

# FINAL BILL REPORT

## 2SHB 1009

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Synopsis as Enacted

**Brief Description:** Establishing work groups to periodically review and update the child support schedule.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Moeller, Wallace, Linville, Wood and Dickerson).

**House Committee on Judiciary**

**House Committee on Appropriations**

**Senate Committee on Human Services & Corrections**

**Senate Committee on Ways & Means**

### **Background:**

The Division of Child Support (DCS), a division within the Department of Social and Health Services (DSHS), is responsible for administering Washington's child support enforcement program. The DCS provides support enforcement services to parents receiving public assistance and to those non-assistance parents who request support enforcement services.

### Review of Child Support Schedule.

The Legislature must review the child support schedule, which contains guidelines and the economic table, every four years to determine whether the support schedule results in appropriate support orders. While the Legislature has considered modifications to the child support laws over the years, the Legislature has not made major substantive changes to the methods for calculating child support or to the economic table.

### Order Summary Report.

The order summary report is a form created by the Administrative Office of the Courts (AOC). A party seeking to establish or modify a child support order must file an order summary report with the court clerk, and the clerk must send those forms to the AOC. The purpose of the form is to collect data necessary for reviews of the child support schedule.

### Child Support Work Group.

In March of 2005, the Governor charged the DCS to convene a workgroup to review the state child support guidelines. The Governor's request was in response to a letter received by the DCS from the federal Office of Child Support Enforcement (OCSE). The OCSE expressed concern that Washington's child support guidelines had not been adequately reviewed in several years as required by federal law. Failure to adequately review the child support guidelines could result in a recommendation by the OCSE to disapprove Washington's child support state plan. Disapproval could jeopardize some of the federal money the DSHS

receives for its child support program and the Temporary Assistance for Needy Families program.

In response to the Governor's request, the DCS established a Child Support Guidelines Workgroup. The workgroup met monthly from April 2005 until December 2005. It issued a report on January 16, 2006, and made a number of final recommendations to the Legislature.

### **Summary:**

#### Review of Child Support Schedule.

By August 1, 2007, the DCS must convene a work group to continue the work of the 2005 work group and produce recommendations to the Legislature by December 30, 2008. The 21-member work group consists of:

- the Director of the DCS;
- a professor of law specializing in family law;
- a representative from the Washington State Bar Association's Family Law Executive Committee;
- an economist;
- a representative of the tribal community;
- two representatives from the Superior Court Judges' Association, including a superior court judge and a court commissioner familiar with child support issues;
- a representative from the AOC;
- a prosecutor;
- a representative from legal services;
- three non-custodial parents;
- three custodial parents;
- four legislators; and
- an administrative law judge.

Beginning in 2011, and every four years thereafter, the DCS must convene a work group with similar membership to review the laws, administrative rules, and practices surrounding child support. The Governor shall appoint the chair of the workgroup. Reports to the Legislature are due October 1, 2011, and every four years thereafter.

#### Order Summary Report.

The format of the order summary report is revised. The report must be included at the top of the first page of the child support worksheets, but it is not considered part of the worksheet. The order summary report must contain all data the DCS needs to perform a quadrennial review of the child support schedule. Every month, the clerk of the court must transmit all child support worksheets and order summary reports to the DCS. The DCS must store and maintain the order summary report data and prepare a report at least every four years.

#### Joint Legislative Audit Review Committee.

By July 1, 2010, the Joint Legislative Audit and Review Committee must review and analyze data collected from the order summary reports, review the recommendations made by the

previous DCS work group, review data on the costs of child rearing, review other relevant research, and prepare a report on the application of the current child support guidelines.

**Votes on Final Passage:**

House	98	0
Senate	49	0

**Effective:** July 22, 2007