

**Emails to the Virginia Child Support Guidelines Review Panel  
December 19th, 2024 through February 27th, 2025**

From December 19th, 2024 through February 27th, 2025 seven emails were sent to the Child Support Guidelines Review Panel. Panel staff responded to seven inquiries. Four emails were from members of the public providing comment on SB 805, one question was a procedural question related to the mechanisms of the Child Support Guidelines Review Panel, one question was a request for a status update on their application to the Child Support Guidelines Review Panel, and one question was a request for how to attend the meeting virtually. Names have been reduced to initials, other identifying information has been redacted, and salutations have been deleted. Text of emails has not been altered.

**1. From: RW**  
**Sent: Thursday, December 19, 2024 at 5:58 PM**  
**Subject: VIRGINIA Child Support Guidelines Review Panel MEETING FRIDAY DECEMBER 20,2024**

**Text:**

On behalf of others, (my kids are aged 37 and 41) I was asked to obtain information about an upcoming meeting of the Child Support Guidelines Review Panel this Friday December 20, 2024 as shown on the Virginia Legislative Calendar.

As of 5.30 PM today, no proposed DCSE CSGRP meeting agenda has been posted online or link for remote audience viewing of the meeting is shown.

Also, it appears that, as yet, none of the required eleven citizen members to be appointed by the Governor has been named.

<https://viriniageneralassembly.gov/house/schedule/meetingSchedule.php/ics.php?loc=Virtual+Meeting&dt=20241211%2002:00PM%20EST&sub=New+College+Institute+Board+-+Executive+Committee>

Child Support Guidelines Review Panel	10:00 AM - Virginia Department of Social Services, Floor 1, York River Conference Room 111B, 5600 Cox Road, Glen Allen, VA 23060 <a href="#">Map It</a>	Callsen, Delaney, Leftwich Surovell
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Child Support Guidelines Review Panel

**The Panel shall determine the adequacy of the guidelines for the determination of appropriate awards for the support of children**

**§ 20-108.2(H)**

*\*Please be advised that the Panel is not authorized to address the specifics of any particular Division of Child Support Enforcement case. Any emails to the Panel addressing questions or concerns about your case will be referred to the Division for response. It is recommended that you contact the Division directly at <http://www.dss.virainia.gov/family/dcse/email2.caj>. You may also call the Division toll free at 1-800-468-8894.*

- [Panel Membership](#)
- [Panel Information](#)
- [Email](#)
- [Panel Activities 2010-2013](#)

**2015-2024 Meetings:**

Date	Time	Place	Documents
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10/31/24	10AM	VDSS Home Office 5600 Cox Road, Glen Allen, VA York River Conference Room (111B)	<a href="#">Agenda Materials</a> <a href="#">Minutes</a>
09/10/24	10AM	VDSS Home Office 5600 Cox Road, Glen Allen, VA York River Conference Room (111B)	<a href="#">Agenda Materials</a> <a href="#">Minutes</a>
09/29/21	1PM	House Committee Room, Pocahontas Building	<a href="#">Agenda Materials</a> <a href="#">Minutes</a>

I contacted the office of Delegate Leftwich several months ago before a previous DCSE CSGRP meeting to obtain information on the proposed scope and content of upcoming meetings. I was told that only administrative matters would be considered at what I gather was the first meeting in several years.

Earlier this year, I witnessed a court case in Fairfax County where certain orders ruled orally by a judge in court were not contained in the written final order. Further, it appears that one or more DCSE officials ignored provisions of the judge's order. This matter requires a review by a non-partisan panel.

In 2024 and previously, I have observed several cases of apparent judicial misconduct in Fairfax County where judges seem to have made orders regarding child support and legal fees benefiting the pecuniary interests of attorneys and custodial parents rather than acting in the best interests of children. At the same time these judges have refused to act in a timely manner to resolve interference and denial of child visitation/ parenting time violations of court orders or motions of non-custodial parents..

**Due to the apparent lack of balance and fairness in enforcement of ethical and professional standards by certain judges and attorneys practicing domestic relations law in Virginia, the fundamental constitutional, civil and human rights of some children seem to have been abridged or violated in Virginia cases.**

**THE CASES OF WHICH I AM AWARE INVOLVE BOTH NON-CUSTODIAL MOTHERS AND FATHERS WHERE NO EVIDENCE OF CHILD ABUSE OR NEGLECT OR ABUSE OF DRUGS AND ALCOHOL BY THE PARENT IS EVIDENT. JUDICIAL EXTREMISM AND BIAS APPEAR TO BE THE DETERMINING FACTORS.**

Recently, it seems that certain judges are requiring that court records in contested cases be sealed ostensibly to "protect children" but more likely to cover up misconduct by judges. In one recent Fairfax County case, the trial court appears to have refused to allow all trial records to be turned over to the Virginia Court of Appeals.

