

# Child Support Guidelines Survey Results & Recommendations



Child Support Guidelines Review Panel Meeting  
Richmond, Virginia  
June 12, 2012

# Survey Summary

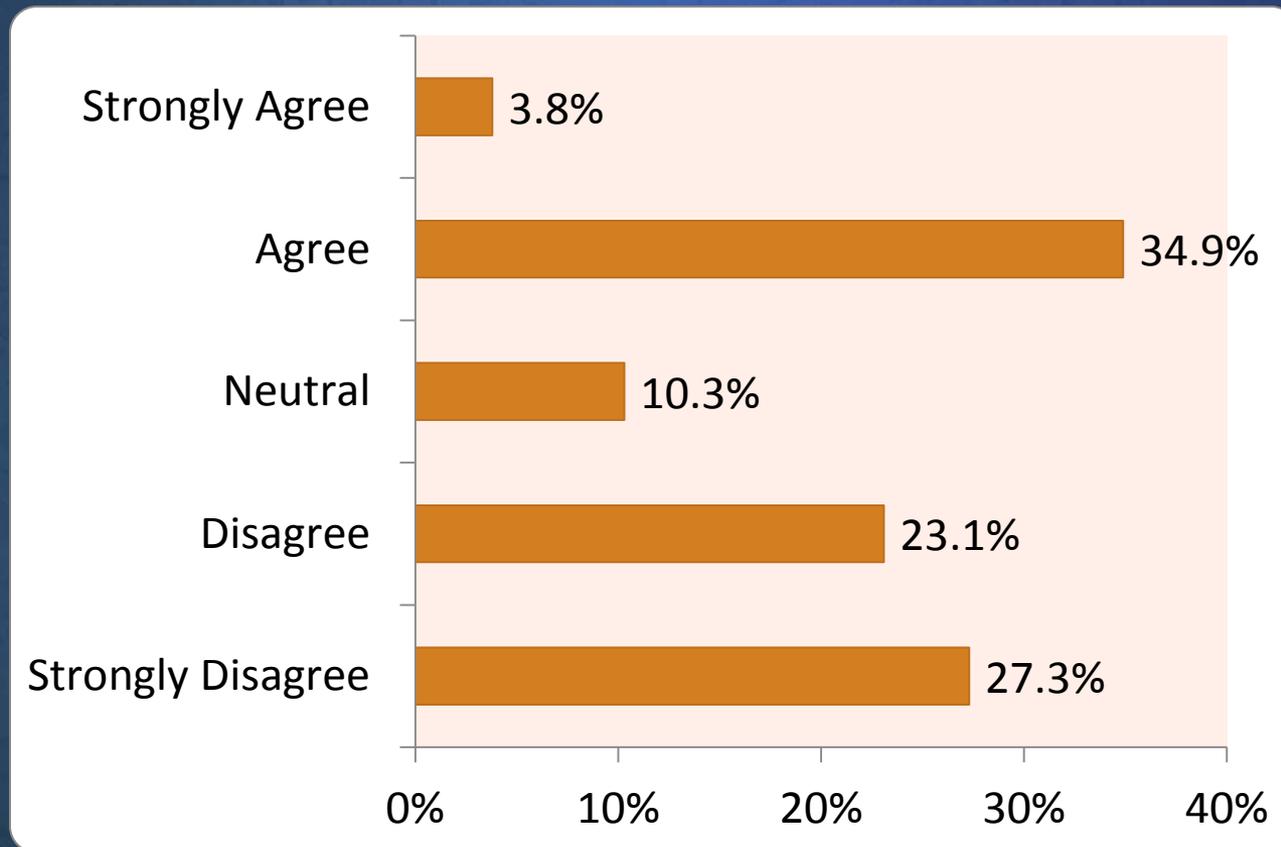
- Survey sent to stakeholders in August 2011
- 289 participants – 164 attorneys, 85 custodial or noncustodial parents
- 26 multiple choice questions on variety of guideline issues – possible answers: strongly agree, agree, neutral, disagree, strongly disagree
- Comment option for each question
- 4 open-ended questions
- Complete survey results on Panel's website at <http://dls.state.va.us/GROUPS/childsupport/meetings/111611/materials.htm>

# Goals for Today's Meeting

- In-depth review of raw survey data
- Staff recommendations based on survey results
- Panel's preference for each issue:
  1. Pursue
  2. Pursue and seek expert advice
  3. Do not pursue



# 1. The existing guidelines produce appropriate child support obligations for most cases.



# 1 - Recommendations

38.7% agree

50.4% disagree

10.3% neutral

**Staff recommendation:** *Pursue & seek expert advice*

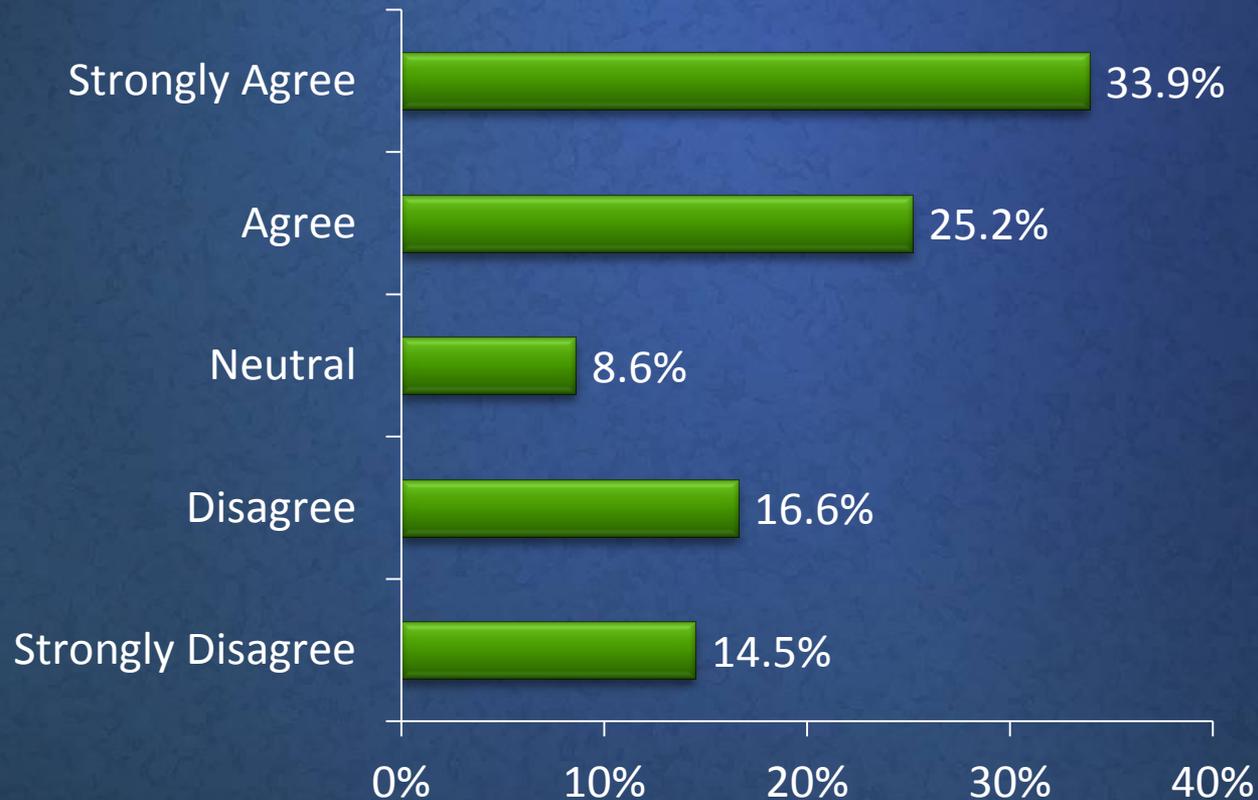
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

## 2. Noncustodial parents should have an obligation to pay at least a minimum amount of child support regardless of their income.



## 2 - Recommendations

59.1% agree

31.1% disagree

8.6% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law (\$65/month).

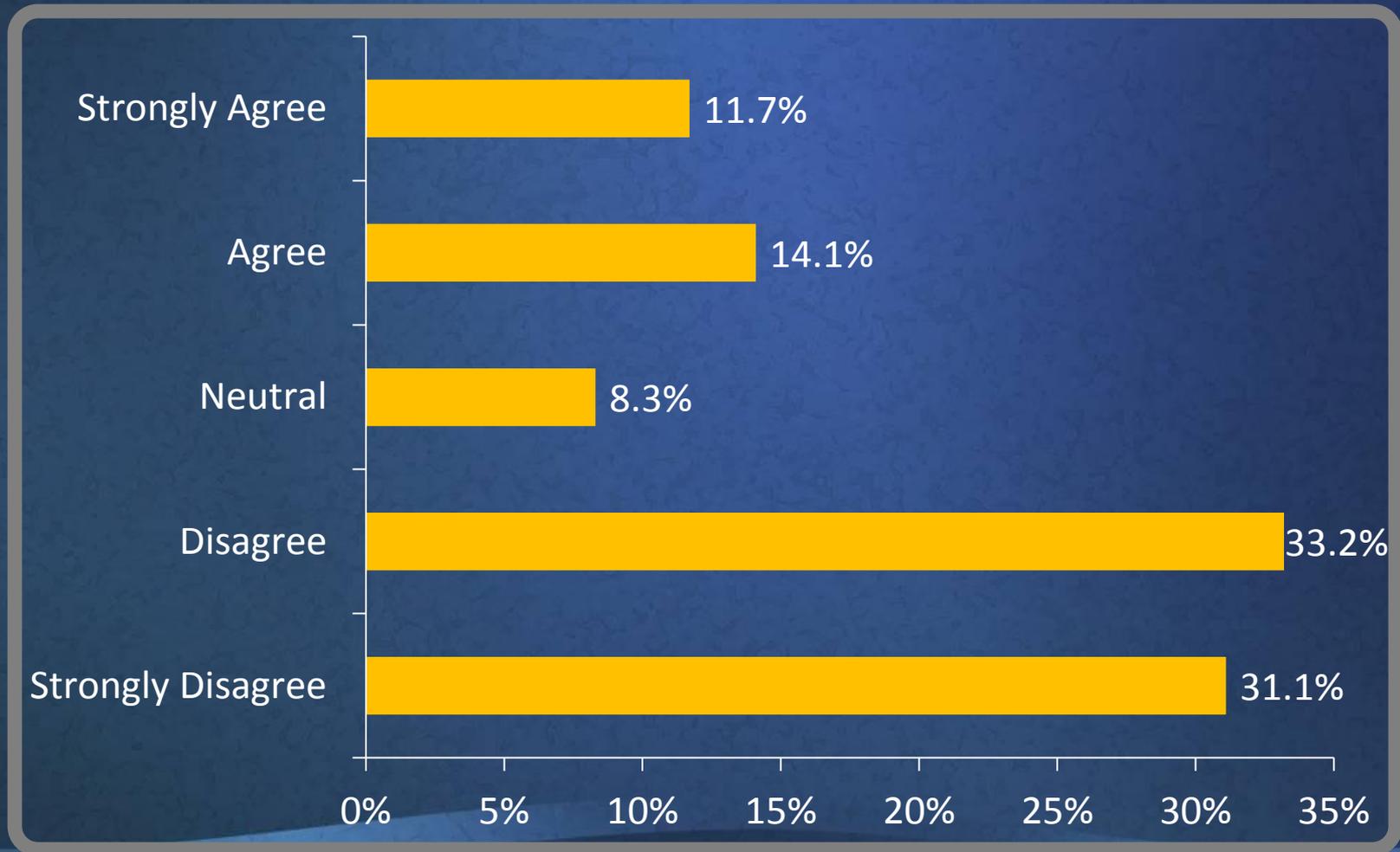
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

3. At a specifically determined level of income, a noncustodial parent should not be required to pay any child support.



## 3 - Recommendations

25.8% agree

64.3% disagree

8.3% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law.

