting plan, even when you award joint legal and physical isn't there one parent who has final say? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. I always order that in my orders. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, because then that's sole legal custody. It's a fiction then. So all of ours say, joint legal, joint physical, there's no decision maker other than the parents doing it jointly. And then...Bill, will you hand me that? Can you get copies of the...? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, I'm telling you that's not...maybe that's the way it's done there, but I don't do it that way. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Well, and that's... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So there's always...I mean, you can have joint legal custody in regards to all sorts of things, but someone has to make the final decision. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I do that. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You do it the way I do? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we're hearing that, that it's... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh, I gave it Joshua. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay...that it's not...but in Sarpy and Douglas County you have, the parents have to make decisions and then they'll order Worksheet 3 and then we include...this is our page on expense sharing. And so it reads, this is the proportionate share based on the guideline. And then we say, this includes clothing, footwear, undergarments, school-related expenses such as lunch tickets, activity fees, testing fees, enrollment fees for summer camps, participation in dance or music lessons, participation in sports. And we tailor them to what the kids are doing. But we go through drivers education classes, auto insurance, senior photos, gowns for graduation, I mean, because these are the things...for every example that we've had, we've had a case where it was an issue between two parents. And other lawyers that I practice with like this. I never get an objection to, let's clarify and lend support to the parents so we know

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exactly what we're talking about. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And to me, that's what attorneys should be doing. I don't know that we need to provide for that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, the problem is then it's the luck of the draw for parents: either going to retain my firm and have a lot of clarity or the commission can say, we want to give you some clarity so that it's...so pro se people can say, oh, this is what we're supposed to be thinking about, right, because the lawyers are tasked with thinking eight months down the road. Clients are kind of in survival mode in the middle of a divorce. But that's the point. It shouldn't be, if you're in Omaha with a certain firm or with a handful of probably ten firms that we use this regularly. It should be able to at least have the clarity. I'm not saying do it or adopt it the way that we do it. But so that parents are thinking about because I'll tell you what, a lot of my dads then who have joint physical custody say, forget this. I don't want be exchanging these receipts. Let me just pay the full support. I bet you 75 percent of my cases run that way. Or we'll sit and we'll hear the dads testify and they'll say the amount of child support is not an issue. We just want the time with our kids, right? So I wish there was an easy solution. I don't pretend to know the answers. I'm trying to think of suggestions based on what I've heard or what I see. But right now, what it creates is conflict. And what we're hearing about other cities outside of Omaha, Nebraska, is that they're not perhaps using...see I've never used worksheet... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And I'll say, I work in Judge Noakes's district as a therapist. And what she has created is a way that parents go to her court with the understanding that they have that risk that they will have to work with that other parent half the time. And that in turn has limited some of that conflict as well because they know. They know that there's that chance when they go to Judge Noakes's courtroom. And... [CHILD SUPPORT ADVISORY COMMISSION]



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ANGELA DUNNE: That which way...that which...? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: That they're going to get equal custody and even that the custodial moms or the mother go to that court with that understanding. And I've had that conversations with many clients. Now, I'm sorry if that's not true, Judge Noakes, but that's what I'm getting from them. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And are you then ordering Worksheet 3 and expense sharing? If you order joint physical custody, are you adopting Worksheet 3 that's attached? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then they do expense sharing. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, it's case by case. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Just pretend you were going to order in one case joint physical custody. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, joint physical and legal custody where one parent has the final decision making, so any... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And that decision making doesn't really... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, that wouldn't... [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: But what then do you do on the child support? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The Worksheet 3. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then for the expense sharing. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: They figure it out. And the parent who has the final say will decide and the expense sharing is proportionate according to what their child support...what the worksheet says. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So you do link it back up to legal custody? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, she links it back up to Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: A proportionate share. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, no, if it's based on decision making, who gets to make the call on what's paid, that's legal custody. Okay, then tell me because I really do want to understand this. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What's your question again? [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: If you're saying the parent... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You can have legal custody and not have final say. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, so how do you decide who...do you have final say on different expenditures? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So in your jurisdiction, every time they have a dispute, they can't come to an agreement on something they have to go to court. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: They have to go to mediation. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So when there are medical emergencies, what do you do then, and they can't agree? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: You have to go to mediation, right? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I mean, I don't know how that is workable at all and I guess I... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, we have language about medical emergencies that says in our parenting plans, parents usually always agree that in a medical emergency they have to give as reasonable notice as they can, but they are equipped with being able to take the child and receive...we have that in our parenting plans. It has nothing to do with the

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child support or legal custody. It's just a standard provision that gets approved over. And I can send it to you, where it just says in case of an emergency, the parent can go do whatever they need to do. But in as reasonable time as possible they'll notify the other parent that somebody broke their leg. So when our judges are contemplating joint legal custody, mostly what they're talking about is religious decisions, education decisions about where they're going to go to school, or healthcare that might be elective procedure. That's the language that...so they're not talking about who is the parent tasked with deciding if they're going to enroll in select baseball. So I really want to understand. So if you say... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So as far as expense sharing, I guess there isn't any. It's the Worksheet 3, that's what they pay. And the parent having the final say would decide. And if the other parent didn't want to pay for that extracurricular activity, I probably wouldn't make them. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Even if the kid had been doing it their whole... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, it would be case by case then on things like that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's what I... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But it doesn't happen...I guess, I'm concerned that we're trying to solve a problem that's unique to your jurisdiction. And it's going to mess up the rest of us, but maybe not. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So it sounds like you have this form that dictates every little thing that these parents are going to pay for for the life of that child is ridiculous. I'm sorry, but that's not real life. I don't know that you go to two parents and say, okay, you have

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custody of your child. Write out what you're going to pay for that child for the rest of your life. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We don't ask them to do that. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: You're talking about paying for prom dresses and... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Undergarments. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Undergarments. That's ridiculous. I have custody of my son. I have custody of...my wife has custody of my other child. That's ridiculous. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Our guidelines say clothing is included so we're giving that... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Maybe they shouldn't. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: That's what I'm trying to talk about. I'm not saying that there's a right way or wrong way. I'm saying that under our existing guidelines, it says clothing is included. So we are spelling it out for parents what is included in clothing. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I hear you justifying the way you do it in Omaha; that's what I hear. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm sorry if you're taking it that way. Clearly my experience is limited