**My conclusion from observing over a dozen domestic relations cases in the last three decades is that money rather than morals and the best interests of children are driving decisions in many domestic relations cases where visitation interference or denial of child access has been frequent.**

**VIRGINIA'S CHILDREN, PARTICULARLY THOSE WHO SUFFER FROM THE CONFLICTS BETWEEN THEIR PARENTS FOLLOWING SEPARATION AND DIVORCE, DESERVE THE LOVE, CARING AND RESPECT FROM THOSE IN AUTHORITY WHO MAKE DECISIONS OVER THEIR LIVES**

I ask that the General Assembly in its upcoming session request that a study be conducted of apparent judicial and lawyer misconduct in contested child custody cases involving interference or denial of visitation or parenting time

has occurred where judges seem to have sublimated the best interests of children to the monetary benefits of custodial parents and their lawyers.

**Panel Response: Thursday, January 2, 2025 at 4:28 PM**

Thank you for reaching out and expressing your concerns regarding the Child Support Guidelines Review Panel. My name is Taylor Ashe and I serve as the Panel Administrator for this quadrennial cycle (2021-2025). While I am employed by the Division of Child Support Enforcement and provide staff support to the Panel, I do want to note that the Child Support Guidelines Review Panel is an independent review body established by the legislature.

First, I appreciate your feedback regarding the timeliness of availability for the Panel's agenda. Going forward, please find the agendas for publicly announced meetings here: [Division of Legislative Services: Interim Studies](#).

Second, at the 12/20 meeting, the Panel adopted a remote attendance policy allowing for virtual participation for future meetings. The remaining meetings for the Child Support Guidelines Review Panel will contain virtual attendance links, posted on both the DLS website and the Commonwealth Calendar.

Third, the legislative calendar you cited in reference to Panel membership is only required to list legislative members associated with the Panel. If you review the "Panel Membership" link on the DLS website above (or available here), you'll note that we have 14 out of the 15 seats appointed with only one vacant citizen seat.

Last, in affirmation of Del. Leftwich's response, the statutory (§ 20-108.2(H)) requirements for the Panel require its focus on determining "the adequacy of the guideline for the determination of appropriate awards for the support of children by considering current research and data on the cost of and expenditures necessary for rearing children, and any other resources it deems relevant to such review." The Panel does not review individual cases for judicial misconduct. Typically, appellate courts review claims of abuse of discretion.

I hope that this is helpful in understanding more about the role and processes of the Panel. If you have any additional questions, please don't hesitate to reach out to the Child Support Guidelines Review Panel email inbox at [vaguidelinespanel@dss.virginia.gov](mailto:vaguidelinespanel@dss.virginia.gov).

**2. From: EW**

**Sent: Friday, December 20, 2024 at 10:55 AM**

**Subject: Fwd: Proposed Amendment: CS guidelines**

**Text:**

Dear Ms. Ashe, unfortunately, we will not be able to make it to Richmond or Glen Allen before the end of your meetings. However, here is a statement that we would like to include on the record today, which represents our public comment.

We recommend an amendment to the current child support laws to allow modification of child support arrears to ensure accuracy in accounting and due process? Presently, Virginia does not have a law that complies with the federal rules to allow modification of arrears when the amounts are inaccurate or determined inappropriately.

According to Federal Code:

Under 42 U.S. Code § 654, (A) the state agency [DCSE] shall have in place procedures for individuals who owe arrearages of child support in an amount exceeding \$2,500, that "each individual concerned is afforded notice of such determination and the consequences thereof, and an opportunity to contest the determination."

Further, under provision "C" of the 42 U.S Code § 654, "No court of the United States or any State, and no State (or officer or agency thereof), may make, execute, or enforce any order or process in violation of this section."

Presently judges conclude that, although child support arrearages may be incorrect or inaccurate, Virginia's current legislation does not allow modification of arrears at this time. The penalties for unpaid child support arrears, despite inability to pay, are jail time, license suspension and garnishment of wages, yet the amounts are

occasionally incorrect. I and many parents experience excessive and threatening prosecution for amounts that are grossly incorrect but without statutory authority to amend.

