Background

- Only 62% of $30B in 2017 authorized support actually received (US Census Bureau, 2020)
- Average amounts received declined from 1993-2017, despite inflation over that period
- Effective child support administration requires balance between award amount and monetary costs of raising children
- An effective child support system relies on willingness of obligors to pay, which is greatly enhanced when the required amounts reflect the actual monetary costs of raising children
- Statute requires states "must consider economic data on the cost of raising children"
- 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."
- Data source underlying various economic models is the same (Consumer Expenditure Survey published annually by the US Census Bureau), so differences in amounts ordered from the different models is not caused by the source data itself
- Bottom Line:
    - Child support payment rates are lacking under our current approach and methodology
    - Despite this challenge, Virginia has not changed its methodology and calculations
    - Why would we continue with a methodology that has not shown progress and yet still expect any sort of improvement?

Challenges with Virginia's Current Methodology

- Current methodology believes various expenditures are "conceptually difficult to assign to particular family members," so we should reject that approach entirely
    - Reality is we know that we shouldn't avoid something just because it may be difficult
- Key problem with current methodology is that it does not rely on actual expenditures but instead errantly compares living standards between households with and without children
- Key presumption underlying Virginia's current model is that overall living standards can be determined by outlays on a single commodity (clothing, food, etc.) and that this same index can be used for all households, both with and without children.
- Virginia's approach does not provide direct estimates of how much is spent on a child.
    - Instead, it estimates how much families *with children* must be compensated to bring the parents to the same level as those *without children*.
    - This is fundamentally different than asking: *"How much do parents spend on children?"*
- Basically, our current model doesn't talk about expenditures, but instead imputes values to equalize living standards between families with and without children
- Inadvertently, children are viewed as a liability that decreases parents' standard of living and parents should be compensated for this and have that compensation included in the cost of raising children

Comanor's recommendation

- Comanor discusses other child support models and then lays out the case for "Monetary Costs"
- Importantly, his recommendation makes child support more representative of children's needs, more achievable for obligors and brings Virginia into compliance with 45 CFR § 302.56(c)(1)
- Includes private (children's clothing, childcare) & collective (housing, food, transportation) goods
- Unlike other models, Comanor's model relies directly on data reporting consumer expenditures