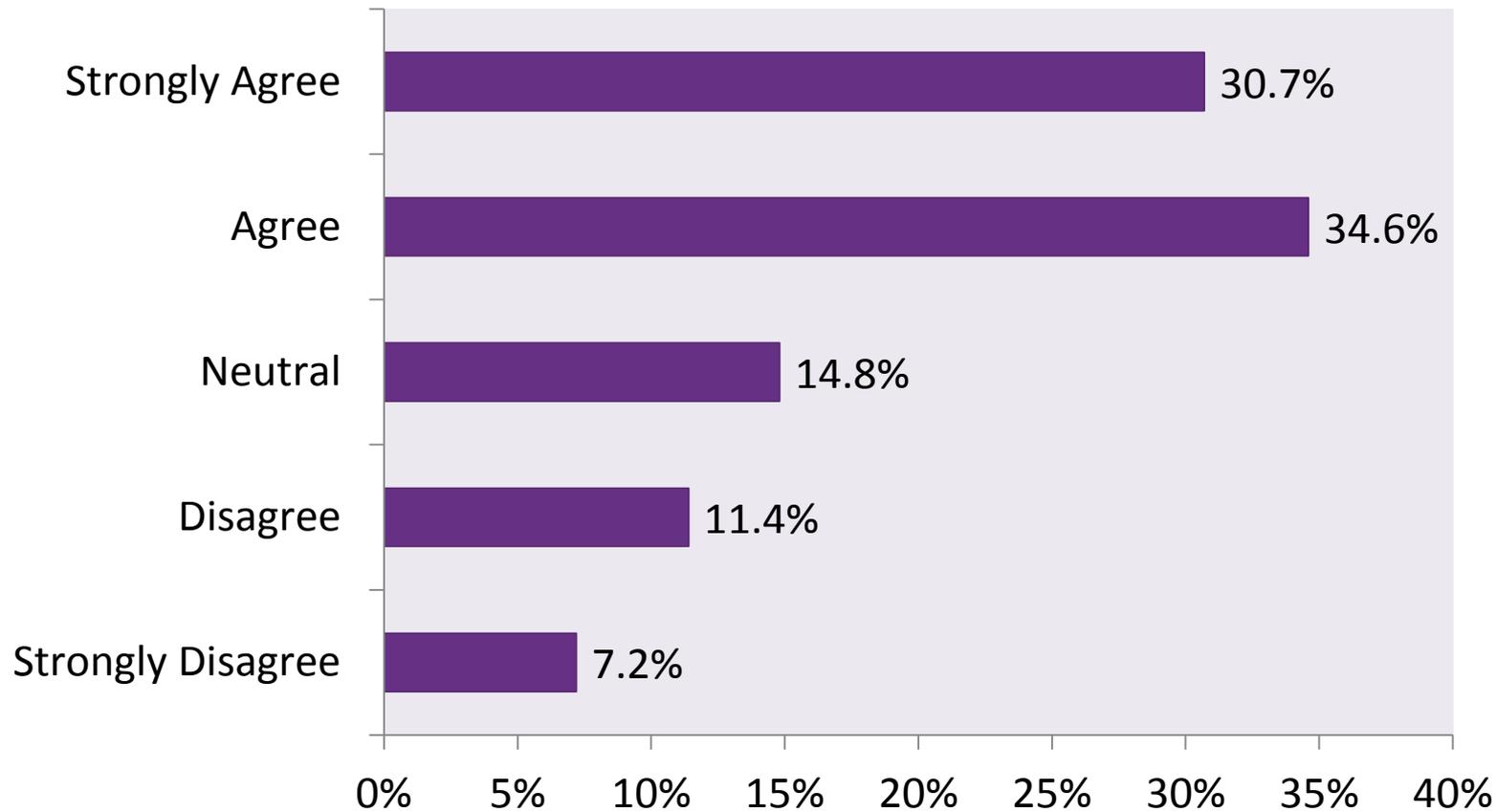
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

4. The guidelines amount should leave low-income noncustodial parents with a self-support reserve – that is, sufficient income after paying the guidelines amount such that they can live at a subsistence level.



## 4 - Recommendations

65.3% agree

18.6% disagree

14.8% neutral

**Staff recommendation:** *Pursue & seek expert advice*

We currently have a type of “self-support reserve” – those with \$0-\$599/monthly income are only required to pay the minimum amount. We may want to explore whether the \$599 ceiling should be raised.

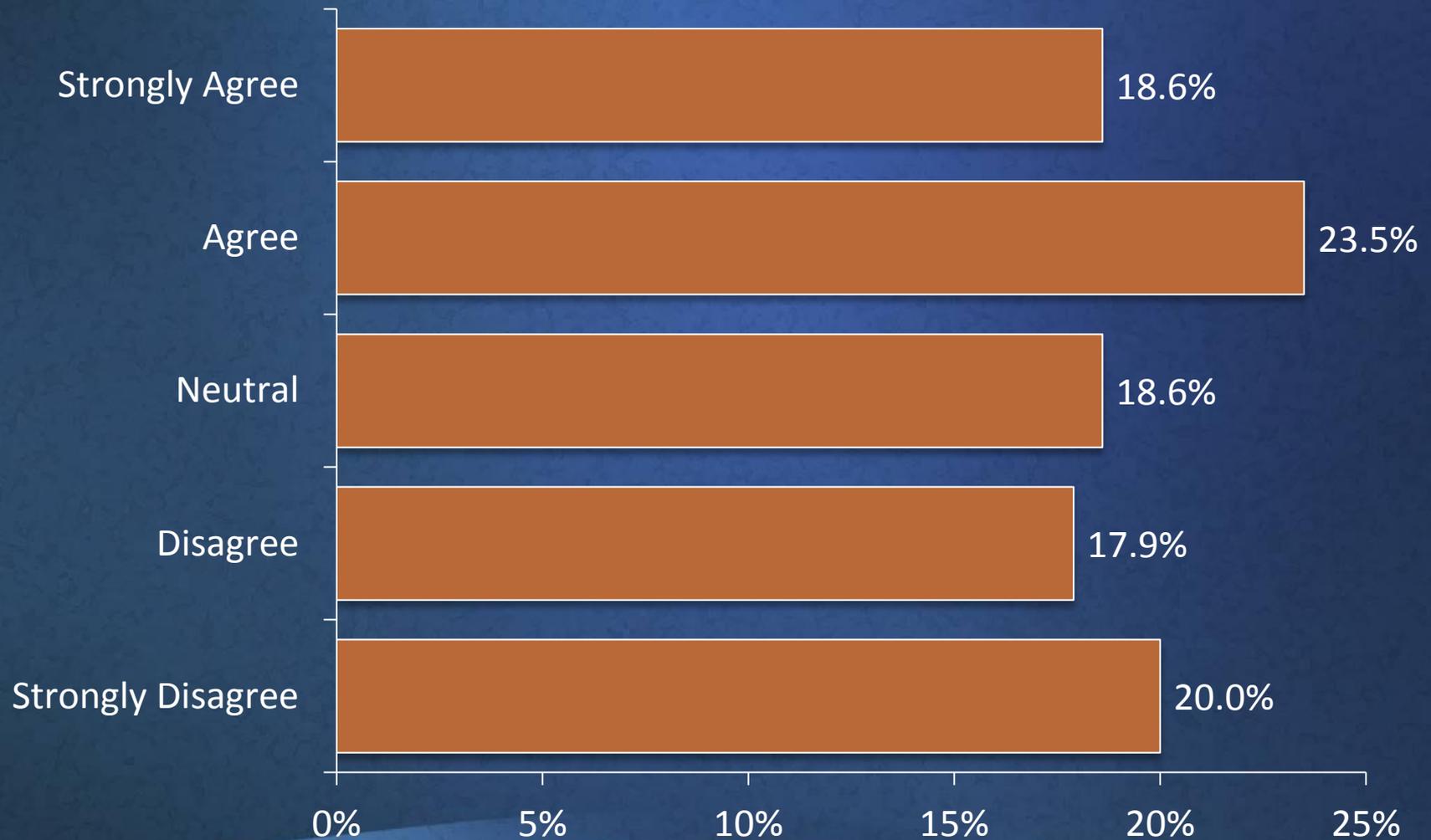
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

## 5. There should be an increase in the \$65 per month minimum child support obligation.



## 5 - Recommendations

42.1% agree

37.9% disagree

18.6% neutral

**Staff recommendation:** *Pursue & seek expert advice*

Ask Jane Venohr to whether this would be appropriate based on economic data and what other states use.

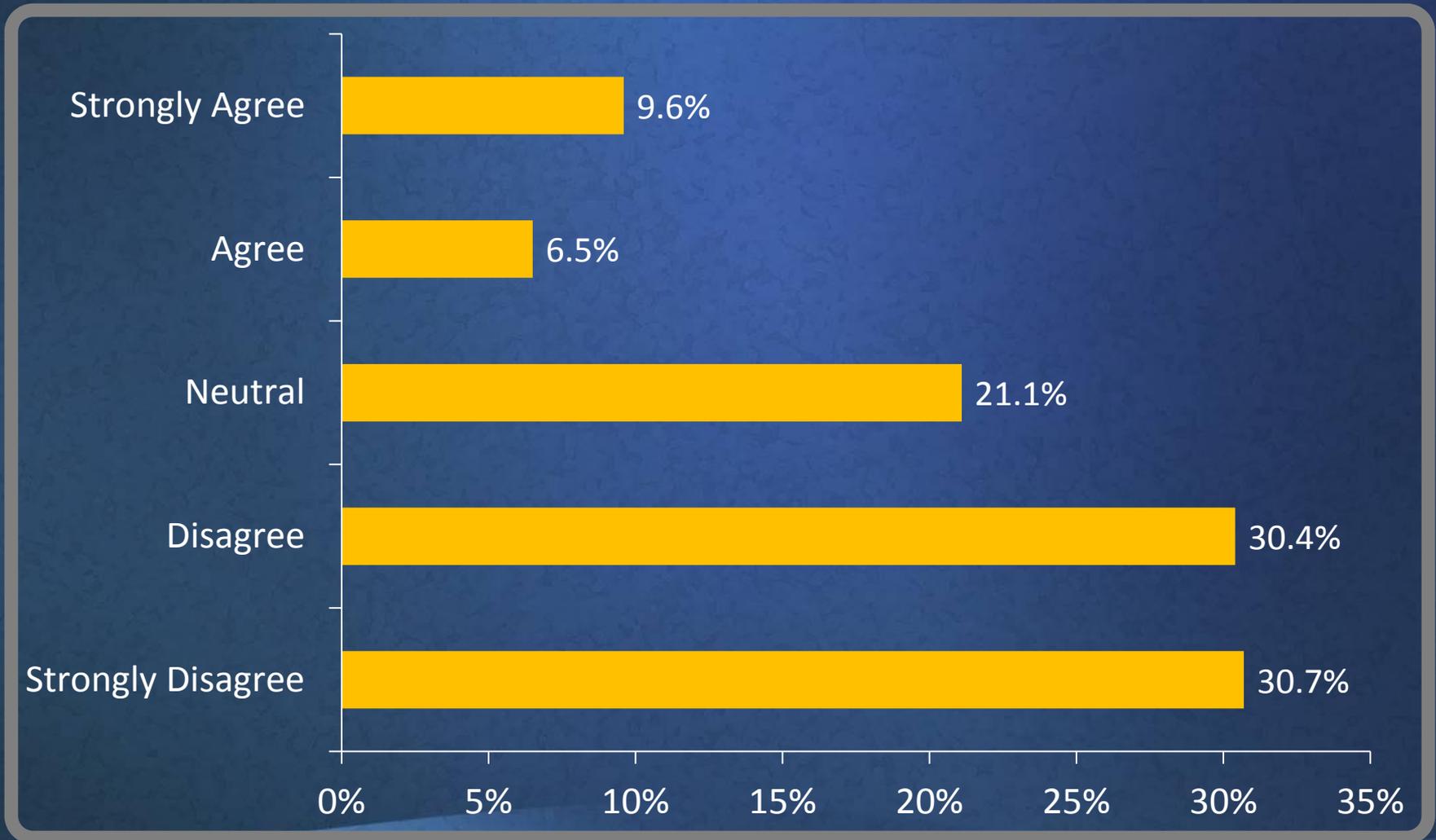
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

## 6. There should be a decrease in the \$65 per month minimum child support obligation.



## 6 - Recommendations

16.1% agree

61.1% disagree

21.1% neutral

**Staff recommendation:** *Do not pursue*

A large majority does not think the minimum amount should be decreased.

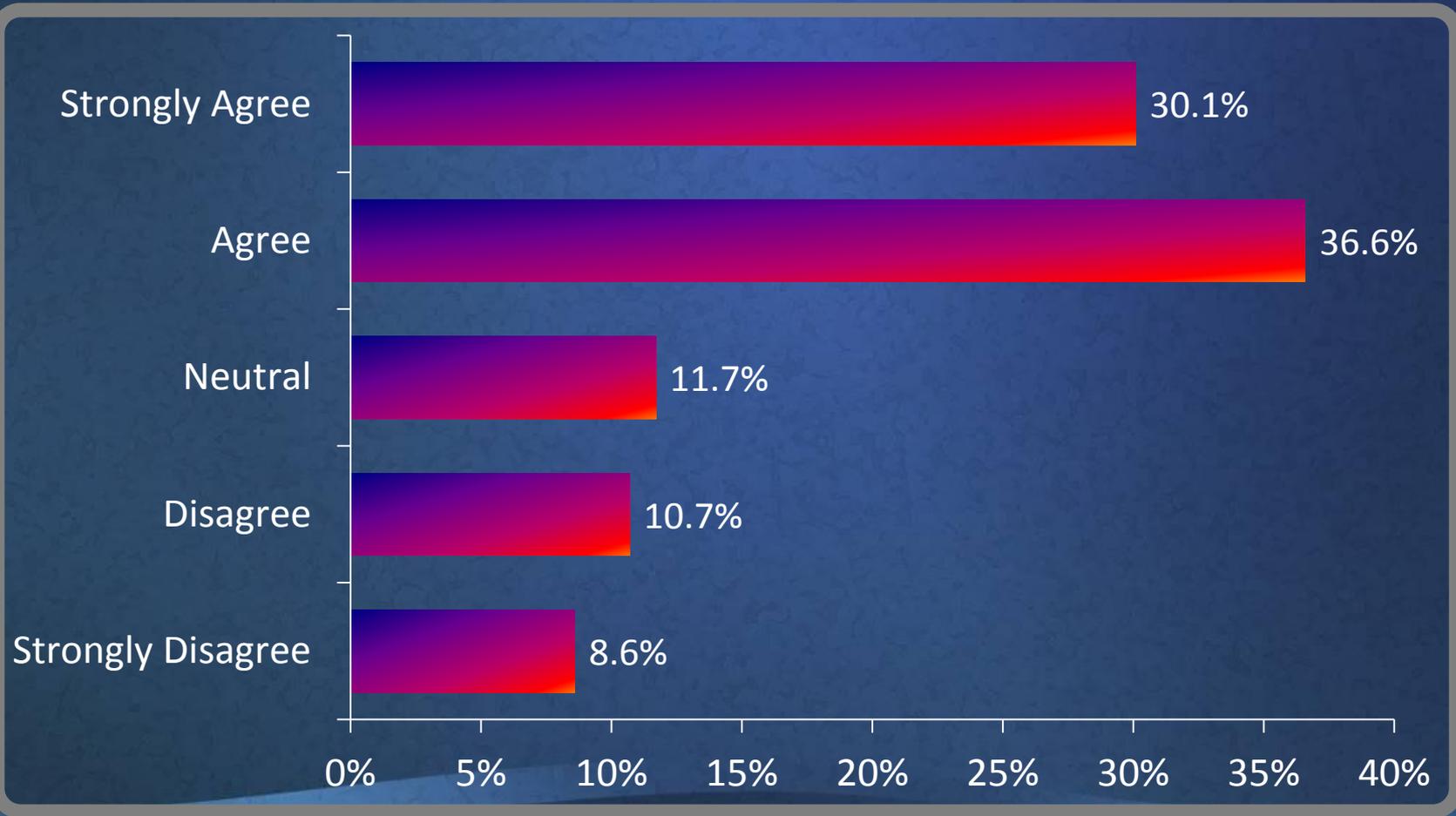
### **Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

7. Currently, initial support obligations must be retroactive to the date the petition for support was filed. In cases where there is a change in custody, judges should have discretion to order a different effective date.