Please modify the current guidelines to comply with the federal statutory requirement, allowing due process to correct amounts that are not accurate. This would avoid miscarriages of justice- jail time for parents such as I, who are being prosecuted heavily for child support arrears in error.

For example, the court without cause, prohibited my access to court and motion for modification when my children matriculated from private daycare into public kindergarten programs. The child support office continued to accumulate the amounts for private kindergarten for four years when my children were no longer in private school. I didn't have due process to modify these issues in court due to an unlawful restriction on access to court. Now, I am in the arrears \$85,000 when none of my children were in private school for four years. I am expected to pay this amount to my children's father because the law does not allow the judges to modify arrears now that I have regained access to court. The father continues to receive \$2000 a month in addition to my base support of \$1700 in child support award when he knows that the children were never in the private school for four years.

A similar example involves Ms. Natalia Dalton's case. Ms. Dalton was ordered to pay the cost of an after school YMCA program. The child support office was never informed, nor was Ms. Dalton that the father removed their son from this program while Ms Dalton continued to pay the expense to the father.

We also recommended that there be a universal evidence submission, to be followed by both the court and the child support office. If a parent files for child support review, then both parties required by her particular deadline to submit proof of income, such as tax forms, W-2 forms, payroll checks, medical expenses etc. Both parties should be informed of a review process and the deadline for submitting their information for review. No parent should be allowed to submit information for the other party. For, this calls into question the accuracy and motive of one parent in trying to depict the financial circumstances of the other parent.

In Natalia Dalton's matter, she was never informed of a child support review. Her ex-husband submitted her proposed income to the child support office on her behalf and used his submissions to calculate Ms. Dalton's child support obligation.

Ms. Dalton was never given the opportunity to provide accurate information because she wasn't informed of the review. The office utilized the fathers examples of her income that were incorrect. When Ms. Dalton attempted to provide the administration the correct information on her financial circumstances they rejected her submission and said the father already submitted her details. A review hearing was held in Ms. Dalton's absence, but the attendance sheet notes her presence when she was never in attendance. She has since never been able to rectify these mishaps and is expected to pay child support arrears that accumulated as a result without option for correcting arrearage.

We hereby request that the child support guidelines review panel, modify the current guidelines to allow modification of arrears in accordance with the concomitant Federal statutory requirement.

**Panel Response: Thursday, December 26, 2024 at 8:00 AM**

Thank you for reaching out and providing your statement for the Child Support Guidelines Review Panel to consider. I wanted to let you know that as of the 12/20 meeting, we will have virtual attendance options available posted at both the Commonwealth Calendar and Division of Legislative Services website [here](#).

Your statement will be reviewed by the Panel during our next meeting scheduled for January 16th, 2025. The minutes from that meeting will be available for you to review within 10 business days at the DLS website link I mentioned above. In addition, I've forwarded on your statement to our partner at the Office of Attorney General, Josh Ours, for his insight on both the Federal and Virginia statutory requirements.

I'll be sure to keep you in the loop with any additional information. Please don't hesitate to reach out if you have other questions!



**3. From: EW**  
**Sent: Monday, December 30, 2024 at 7:08 PM**  
**Subject: Re: Proposed Amendment: CS guidelines**

**Text:**

I have a procedural question in regards to the proposals we are recommending. I understand that the legislative deadline for submitting proposed bills during this General Assembly is likely January 6 or 7th. Are potential changes or adjustments recommended by the Child Support Guidelines Review Panel subject to this deadline? If the panel reviews the guidelines during its next meeting on January 16, 2025, and identifies necessary legislative changes to child support, would those changes then need to wait until the next General Assembly cycle?

We would like our proposed modifications to be considered during this current assembly session, if possible. Is there perhaps an alternative process to facilitate this?

**Panel response: Tuesday, December 31, 2024 at 12:07 PM**

That is a great question and one that I'm happy to provide clarification on. The Child Support Guidelines Review Panel is an independent review body established by legislature. The statutory (§ 20-108.2(H)) requirements for the Panel require its focus on determining "the adequacy of the guideline for the determination of appropriate awards for the support of children by considering current research and data on the cost of and expenditures necessary for rearing children, and any other resources it deems relevant to such review."

