

Virginia Child Support Guidelines Review Panel

August 7, 2025

10:00 a.m. - 12:00 p.m.

5600 Cox Road, Glen Allen, VA 23060 – York River Conference Room

Meeting Minutes

Members Present:

The Honorable Tanya Felton, Chair
Senator Saddam Salim
Jennifer Miller
H. Van Smith, Esq.
Erica Baez, Esq.
Lauren Roaseau
Christian Paasch
Alana Tucker, Director of the Division
of Child Support (DCSE)

Panel Staff Present:

Leslie Montgomery, Panel Administrator
Taylor Ashe, DCSE (virtual)
Matt Gomez, DCSE
Sandra Brown, DCSE
Donna Guthrie, DCSE
Josh Ours, Office of Attorney General

Members Not Present:

The Honorable Bryan K. Meals
Delegate James A. (Jay) Leftwich, Jr.
Delegate Katrina E. Callsen
Delegate Karrie K. Delaney
Nupur Bal, Esq.
Lindsay Hartz, Esq.

Presenter:

Dr. Jane Venohr

Members of the Public Present:

Markus Schmidt

Quorum:

1. To make quorum, eight panel members are needed.
2. Eight panel members were in attendance, so there was voting.

Notes:

1. **Welcome:**
 - a. Madam Chair, Tanya Felton, welcomed panel members and attendees and commenced the meeting.
2. **Introduction of New Panel Member – Senator Saddam A. Salim**
3. **Dr. Venohr's Case Data Analysis**
 - a. Findings from Labor Market Data

- b. Analysis of Case File Data

4. DCSE's SB805 Enactment Clause Review, Recommendations and Questions

- a. The report is due November 15.
- b. Panel members will bring proposals to the September meeting.

5. Discussion – Panel Recommendations for Reports

- a. Imputed Income
 - i. The Panel discussed the Louisiana statute.
 - ii. The Panel discussed a minimum floor for imputation.
 - 1. The Panel recognized that other states (e.g. Louisiana) consider hours worked in a year for imputing income in the absence of evidence of actual income or income earning potential.
 - 2. The Panel discussed using Virginia data on the average number of weeks worked per year.
 - 3. The Panel discussed the extent to which judges should have discretion when imputing income and whether legislation should set presumptions.
- b. Process of Service
 - i. The Panel briefly discussed constructive service of process—e.g., when a statute deems service sufficient, even if there is no confirmation of actual notice.
- c. Driver's License Suspension
 - i. The Panel discussed the possibility of amending the suspension statute to allow child support participants to receive a restricted license by default.
 - 1. There was discussion about whether to grant the power to issue a restricted license to an administrative agency (the current statute authorizes judicial discretion on which activities are permissible).
 - 2. Members noted that encumbrances on licenses encourage payors of child support to reach out to DCSE and make payments.
 - ii. The Panel discussed Va. Code § 42.2-320.1
 - 1. The Panel discussed whether it was necessary for the statute to include the language “or \$5,000.” For example, conversation considered whether high-income, high-order payors could quickly hit that threshold.
 - 2. The Panel discussed the possibility of unintended consequences in removing this. For example, conversation considered whether someone could make a de minimis payment and argue it cleared the 90-day delinquency.
 - 3. Members noted that policy should be drafted for the majority of cases, not exceptions.
- d. “Right-sized” orders
 - i. There was a discussion of right-sizing orders.

6. Administrative Matters

- a. The Panel discussed virtual meetings.
 - i. All panel members present voted (8-0) in favor of adopting the remote participation and all-virtual meetings policy (see below).
 - ii. The next meeting, on September 25, 2025, will be held virtually.
 - b. Review Panel emails
 - i. There were no emails to review.
 - c. Questions, including public comment/questions
 - i. There weren't any questions or comments from the public.
- 7. Adjournment**

Additional References provided by Dr. Jane Venohr:

[FEM Phase II Implementation - Legal Video 1 on Vimeo](#)

[FEM Phase II Implementation - Legal Video 2 on Vimeo](#)

**CHILD SUPPORT GUIDELINES REVIEW PANEL
REMOTE PARTICIPATION AND ALL-VIRTUAL MEETINGS
Va. Code § 2.2-3708.3 (enacted 2022, amended 2024)**

1. POLICY REQUIREMENT

Before allowing either remote participation or all-virtual public meetings, the Panel must (at least once per year) adopt a policy which shall:

- A. Be adopted by vote at a public meeting,
- B. Be applied "strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting," and
- C. Describe
 - i. The circumstances under which an all-virtual public meeting and remote participation will be allowed,
 - ii. The process the Panel will use for making requests to use remote participation, approving or denying such requests, and creating a record of such requests, and
 - iii. Fix the number of times remote participation for personal matters or all-virtual public meetings can be used per calendar year, not to exceed statutory maximums.

Note: The policy shall not prohibit or restrict any individual member of the Panel who is participating in an all-virtual meeting or who is using remote participation from voting.

2. REMOTE PARTICIPATION

Individual members of the Panel may use remote participation instead of attending a public meeting in person if, before the meeting:

- A. The Panel has adopted a remote participation policy, and
- B. The member notifies the chair that:
 - i. The Panel member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance (NOTE: Remote participation counts toward the quorum),
 - ii. A medical condition of a family member requires the Panel member to provide care that prevents the member's physical attendance, or the member is a caregiver who must provide care for a person with a disability at the time the meeting is being held (NOTE: Remote participation counts toward the quorum),
 - iii. The member's principal residence is more than 60 miles from the meeting location (NOTE: Remote participation does NOT count toward the quorum), or
 - iv. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter (NOTE: Remote participation does NOT count toward the quorum).

Note: Remote participation due to personal matters is limited to 2 meetings or 25 percent of the meetings (rounded up) per calendar year, whichever is greater.

Meeting minutes must state:

- A. If disapproved, the specific reason the request was in violation of the Panel's adopted policy.
- B. If approved:
 - i. The remote location (may be a general description),
 - ii. The reason for the remote participation, and
 - iii. The specific nature of the personal matter (if personal matter is the reason for the remote appearance).

3. ALL-VIRTUAL MEETINGS

The panel may hold all-virtual public meetings if:

- A. The Panel has adopted an all-virtual meeting policy,
- B. The public meeting notice states the meeting will be all-virtual,
- C. Public access is provided via electronic communication,

NOTE: Can be audio-only. If audio-visual, a Panel member is considered absent (for quorum purposes) from any portion of the meeting during which visual communication is disconnected or audio communication involuntarily fails,
- D. The public body must recess if the public access transmission fails,
- E. The agenda and other materials must be made available to the public in electronic format at the same time the materials are provided to the Panel members,

- F. If public comment is customarily received, the public must be afforded the opportunity to comment through electronic means, including by way of written comments, and
- G. No more than two Panel members may be together in any one remote location unless that remote location is open to the public to physically access it.
- H. Restrictions:
 - i. Limited to 2 meetings or 50% of meetings (rounded up) held per calendar year, whichever is greater.
 - ii. Cannot hold consecutive all-virtual meetings