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to the place where I practice. I mean, I can't speak to what's happening in other counties. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: It sounds like you're trying to. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm not trying... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Well, it sounds to me like she's trying to make the Wikipedia so that it would help people and advise them. But, you know, I mean, if you're not going to set it in stone where they have to do this because mutually they still have to agree. And that's going to be more predominant in these situations even if they don't get along. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And in the case you can say, like we talked about before, if you want joint custody, you have to have a plan on how you're going to pay these expenses. And include that in the parenting plan. And, you know, it might be judicial discretion at that point. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: I'm new to this so forgive me and at the risk of upsetting judges which I try to avoid at all expenses, aren't these guidelines supposed to help create some consistency across the state as far as joint custody or...I mean, isn't that part of the goal, so that there is consistency because it doesn't sound like there is any consistency how you do it, how you do it in Sarpy and Douglas. Isn't that one of the goals that we should have creating guidelines that promote consistency for everybody that comes to court that wants joint custody or not? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I believe that's what we...should be an aim or a goal. [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: I don't think the aim is to micromanage though. The aim is to have some common language, not dictate: This person will pay for A, B, C, and D 30 percent of the time, and this one pays for A, B, C, and D 70 percent of the time. I don't think that's the intent. The intent is to provide some common language. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: I don't view it as micromanagement because I view all these decisions end up having to have to be made no matter what. And so this is assistance with how it gets done and how the decision is made. But micromanagement is...I mean, we're not...the people still have to make the decisions, not me. I'm not going to dictate. But to provide them some sort of advisement on how they could go about it in my opinion is a good thing. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And here's how I should clarify. When we're using this language, it's a consent decree. So these are the parents who have come to us and said, we want joint legal, joint physical custody. We want to use Worksheet 3. And this is our agreement on what's going to be included in expense sharing. The judges don't adopt this language. So if that helps clarify, the judges do things like, we want to put a cap on at \$100 or more, you have to get...there has to be agreement between the parents. So to clarify, I'm not justifying anything other than what the parents who come to me say they want to do. So the judges will say, if it's over \$25, you need to have agreement. The problem with that, Judge Kelch will tell you. This is in his standard order and he's in Sarpy County. He'll say for any, expense of over...you both have to pay them for any expense over \$25, you have to have agreement. So this is the scenario that plays out. Mom or Dad, whichever parent goes to buy school supplies in August for the child. And the school supplies are going to exceed \$25 dollars. Dad texts--I've had this happen--texts or calls Mom. She's not available. Okay, well, we can't get your school supplies, kids, because we haven't gotten approval from Mom yet. We have to go home. Mom then sends an e-mail that night. That sounds great. You have to go back to the store to buy the expenses. So you're absolutely right, there's no consistency because

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that's the only judge of the 15 that I practice in front that does that. And we keep trying to let him know that this is problematic. But he's trying to...because they are seeing parents come back arguing. So again, I'm not pretending to know the answers or that I have the right way. I'm not trying to... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So what...you think some language should be added to guideline 4-212, or what exactly? You think the language that was suggested by Bill should be added to 4-212 and that would help your issue? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think in addition to these caps on expenses and needing agreement, we should clear up...maybe one of the things Dr. Venohr has suggested was you delete clothing, some of these things that are causing parents to get confused about what they're talking about. Or if it's...you know, I think that we as a commission could make good ideas about what are general, reasonable, and necessary direct expenditures that we as parents or we as judges and lawyers who have represented parents think. And I'm not saying to apportion...I'm not trying to be ridiculous. I'm just trying to say, what are expenses that would fit the definition of reasonable and necessary direct expenditures because it lacks clarity right now and that's why we created this laundry list of expenses was to help parents understand what you have... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Could we tie the reasonable and necessary expenditures to the BR4 or the USDA, what they figure, what they include in coming to the amount, Dr. Venohr? I guess I can't remember what's all included in the USDA and BR4 now, but isn't clothing included in that? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Are you still here, Doctor? [CHILD SUPPORT ADVISORY COMMISSION]



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JANE VENOHR: Oh, I'm sorry. You were asking if clothing is included in the expenses?  
[CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is clothing...yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. Those tables, whether you use USDA or Betson-Rothbarth, the BR4 includes the typical or average expenditures for a family or a child of a set income. So, yeah. It's not only ordinary and necessary, but it's typical. So if it's extraordinary, if it's something unusual and, you know, like I mentioned earlier, a traveling...I have a friend that has a son on a traveling hockey team that they fly to Dallas to play hockey. That would be extraordinary. That's all I can say. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Or maybe we focus on this nonduplicated fixed. So for example, if you've got parents who have 50:50 time-sharing and equivalent incomes, so child support is zero because we're assuming they're each providing for equal amounts of food, equal amounts of shelter and clothing. But you're going to have the nonduplicated fixed such as the winter coat, the basketball shoes... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: iPad. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The iPad, where it moves with the, you know...like my coparent and I, we don't both buy two winter coats. We buy one. Uniforms, things like that, maybe that's...maybe we should be looking at Indiana and New Jersey to help so that it's not undergarments or the things you're making fun of me for including. (Laughter) But the intention is that we're looking at nonduplicated fixed which makes sense to me because that's the intention behind it is that we're sharing the expenses that one parent is going to have to pay. You know, and I like this idea of saying over \$100 so that we're not talking about, okay, well, one person is going to pay for the volleyball and that's 25

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bucks. Parents don't need to be dinking around with that. But they don't have any guidance on that right now so they do dink around with it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, you seem to indicate that other states don't bother with this, is that fair to say? Are you there? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry. Yeah, New Jersey and Indiana are the only ones that get into these types of expenses that you're talking about. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. So maybe we're trying to do too much. Maybe we're trying to fix everyone's problems before they occur by putting such language in the order...or in our guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, go ahead. Sorry. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That was, you know. I mean, that's one way of looking at it. If the other states aren't doing it then we're trying to anticipate problems and try to help resolve them in our guidelines before they occur and before they spill into court. I don't know if you have...I think you might have my copy of 4-212 that I e-mailed out earlier today. My only thought, because this is always a work in progress--is that maybe some language could be added to my language in print here. At the end of the fourth line before you start the sentence it says, if child support is determined, etcetera, you add language that says, unless otherwise agreed to by the parties, comma, if child support is determined under this paragraph, etcetera. That way that would give the parents the opportunity to ignore that and resolve things on their own as part of language in their court order or they would have to live by whatever language we decided to recommend