The Panel convenes every 4 years (the current cycle is 2021-2025) to review the calculations used to establish child support guidelines and produce a report with any recommendations that is delivered to the Governor in December of its final year. The report is public and can be used by legislators, state agencies, etc. to propose legislation to modify the child support guidelines.

While the Panel is not a legislative body, there are legislative members who are a part of the Panel who may take interest in separate related topics or potential pieces of legislation that they can choose to draft or advance on their own. However, the purview of the Panel is explicit in its focus on the child support guidelines and its quadrennial recommendations report.

I believe your initial email was the best route, as you communicated your request to legislators who arguably have the best awareness of this topic because of their involvement with the Child Support Guidelines Review Panel. Beyond following up with them or your own respective representatives, as the Panel Admin, I wouldn't have any additional advice to offer you in this area.

**4. From: RW**  
**Sent: Monday, January 13, 2025 at 10:28 PM**  
**Subject: Re: VIRGINIA Child Support Guidelines Review Panel MEETING FRIDAY DECEMBER 20,2024; UPCOMING MEETING THURSDAY JANUARY 16, 2025;**

**Text:**

Thank you for your January 2, 2025 reply to my message to Governor Youngkin about the December 20, 2024 Child Support Guidelines Review Panel meeting. I note that Senator Surovell and other legislative members of CSGRP were absent from the December 20, 2024 meeting. They were also absent from a prior CSGRP meeting held in September 2024.

On December 30, 2024, Senator Surovell filed his proposed child support guideline revisions bill SB 805 which was heard at the Senate Courts of Justice Committee meeting this morning.

Several people from Northern Virginia had registered to speak online and wanted to testify at the hearing but were unable to do so as it appears that the Courts of Justice Committee was in a big hurry to pass the SB 805 bill this morning.

Curiously, no mention was made of Senator Surovell's proposed SB 805 bill in the minutes of the December 20, 2024 DSS Child Support Guidelines Review Panel meeting. Your January 2, 2025 message to me also did not mention Senator Surovell's bill.

Senator Surovell claimed this morning that he had discussed his bill with the CSGRP. An observer at the December 20, 2024 CSGRP meeting has said that he was unaware of the bill.

AS A PRACTICAL MATTER, THE CSGRP FINAL REPORT RECOMMENDATIONS ARE NOT DUE UNTIL DECEMBER 2025 AND THE GENERAL ASSEMBLY IS NOT REQUIRED TO ADOPT REVISED CHILD SUPPORT GUIDELINES UNTIL DECEMBER 2026.

PRIOR TO THE JANUARY 16, 2025 DSS CSGRP MEETING PLEASE PROVIDE DETAILS OF THE ANALYSIS GIVEN BY SENATOR SUROVELL TO THE CSGRP MEMBERS IN SUPPORT OF HIS BILL. IF NO DETAILS WERE PROVIDED BY SENATOR SUROVELL, PLEASE SO INDICATE AND PROVIDE ANY ANALYSIS TO BE DISCUSSED ON THURSDAY.  
<https://dls.virginia.gov/groups/childsupport/meetings/122024/sm122024.pdf>

Virginia Child Support Guidelines Review Panel  
December 20th, 2024 10:00 a.m. – 12:00 p.m.  
5600 Cox Road, Glen Allen, VA 23060 - Pamunkey Conference Room (287)

Meeting Minutes

Members Present:

The Honorable Tanya Bullock, Chair Alana Tucker, Director of Division of Child Support Enforcement The Honorable Bryan Meals Erica Baez, Esq. Lindsay Hartz, Esq. Nupur Bal, Esq. Christian Paasch Lauren Roaseau Jennifer Miller

Members of the Public: N/A

Members Not Present:

Senator Scott A. Surovell  
Delegate James A. (Jay) Leftwich, Jr.  
Delegate Karrie K. Delaney  
Delegate Katrina E. Callsen  
H. Van Smith, Esq.

Panel Staff Members Present: Taylor Ashe, Panel Administrator

Lauren Robinson, Special Assistant to Director, Program Operations – Policy and Initiatives Others Present: Mariellen Keely, Manager, Program Initiatives Leslie Montgomery, Program Guidance Team Josh Ours, Office of Attorney General Shannon Woods, Special Assistant to the DCSE Director

I. Welcome and Staff Introduction All

The Panel came to order at 10:00 a.m. Madam Chair, The Honorable Tanya Bullock, welcomed the Panel. In honor of our newest appointed Panel member, Jennifer Miller, all members in attendance introduced themselves and the roles they fill in the Panel.

