



Deposition of:

Hearing

June 4, 2020

In the Matter of:

**Meeting Of The Advisory Committee On
Child Support Guidelines And
Enforcement**

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MEETING OF THE ADVISORY COMMITTEE
ON CHILD SUPPORT GUIDELINES AND ENFORCEMENT
FOR THE STATE OF ALABAMA

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The following proceedings were held in the meeting of the Advisory Committee on Child Support Guidelines and Enforcement for the State of Alabama, via Zoom videoteleconference, on Thursday, June 4, 2020, commencing at 10:00 a.m. at the Heflin-Torbert Judicial Building, 300 Dexter Avenue, Montgomery, Alabama, taken before Stacey L. Johnson, Certified Court Reporter and Commissioner for the State of Alabama at Large.

* * * * *

1 PROFESSOR PENNY DAVIS, CHAIR
Adjunct Professor of Law, University of
2 Alabama School of Law,
Tuscaloosa

3 MS. LATHESIA McCLENNEY
4 Director, Child Support Enforcement
Division, Alabama Department of Human
5 Resources, Montgomery

6 MS. JENNIFER M. BUSH, Esquire
State-level Child Support Attorney
7 Alabama Department of Human Resources,
Montgomery

8 THE HONORABLE WILLIAM THOMPSON
9 Presiding Judge, Alabama Court of Civil
Appeals, Montgomery

10 MS. MELODY BALDWIN, Esquire
11 Assistant District Attorney, Child Support
12 PROFESSOR BRIAN GRAY, University of
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13 MS. AMANDA COX, Esquire
14 Staff Attorney, The Honorable Terry Moore,
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15 MS. STEPHANIE BLACKBURN, Esquire
16 Attorney, Legal Services Alabama,
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17 MS. KATIE STEINWINDER, Esquire
18 Private Practice Attorney, Montgomery
19 MS. RACHEL KING, Esquire
Private Practice Attorney, Birmingham

20 MR. BRYANT A. WHITMIRE, Esquire
21 Private Practice Attorney, Birmingham
22 MR. JIM JEFFRIES, Esquire
Private Practice Attorney, Mobile

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1 MR. GREG STARKEY, Esquire
Private Practice Attorney, Birmingham

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3 MR. STEPHEN ARNOLD, Esquire
Private Practice Attorney, Birmingham
4 THE HONORABLE MICHAEL SHERMAN
Circuit Judge, Domestic Relations
5 Division, Mobile County

6 OTHER APPEARANCES:
7 MR. BRAD MEDARIS, Esquire
Central Staff Attorney, Supreme Court of
8 Alabama, Montgomery

9 MR. SCOTT HOYEM, Esquire
Staff Attorney, Legal Division, Alabama
10 Administrative Office of Courts,
Montgomery

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12 MR. BOB MADDUX, Esquire
Staff Attorney, Legal Division
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14 MR. MICHAEL GREGORY, Project Manager,
Family Court Division, Alabama
15 Administrative Office of Courts,
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17 MS. CARY MCMILLAN, Director, Family Court
Division, Alabama Administrative Office of
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19 MR. NATHAN WATSON, Esquire, Senior Staff
Attorney, The Honorable Sarah Stewart,
Associate Justice, Supreme Court of
20 Alabama, Montgomery

21 MS. JULIA J. WELLER, Esquire, Clerk,
Supreme Court of Alabama, Montgomery

22
23

1 MS. MALLORY HALL
University of Alabama School of Law,
2 Tuscaloosa

3 APPEARANCES FOR THE PUBLIC:

4 MR. BRANDON GRANGER

MS. ALLISON KOSZYK

5 MS. BELLA THOREN

MS. BRANDY HATHCOCK

6 MR. CLIFFORD SMITH

MS. DAPHNE HUDSON

7 MS. TIFFANY GATES

MS. FELICIA KNIGHT

8 MS. SHAFEQAH ANDERSON

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1 MS. DAVIS: Again, I'd like to welcome
2 all of the Committee members. We
3 appreciate your attending via Zoom again
4 and also welcome the public who is
5 attending. And my apologies. I have a
6 blank face. We've had some technical
7 difficulties. I did get a haircut. Drew
8 is going to ask that. I did get a
9 haircut, so that -- it's -- my hair's so
10 bad they couldn't have a picture. But
11 anyway, we appreciate everyone contacting
12 us. If you have a problem and you --
13 everybody is muted right now, but if you
14 have a problem, there is a chat
15 capability, I think, so if you will just
16 let us know if you have an issue, then
17 Michael will try to attend to that as best
18 that we can do that.