# 7 - Recommendations

66.7% agree

19.3% disagree

11.7% neutral

**Staff recommendation:** *Pursue*

A large majority agrees this change would be helpful.  
This is a policy decision for the Panel.

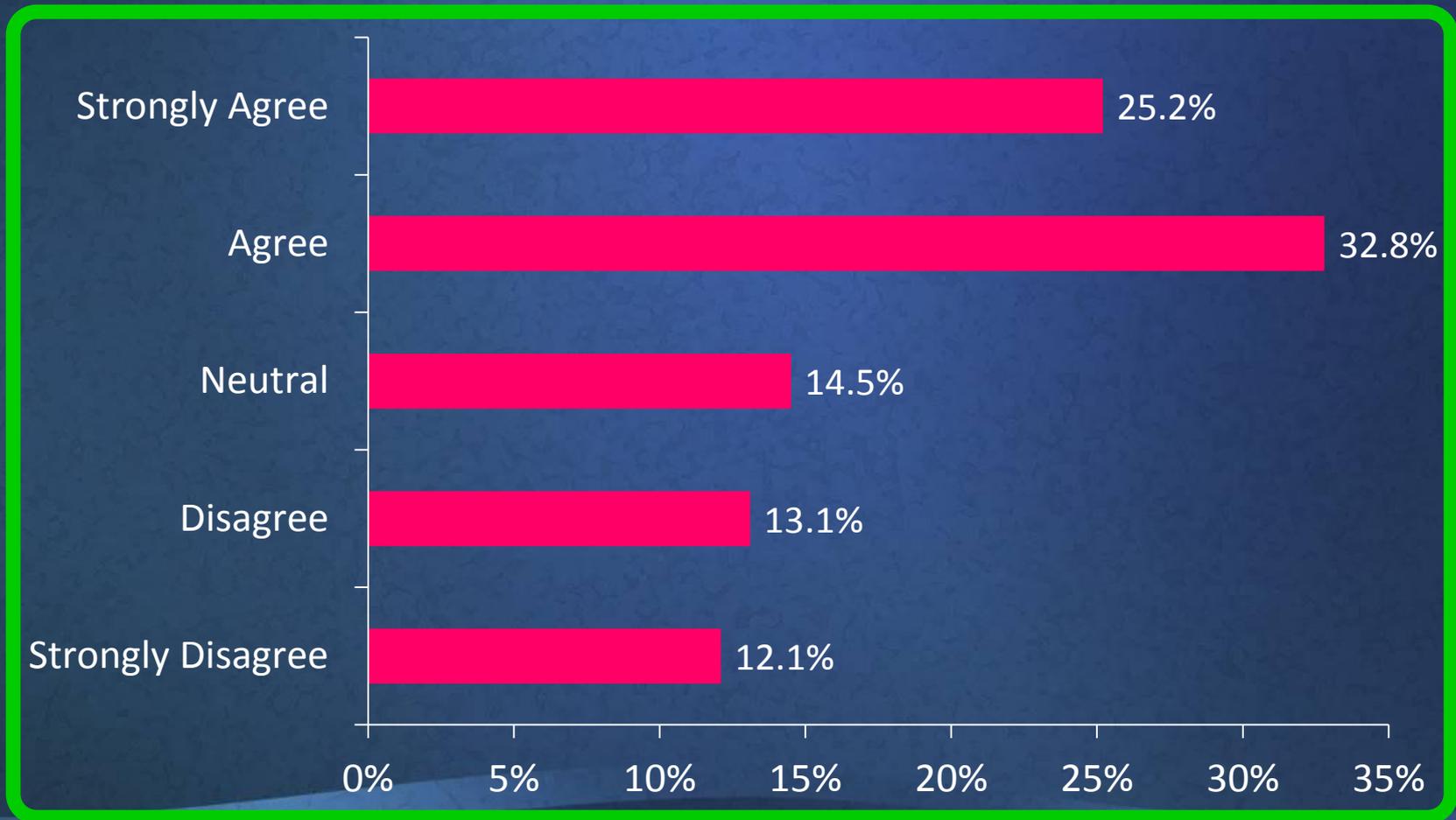
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

8. For child support modification proceedings, the judge should have the discretion to make modifications effective back to the date the motion was filed as opposed to the date of service on the non-moving party.



## 8 - Recommendations

58.0% agree

25.2% disagree

14.5% neutral

**Staff recommendation:** *Pursue*

A large majority agrees this change would be helpful.  
This is a policy decision for the Panel.

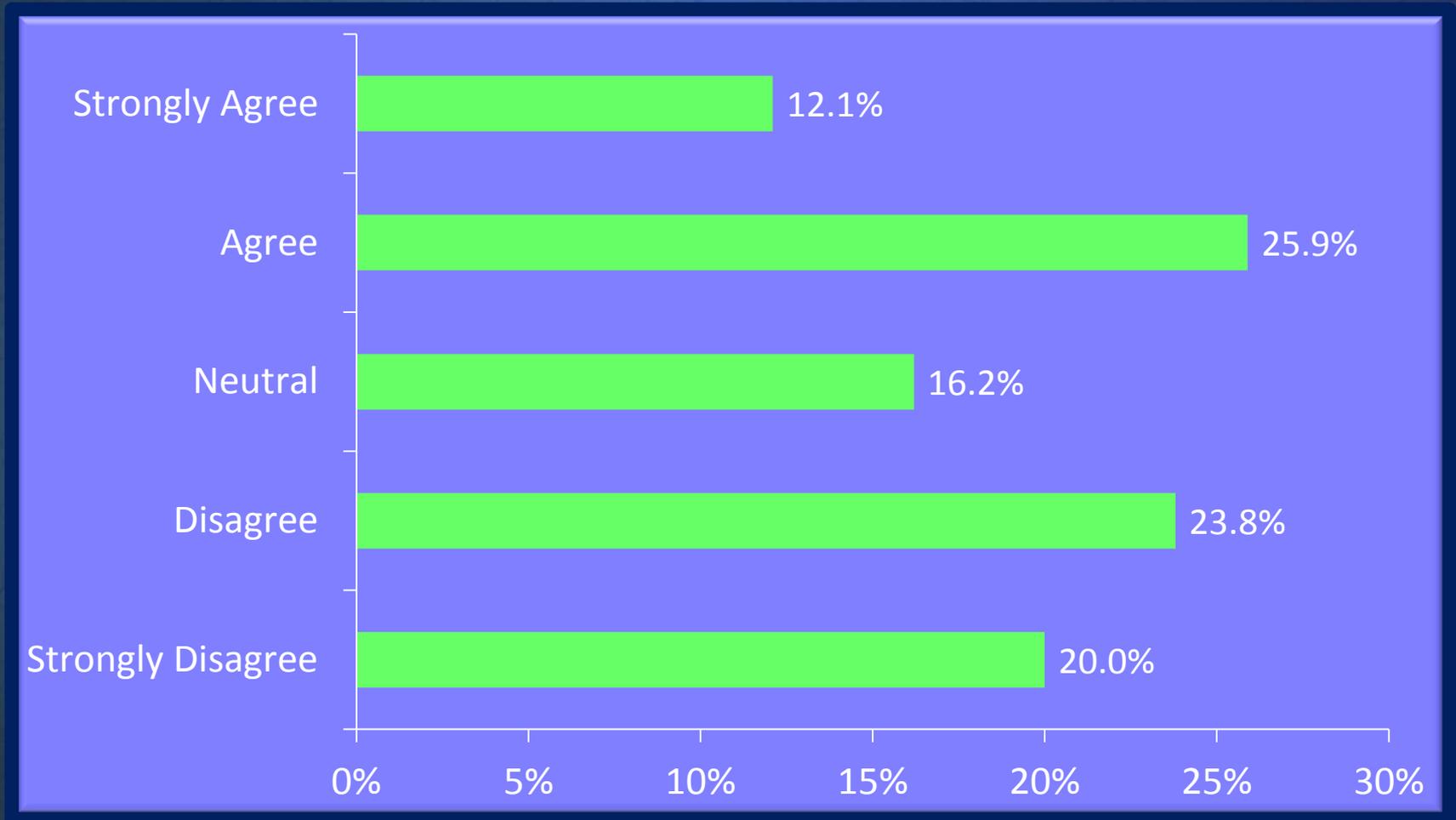
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

9. A modification should be allowed based upon a minimum percentage of change in either parent's income without any other proof or additional change in circumstances.



# 9 – Recommendations

38.0% agree

43.8% disagree

16.2% neutral

**Staff recommendation:** *Pursue*

This is a policy decision for the Panel.

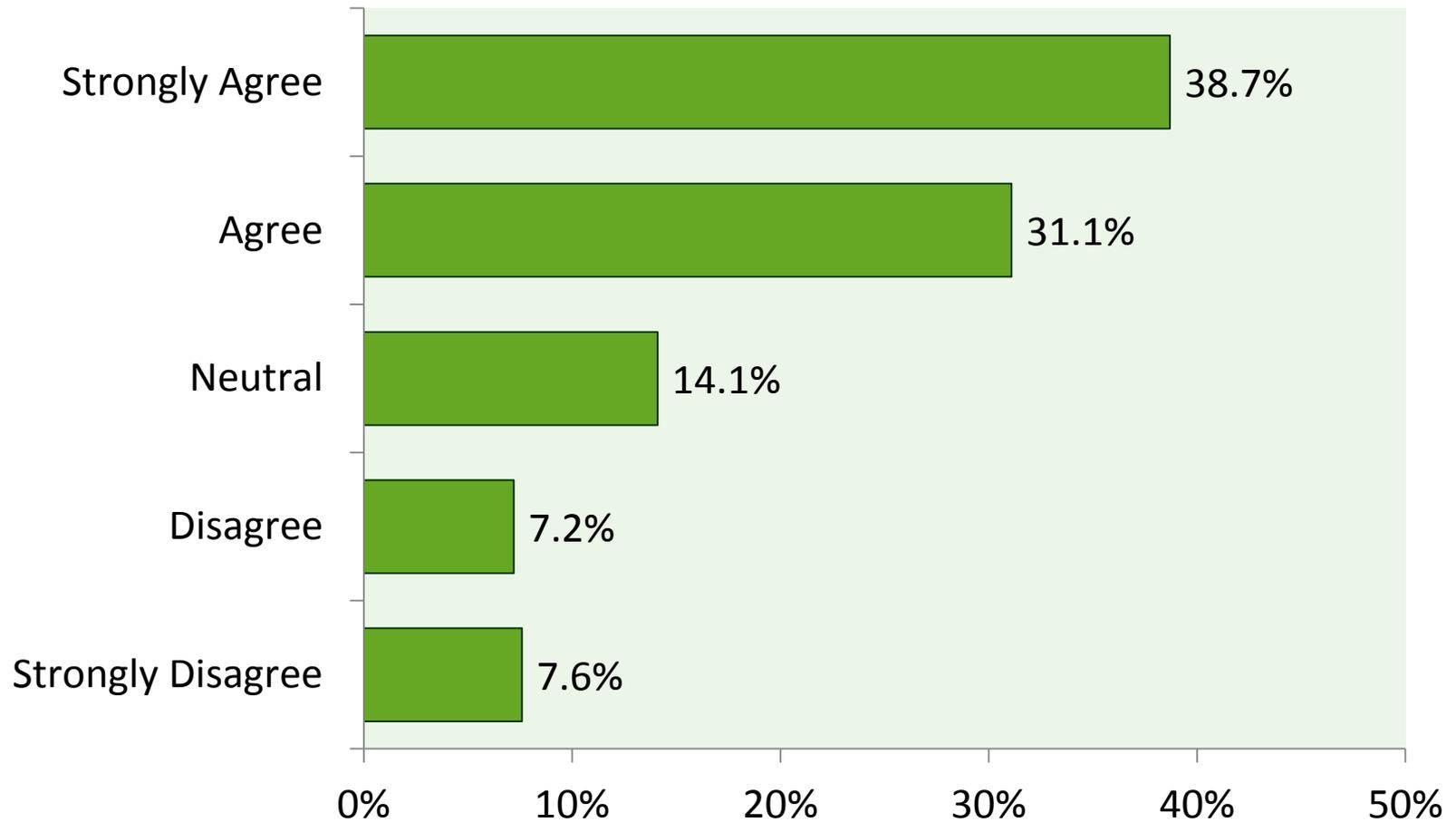
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

10. There should be a notice in all child support orders which states that the order remains in effect until modified or terminated by another order.



# 10 - Recommendations

69.8% agree

14.8% disagree

14.1% neutral

**Staff recommendation:** *Pursue*

A large majority agrees this change would be helpful.  
This is a policy decision for the Panel.