The Panel also opened the floor for several minutes for Jennifer Miller to introduce herself and provide more background on her professional history to the Panel members in attendance.

## II. Review and Election of Virtual Attendance Policy All

A copy of the policy was provided to all Panel members in attendance.

I. Questions from the group: a. Is public participation common? i. Taylor noted public participation at the last meeting on 10/31 and highlighted the planned attendance of two individuals to the 12/20 meeting.

b. Is there a reason why quorum is not counted when a member is attending virtually due to a family emergency?  
i. Josh Ours noted that this was legislatively decided within the last two years.

II. Madam Chair motioned for a vote, several Panel members seconded the vote a. All Panel members voted in favor of the attendance policy.

## III. Review of October 31 Action Items Taylor Ashe

In follow-up of several items that were asked by Panel members and members of the public who attended the 10/31 meeting, Taylor reviewed Dr. Jane Venohr's responses. The three responses are available in the Materials document titled "CPR - Dr. Venohr - Quintiles, TN and GA policies - Follow-Up 10.31 Items."

If any Panel members feel their original questions/concerns were not addressed, please reach out to the Panel Administrator, Taylor Ashe. Madam Chair reviewed the main duties of the Vice Chair as just running the meeting if the chair is not available.

## IV. Review and Election of Vice Chair Hon. Judge Bullock

I. Madam Chair asked for volunteers a. Christian Paasch was the only volunteer

II. Madam Chair nominated, Jennifer Miller seconded a. All Panel members voted in favor of Christian Paasch being named as the Vice Chair for the Pane

## V. Administrative Matters

I. Review emails to the public inbox

a. Reviewed email conversations from 11/01/24 to 12/20/24.

i. Taylor provided a handout – 3 emails, 2 were requests about status of an application to join the panel. 1 email was about judicial authority – working with Josh & Mariellen to get members from the public answered.

b. Christian – Questions about previous NCP applicants and what has been communicated by Board of Appointments i. Taylor explained that all applications received so far have been denied. Taylor did reach out to one person to let them know that the application has not been approved. No information is shared from the Board of Appointments about why any panel application is denied.

ii. Taylor also explained that the application on the Board of Appointments website has detailed questions about the personal history of applicants, and that this may deter individuals from applying.

iii. Taylor reminded and encouraged Panel members to forward on potential NCP applicants.

iv. Taylor will request the number of applications, rejections, and identification of any broad themes present in rejects to aid Panel members in locating a suitable NCP applicant. c. Hon. Judge Bullock – How often is the Panel email checked? i. Taylor – Once a week on average. Work-related travel may delay that to every two weeks.

## II. Update on Case Data Analysis with Center for Policy Research

a. The Panel is charged to review data of the current DCSE caseload. There is a data collection project for this in progress, though it will be slowed by the holidays. Early data will most likely be available at the February Panel meeting.

III. Next meeting will have a virtual guest – a presentation by Dr. William S. Comanor, Professor of Health Policy and Management and Professor of Economics at the University of California, Santa Barbara.

a. Christian reached out to Prof. Comanor after learning of his research regarding alternative child support obligation calculation methods beyond the income shares method. His research specifically focuses on the marginal cost of raising children. Prof. Comanor will provide a presentation and plan for a Q+A that will total one-hour in length that has also been presented to other states.

b. Pre-reading materials will be available ahead of time. Christian volunteered to produce a one-page executive summary and also to share his published research.

c. Multiple Panel members expressed interest in having Dr. Venohr's insight and/or perspective on Prof. Comanor's research. Christian reminded the Panel that they have competing viewpoints. Taylor will reach out to Dr. Venohr to get her opinion on how she would like to engage. Additionally, Taylor will follow up with Christian and Prof. Comanor to finalize logistics for the January 16th meeting.

d. Jennifer Miller asked for clarification on Dr. Venohr's role.

i. Taylor explained that Dr. Venohr is contracted to support the Child Support Guideline Review Panel.

e. To accommodate Prof. Comanor's schedule, the January 16th meeting will need to convene at noon instead of 10am. Taylor will update the invitation and notify Panel members appropriately.

#### IV. Questions

a. Taylor reminded the Panel that with the recently adopted virtual attendance policy, for meetings to be held virtual, motion and a majority vote are required. i. Josh clarified that a motion could be made at any meeting, either virtual or in person. ii. 7 meetings remain for this Panel's cycle, allowing for 3 to be held virtually.