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in 4-212. I mean, I think the majority of parents aren't going to...it isn't going to be a problem with them. What Angela is dealing with is the worst case scenarios that come into her office and they can't agree on the time of day. So she's protecting her client by putting in very detailed language. If they can work out something in a consent order so that they don't...you don't have problems down the road that spill back into your office or into the courtroom. But I think that if we have some commonsense language that we put into 4-212, we don't put it too specific or too detailed, that ought to be enough for the vast majority of people. And those that it isn't good enough for are going to come back to court anyway. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. I'm going to ask the two judges. We currently have the language, 4-212, and what's in bold print is what Bill has added. You're the two judges. Is the addition...does the change in days and the addition of language help overall in the cases that you look at? If it doesn't assist and the original language is sufficient, I want to know that too. Is that a fair question here? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: You want to go first, Paul? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, I think it obviously asks two different things. First, you talked about the numbers. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Right. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. And the numbers are going to open a presumption with respect to joint custody to more parents than are out there right now. And I think that's good. You know, I think to have that presumption opened up is good. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: And I agree with that, with the numbers. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. So the numbers now are good. Now we get down to the language of the money. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can I clarify on that? So if we say 25 percent of the time is joint custody, I think we're still going to have dads that say, 25 percent of the time with my kids is not joint custody to me. They want more time. All it's going to do is reduce their child support obligations. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: That's why they hire you. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: But that's not what we're charged with. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, what the guideline says is it becomes a rebuttable assumption, that you use Worksheet 3. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, so you're... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And so we have the parenting plan already before we even think about child support. So we look at the parenting plan. What does it provide for in the parenting plan? If it's more than 104 days, we can use...we use Worksheet 3. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. So if it's 91 and we've got... [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Which is 25 percent, by the way. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, right. So at 25 percent of the time, so if your court order is going to be you get every other weekend, Friday through Sunday which is what we're hearing a lot of parents saying they're getting that's not sufficient... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: They're getting what? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Every other weekend, from Friday to Sunday. That's 25 percent of time. We as this commission would be saying we're considering that joint physical custody. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Every other weekend... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...is not 25 percent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, oh. It's... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's 12.5 percent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yep, yep, yep. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So it would be two days a week. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: It's Wednesday, Wednesday, every other weekend. I forgot the Wednesdays. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So two days a week would be 28.5 percent. And that would be 104 days. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So we'd be essentially saying, Wilson, the Wednesday, every other weekend, is joint physical custody. So we're reducing... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : But Wednesday isn't an overnight. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It is where I... [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : Oh, is it? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: It's not standard overnight. And the Wilson refers to the Holidays. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, no, I know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay, okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But when people say, Wednesday, every other weekend which...what we hear from noncustodials is not sufficient time. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And I don't think that's what we're talking about here. I mean, I know that's a concern out there, but as far as figuring out what we want in this guideline, that's

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already decided before we even look at the guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: In your world, it probably is. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, by law it's supposed to be everywhere. I mean, child support does not weigh into how you decide how much time each parent gets. And I think we need to operate under that presumption and not try to fix whatever problems you might have with different judges. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Ms. Dunne, since I see the clock continues to click and we've got the tables to go to also, I'd make a motion that we recommend an amendment to 4-212 to change the numbers of days that would trigger a possible or a presumed use of Worksheet 3 as indicated there, reducing from 142 to 104 and reducing from 109 to 91. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Second. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay, repeat that last part. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, Senator, you had asked the two judges if they agreed with my proposal. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: The \$50 and \$100. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: They both indicated--if I'm not putting words in their mouth--they both indicated that they thought that was a good change. So since I heard that, I'm trying to move us forward. I'd like to see if we could at least try to reach some common ground on some of these issues today. So that's my motion. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So you're moving the whole language? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: With or without the \$50 (inaudible)? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Just the numbers, just the day numbers. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Not the money. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That 4-212 would be amended to reduce the parenting time of 142 to 104 days per year and reduce the parenting time of 109 to 91 to 104 days per year. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: That's it, Bill? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. [CHILD SUPPORT ADVISORY COMMISSION]



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ANGELA DUNNE: Is that what you seconded? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. I didn't second it. I made the motion. Oh, I'm sorry. Did you second it? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: I seconded. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Motion does carry. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we as a commission going to look at any other shared parenting...shared physical custody parenting time language? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: You mean in 4-212? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Um-hum. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, again, I put that other language out there as a starting point of discussion. I don't feel any allegiance to the specific numbers of 50 or 100. I thought they were nice round numbers. I think that that would be a...if we want to address the issue at all, I think that helps improve what's already in the guideline, 4-212. Another option is to just remove that second half of the guidelines completely. I can live with either one. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Part of my concerns are by not having anything in here because, correct me, the guidelines are accessible to everybody, that majorly impacts the parenting time that they don't need to see until they go to the guidelines. And so that's where you get into the, it's more important I have the child more now because (a) I'm going to get more money and nobody is going to discern to us in any sort of guidelines on how to address that. That's just my final say, why I said no. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, Judge Noakes, what we will often see is before clients even come into our office, they've gone on-line and they've prepared calculations. People who are about to experience a divorce or who are in a paternity situation and are looking at parenting time, they want to know what their monthly budget is going to be, both moms and dads. So I understand that it is the policy of this state to have them be separate. In reality, parents are concerned about, can I stay in the marital residence? It depends on what their budget is going to be, which in turn depends on how child support or how expenses are going to be shared. So they come equipped with that information. I think it would be...I think it is a factor. I think we work through that and that's part of what we do in our cases and what all parents have to eventually look at.

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But what we've just done by saying 25 percent of time is now joint custody, if you take the table that I've provided with the summary, we've changed so a parent who right now has...is the custodial parent--so they have all the time except for Wednesdays, every other weekend and they're getting \$1,400 a month in support--we've just reduced that to \$500. And there's no change in... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, you haven't reduced it to \$500; \$500 is 50:50; 21...91 is 25 percent. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Yeah, it's discretionary at 25 percent. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So it's not the 50:50 figure. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So we'd have to run it, yeah, at the days. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: It would be more...well, in fact you have 25 percent on here. You've gone from \$1,200 to \$1,000 by your (inaudible) because that's 25 percent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. And there's no change in what they're paying. You see what I'm saying, under Worksheet 1? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, you're reducing their child support by \$200... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right, for the exact... [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: ...because the father now has...or the custodial parent now has...we're saying that we're acknowledging that that 25 percent has a value to it also that should be...has some expense. And I'm just using your second category here where the father is \$60,000, mother is \$40,000. So it went from \$1,230 if it's 25 percent of the time which is what that would be, it'd go to \$1,062. So it's even less than \$200. And I don't mean to minimize that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: That's a lot of money if that's in your budget. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I guess we needed to know what is Worksheet 1 and what is the basic parenting time presumption, what was that built on? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's why I thought if we include it in the guidelines somewhere, what goes into Worksheet 1 for...what things are involved in arriving at the amount it's going to take to raise that child? Maybe if we put that in there, when people look at this they say, okay, because there really isn't anything that says what the primary parent, the person with custody has to pay. And that in turn would define then what when you move to joint physical custody what's there. But I don't, you know, I don't know. It sounds like no one else is doing that probably because it's real difficult. But depending on if we use BR4 or the USDA, we should be able to get that out of that report pretty easily. But, okay. That's all I have to say. We need to get moving. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I have a question. Bill, I'm not sure I understand the full sentence you added. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Orally, the one I added orally or the one that's there? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, the one you have here, single item. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh. Okay, the next says, single item purchases exceeding \$100 in cost shall be proportionally reimbursable when first consented to by each parent. In other words, they'd have to go and talk to the other parent before they incurred that expense. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then they could get reimbursed for that. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So reimbursed, but only when first consented to. So you're saying they have to agree on it before it can happen. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, yeah. Angela used the example of the expensive designer jeans. I don't know. If Mom wants to buy Daughter \$200 jeans because Daughter wants it Dad says, you know, \$50 jeans are okay, maybe it's just the Scottish in me but I just think that that's an issue that Dad has a legitimate... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Is that redundant with what you already put in there, the \$50 limit? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: You can't buy anything... [CHILD SUPPORT ADVISORY