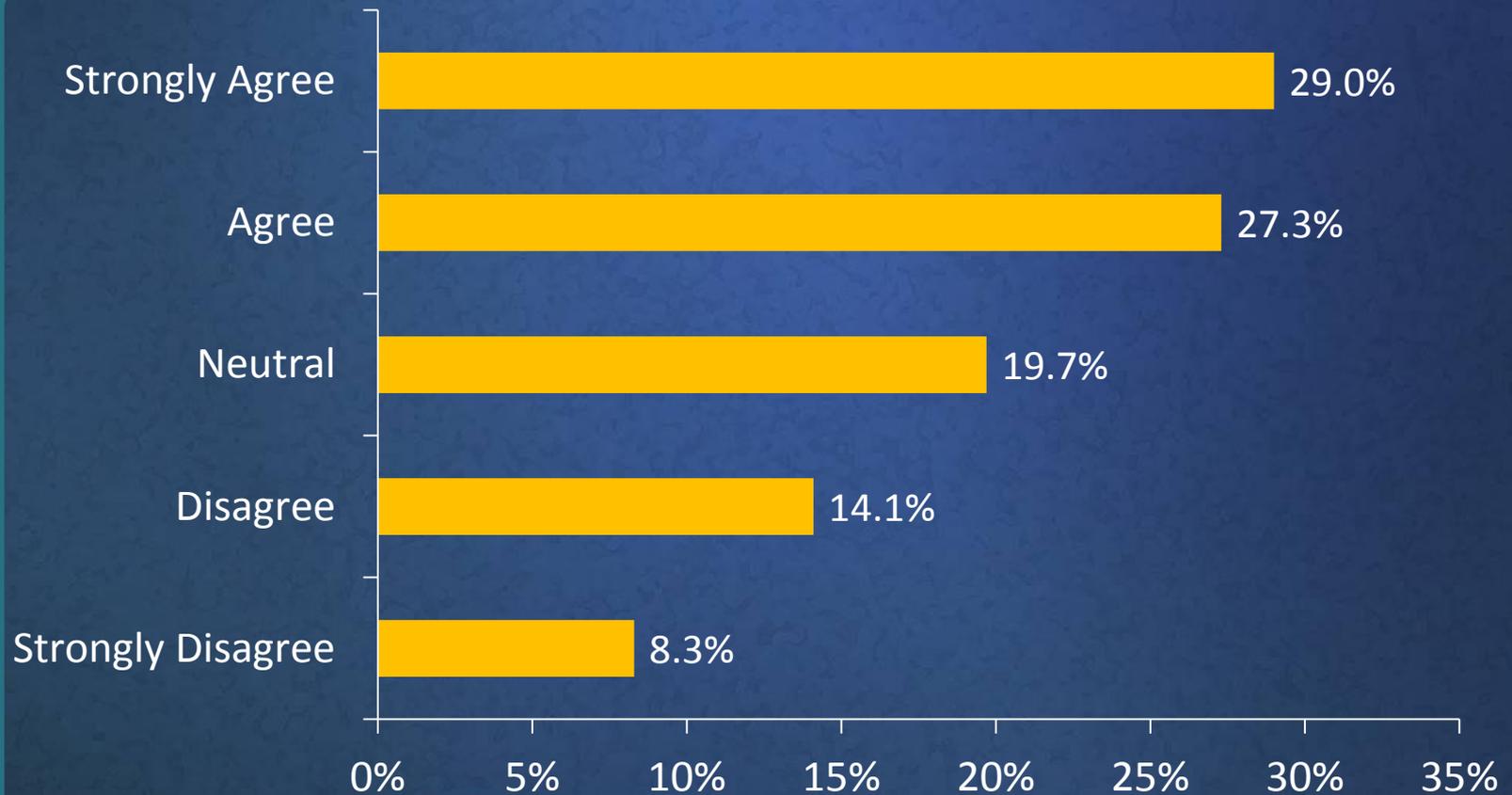
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

11. There should be a statutory requirement that the guideline worksheet be attached to all child support orders whether derived from litigation or agreement.



# 11 - Recommendations

56.3% agree

22.4% disagree

19.7% neutral

**Staff recommendation:** *Pursue*

A large majority agrees this change would be helpful.  
This is a policy decision for the Panel.

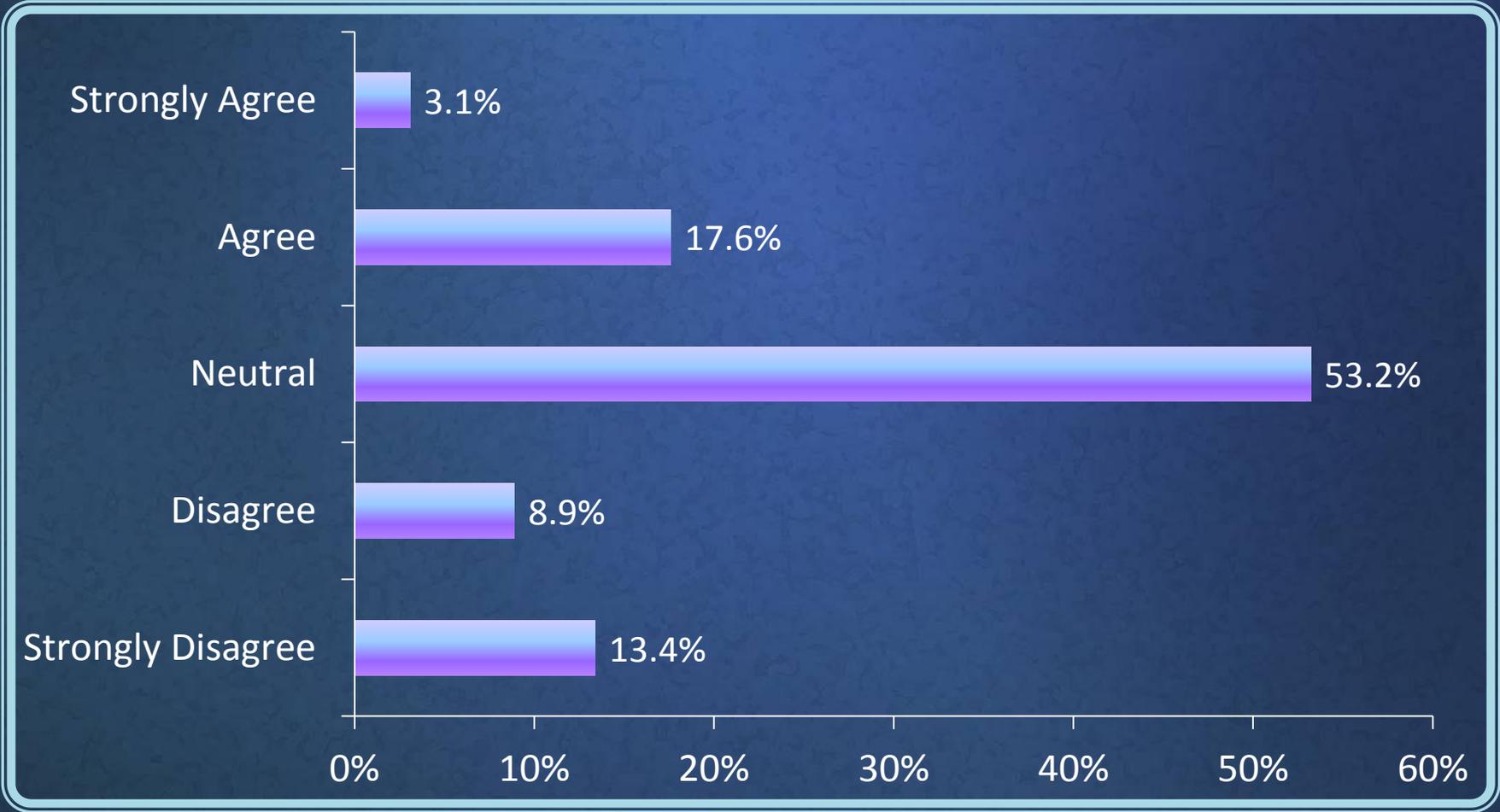
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

# 12. The multiplier (1.4) for shared custody cases should remain the same.



## 12 - Recommendations

20.7% agree

22.3% disagree

53.2% neutral

**Staff recommendation:** *Pursue & seek expert advice*

Participants were evenly split as to whether this change would be helpful. Most are neutral. We recommend having Jane Venohr and the Family Bar Coalition or other experts provide more information.

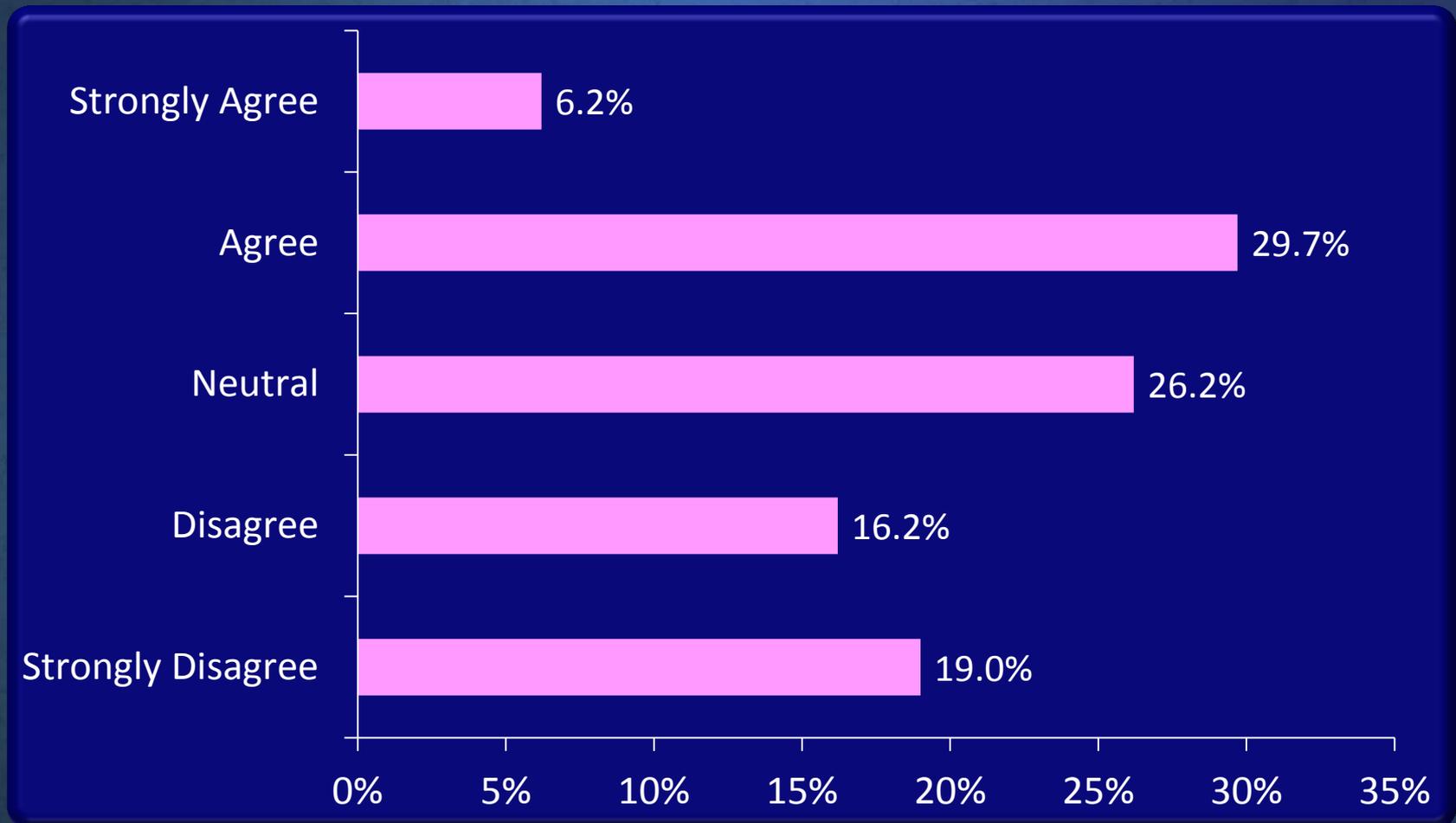
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

### 13. The number of days (more than 90) for shared custody cases should remain the same.



# 13 - Recommendations

35.9% agree

35.2% disagree

26.2% neutral

**Staff recommendation:** *Pursue & seek expert advice*

Participants were evenly split as to whether this change would be helpful. Many mentioned changing the threshold to avoid the “cliff effect.” We recommend having Jane Venohr and the Family Bar Coalition or other experts provide more information.