19 Also, let me pause here for a
20 minute, and if anybody has a question,
21 then if you would raise your hand or chat
22 and let us know that you need to be
23 unmuted to ask a question.

1 (No response.)

2 Okay. I don't see a hand, no one
3 has chatted, so we will go ahead and
4 proceed.

5 I think the first thing we need to
6 do -- and last time I forgot to do this --
7 is we need to approve the transcript from
8 the last meeting. And I think -- has
9 everyone received that by now? Let me
10 start by asking for a motion to approve,
11 and then we'll ask for any corrections as
12 we get a motion and a second. Would
13 anyone make a motion to approve the court
14 reporter's...

15 Michael, I think you're
16 highlighted. Is there a motion?

17 Now they can unmute themselves.

18 JUDGE SHERMAN: I was trying to. I
19 couldn't unmute myself.

20 MS. DAVIS: Thank you. We're working
21 things out.

22 JUDGE SHERMAN: That's all right.

23 MS. DAVIS: So a motion from Judge

1 Sherman. Do I hear a second?

2 MS. BLACKBURN: I'll second.

3 MS. DAVIS: Thank you, Stephanie.

4 Let me also -- I need to introduce
5 our reporter. That is Stacey Johnson this
6 time. And, Stacey, if you want to wave at
7 those -- to everyone that can see you.
8 Let me remind everyone that even with the
9 names on there, it would be very helpful
10 to Stacey if you would identify who you
11 are before you speak, because looking at
12 the little bitty pictures and name is
13 difficult. Many of us know each other,
14 but for Stacey, it will be particularly
15 helpful.

16 Stacey, is there anything else you
17 need to ask us to do to help you?

18 I think she's muted, Michael.

19 THE REPORTER: Not at this time. But
20 I would ask are you Ms. Davis?

21 MS. DAVIS: Yes, I'm the world's worst
22 at not saying who I am. I apologize for
23 that.

1 THE REPORTER: That's okay. I made
2 the assumption, but I just wanted to make
3 sure.

4 MS. DAVIS: Thank you. Stacey, just
5 to help you, under Michael's name, which
6 for me is the second box, I'm waving and
7 Bob is on my left, perhaps your right.

8 MR. MADDOX: And we are six feet
9 apart.

10 MS. DAVIS: We've taken -- we're
11 officially -- we have our masks that we
12 wore coming in, so we officially did every
13 thing and had our temperatures checked and
14 we're all good as far as we know.

15 Okay. So we've had a motion and a
16 second to approve the court reporter's
17 information from the last meeting. Does
18 anybody have any corrections that they
19 would like to give the Committee?

20 All in favor of approving the
21 court reporter's minutes from the last
22 meeting if you would just raise your
23 hands.

1 Okay. The people who don't have
2 hands if you -- to save time, I think
3 everybody's going to approve, so I'm going
4 to be silent for a minute, and then if you
5 like to vote no, raise your hand now or if
6 you would chat in and say no.

7 Okay. Well, I think that's
8 unanimously approved.

9 The next item on our agenda, the
10 report of the --

11 MR. MADDOX: Can we take care of some
12 other business?

13 MS. DAVIS: Yes. Go ahead, Bob.

14 MR. MADDOX: I don't know -- Brad, I
15 don't know if you want to address the
16 Supreme Court order issued on yesterday
17 concerning the authorization to take this
18 meeting by teleconference.

19 MR. MEDARIS: First, I want to put on
20 the Record that we do have a quorum for
21 the meeting.

22 Second, the Supreme Court did
23 issue an order allowing us to meet via

1 Zoom as they did in April again, and
2 that's been sent out to the necessary
3 parties. So we do have the approval of
4 the Supreme Court to meet remotely again.
5 It was a unanimous order.