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WILLIAM MACKENZIE: That they wouldn't even bother submitting receipts for a \$25 volleyball or for a pair of gloves. But if it was a winter coat that was \$75 or a spring coat, \$75, that's something that they would share those expenses on. They wouldn't need to get preapproval for them, but they would share those expenses. If it's under... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It's just when the coat becomes...it costs \$101. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. It's a floor and a ceiling. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You want to make sure the parents agree. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It's a floor and a ceiling. And the \$50, I just tossed that out. Maybe you want \$25, I don't know. I'm not wedded to any number there. But I just think that there's beyond...there's a certain minimal level of expenditures that the parents shouldn't bother one another with--a pair of gloves or, you know, a scarf or something like that. I just don't think that that's something that they need to...you know, they're each going to be paying those. It's all going to work out in a wash anyway. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And I'll just say it, one of the reasons that I'm struggling with this is that this is premised on joint legal and physical custody which you give to people who are somewhat getting along with respect to their children. And yet what you're doing here is creating this language that encourages conflict it seems to me, rather than discourages it and says, continue to get along because you have agreed that you want

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to have joint legal, physical custody of the children or child. And it just seems counterintuitive to me. It says, I'm going to give you joint legal custody but since you can't agree on whether they should have Nike shoes or Air Jordans or things like that and I mean it's just...and I'm not saying it doesn't happen. It just seems it's counterintuitive to giving joint legal and physical care, custody, and control because one of the things I think you're supposed to look at and I look at if it's contested is can these people talk. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I couldn't agree more, but what we've just heard is, people going into your court know it's going to be 50:50. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, that's where you start. But when somebody, quite frankly... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, what he said is fathers know that they have a chance of getting custody in my court, I think. I don't know. But it's not always 50:50. I mean, no. But I do award joint custody. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And is it based on...? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So it's not: First, it's joint custody but... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because here's the fiction: Parents who are going to have a judge decide what their custody arrangement is can't get along on that issue. So there should never...you know, a court...a judge should never order joint physical custody because they clearly don't get along on that issue. [CHILD SUPPORT ADVISORY COMMISSION]



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PAUL MERRITT: Well, it depends upon...to me, that's a very simplistic way to look at it. I don't disagree that if people come in and say...I think that one person says, I say I think there should be joint physical custody--joint legal custody at least, let's say, for example, and we haven't communicated in six months. We don't send texts; we don't do anything because we can't get along then you think, okay. I got to perhaps do something different here. But when they say I've been getting along, I mean, it just seems that when...and what you're talking about though, this list that you have is supposedly people who have agreed to all this. And I'm wondering if they've agreed to all joint legal custody and everything, why do you have a full page list of things that they should be agreeing to that includes that term that I mentioned earlier? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Because when I go to the grocery store, I like to have a list of all the things I need to buy. (Laugh) [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And, you know, that's an extra thing that you're doing for your client. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And that's right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And you're predicting all sorts of those things that might arise and that's being a good lawyer. But I don't know that we need to include something like that in here. I mean, seriously I think you are...that's a great idea. I wish all the lawyers would do that so we'd have a lot less contempt actions probably. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Are we feeling like we're ready...we want to move on? We have ten minutes left. I just don't know where we're leaving. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: I'll make a motion here. I'll make a motion that we not include any additional language at this point with respect to 4-212. I appreciate Bill bringing that up, but I just think that potential...especially since what we've done now by recommending it go to 25 percent, that's even going to create more potential for issues here. And I just wouldn't...quite frankly, I personally would recommend that we excise all those last paragraphs after the word, if child support is determined in this paragraph, but I'm not going to make that motion. I'm just going to make the motion that we leave it as is and not include the language at least included in Bill's. And I'm not sure he's recommending that, but at least he got us started on it. I just recommend we keep it as is. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll second it. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Without the number? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, the numbers stay there. I'm going the rest of it there. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay, money goes up. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is that the only altercation for 4-212 was in regards to the numbers in the motion previously made? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: The motion carries. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And I will answer to "Paul" if you want to say that because you almost said it. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So I would further have a motion to--if we're going to have this argument about who's paying for what--to remove the language from, if child support is ordered...determined under this paragraph, to remove that language from 4-212. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But how then would parents know who pays what? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I just ask a question? Just that sentence, right, just that one sentence? [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Where is it? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Starts, "If child," and ends with the parenthetical. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: There's a motion. Is there a second? I'll make the second if no one else is. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Can we have just a minute before we do the vote? I want to read it and think it through a bit. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Should we have discussion on this point? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Monty, could you explain why you want it, why you are suggesting this? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Well, it's because of that worksheet. There's just...I think we're trying to determine too many things in the language that we have. And it muddies the water way too much. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: You said in relation to that worksheet. Which worksheet? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Well, I'm talking about Angela Dunne's addition of all the extra things that parents are supposed to pay for. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And then we had a discussion of whether even clothing should be considered as part of that when it seems like only two states include that as part of their child support orders. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Worksheet 3, right? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. And I want to clarify, I wasn't proposing that we adopt my proposed language. I'm just saying if we eliminate the expense sharing, again, the intention behind that was who then is going to cover what's nonduplicated fixed expenses? Is it just a free-for-all? Whoever has the first cold snow day gets the winter coat. Whoever has the kid on the 16th birthday picks up car insurance. I mean, these are questions my clients will ask me about, okay, well, now we've got...and truthfully, THE moving into...when we were talking about eliminating Worksheet 3, the idea was to eliminate expense sharing. But then we have to...I believe we are tasked then with...or do we just say you figure it out. (Laugh) There's a lot of expenses that come up that are not considered in child support. Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: It's the mandatory nature of the sentence that creates a problem for me. And I'm just wondering if you're talking about giving discretion and guidance, I'm wondering if it says something like, if child support is determined under this paragraph, all reasonable and...expenditures made solely for the child such as clothing may be allocated between the parents, but in no event shall exceed the proportion of their contributions. So it makes it something where it gives you discretion rather than saying you got to do it. It's the got-to-do-it that causes me the most concern in situations that are contested. I'd be...and to accept the use of the word "may" in lieu of "shall" I think

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you would have to have some confidence. And there may be people who don't and I appreciate that, that judges would not do it in cases in which people think they should. It gives more discretion to the judge. And there are people who believe, rightly or wrongly, that that's one of the purposes of the guidelines is to home in the discretion of judges so that there is more consistency on what's going on. My experience is all judges have wiggle room that they use. And as is mentioned concerning Judge Noakes's courts, after a while people learn what judges, you know, what their feels are even within their discretion. But that's...and I would just say that's the only thing that causes me pause about the language. It's the mandatory nature of it. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So you would propose that the two "shalls" be changed to "mays?" [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, no. I think I would propose the first one be changed to "may" if we're going to do this...and the comma. But in no event shall exceed, so it's clear that even if there is discretion you can't make a person pay more than his or her percentage off of Worksheet 1. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And the sheet that I handed out last time was exactly that. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I don't have any recollection so I apologize if I'm plagiarizing. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I know. Yeah. As part of the compromise that we worked on with the legislation earlier in the year, we had identified doing exactly what you're saying, giving the courts discretion but also giving them a tool, toolbox of what to consider such as parents can get along. And I had provided that list too. So perhaps that's something that we want to do, say they may do it. And if they may do it, then these are the things we