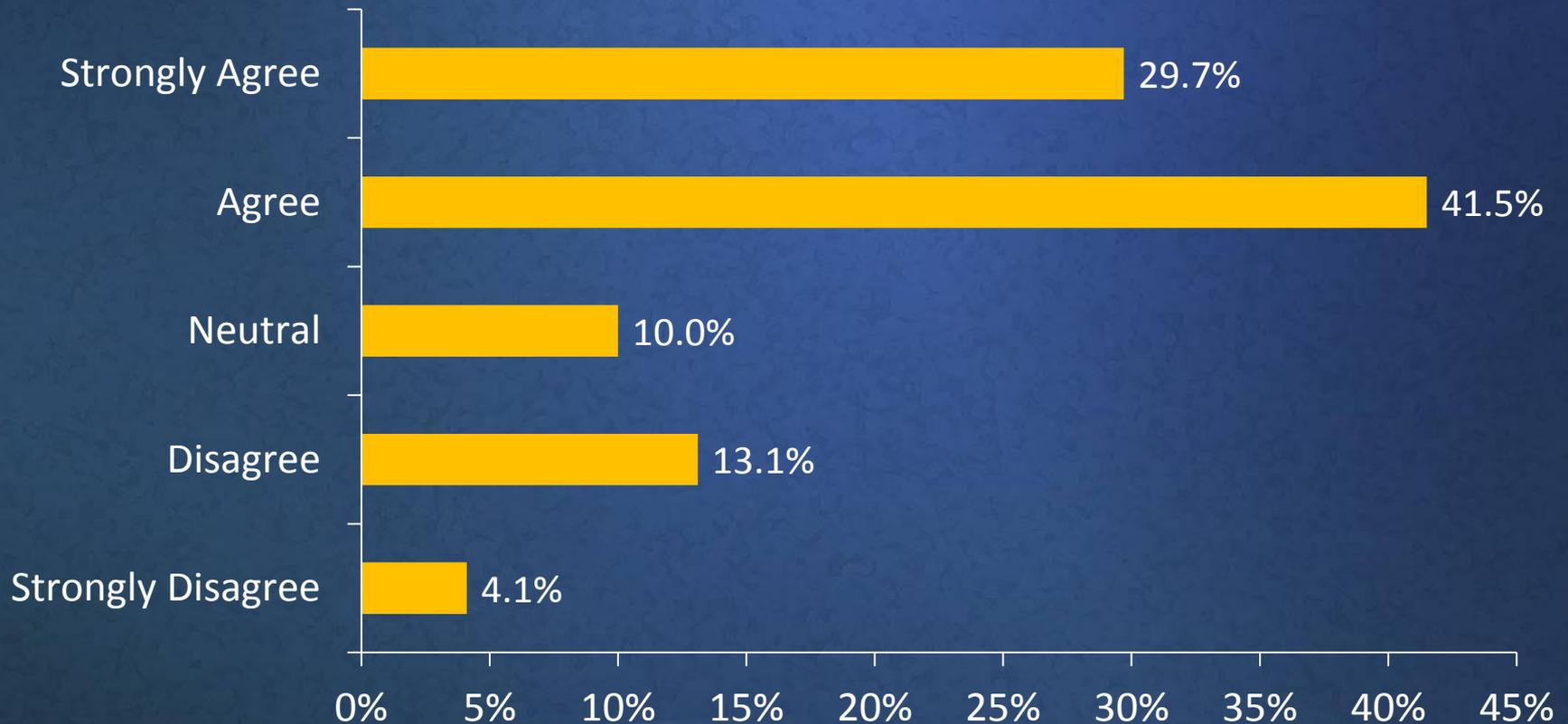
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

14. The guidelines should contain guidance for calculating support in complicated cases, such as where either parent has multiple families, one parent is the noncustodial parent in one case and the custodial parent in another case, or other situations involving blended and complex family structures.



# 14 - Recommendations

71.2% agree

17.2% disagree

10.0% neutral

**Staff recommendation:** *Pursue & seek expert advice*

A large majority agrees this would be a helpful change. It would be impossible to contemplate every situation, but we recommend having the Family Bar Coalition or other experts provide more information.

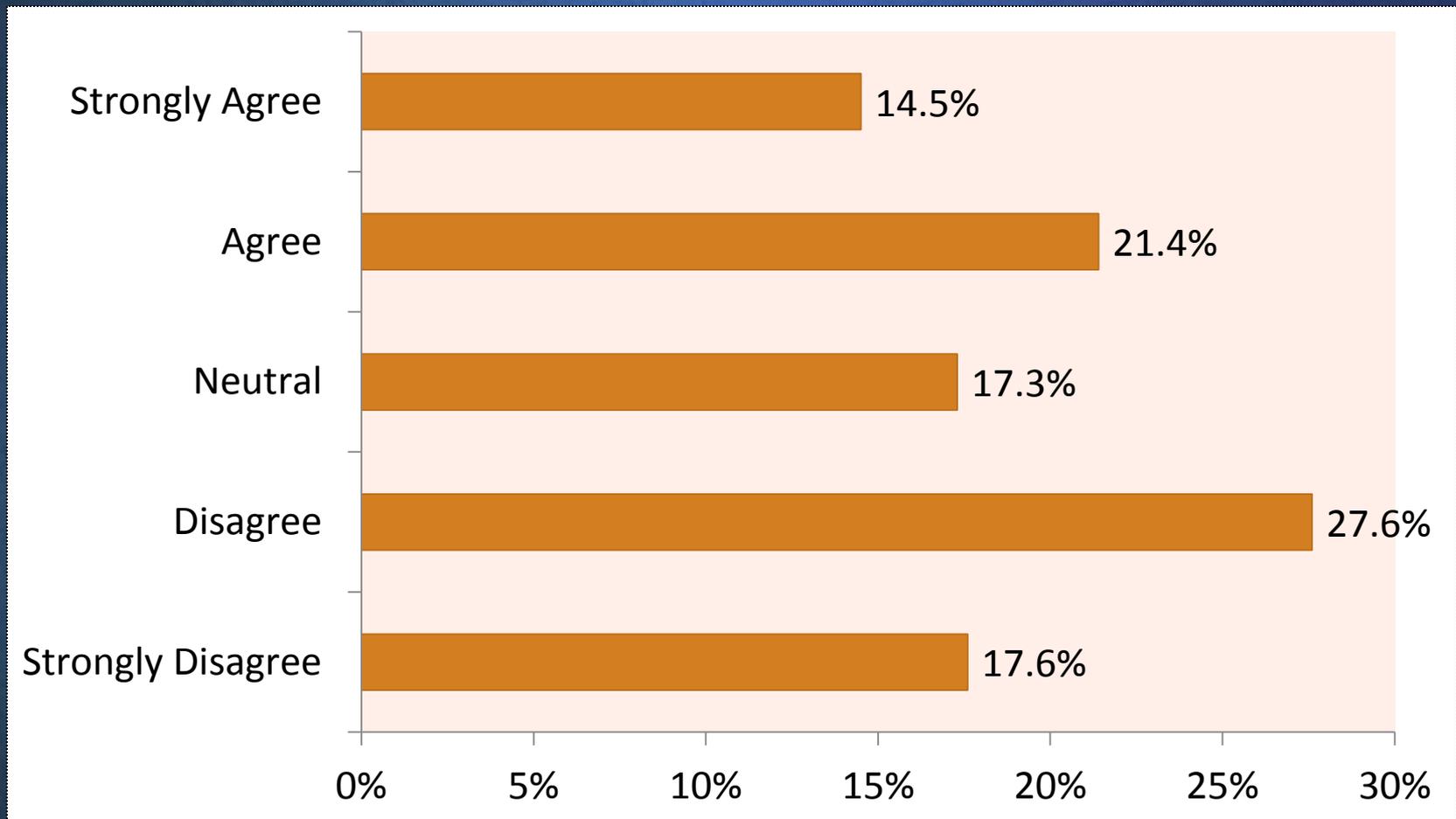
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

## 15. There should be a stand-alone order for child care expenses since they are more variable than other factors.



# 15 - Recommendations

35.9% agree

45.2% disagree

17.3% neutral

**Staff recommendation:** *None*

Responses are fairly close. This is a policy decision for the Panel.

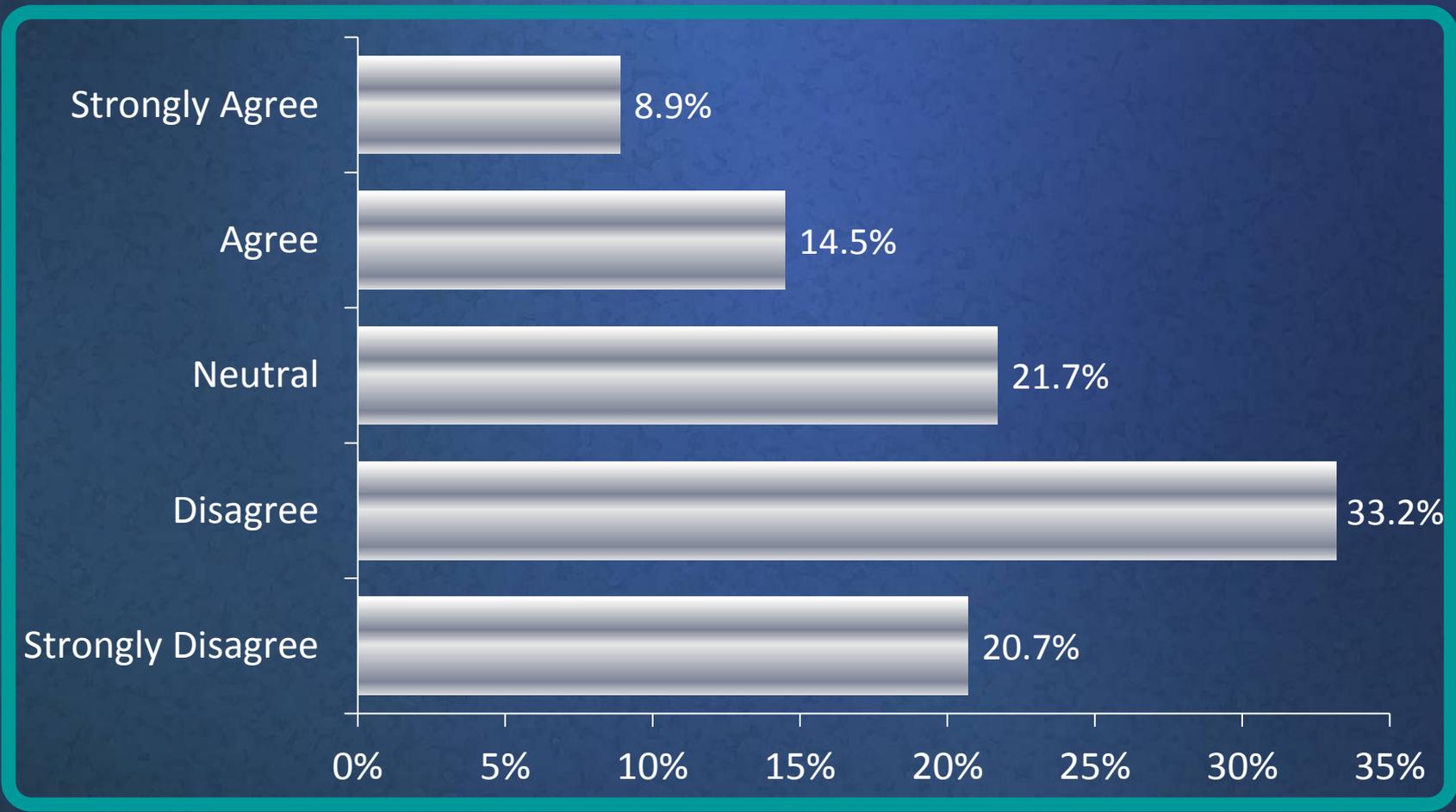
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

## 16. There should be a stand-alone order for health insurance costs.



# 16 - Recommendations

23.4% agree

53.9% disagree

21.7% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law. A large majority disagrees this would be a helpful change.

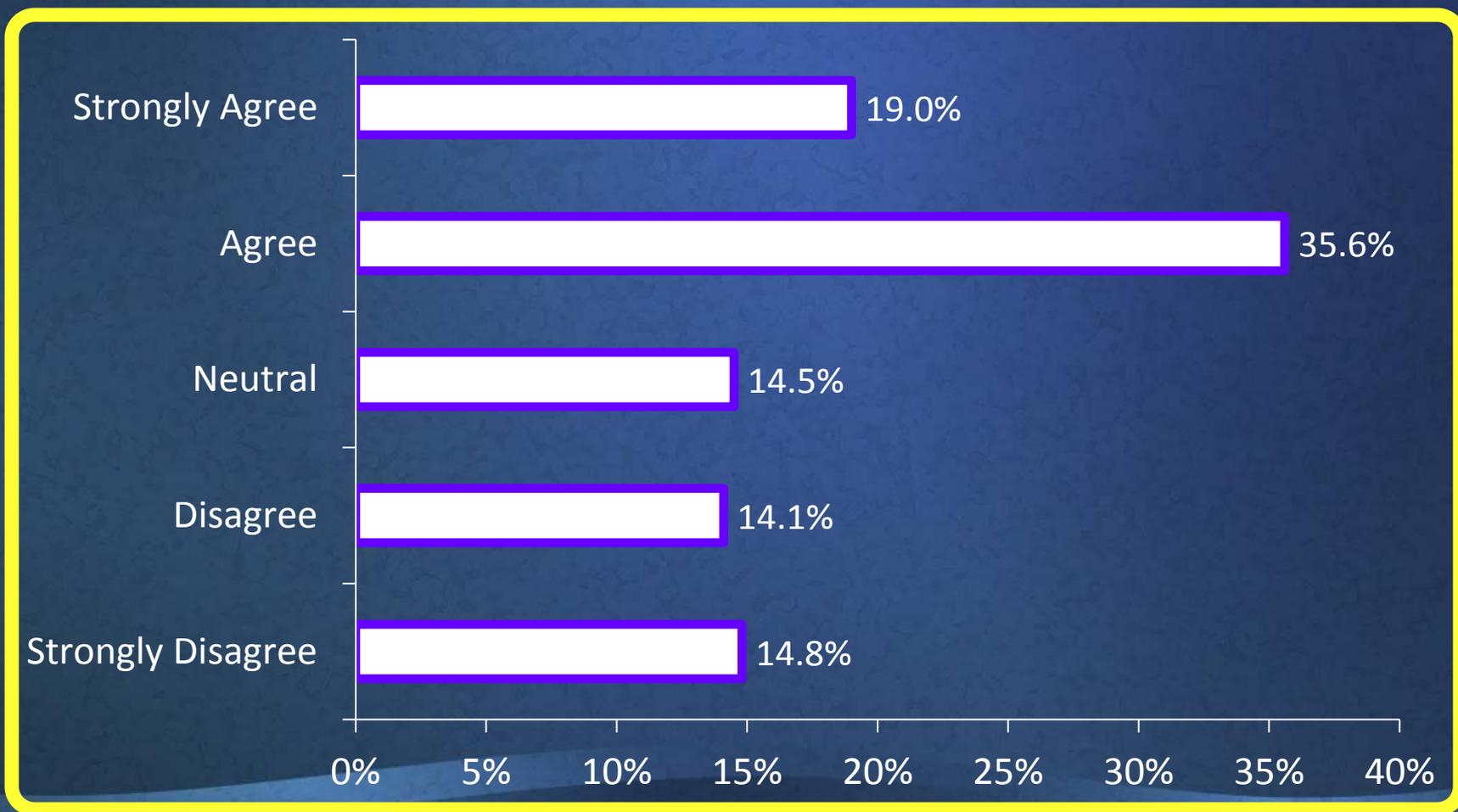
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

17. If the noncustodial parent receives credit for paying health insurance costs but does not actually pay those costs, that amount should be added back into his/her child support obligation.