1. January 16th meeting – discussion of whether next meeting can be virtual, or if that needs to be an agenda item for the next meeting to allow for public awareness and comment on the decision.

a. Discussion among Panel members and Josh Ours over whether the vote for a virtual meeting could take place today, and whether enough procedural/public notice was provided.

i.

Judge Meals disagrees and noted his disagreement with voting on scheduling the virtual meetings today.

2. Jennifer – Motion to tentatively schedule virtual meetings, with the option of changing if needed. Madam Chair seconded.

a. The following meetings to be tentatively scheduled as all-virtual: i. 4/10 ii. 7/10 iii. 9/25

b. All Panel members voted in favor of tentatively scheduling these meetings as all-virtual

3. Jennifer suggested that we add these all-virtual dates as an agenda item at the January 16th meeting for confirmation and to allow significant notification to the public. Judge Meals confirmed that this alleviated his concern since the first virtual meeting would be held on April 10, 2025.

VII. Adjourn All The Panel adjourned at 11:05 a.m.

Action items for Panel Members:

1. Review the presentation materials, scheduled meetings, and send any questions or concerns to Madam Chair, The Honorable Tanya Bullock.
2. Send any interested non-custodial parents interested in serving on the panel to Taylor Ashe.
3. Christian Paash will send out Prof. Comanor's published research to the Panel members for review and also provide a one-page executive summary.

Action items for Staff:

1. Panel Admin will forward all materials, including notes and presentations, to Panel Members and upload them to the Division of Legislative Studies website upon approval by Madam Chair. Panel Admin will notify members when all materials are available
2. Panel Admin will contact the Board of Appointments to request the number of applications, rejections, and identification of any broad themes present in rejections to aid Panel members in locating a suitable NCP applicant.
3. Panel Admin will finalize logistics for Prof. Comanor presentation with the aid of Christian Paasch. Since this will result in a shifting of the meeting time, the Panel Admin will update the meeting invitation and public notice to reflect the time shift as soon as the meeting minutes are approved. All Panel members will be notified as soon as the change has been made.
4. Panel Admin will follow up with Dr. Venohr to facilitate her engagement with Prof. Comanor's research

<https://dls.virginia.gov/groups/childsupport/meetings/122024/ag122024.pdf>

<https://dls.virginia.gov/groups/childsupport/meetings/091024/dcse%20-%2009.10.24%20panel%20and%20final%20rule%20presentation.pdf>

Taylor Ashe, Panel Administrator Division of Child Support Enforcement Virginia Child Support Guidelines Review Panel September 10, 2024 • Glen Allen, VA

A couple of key report statements:

Panel Report • Each Panel must submit its recommendations in a report to the Governor and General Assembly. • This Panel's report is due at the end of 2025.

Final Rule: New Panel Requirements

Must be in place by the end of 2026 • Expand and specify types of data Panels must consider in reviewing guidelines

PAGE 3 OF THE REPORT SHOWS

Basis of Guidelines Federal law allows states to choose guideline model but every method must:

1. Be based on specific descriptive and numeric criteria
2. Take all earnings and income of the noncustodial parent into consideration NO MENTION OF CUSTODIAL PARENT EARNINGS AND INCOME!!
3. Provide for child's health care needs

**Panel response: Thursday, January 16, 2025 at 4:01 PM**

Thank you for your email regarding the Virginia Child Support Guidelines Review Panel.

All analysis considered by the Panel is available to the public at the Division of Legislative Services website here:  
Division of Legislative Services: Interim Studies.

Additionally, the CSGR Panel meeting scheduled for January 16th was cancelled, as the guest speaker scheduled for the majority of the meeting asked to reschedule. The Panel's next meeting is scheduled for February 27, 2025. Your comments will be shared with the Panel members for their consideration at that time.

Again, thank you for your input. Please feel free to communicate anything further at any time.

**5. From: HB**

**Sent: Thursday, January 2, 2025 at 8:05 PM**

**Subject: Child support guidelines are excessive, violate federal child-support regulation, 45 CFR § 302.56(c)(1)**

**Text:**

Please reduce the child support obligations found in the draft preliminary child support schedule presented to the child-support guidelines review panel.

It would carry Virginia even further away from compliance with federal child-support regulations, by imposing excessive child support obligations on thousands of parents that they will be unable to pay, and leave them unable to meet their basic needs. Its schedule of basic child support obligations violates 45 CFR § 302.56(c)(1).