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should be mindful of, which is, do they communicate? See, even I can't remember what they are. But, yes. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Do we have a motion that we need to vote on? We have an amendment or... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I don't know if anyone wants to amend that. It sounds like Judge Merritt changed the language a little bit, which may not be a bad thing. So to read that correctly it says, if support is determined under this paragraph, all reasonable and necessary expenditures are solely for the children and may be allocated between parents but in no event will exceed a portion of the obligator's contributions. Is that correct? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That's how I understand it. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I don't know if I can call that a friendly amendment or anything like that to your motion, if you're agreeable to that. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'm agreeable to that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Then I will resecond it. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Could somebody read the sentence just to make sure? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So it would read, if child support is determined under this paragraph, all reasonable and necessary direct expenditures made solely for the



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children such as clothing and extracurricular activities may be allocated between the parents but shall not exceed... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But in no event... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: But in no event shall. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...no event will exceed. That's what you said. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But in no event shall exceed... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...the proportion of the obligor's parental contribution's Worksheet 1, line 6, which Worksheet 1, line 6 identifies the percentage... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Percentages of the child support. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: So do we want to keep that? And when I read it, I kept the clothing and extracurricular activities, that part of it was removed, right? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, that's what...you removed that language? [CHILD SUPPORT ADVISORY COMMISSION]

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MONTY SHULTZ: When I read it I said, if child support is determined under the paragraph, all reasonable and direct expenditures are solely for the children and may be allocated between parents but in no event shall not exceed a portion of the obligator's parental contributions. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, that's a double negative. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: The word "not" would come out. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We have to say, in no event shall exceed. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can we have a discussion on that? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: There's a...in that sentence after the words, solely for the children, there's a comma because that's what Mr. MacKenzie put in there, that's where his new language ends. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah, the comma was there. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But there would be a comma there. And then, such as clothing and extracurricular activities, there should be a comma after that because I think that's only by way of example to say the types of things, not saying specifically those things, but by way of example to give. And my discussion is that I think that that example should

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remain there to give some guidance. I think if we leave it open then the first thing that anybody is going to say is, what in the heck are you talking about? So this is...but it's not going to have all of the...there are still going to be unanswered questions as to what's included. Is it a car, if I buy them a car, those types of things? But again, my friendly motion included that in there, included that, had that language remaining just so it's clear. And if you don't like that, that's fine. But I just want to make sure you knew that. I appreciate what you're saying. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, what are we...what is it proposed that we vote on, what language? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Monty's motion is without. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right. He's not willing to...he hasn't decided if he's willing to accept the friendly motion. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And I think the discussion was that if we include some of that in the guideline, for clothing specifically, it creates a lot more conflict between parents. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What if we said such as nonduplicated, fixed expenses? That at least narrows the clothing... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I don't even know what that means. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_ : I don't either. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: I don't think the general public are going to know what that means.  
[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Maybe we can do an asterisk. [CHILD SUPPORT ADVISORY  
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TROY REINERS: I'm kind of wondering, so if we're going to order that they pay the  
day-care expenses, and that becomes part of this, are they now going to turn around  
and say, well, yeah, but I don't have to pay any of the extracurricular activities now  
because the guidelines are not advising that I do? They say, "I may." I know the decree  
may say something different, so is this going to create more contempt cases for them  
not complying with the decree due to the lack of any guidance in the guidelines? I  
mean,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think worst case... [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...and I don't know,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: ...because I mean... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I don't think it will cause contempt actions. I think what you'll see are  
people trying to come in on a modification saying, well, look, I didn't know I was going to  
have to pay all of this when we agreed to it. Whether or not that will rise to a material  
change in circumstances, I think that will be in the discretion of the court to say, oh  
yeah, well, no, we didn't...you know, Judge Noakes see people and she reasonably  
assumes they're going to kind of divide things up and then that's not happening. Judge,  
I don't know how you would feel if somebody came and said, look, I'm paying for all of

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these extracurriculars and it wasn't contemplated... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And, see, where that...which is why one parent has the final say. So if that parent is saying, you know what, I get to make all these decisions, I get to be the final decision maker, they may have to pay for it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But say it's like the winter coat, a car, I guess. I guess they get to decide if they're wearing a coat. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I make another suggestion? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, that's not... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I make another suggestion... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, I'm... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: ...to answer that question? [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: And... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No, I understand it. What I'm trying to get here is to make sure that this...this isn't what's in the decree, okay? This isn't what is in the order as to what parties do. To make it clearer, I would further propose that where it says, "such as clothing and extracurricular activities," that it say, "may be allocated between the parties

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as ordered by the court," so it's clear the court is going to make this allocation if it wants to, "but in no event shall exceed...". So what we're directing here is it's not...there is going to be a court order that is going to say these things. And I appreciate the concern that people may look at this and not understand that this is what this is, so I would just add that to my friendly motion. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We've got to have a whole new motion. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: A whole new motion? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think you (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Or shall (inaudible)? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay, maybe should we just take up... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Shall we type this up for next time? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Shall we take up Monty's motion first and see where we are with that one? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Or does he need to withdraw? [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: Well, maybe we need to table it until next time so the language is...and... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: But that's going to be (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And maybe if you have a proposal, Monty, you put it in writing and bring it. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'll send it to Josh. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yeah, and then the same with whoever has a proposal. Then we can see it actually in writing... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...instead of trying to make motions. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So do we say that that motion is dead? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: I think we'll just withdraw the motion. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'll just withdraw it. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: And the second person has to agree. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does the second... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I will withdraw my second then. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Do we want to...okay, so... []

WILLIAM MACKENZIE: Put it first on the agenda for next time. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...it's 4:05. Do we want to conclude? Do we want to look at scheduling another meeting before December 11, knowing that we've got a holiday in there? Or do you want to try to...I don't know. What do we want to do? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, maybe we could have a viable kind of discussion as to whether we have any consensus on the tables. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: On the rest of the stuff, you mean? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: On C? Move down to C? [CHILD SUPPORT ADVISORY COMMISSION]



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KARIN NOAKES: Oh, yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Oh, but you still got the multiple families. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: And Dr. Venohr is not on the phone anymore? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: She'll be back at 4:15. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: She'll be back in ten minutes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Or do people have to get somewhere? I mean I get where... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I need to tell you, I'm not available before the next meeting, so. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Angela? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Is it possible, since we have marked out the morning of the 11th, would it be possible to extend the time into the afternoon, so that rather than trying to find another day we say, okay, folks, we're going to clear the calendar and we're

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going to be here--we take a lunch break--in order for whatever wording needs to be taken care of? I think you're going to have a hard time finding another day between now and December 11. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does that sound agreeable to...? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So will we ever have...are we going to have to come back and do a final vote on the final report? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Judge, I can't ask that...answer that. I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can you...do you know, Josh? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Well, I believe Dr. Venohr would provide us with that final report. It would probably require a final vote on that report. Whether that takes five minutes or four hours, can't answer that. But it would give you some sort final approval by the commission of that report. Then it can then be submitted to the Supreme Court by the end of the calendar year. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, then let's set that date or at least try to. If you have to have a second December date, let's try to get that tacked down while some of us still have a little bit of time left in that month. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Or if we spend all day on the 11th, would Dr. Venohr have time to prepare it from the 12th to the 31st, then we all have to approve it? Is that the... [CHILD SUPPORT ADVISORY COMMISSION]