# 17 - Recommendations

54.6% agree

28.9% disagree

14.5% neutral

**Staff recommendation:** *Pursue & seek expert advice*

A large majority agrees this would be a helpful change. Seek advice from the Family Bar Coalition or other experts to determine whether/how this would work.

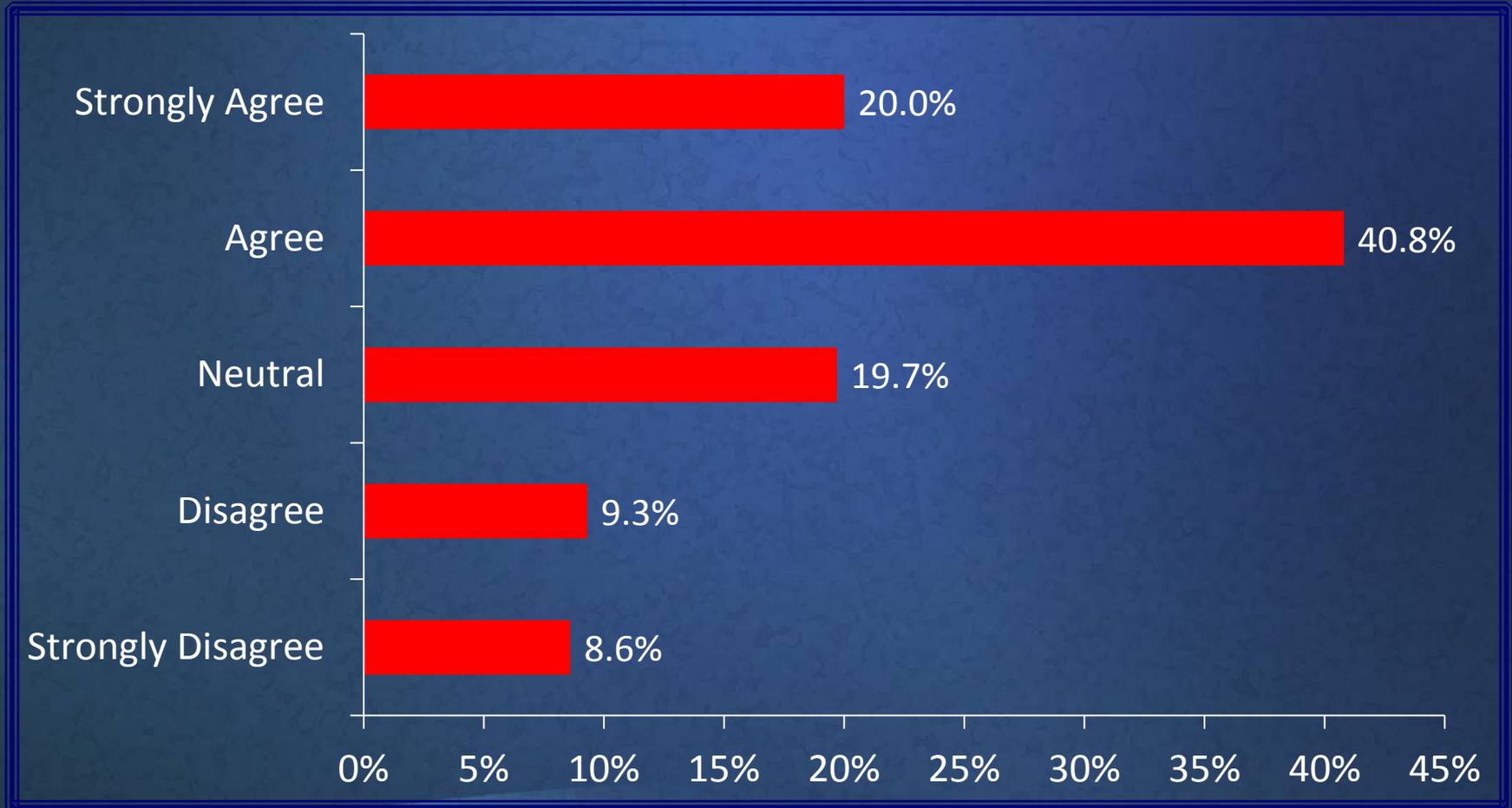
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

18. The guidelines should provide guidance regarding payment of the first \$250 in unreimbursed medical expenses, particularly in shared custody cases.



# 18 - Recommendations

60.8% agree

17.9% disagree

19.7% neutral

**Staff recommendation:** *Pursue & seek expert advice*

A large majority agrees this would be a helpful change. Seek advice from the Family Bar Coalition or other experts to assist in determining what the guidance should be.

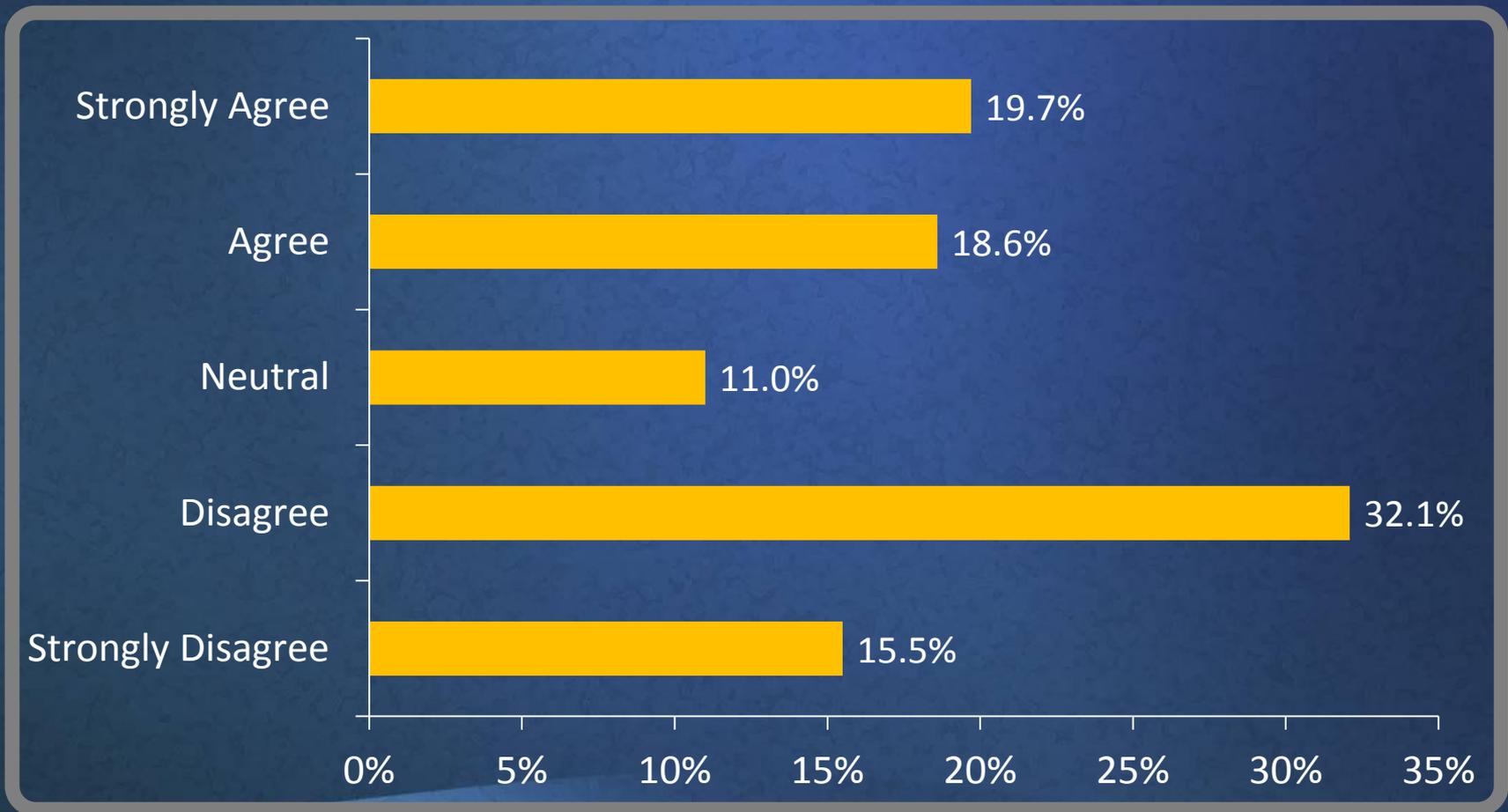
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

19. As with child care and health insurance costs, the guidelines should factor visitation expenses, such as travel costs, as opposed to addressing those expenses as a deviation factor.



# 19 - Recommendations

38.3% agree

47.6% disagree

11.0% neutral

**Staff recommendation:** *None*

This is a policy decision for the Panel.

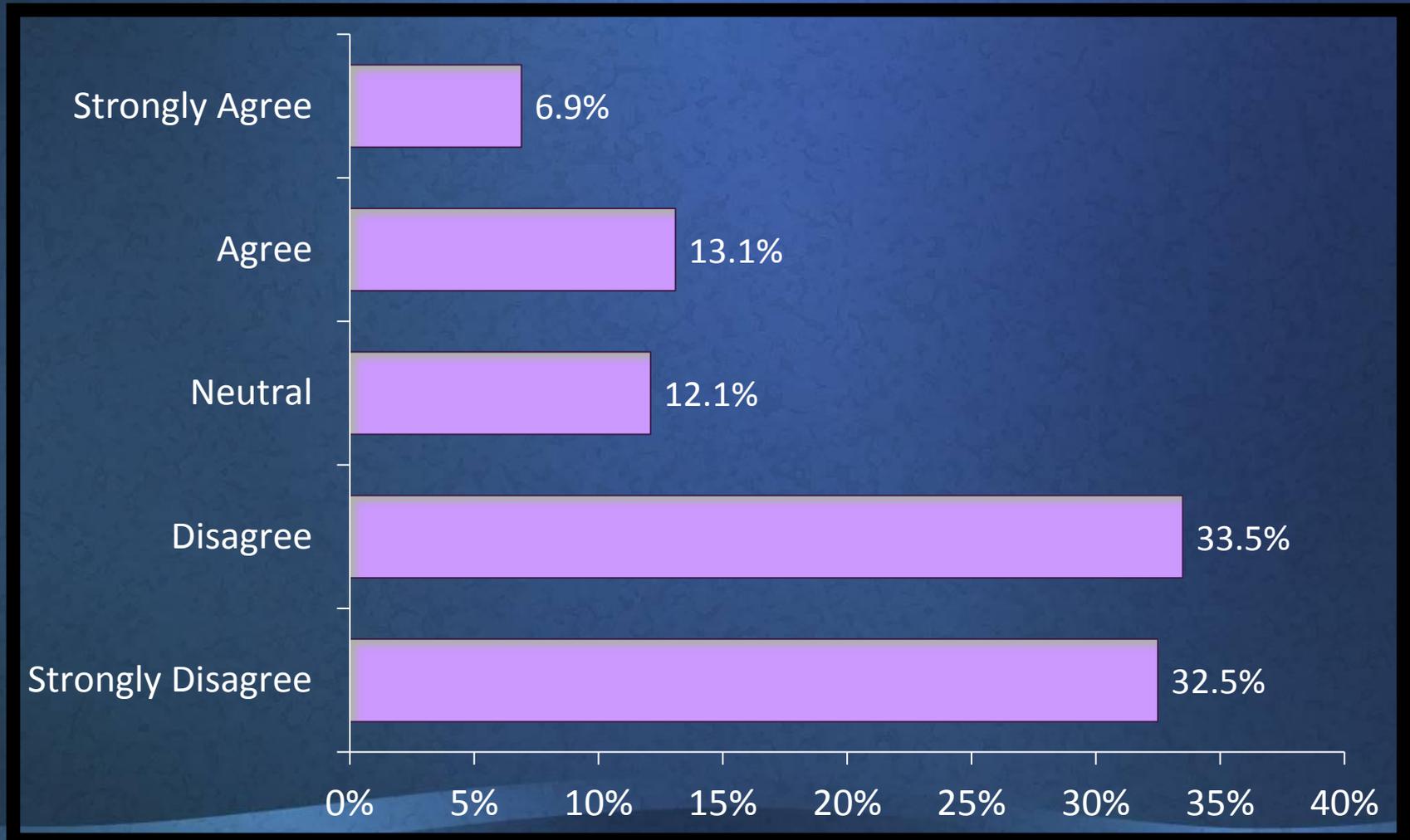
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

20. As with child care and health insurance costs, the guidelines should factor private school costs as opposed to addressing those costs as a deviation factor.



## 20 - Recommendations

20.0% agree

66.0% disagree

12.1% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law. A large majority disagrees this would be a helpful/necessary change.