45 CFR § 302.56(c)(1) requires state child-support guidelines to take into account the "ability to pay" and "the basic subsistence needs of the noncustodial parent."

To comply with that regulation, adopted in 2016, neighboring states such as North Carolina, Maryland and Tennessee do not impose significant child support obligations on parents making less than \$1300 per month, because parents that poor cannot afford to pay much child support while housing and feeding themselves. (In Maryland, the basic child support amount is \$50-\$60 per month for parents making \$1200 or less per month, and \$109-\$124 per month for parents making \$1300 per month. See Md. Code 12-204. In North Carolina, the basic child support obligation is only \$50 per month for parents making \$1300 per month. See North Carolina Schedule of Basic Support Obligations, effective January 1, 2023). In Tennessee, the child-support "guidelines include a SSR [self-support reserve] that ensures obligors have sufficient income to maintain a minimum standard of living based on 90% of the 2020 federal poverty level for one person (\$957 gross income per month)." See page 11, Rules of the Tennessee Department of Human Services, Child Support Services Division, Chapter 1240-02-04, Child Support Guideline.)

But under the draft preliminary child support schedule, the basic child support obligation is apparently an unaffordable \$264 to \$665 per month for households making \$1300 per month (depending on the number of kids they have -- \$264 for one kid, \$498 for 3 kids, etc.) -- an increase of 12% to 15% over existing law.

So under the draft, even parents way below the poverty level have to pay 20% to 51% of their income in basic child support -- leaving them with too little money to pay rent! Even the poorest parents unable to pay child support are ordered to pay a big fraction of their income in child support under the bill.

It is impractical for the child-support schedule to increase child support obligations for parents making very low incomes such as \$800-\$1300 per month or even \$2,000 per month, which is still below the income made by many

minimum wage workers in Virginia (the state hourly minimum wage is \$12.41).

But that is what the draft child support schedule does!

And the child support imposed by the child support schedule is just part of the child-support many parents owe. The draft increases the single most important component of child-support obligations, the schedule of basic child support obligations contained in Va. Code § 20-108.2(B)..

But that is just the beginning of what many parents owe in child support. Additional amounts of child support are also imposed on noncustodial parents under other existing provisions of Virginia law, such as for "health care coverage", see Va. Code § 20-108.2(E), and for "child care" costs, see Va. Code § 20-108.2(F), which are awarded on top of the schedule of basic child support obligations. For low-income parents, those amounts can be bigger than the amount of basic child support, resulting in an overall child-support obligation that consumes most of their income (even before taxes). For example, a father was ordered to pay \$673 in monthly child support on his monthly income of just \$1300, back when Virginia's child support obligations were lower than they are today, see the Virginia Court of Appeals decision in *Herring v. Herring*, 532 S.E.2d 923, 925 (2000) ("the district court calculated the presumptive amount of support based on mother's gross income of \$1,600 per month and father's gross income of \$1,300 per month—a distribution of fifty-five and forty-five percent, respectively—at \$675. After adding expenses of \$667 per month for child care and \$154 per month for health insurance coverage, the district court determined that father's forty-five percent share of the total was \$673 and ordered father to pay that amount each month.").

So even if parents could pay the amounts contained in the draft schedule of basic child support obligations (many parents could not), they still might not be able to pay their overall child support obligation. Even the portions of the child support schedule that look reasonable on first glance may not be, because they are just part of the child support obligations imposed on many parents, which include things like additional child care expenses.

Maryland law is less harsh on parents with very low incomes, but the Baltimore Sun news article reproduced below shows that there are many low-income parents in Maryland who simply cannot pay what they are currently ordered to pay. Maryland's child support guidelines are themselves excessive in what they impose on noncustodial parents (and they clearly exceed the actual cost of raising children for middle and upper-income households).

I am not a noncustodial parent, but I and my wife have been parents for almost 18 years, and we have never spent anywhere near as much on raising our daughter as Virginia's child-support guidelines award in child support for parents with our income level.

Thus, child support obligations do not need to be increased further. My brother and his wife have also never spent as much on raising their kids as Virginia's child support schedule awards in child support for families with their income. People are often surprised by just how high child support levels are already. When I told two fellow U.Va. alumni how much the typical parent in Virginia is ordered to pay in child support as a fraction of income, they were so amazed by how high it was, that one of them (Arshad Rahman) said "holy s\*\*t." My wife and I aren't divorced (so we have never been ordered to pay child support), but we know how much money it costs to raise a kid, and it's a lot less than people are routinely ordered to pay in child support in Virginia.