6 MS. DAVIS: Thank you, Brad. And
7 we'll add that Justice Stewart had planned
8 to attend, but they had some court that
9 had to be attended to and she said she may
10 be able to drop in, but Nathan is here.
11 If anyone has any questions regarding the
12 court, I guess they can direct it to
13 Nathan.

14 MR. MADDOX: That's Nathan Wilson,
15 Stacey, staff attorney --

16 MR. WILSON: Senior staff attorney.

17 MR. MADDOX: Senior staff attorney for
18 Justice Sarah Stewart on the Supreme
19 Court.

20 MS. DAVIS: And he is to our left. I
21 don't know if he's actually in the picture
22 or not.

23 MR. WILSON: I'm not.

1 MS. DAVIS: But he's socially
2 distanced six feet away.

3 And we talked about how to do the
4 roll for the Committee, and I think at
5 this point we will just go ahead and call
6 the roll just to make sure that we have
7 the quorum, official quorum. So I will
8 read your name. If you will -- I think
9 Michael can unmute everyone at this point;
10 is that correct, Michael?

11 MR. GREGORY: They can all unmute
12 themselves.

13 MS. DAVIS: I'm sorry. You can all
14 unmute yourselves. Now, I will call your
15 name, and if you would, just say here.
16 And then we'll check to see who else is
17 here.

18 So Katie?

19 MS. STEINWINDER: Here.

20 MS. DAVIS: Rachel?

21 MS. KING: Present.

22 MS. DAVIS: Judge Sherman?

23 JUDGE SHERMAN: Here.

1 MS. DAVIS: Professor Gray?

2 PROFESSOR GRAY: Here.

3 MS. DAVIS: Aubrey Ford indicated he
4 would not join, but I just want to make
5 sure.

6 Jessica? She indicated she didn't
7 know whether she was coming or not.

8 Jessica, are you here?

9 Okay. She can join us later.

10 Angela?

11 Lathesia?

12 MR. GREGORY: Speak up. Lathesia?

13 MS. DAVIS: Are you here, Lathesia?

14 Sometimes people -- we started a
15 little bit late, so they may have stepped
16 outside.

17 MR. GREGORY: She's phoning in, so...

18 MS. DAVIS: Oh, she's phoning in.

19 Okay. So Lathesia's here.

20 Jennifer is over the phone, too.

21 Let's see. Brad is on.

22 Let's see. We've got Drew.

23 MR. WHITMIRE: Here.

1 MS. DAVIS: Stephen Wright? I think
2 he had said he would not participate.

3 Stephen Arnold?

4 MR. ARNOLD: I'm here.

5 MS. DAVIS: Julie Palmer had indicated
6 earlier she thought she had a conflict, so
7 unless something changes, she will not be
8 joining us.

9 Melody?

10 MS. BALDWIN: Here.

11 MS. DAVIS: Amanda?

12 MS. COX: Here.

13 MS. DAVIS: Judge McMillan?

14 Judge Thompson?

15 JUDGE THOMPSON: I'm here.

16 MS. DAVIS: Jim?

17 MR. JEFFRIES: I'm here.

18 MS. DAVIS: Stephanie?

19 MS. BLACKBURN: Here.

20 MS. DAVIS: Karen?

21 And let's see. We have --

22 MR. MADDOX: Did you get Greg Starkey?

23 MS. DAVIS: Let's see. I don't think

1 I called -- let's see. Greg Starkey?

2 MR. STARKEY: Here.

3 MS. DAVIS: Did I miss anybody else?
4 I'm looking at two different lists as far
5 as Committee members.

6 MR. MADDUX: That's all I see on the
7 Committee.

8 MS. DAVIS: Anybody else on the
9 Committee there that we missed? We have
10 another number. Where is the number?

11 MR. GREGORY: (256)391-6674, can you
12 identify yourself?

13 MS. HUDSON: Yes, this is Daphne
14 Hudson. I'm with the Child Support
15 Enforcement Division.

16 MS. DAVIS: Daphne, thank you.

17 MR. GREGORY: Okay. Daphne, thank
18 you.

19 MS. DAVIS: We're trying to put up
20 names for everybody so that will help
21 particularly our reporter but also the
22 rest of us.