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JOSH EICKMEIER: Yeah, she had to jump off of the call. She would come back on at 4:15 if we're still going. So I can ask her at that point. But I guess my question is, are you looking at a date before the 11th or a date after the 11th? Or does it... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: After. I would suggest December 11 we have to have all our decisions made no matter how long it takes. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I agree. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So if we have to be...maybe reserve the room for all day. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: And we can sure do that. I didn't know if you wanted to have a meeting like the day before or a couple days before. Do you just want to try the 11th to see how far you get? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Let's do the... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I ask a procedural question? And once that decision is made, a final decision, she's going to then prepare a report that I presume is going to have child support guidelines with...redlined or whatever, showing all the changes that are (inaudible) and all the worksheet, and that's what will be finally approved by the commission at the...to go up to the Supreme Court, right? [CHILD SUPPORT ADVISORY COMMISSION]

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JOSH EICKMEIER: I believe so, but I will verify that. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: It would seem to me that would be some time after December 11th, make the final decision. And then my question is, is it possible--and I just had this from another committee--to vote on something as just a question, yea or nay, by going on-line on, like I say, a certain day in...December 27, let's say? Have it to them and everybody goes on-line, like say at 2:00 in the afternoon, and they just vote yes or no, yes or no, yes or no. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: I...if you put a gun to my head right now and made me give you an answer, I would be very, very concerned about doing that. I know there are exceptions with the open meetings law regarding statewide commissions because people are geographically in different parts of the state, but then that still requires to have a room in that part of the state that's open to the public with the agenda available, so like a public library. It becomes a logistical challenge. So I would much rather, if you were to get the report ahead of time and there was a consensus, to come back and have literally a five-minute meeting, if possible. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I just was curious. I didn't (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: But I'll double-check on that to make sure. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can we appear telephonically? [CHILD SUPPORT ADVISORY COMMISSION]

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JOSH EICKMEIER: You can, but I think again you're creating a public...you have to create a public place at all those locations, and that's where it gets complicated. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, I see. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And that's what I'm...this...the one I heard about was people appearing by phone at... [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: They have to go to the library or something? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: The public can't participate. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right, someplace. Everybody is on the phone. They just vote yes or no, yes or no. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: The public can't participate. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The public has to participate. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: They can't hear you. You know, they're not... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Yeah, so they have to be in on each of those locations. [CHILD

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ANGELA DUNNE: No, but I'm saying, say we say the meeting is here. We're calling in like Dr. Venohr is, so... [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...we're appearing telephonically. Can we do... [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: But we can only do that one person at a time. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh, you don't have a conference call? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Uh-uh. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Got it. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I think Dr. Venohr is back on. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, we have a question. Our next meeting is December 11. We're planning to go, right now, all day to make our final decisions that would need to be included in our report. What would the turn around time be such that we'd be able to vote on it before December 31? [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: When could you have the report done? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm here. I'm thinking about it. I'm sorry, what do you want to do December 11? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, we have to look at some additional language that we agree to today. We still need to look at adjustments for multiple families and support of two households, and adopt our tables. I don't think that one is going to take too long. But... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Would it help if we decided that one today? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think so. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And we haven't. We left...for the language we said we'd all agree for the childcare expense, but we're going to work on the language and we don't have time... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...to come back. But we have a lot more to do than just... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: That's right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. So on the 11th, we still have language issues that we'll be working through. But assuming that we give all of that to you on December 11 and we're complete with our discussions, how soon can we get a report back from you? [CHILD

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SUPPORT ADVISORY COMMISSION]

JANE VENOHR: So right now as far as the recommendations, do you have one with the health insurance deduction, the change to the shared physical custody, the... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Can you hold your headset up closer to...or...we're having a hard time hearing you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. So how many recommendations have you made so far? Two? I'm just trying to... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Three. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: ...think of what...how much writing there needs to be. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Three. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We did parents' health insurance, childcare expenses, but we still need to decide how we're going to word that in our guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And shared custody. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And shared custody. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We also changed the number of days for the joint physical custody language in 4-212 to reducing them down, as I had indicated in my proposal,



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that was... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Okay. And so there are the three recommendations and then how long does it take to get the minutes for today's meeting? I'm just trying... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: How long does it take to get the minutes? Ten days. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Ten days, which would be...okay. Okay, so the two big things you have to decide yet are updating the table and whether to do anything with the multiple households. Or is there anything else on the agenda or anything else you're going to consider? [CHILD SUPPORT ADVISORY COMMISSION]

JOHN EICKMEIER: (Inaudible) clarify (inaudible) you were going to...there's language we needed to clarify on... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Parents' health insurance, childcare expenses, and the adjustment for shared physical custody, right? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: I thought there was some language that somebody said (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. On each of these. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Doctor, this is Paul Merritt. I think there may be some proposed language with respect to the actual guidelines themselves, but I think that's going to just be some drafts that are done here by members of the commission that the commission will be looking at and hopefully coming up with final language that we can have...that we can give to you just to include within what the guidelines themselves...the language of the guidelines are. I don't think that those will require much more input than what you've already done in the briefs that you've provided. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It will be a cut-and-paste job, right? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. My only concern is, you know, like I want to draft as much in advance as possible, and it's easier to have the minutes because then I can use your language. And then so the 11th, that would mean that I wouldn't get the minutes till December 21. And I can turn it around pretty quickly because by that time the only thing...that should be pretty quick, but I don't know if you want to have a meeting, due to your public meeting laws, sometime before the end of the year. Because now we're looking at that last...probably the week of Christmas, between Christmas and New Year's for your...when you would have a draft, around then. Does that make any sense, what I'm saying? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: This is Paul Merritt. It would make...due to the time frame, it would make sense to me that what we would hope to have is a final proposal from you that we can approve that's consistent with what we do on the 11th, that time period that...whatever that week is after Christmas. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Twenty-ninth? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I can do that. I can get something, assuming I get the minutes within ten days of...I don't like to write anything or ghost write anything without the minutes. So if there's a way to expedite that, that would help, too. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Are we going to have a quorum? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: We would need seven members present and then the majority of the seven would have to approve that document. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: For a quorum? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: The quorum would be 7, because of the 12 members. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: On what day? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: You want to set that date? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Twenty-ninth? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Oh, I need to send out the Doodle again, or if you have an idea now of what your calendar looks like, you could do it here. [CHILD SUPPORT ADVISORY