Excessive child support levels can backfire by reducing the earning capacity of noncustodial parents and leaving them even less able to pay taxes and child support in the future. The below article quotes a former federal head of child support enforcement, Vicki Turetsky, pointing out that "Child support orders set beyond the ability of noncustodial parents to comply push them out of low-wage jobs, drown them in debt, hound them into the



underground economy, and chase them out of their children's lives."

As the Baltimore Sun article below notes, when noncustodial parents "fall behind on payments, they can lose their driver's licenses and professional licenses...The enforcement tactics can make it hard for them to catch back up on payments...Evidence shows fathers who get into deep debt are less engaged with their kids, contributing to greater rates of depression, alcohol use, poor health and progressively worse behavior by the children."

Child support obligations are often set too high to begin with. When California commissioned the Urban Institute to investigate why parents were often behind on their child support, it reported that the number one reason for arrearages was that "orders are set too high relative to ability to pay."

I was the intake attorney for a nonprofit law firm for 6 years. We didn't handle child-support or family law cases, but despite that, I received innumerable letters and emails from people ordered to pay more than they could possibly afford in child support. It was obvious they were drowning in debt, and unlikely to ever pay what they owed in full. The draft child support schedule would make that problem worse by imposing excessive child support obligations.

**Panel response: Thursday, January 9, 2025 at 6:31 AM**

Thank you for your email to the Virginia Child Support Guidelines Review Panel. The Panel's next meeting is scheduled for January 16, 2025. Your comments will be shared with the Panel members for their consideration at that time.

Again, thank you for your input. Please feel free to communicate anything further at any time.

**6. From: JG**  
**Sent: Monday, January 20, 2025 at 5:54 PM**  
**Subject: Re: DCSE Child Support Review Panel Member Inquiry**

**Text:**

Happy New Year, I hope this finds you well. I am emailing to inquire about any updates. Thank you for all that you do.

**Panel response: Wednesday, February 5, 2025 at 2:46 PM**

First, my apologies for the delay in a response — it has been an unusually chaotic two weeks. Also, Happy New Year to you as well!

Second, thank you for being so diligent about your application status. It has come to my attention that when an application's status changes, this information isn't always communicated by the Board of Appointments.

The last vacant Custodial Parent seat was filled by appointment on 11/01/24-- I apologize that you were not notified until now. However, I do want to note that the current quadrennial cycle of the Child Support Guidelines Review Panel concludes in December of this year, meaning that the incoming governor in 2026 would be free to re-appoint the seats of the Panel. Therefore, I would recommend keeping your application handy and resubmitting early next year if you are still interested.

Again, my sincerest apologies for the extended delay in relaying this information to you. If you have any questions, please don't hesitate to reach out any time.

**7. From: ND**  
**Sent: Thursday, February 27, 2025 at 7:51 AM**  
**Subject: Proposed Amendment: CS guidelines**

**Text:**

Our understanding by your email that today at 12noon is your review Panel meeting

We would like to attend virtually since you mention that is now an option.

Could you please forward us the direct link? How does it work? Do we need to register in advance?

We look forward to your reply

**Panel response: Thursday, February 27, 2025 at 9:02 AM**

Thank you for reaching out! We would be more than happy to have you attend the meeting virtually. The direct link to attend is here: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YmEwNjVjNmYtY2Y3NS00YjE2LTg3MGEtNjVjNjg1OWI0MDRI%40thread.v2/0?context=%7b%22Tid%22%3a%22620ae5a9-4ec1-4fa0-8641-5d9f386c7309%22%2c%22Oid%22%3a%2264533444-99c4-444a-b21c-501ba5177cb1%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmEwNjVjNmYtY2Y3NS00YjE2LTg3MGEtNjVjNjg1OWI0MDRI%40thread.v2/0?context=%7b%22Tid%22%3a%22620ae5a9-4ec1-4fa0-8641-5d9f386c7309%22%2c%22Oid%22%3a%2264533444-99c4-444a-b21c-501ba5177cb1%22%7d)

Of note, it is also posted publicly on the Child Support Guidelines Review Panel website (along with today's agenda) here: [Division of Legislative Services: Interim Studies](#)

And at the Commonwealth Calendar here: [Commonwealth Calendar - Home](#)

There is no need to register in advance, you are free to attend at your leisure. Please let me know if you have any additional questions!