23 So let's see. We've got -- the

1 public, let me just see who has joined us
2 on the public list.

3 Brandon, have you joined us?

4 Allison? Bella?

5 MR. GREGORY: Those are the interns.

6 MS. DAVIS: Yes. And they may be --

7 MR. GREGORY: They're on here.

8 MS. DAVIS: Are they already on?

9 MR. GREGORY: Yes.

10 MS. DAVIS: So they're all in one
11 place?

12 MR. GREGORY: Yes, they're all at a
13 conference table right here.

14 (Reporter asks for
15 clarification.)

16 MS. DAVIS: So our Supreme Court
17 interns, Brandon, Allison, and Bella, are
18 also under one block; is that correct? So
19 you see them there, along with the clerk.

20 Stacey, can you see who -- you need
21 their names?

22 THE REPORTER: Yes, I'll need to list
23 their names. All I see is Supreme Court

1 clerk and interns.

2 MR. MADDOX: I'll send Stacey a list
3 of -- this list later with all the names
4 circled.

5 MS. DAVIS: Stacey, did you hear Bob?

6 THE REPORTER: I did.

7 MS. DAVIS: He will send you an email
8 with all their names on it.

9 THE REPORTER: Okay. Thank you.

10 MS. DAVIS: Including the names of the
11 public -- names with the spelling of the
12 public that we have.

13 THE REPORTER: Thank you.

14 MS. DAVIS: Thank you.

15 Also with the public, we have
16 Brandy. Are you here joining us?
17 Hatchcock? You're on the phone so you can
18 chat. Let us know.

19 MS. HATHCOCK: Yes.

20 MS. DAVIS: Okay. Thank you.

21 Sarah Boothe? Is Sarah Boothe on?

22 Clifford Smith, DHR? I see his --
23 I see you, Cliff.

1 Daphne Hudson?

2 MR. GREGORY: She's down there.

3 MS. DAVIS: Okay. Thank you. Tiffany
4 Gates, DHR?

5 MS. GATES: Yes, ma'am, I'm here.

6 MS. DAVIS: Felicia Knight?

7 MS. KNIGHT: I'm here.

8 MS. DAVIS: Thank you. And,
9 Ms. Anderson? I think it's Shemeka; is
10 that correct?

11 MS. ANDERSON: Shafeqah.

12 MS. DAVIS: I'm sorry. One more time.

13 MS. ANDERSON: Shafeqah.

14 MR. GREGORY: Shafeqah.

15 MS. DAVIS: Shafeqah. Okay. Thank
16 you.

17 All right. So is there anybody
18 else on? MBL6 -- 162B, is that the one
19 we're missing?

20 MR. GREGORY: Yes.

21 MS. BALDWIN: That's Melody Baldwin.

22 MS. DAVIS: Okay. Thank you.

23 MR. GREGORY: Thank you, Melody.

1 MS. BALDWIN: You're welcome.

2 MR. MADDOX: I think Scott Hoyem. I
3 saw him. I don't know if he's called in.

4 MS. DAVIS: We have who, now?

5 MR. MADDOX: Scott Hoyem, H-O-Y-E-M, I
6 think has joined us.

7 MS. DAVIS: Thank you. I really
8 appreciate Michael's efforts to finally
9 get everybody's name up there so we'll
10 know who is speaking.

11 So, Bob or Nathan, is there any
12 more business that we need to tend to
13 before we get to the --

14 MR. MADDOX: One more thing. This is
15 Bob Maddox. Notice of today's web meeting
16 was provided to media outlets statewide
17 via email on May 18, 2020, by Scott Hoyem
18 who is on the call. He may want to add to
19 this. He's a staff attorney and public
20 information officer with the
21 Administrative Office of Courts. In that
22 notice, it gave persons the opportunity to
23 submit written comments and suggestions to

1 the Committee concerning the guidelines
2 and schedules by U.S. mail postmarked no
3 later than May 29th to Supreme Court of
4 Alabama clerk's office. Brad, can you
5 tell us whether or not you received any
6 written comments?