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ANGELA DUNNE: Send the Doodle. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It's just best of bad options (inaudible) is what you get. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Right. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Send out (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: I could send out the Doodle. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. At our next meeting, do you really...you really think you'll...okay. We only have a few things to decide yet, right? So that being said, Doctor, do you think you will really need as long as you normally...will you need the minutes if you can get what we voted on? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So, Dr. Venohr, if we're able to give you a listing of six paragraphs that we want included and we tell you which table, will you need the minutes along with that if we've given you draft language? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, if you give me draft language. The main thing is I, you know, I've got to write the justification. So I do have to hear the...see the minutes because, you know, like for instance that 5 percent that you came up with today, I need to look at your language or the discussion to pull that out when I write it. So does that...am I making sense about the minutes? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Can I ask a question? Is there any way to get transcript, the transcript of whatever happens on December 11 expedited so she can get it quicker than ten days? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: I can certainly try. It's... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I mean I don't know who does that or how that's done. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: It's the transcribers in the building. I can talk to them and tell them how important it is it get done quickly, but I'm not able to... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: If you pass them 50 bucks? We could pass them 50 bucks. (Laugh)  
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Part of it's a workload conflict. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: A what? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It's a workload issue, I mean,... [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Yeah, it's just...it's not in my control as to how fast they go.  
[CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: ...and what else they've got to do. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And what isn't? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Well, I mean it's just that during the month of December,... [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: They're working. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...early December, you're going to see a number of committees who are having hearings. I mean it's a busy time. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Right. There's two hearings going on today, there's a couple hearings later this month. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Revenue has got all its hearings, we have a hearing, Education. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It's, you know, it's typical. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Is there another option for somebody else to do the transcript? [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: I was going to say, can we outsource it? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Can we outsource it to a court reporter or... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Don't we have all kinds of money? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I mean I can draft something but I'd feel more comfortable, I mean I appreciate, you know, the discussion about expediting it, you know. But we definitely want you to...the commission to have an opportunity review it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, you'll have the minutes for this and we...if we can get you what our motion was in writing and what our vote rough was, would you...you think you would need more? You still think you would need the minutes, because will you be present for the next meeting as well for December 11, I mean telephonically? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. Let's look at trying to outsource getting the transcript. We can see if we have options that way. Yep. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: We can look into that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And let's just see if we can reach agreement on updated tables and comparisons. If everybody is willing to try it, let's see what we can do in ten minutes.

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Does everybody agree with that? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Sure. We're here. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay. So we...this is related to briefing, the first briefing, which has the child looking through the binoculars on the front. And again, if people are not feeling comfortable that they want to take this decision today, just say that. But I think we might be able to get through this. So... [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Are you talking about making it through the rest of this agenda? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, just (c), just 2(c). [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Two what? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: 2(c) as in cookie. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I don't think that's possible. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: You don't. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think it will help us probably, it will help Dr. Venohr be able to at least get something started before our final meeting if we can decide that. I can't remember, what's...so what we need to decide is which..if we're going to use the BR4 or the BR2 or the USDA study? Is that what we're trying to decide? [CHILD SUPPORT ADVISORY



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COMMISSION]

SENATOR CAMPBELL: No, she's got two option. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, and with the Nebraska adjustment. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It's BR4 or BR4 Nebraska adjusted. It's on... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Senator Campbell, what page are you looking at? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yeah, it's on page 1 of this, this one. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Those of you who have this one with you, okay, on that, on page 1, she puts together the decision, if I read this document correctly. And so you can keep the existing, you can go to Option A, or you can do Option B. Does that makes sense? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: I think that...did anyone else...I mean am I saying this correctly, after looking at it? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So the issue that we are tasked to decide, we've already decided... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...it would be the BR4 if we change tables, and then the issue underlying that was whether or not we were going to do zero or \$250 for the uninsured medical. So we're either keeping our existing table and the first \$480, or we are going to adopt the BR4 and then the breakdown of that is whether it's zero for uninsured medical or \$250. Is that how everybody is reading...? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And the adjusted for Nebraska lower cost of living is the BR4. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Angela, is Dr. Venohr gone? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, you're here. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Dr. Venohr, you're on the line? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I am and... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: ...somebody had it correct where they said that the difference between Option A and B, one is including the \$250, the other one is not including any medical. And then the second difference is whether to leave it at the national measurement, reflect national data, or Nebraska price levels. And there is a table on, let me see, page...let me try to get the right table, it's on page...it's Exhibit 1, it's on the first page of the report, but it's also on page 18 of the report. It's on page 18 of the report. Can you hear me? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Better. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Much better. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: That's much better. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. So the difference is on page 18 there's a table and it says that Option A has the BR4 study and it doesn't have any medical expenses included in it, but it's not adjusted for Nebraska income. That's that last row of the table. And Option B has exactly the same assumptions except for that middle row where it says that it's got \$250, up to \$250 per child per year. And then it has the Nebraska adjustment for lower income. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Dr. Venohr, this is Senator Campbell. My question, and I have to admit that it was late when I read this report, but when you get all done reading it, are you saying that no matter whether we choose Option A or Option B, it's still going to be lower than what we have now? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: That is the bottom line. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. And if you flip through the appendix of that report, there's a whole bunch of tables at the very end. Those will show you how big the decreases are. Now, of course, you don't have to decrease it because the Betson-Rothbarth is the lower bound. As I mentioned earlier, there's a range of child-rearing...measurements of child-rearing expenditures and Nebraska is higher than most of its neighbor states, not in every income but for some incomes. And the higher bound or upper bound is the USDA. So there's nothing that says you have to go lower. At least they've done the economic data. That's all I'm going to say at the moment. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But at this point, Dr. Venohr, the options that are in front of us on the table would take us lower unless we said to you, we want another table. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And I'm not...I'm not purposely, I see everybody kind of going, oh please, but I just want to be clear about the conclusion that I reached after reading your report is accurate. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And it would also be lower than surrounding states...or some of them. Is that correct, Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Not necessarily. I put Wyoming and Iowa in those comparisons, so if you look at those at the end of that document, there's a whole bunch of tables. You'll see that Option A and B are not always lower than Iowa and Wyoming. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. That's very helpful. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we want to break it down and look at the medical expense in the price parity for Nebraska, do it that way? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We've already decided BR4, right, so... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We did not. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: We didn't? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We just said we wanted to look at it. We didn't make a decision. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Maybe we should do that first. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Does somebody want to make a motion related to the ordinary medical expenses included in the table? Okay, I will move to include ordinary medical expenses up to \$250 per child per year. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Any discussion or can we do a roll call? Call roll, please? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY

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COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: All right. Now does anybody want to put forward a motion regarding including the 2012 price parity for Nebraska? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make a motion that we adopt the table that uses that most recent price parity for Nebraska. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Anybody second? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Can I just ask, just for...that's her Option B, correct? [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So for the... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I'll second that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So for the record, we are referring to Exhibit 1 on page 18, Option B.  
[CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And is that the second? [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: It is. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Whoa, whoa. Discussion? [CHILD SUPPORT ADVISORY  
COMMISSION]

SENATOR CAMPBELL: Could you wait? [CHILD SUPPORT ADVISORY  
COMMISSION]



