

Kansas Child Support Guidelines Committee

Meeting location: OJA Conference Room	Attendees:	Y	N		Y	N
	Hon. Tom Foster, chair	X		Hon. Constance Alvey	X	
Date: 8/31/2018	Hon. Amy Harth	X		Sara Beezley		X
	Sherri Loveland	X		Charlie Harris	X	
Time: 9:30 am – 3:00 pm	Richard Samaneigo	X		Elizabeth Cohn	X	
	Marc White		X	Doni Mooberry	X	
	Amy Fletcher	X		Michelle Slinkard		X
	Ryan Brady	X		Amy Raymond, staff	X	

Minutes

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| 1 | Welcome—Hon. Tom Foster, chair |
| 2 | <p>Introduction of new committee members</p> <ul style="list-style-type: none"> • Ryan Brady, parent representative • Elizabeth Cohn, IV-D child support representative |
| 3 | <p>Review and Approve Minutes from the July 27, 2018 meeting</p> <ul style="list-style-type: none"> • C.Harris moved to adopt the minutes from the July 27, 2018 meeting • J. Alvey seconded • Committee approved minutes |
| 4 | <p>Case law subcommittee—Charlie Harris</p> <ul style="list-style-type: none"> • Subcommittee initially suggested three cases be published • Two other cases were identified by subcommittee and distributed for discussion—<i>In the Matter of the Marriage of Dean</i> (2018 WL 3946236, not designated for publication) and <i>DCF v. Bidzimou</i>, (347 P.3d 1214, unpublished). • Committee discussed all unpublished cases recommended for publication and took the following action: <ul style="list-style-type: none"> ○ C. Harris moved that the committee request the following cases be published: <i>In the Matter of the Marriage of Brin</i> (53 Kan.App.2d 704), <i>In the Matter of the Marriage of Carlson</i> (364 P.3d 579), <i>In the Matter of the Marriage of Guthrie-Craig</i> (2016 WL 3128692), and <i>In the Matter of the Marriage of Dean</i> (2018 WL 3946236, not designated for publication); S. Loveland seconded the motion; the committee unanimously approved the motion ○ E. Cohn suggested the committee review and consider publishing <i>Bidzimou</i> because it is cited in legal treatise; the committee decided not to request publication ○ J. Alvey moved that the committee request publication of the following cases: <i>In the Matter of Ballinger</i> (404 P.3d 355) and <i>In the Matter of the Marriage of Hou and Chu</i> (417 P.3d 273); C. Harris seconded the motion; the committee approved the motion. ○ C. Harris moved that the committee request publication of <i>In the Matter of the Marriage of Crainshaw</i> (390 P.3d 124); J. Alvey seconded the motion; the committee approved the motion ○ E. Cohn moved the committee request publication of <i>Hernandez v. Rider</i> (369 P.3d 341); C. Harris seconded the motion; the committee approved the motion • J. Foster suggested committee review cases on a regular basis; A. Raymond will monitor for cases and send out to the committee if relevant cases are released • C. Harris discussed method to request cases be published. It was decided that C. Harris will draft a motion and J. Foster will sign and file the motion. • The committee discussed whether to add cases to end notes. It was determined the issue would be tabled at this time. |

Minutes

5	<p>Tax subcommittee—Doni Mooberry</p> <ul style="list-style-type: none">• D. Mooberry reviewed comparison of changes to tax code• Value for head of household has drastically changed; no value for personal exemptions (set at \$0) through 2025 for federal taxes; there is a value for Kansas; there is substantially less value to claiming head of household exemption; the committee needs to determine if it wants to continue including head of household in the calculation• Subcommittee discussed division of child tax credit in shared residency situations; full committee needs to consider this• There is an issue for certain small business owners as there is a complicated credit available—20% of income—the credit varies based on the small business but not all qualify• Issues will need to be addressed by the full committee in two areas—calculating income and tax considerations• The IRS is still issuing clarifications• Brad Short, a member of the public, asked the (1) what is the effect of Form 8332 and (2) will the economist take into consideration the new tax code; Responses (1) as of right now Form 8332 is still in effect but it must be signed in advance and (2) yes the economist will take into consideration the new tax code
6	<p>Shared residency subcommittee—Charlie Harris</p> <ul style="list-style-type: none">• C. Harris reviewed items discussed by the subcommittee<ol style="list-style-type: none">(a) Remove "Nearly equal" language(b) Revise language for long distance parenting time adjustments (LDPT); committee discussed various options for the adjustment; C. Harris presented proposed language—if one parent pays entire cost of transportation, reduce total cost by 2 so parent bearing the transportation cost only gets credit for ½ of cost and isn't getting credit for his/her own portion; committee discussed whether it should be divided by 2, use percentages on Line D2 of the worksheet, or allow the court to consider income of the parties; J. Foster stated that he has ruled that cost be deducted from gross income before calculating child support; the committee decided to table the issue until the next meeting(c) Add language to child support adjustments section—"the request for the adjustment must be made in writing by the requesting party prior to the hearing" and "the allowed adjustment should be annualized to a monthly amount."; C. Harris moved to add this language to the child support adjustments section of the guidelines; S. Loveland seconded the motion; the committee approved the motion(d) Add language regarding the equal parenting time formula and responsibility for direct expenses—"If the equal parenting time formula is utilized, the parent receiving the equal parenting time child support amount shall be responsible for the payment of the reasonable direct expenses listed in Section II.A.1."; C. Harris moved to adopt this language; J. Alvey seconded the motion; the committee approved the language pending the economist's report.(e) Remove language relating to the Affordable Care Act and include language regarding credits ("The parties are encouraged to maximize the tax benefits of the dependency exemption and credits for a minor child and to share those actual economic benefits."; D. Mooberry moved to adopt these changes; S. Loveland seconded the motion; the committee approved the motion pending the economist's report.
7	<p>Low income/incarcerated parent subcommittee—Elizabeth Cohn</p> <ul style="list-style-type: none">• The subcommittee set up several meetings over the next few weeks• The subcommittee requested this matter be set on the October agenda for discussion
8	<p>Timeframe for requesting reimbursement for uninsured medical expenses—Sherri Loveland</p> <ul style="list-style-type: none">• The committee discussed adding language regarding exchanging documents for reimbursement (timeframes, limits).• The committee decided to table the issue until the next meeting for further discussion.
9	<p>Other items for discussion</p> <ul style="list-style-type: none">• Reminder: committee members who wish to participate may tour the Kansas Payment Center (KPC) at 9:00 a.m. on September 28, 2018. The full committee meeting will begin at 10:30 a.m.

Minutes	
	at the Judicial Center. A. Raymond will send out directions for the KPC tour closer to the meeting date.
10	Agenda items for September 28, 2018 meeting <ul style="list-style-type: none"> • Tax subcommittee • Shared residency subcommittee • Reimbursement for uninsured medical expenses

Next Meeting
Meeting location: OJA Conference Room
Date: 9/28/18
Time: 10:30 am – 3:00 pm