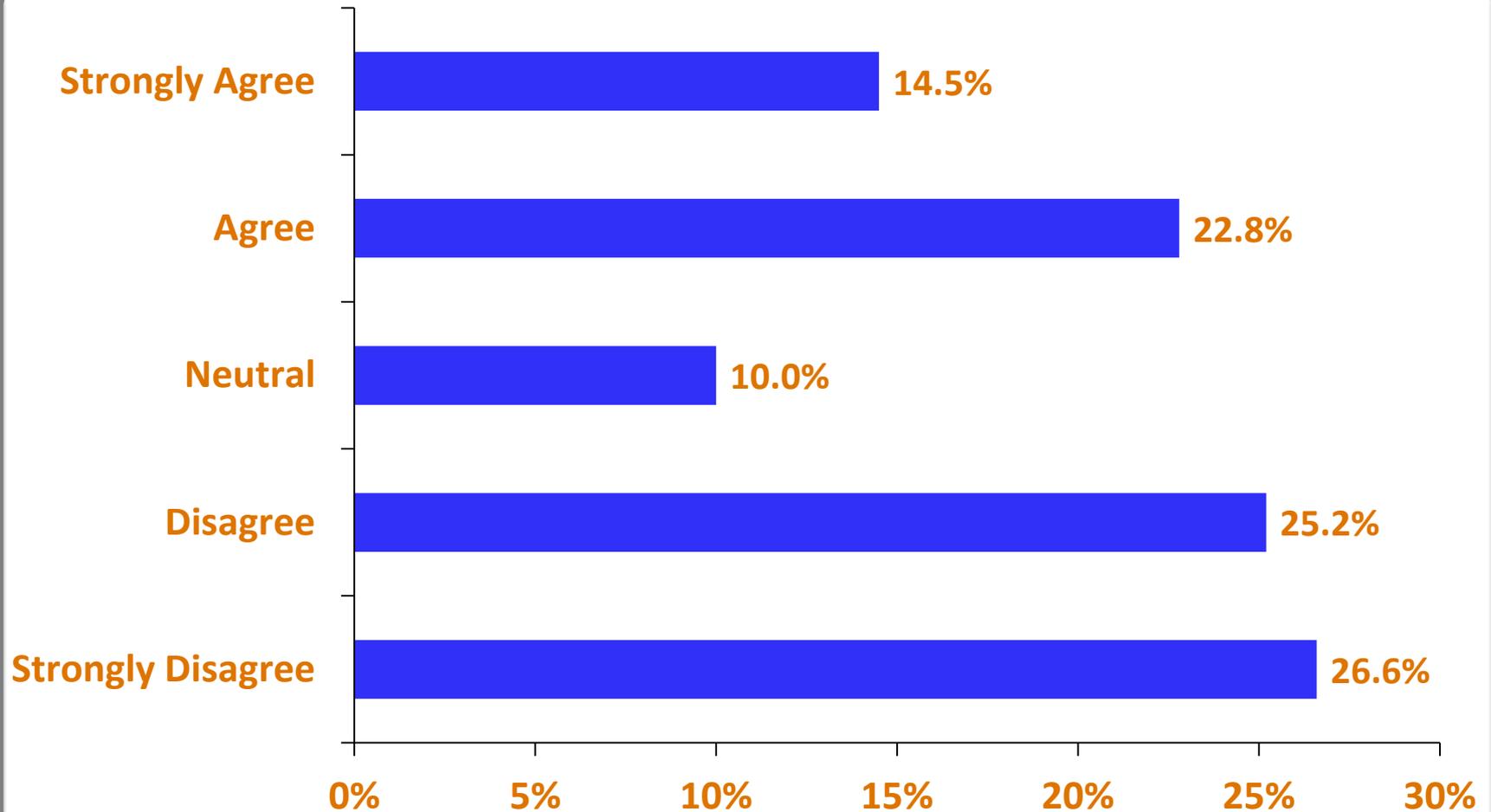
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

21. The parties should share in the child's extraordinary extracurricular expenses, such as horseback riding lessons or music camps, relative to their incomes.



# 21 - Recommendations

37.3% agree

51.8% disagree

10.0% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law. A majority disagrees that this would be a helpful/necessary change.

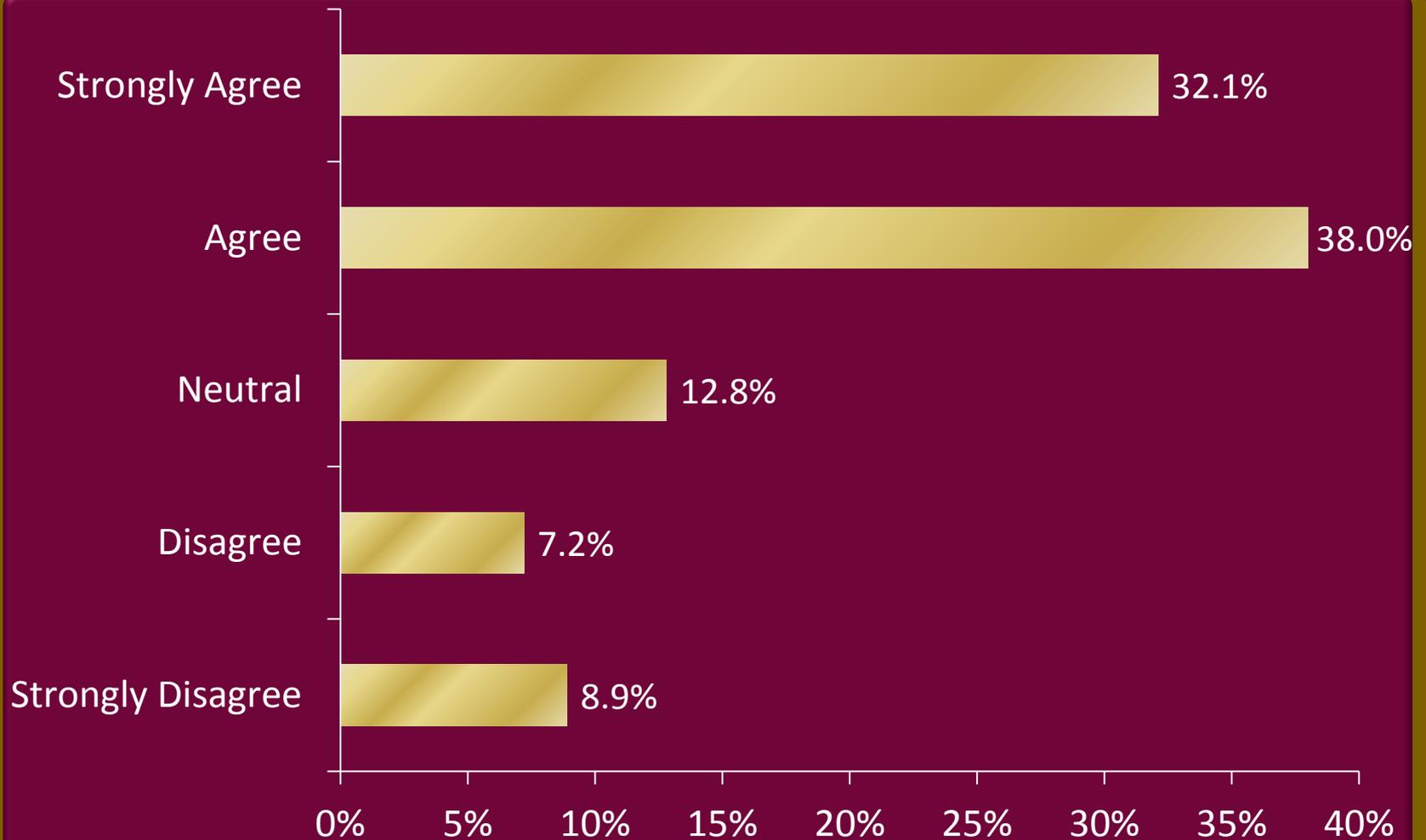
## Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

## 22. In the majority of cases, orders are based on the guidelines without deviation.



## 22 - Recommendations

70.1% agree

16.1% disagree

12.8% neutral

**Staff recommendation:** *Do not pursue*

A large majority agrees that orders are based on guidelines with no deviation in most cases.

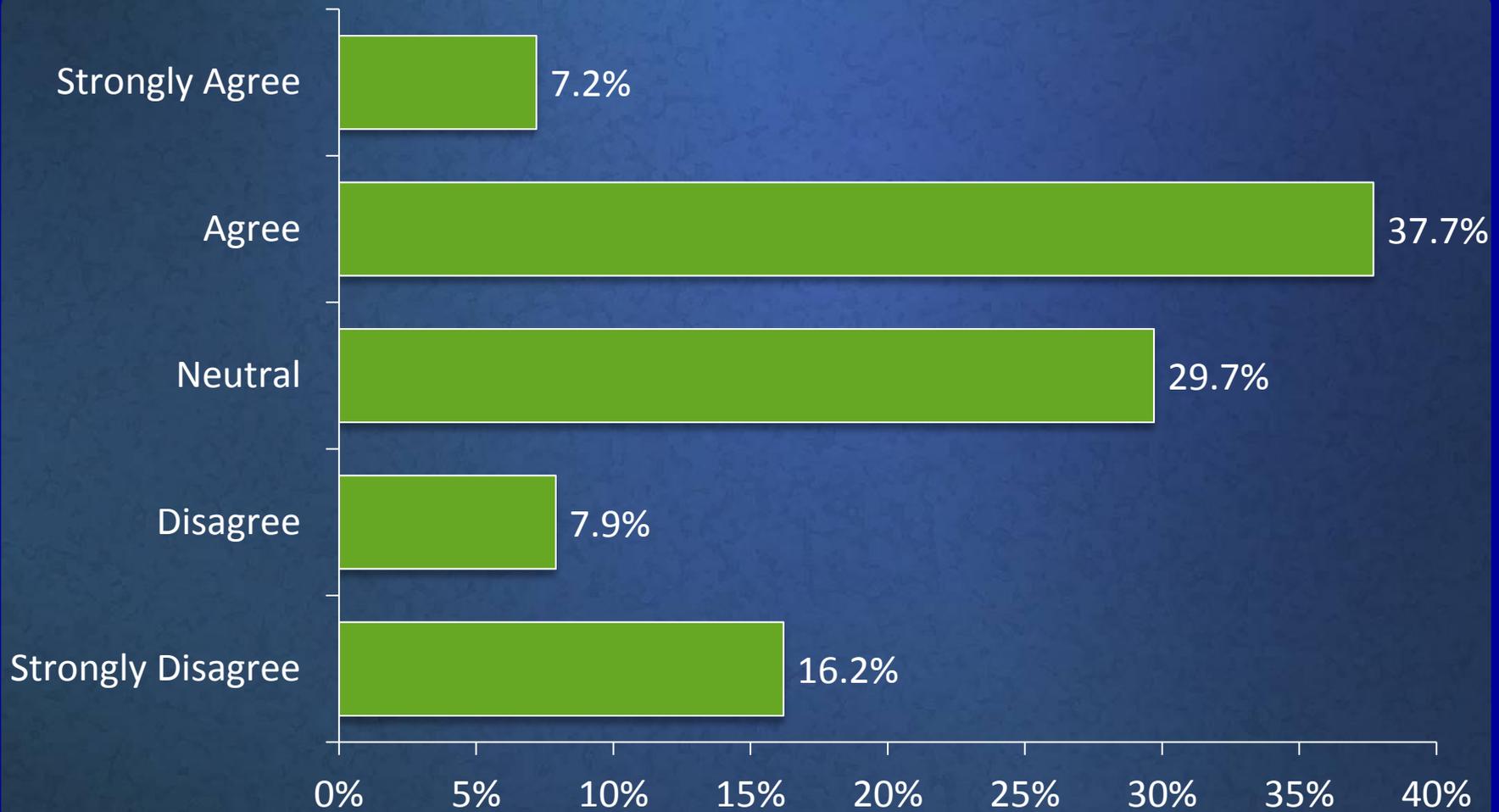
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

## 23. Most deviations from the guideline amount are appropriate.



## 23 - Recommendations

44.9% agree

24.1% disagree

29.7% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law. Most agree that current deviations are used appropriately.

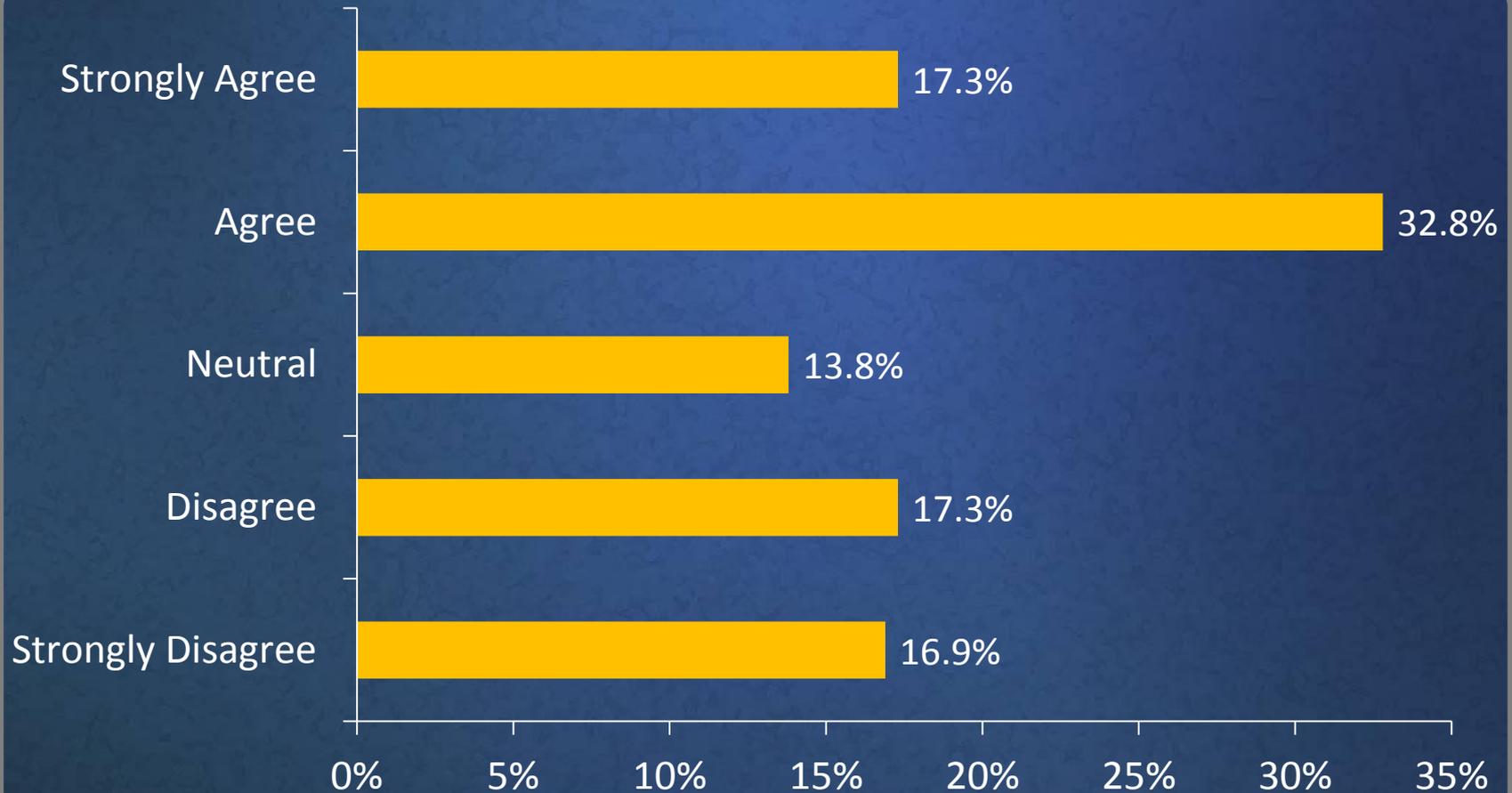
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

24. The higher cost of living in different parts of the state should be considered either as an adjustment to the guideline amount or as a deviation factor.