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OLIVER VANDERVOORT: Oh, I'm sorry. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think we need a little discussion on this. I mean, folks,... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right, I think that probably needs a lot of discussion. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: ...we need to know what we're...Dr. Venohr, when we put in the Nebraska option, does that lower it...it lowers it again, correct? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Is it substantially? And I apologize because I just did not have time to start comparing all the tables in terms of where does the curve really start as a gap between not putting the Nebraska parity in and putting it in. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's roughly if you took that Nebraska Option B, it would be roughly 10 percent more if you didn't put the parity in it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So to say that another way, it's a 10 percent reduction if we include it? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But, Dr. Venohr, does it...is it 10 percent across all incomes

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then; that there's not a disparity between a lower or middle income versus a higher income? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: It's a 10 percent once the family income gets above the point where they don't spend all their income. So it's 10 percent for roughly those with incomes over \$40,000 a year, because below that families are spending more than their income. So there's no adjustment for Nebraska's lower prices at low...at very low incomes. That's all I'm saying right now. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Doctor, this is Paul Merritt. So are you saying the guidelines are based upon the parity from zero to \$15,000 or \$18,000, whatever it is, but the parity doesn't really start, if you will, until \$40,000, because there's no disposable income before that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Pretty much, that that would be...that's pretty close to what I'm saying, yeah, that below that at very, very low incomes there's not enough; that the families are spending more than their income. So why say that their prices...if they're spending \$110 when they only have \$100, why say that in Nebraska it costs \$90 to live? So I left it at \$100 rather than make any sort of adjustment. But when we get to the point where a family is only spending--I'm only...I'm using very simplified math--that they have \$100 or they have \$1,000 and they're spending \$990...\$900, then I'm making the adjustment. So they have to have enough income or disposable income or--I shouldn't say disposable income--that there has to be enough income to cover at least those expenditures before I make the adjustment. So as long as they're spending more than their income, I'm not making that adjustment. You know, it's like giving somebody a price break when they don't even have the money to afford it in the first place. Is that making any sense? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And you have considered that in the tables that you have proposed under Option B? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: That's how I set it up in Option B. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So option, if I understand...rudimentarily, if I understand what you're saying, for those people who did not have what I referred to as disposable income, the child support should not be reducing; but for those who do, the child support may be reducing because of the parity? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm not sure I relate the (phone call disconnected). [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I think she talks about that in here. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Needs a new headphone. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we think we need to wait till next time? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I think, yeah, can I withdraw my second? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I withdraw my second because I think there needs to be more discussion on this before it is done. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yeah, and I would totally agree. And I would...I mean I think I

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just did not have enough time last night looking at this. But you begin on page, like, 19 and 20 and 21, I mean she's showing curves depending upon what you do. And therein is probably where we really need to look at the demographics of the folks who...I mean I realize all incomes are going through your courts on child support, but I think you're going to want to look at that doesn't mean that we're going to change our mind ultimately but I think we'd all feel more comfortable if we had a chance to read that. And it would seem to me it would be really helpful if we could set a deadline in which any wording, any changes have to be in, and any questions, to Dr. Venohr, because then we will waste less time when we get there. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, we're really just down to... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But I mean if you have questions about A and B and how it affects. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I'm sorry, Judge, but... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No, that's okay. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I mean if I look at her attachment for one child with \$1,400 net...on gross income or net income, existing is \$362 child support. Under Option B it's \$305. I don't understand how it's going down based upon...I'm just not tracking with what she's saying. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: No. Right. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Is it because of the \$250? She included in Option B the \$250...  
[CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yeah, I don't know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: ...as well as the parity. [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: I just think there's questions that need to be answered. You know,  
there are still questions there if, in fact, \$40,000 is supposed to be some type of a cutoff,  
you have where the parity starts. Okay, she's back, I think, ma'am. [CHILD SUPPORT  
ADVISORY COMMISSION]

KARIN NOAKES: But we did decide on the BR4 at our prior meeting, right? Or did we  
ever? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No, we... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do you think we need to do that? [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: We... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, we narrowed it down to the ones she's given us. [CHILD  
SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We agreed to look at these options, which still remain, keep it...  
[CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: But they both involve the BR4. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. Or the third option is to keep our existing. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right, exactly. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We left that one open so... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do we need to just...can we decide if we want to do the existing BR2 or the BR4? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do you want to put a motion forth? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I move that we use the data from the most recent BR...what is that--BR... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE 4. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES ...what's it called? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: 4. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: You were right, Judge, BR4. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: BR4. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Betson-Rothbarth most recent study, which is the BR4 study. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Would you please call the roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: William MacKenzie? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]



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OLIVER VANDERVOORT: And Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, are you there, ma'am? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, sorry, I lost you guys there for a minute. I'm back on. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. This is Paul Merritt. I have one question. Under Option B, do we have a list of tables? And I just have to admit, quite frankly, it's been a while since I went through these. Do we have a list of tables where Option B exists without the 2012...without the parity? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: No. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And by that I mean it includes... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: The \$250 medical. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: The \$250 per child. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: ...the \$250 per child but does not include... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I don't think so. You know, I'm trying to...no, you don't. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: How difficult would it be to do that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I can do that. That's pretty easy. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I think that it might help us, at least since we know we want to use the current figures if we can, we know we want to use the \$250 based upon what we've heard before from you as to what is standard, at least in this area. And I think that...I know I'm struggling with this parity as to where it...when it takes effect and when it doesn't and whether it's the \$250 that's making the difference. And I'm having trouble seeing that because that's changing from \$480 and there's just not...if we...Madam Chair, I would suggest that we...request that we also have a printout using Option B without the 2012 price parity, just so we can see what the disparity is or difference is. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Is there a second on that? [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I'll second it. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Okay, call the roll, please. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: And Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, are you able to get that to us by, say, December 1? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And then can any commission member who has a question for Dr. Venohr to clarify, can you submit your questions to her by December 5 and then we can help focus our discussion on the 11th? Is that agreeable to everybody? Yes, no, maybe? Okay. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Probably to Josh first, right? [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Yeah, you can send them to me, if you'd like, and I can forward them on. And that's fine. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And so then we will leave on the agenda for next time the language issues under 2(a) we talked about. We will look at 2(b), adjustment for multiple families

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in support of two households. And we will be then taking a vote on 2(c), which is going to be using the BR4 with or without the Nebraska price parity. Is that accurate? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So that's all we have left. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So we did make some progress. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: We made progress. We did not adjourn no later than 4:00. Thank you all for your time and commitment to these issues, and we'll see you next time. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Did you want... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: So are we wanting to go longer than noon on the 11th? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: I'm all day. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: If needed. We should have it scheduled just in case. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: I would plan on it. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Well, hopefully we won't have to, but I think we need to be prepared to do that. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think we should. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And I think we should plan for lunch for everyone so that we can work as long as it takes, because we're going to have to be pretty sure of everything we want that day. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEIER: Is there a motion? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Do I have a motion to adjourn? [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: I'll move. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: A second? [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: Second. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judy Beutler. [CHILD SUPPORT ADVISORY COMMISSION]

JUDY BEUTLER: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Troy Reiners. [CHILD SUPPORT ADVISORY COMMISSION]

TROY REINERS: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]