

Kansas Child Support Guidelines Advisory Committee  
November 21, 2014  
Draft Minutes

Present: Hon. Thomas Foster, Chair; Hon. Constance Alvey; Professor Linda Elrod; Hon. Amy Harth; Charles Harris, Melissa Johnson, Sherri Loveland, William McCain, Doni Mooberry, Brian Mull; Larry Rute.

Staff: Mark Gleeson, Elizabeth Reimer.

**Review and approval of minutes from October 24, 2014**

The minutes of the October 24, 2014 meeting were amended and approved.

**Johnson County Family Law Guidelines**

The committee discussed the draft Johnson County Family Law Guidelines and made several suggestions to Judge Foster regarding sections that may need to be clarified. The committee suggested that the Johnson County guidelines, including examples contained in the Johnson County guidelines should not conflict with the Kansas Child Support Guidelines or Kansas law. An example where a conflict may exist with the Kansas Child Support Guidelines is in the Johnson County definition of Direct Expenses. Judge Foster will provide feedback obtained from the committee with the group working on the Johnson County Family Law Guidelines.

**VA Disability as Income – Revised**

Charlie Harris presented an amended version of Section II.D Domestic Gross Income – Wage Earner. The reference to Supplemental Security Disability will be changed to Social Security Disability Income (SSDI). The reference to “private disability insurance payment” will be changed to “employer provided or private disability insurance benefit” as being considered income for child support payments.

Motion to adopt, approved. This change has been inserted in the CSG version dated November 21, 2014.

**Affordable Care Act subcommittee report**

The committee discussed the impact of the section of the federal Affordable Care Act that allows parents to cover children up to the age of 26. A number of questions arose from this discussion:

1. Recognizing that Kansas law does not require parents to support a child past the age of majority, should the Kansas Child Support Guidelines require parents to provide this support?
2. If parents do provide health care coverage for an adult child, should that be considered a credit on the parents' child support obligation?
3. If one child is over the age of 18 but younger than 26 and a parent provides health insurance coverage and another child coverage under the same policy is under 18, how do the Kansas Child Support Guidelines suggest the cost of covering the children be divided among the parents? The ACA says you can but are not required to carry the children on the parent's insurance. The same requirement applies to step children.
4. As a matter of public policy, should the guidelines encourage the coverage of adult children?
5. Does it make a difference if the child is in school full-time and not able to obtain health insurance on their own? How is "in school full-time" defined?

**Proposal to amend worksheet with instructions to have the judge sign the worksheet.**

Motion to adopt, approved. A draft will be submitted to the committee in January for final review.

**Report on Deviations/Adjustments used in Title IV-D Cases**

Mark will contact District Court Trustees to determine if they have data comparable to the deviation data provided by DCF. Melissa will provide case filing data to include as a comparison with the number of deviations.

**Direct Expenses**

Documents distributed to the committee:

- a. Direct Expenses from Charlie Harris;
- b. Direct Expenses version amended by Brian Mull previously distributed for the August 22, 2014 meeting
- c. 2008 Expenditure on Children by Families, references to direct expenses

There was considerable discussion and agreement that we need to define Direct Expenses. The committee reviewed draft child support worksheets provided by Brian Mull. One of the major issues is whether to give a credit for payments that are made for direct expenses. The committee may consider modifications to the shared residency section. This will be a subject for the January 2015 meeting.

Next Meeting

January 23, 2015

- i. Economist's Report
- ii. Definition of Direct Expenses (Charlie, Brian)
- iii. Child Support Worksheets provided by Brian
- iv. Parenting Time Adjustment (Brian)
  - v. Report from the ACA subcommittee
- vi. Report from the Equal Parenting Time/Shared Expense Committee
- vii. Deviation Report