## 24 - Recommendations

50.1% agree

34.2% disagree

13.8% neutral

**Staff recommendation:** *Pursue & seek expert advice*

Ask Jane Venohr to provide information about cost of living in different parts of the state and how this would be incorporated into the guidelines and/or how it would be used as a deviation.

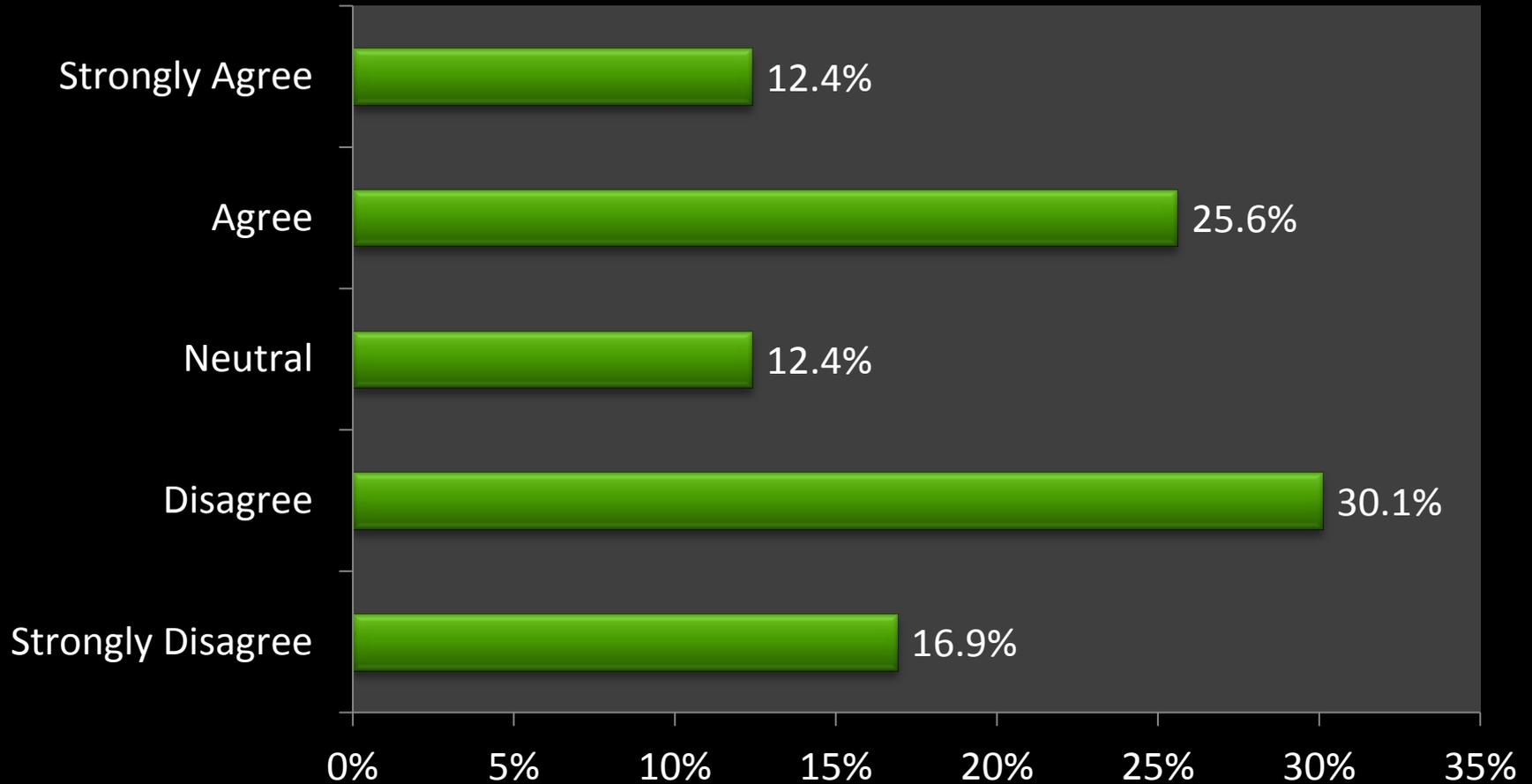
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

## 25. The guidelines should take into consideration the disparity in the cost of raising children of different ages.



## 25 - Recommendations

38.0% agree

47.0% disagree

12.4% neutral

**Staff recommendation:** *None*

Responses are fairly close. This is a policy decision for the Panel. If the Panel decides to pursue, seek advice from Jane Venohr regarding what the disparity is and how it would be factored into the guidelines.

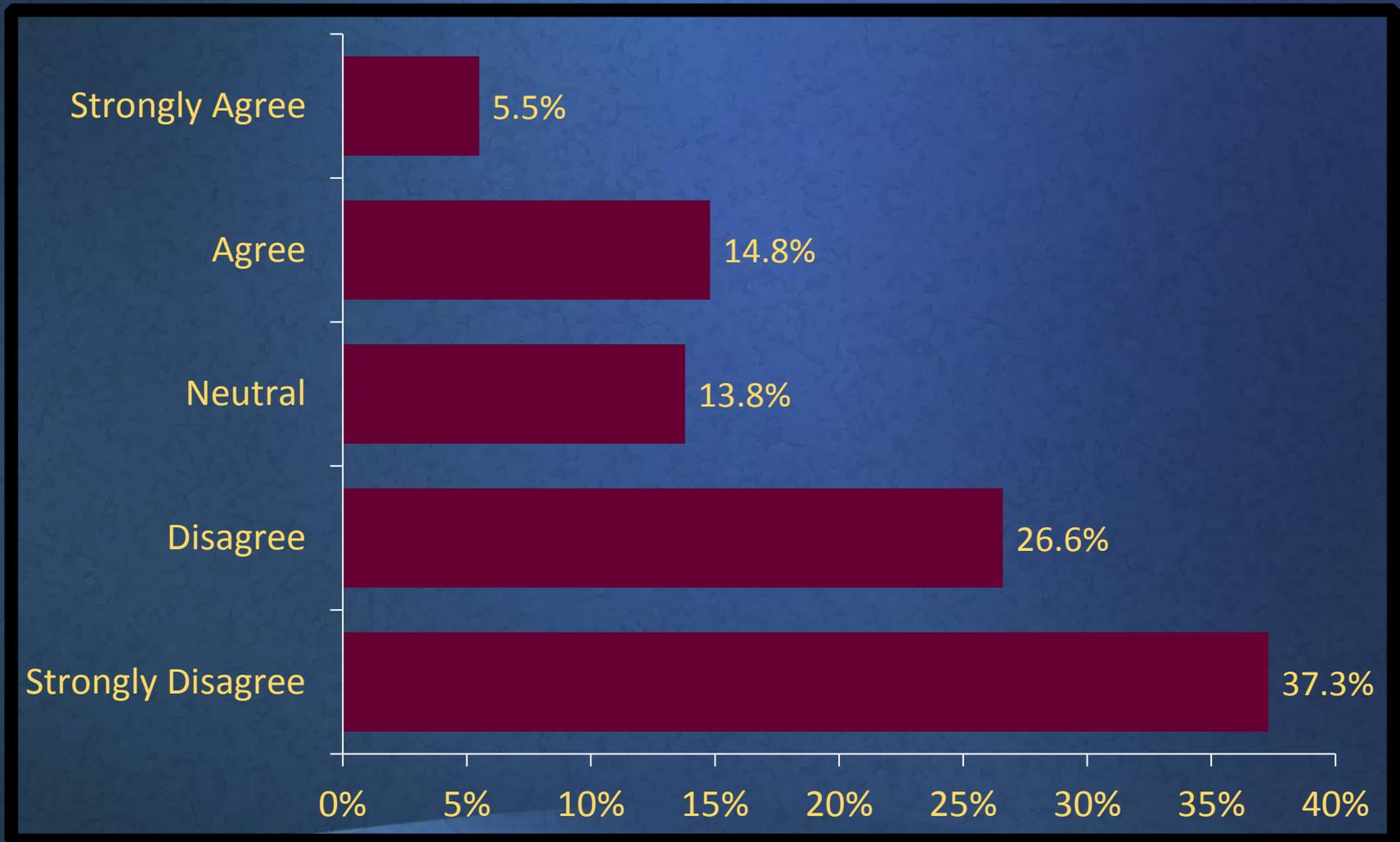
**Panel decision:**

Pursue

Pursue & seek expert advice

Do not pursue

## 26. It would be appropriate to incorporate an automatic annual cost of living increase into child support orders.



## 26 - Recommendations

20.3% agree

63.9% disagree

13.8% neutral

**Staff recommendation:** *Do not pursue*

Reflects existing law. A large majority disagrees that this would be a helpful/necessary change.

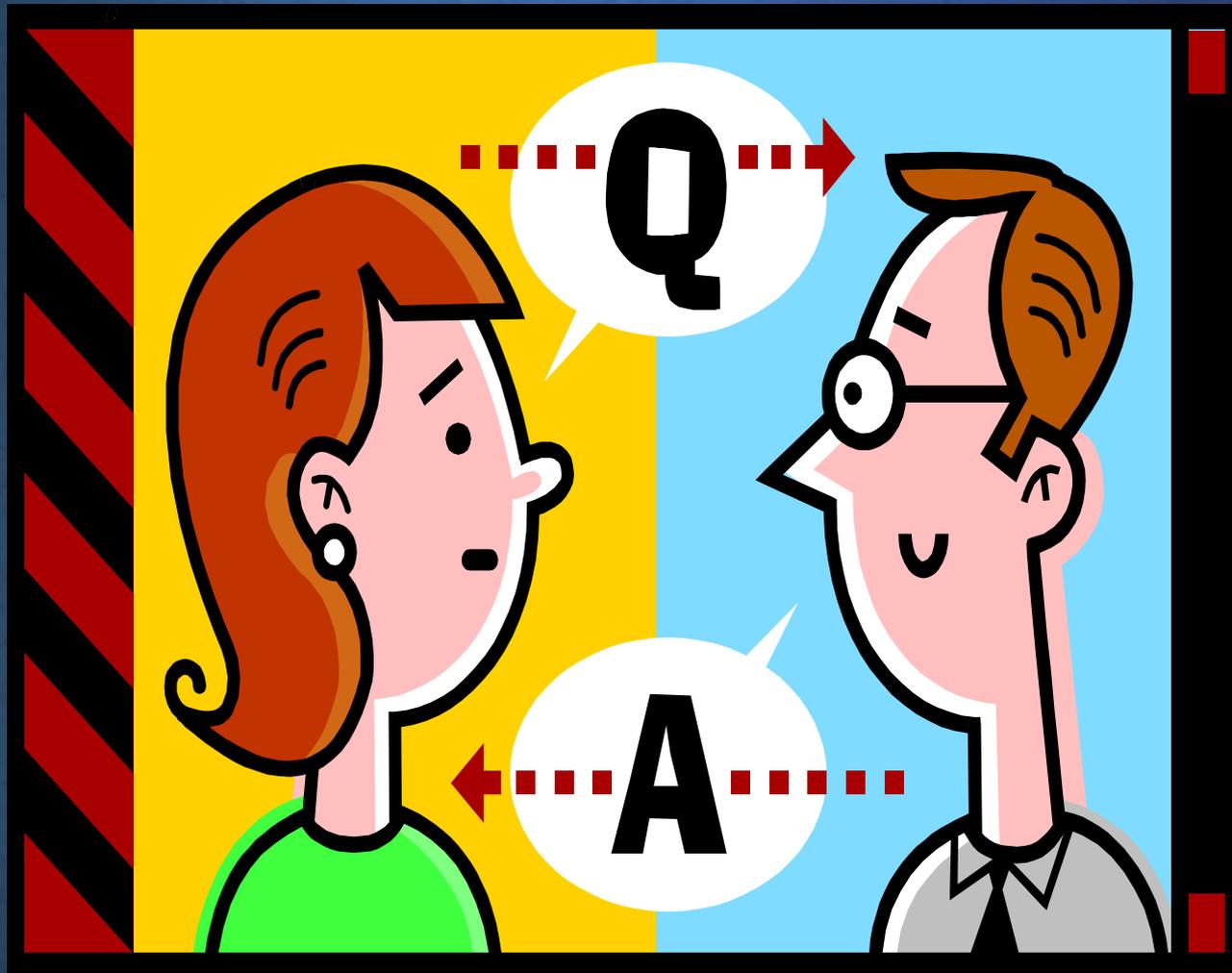
### Panel decision:

Pursue

Pursue & seek expert advice

Do not pursue

# Questions



# THE END