7 MR. MEDARIS: Yeah. This is Brad
8 Medaris. We received no written comments
9 via the mail.

10 MR. MADDOX: Thank you. In addition
11 to that, persons wishing to join the web
12 meeting were given an email address to
13 send by five o'clock central time on June
14 2nd, which was a couple of days ago, for
15 instructions. So both of those were in
16 the notice to the media outlets sent on
17 May 18th.

18 MS. DAVIS: Okay. Bob, thank you.
19 Let's pause again and give everybody an
20 opportunity if they have a question or
21 comment regarding what we've done up to
22 that point.

23 (No response.)

1 Okay. With no questions, then, I
2 think we're now at a point that we can ask
3 Bob to report on the proposals that were
4 submitted.

5 MR. MADDUX: Yes. Bob Maddox again.
6 At the last meeting on April 30th, the
7 Committee voted to send a request for
8 proposal to Jane Venohr at the Center for
9 Policy Research in Denver, Colorado, Mark
10 Rogers with Rogers Economics, in
11 Georgia -- Peachtree City, Georgia, I
12 think it is -- as well as 21 colleges and
13 universities with economics departments.
14 In addition to that list, the Committee
15 also wanted Dr. Gray to send me a list of
16 economic centers from universities that
17 may wish to submit a proposal, and he sent
18 that list later that afternoon.

19 So the RFPs were sent to
20 Dr. Venohr, Mark Rogers, as well as the
21 four centers on April 30th, that
22 afternoon, and the other 21 colleges and
23 universities on May 4th. There was a

1 little misunderstanding about that. That
2 was my fault. So it was a little later
3 with the universities and colleges being
4 sent out, but they were sent out on
5 May 4th ultimately.

6 So from that, there was a deadline
7 in the request for proposal of
8 five o'clock p.m. on May 29th, last
9 Friday, and we received two proposals. We
10 did not receive any proposals from the
11 colleges and universities or the four
12 centers at the colleges and universities.
13 But we did receive proposals from Mark
14 Rogers and Jane Venohr, Center for Policy
15 Research. I sent those to all the
16 Committee members by email about 5:10 p.m.
17 on Friday, May 29th, so hopefully you
18 received those and have had a chance to
19 review them in order for us to discuss
20 them. I will say I reviewed them myself.
21 I mean, I certainly don't have a vote in
22 this, but we are doing the agreement as
23 traditionally we have done and as I think

1 the Committee has said the Administrative
2 Office of Courts can proceed with that
3 agreement once the Committee chooses a
4 vendor. And we always like to look when
5 we do agreements whether or not they
6 fulfill the requirements of the request
7 for proposal. Of course, both proposals
8 submitted cover letters saying they were
9 interested in submitting this proposal.
10 They did submit budgets. We will talk
11 about that in a minute. And I did want to
12 point out at least my impressions on both
13 proposals. I kind of prepared them last
14 night with what we submitted that we
15 wanted from the RPF, basically from
16 45 CFR, the Code of Federal Regulations
17 302.56, which the federal government
18 requires us to have in our updated
19 guidelines and schedule. And with Mark
20 Rogers' proposal, to be quite honest, it
21 was very broad. I mean, he did not really
22 cover more specifics like I had hoped.
23 Specifically, he did talk about reviewing

1 the state labor market data. He didn't
2 really go into detail by occupation, skill
3 level for state and local job markets, for
4 instance. Another item, I couldn't really
5 tell on page 2, he was talking about
6 adjusting the standard income shares cost
7 table for the cost of the second
8 household, if that really met the cost of
9 raising children aspect of the regulation.
10 And in number 6, it talked about the
11 federal requirement for analysis of impact
12 on subsistence needs of the noncustodial
13 parent. He doesn't really talk about
14 custodial parent and children's needs, nor
15 did he really talk about the factors that
16 influence employment rates among
17 noncustodial parents in compliance with
18 child support. So I did want to tell the
19 Committee my impressions of that proposal.

20 As far as the budget, he is well
21 below the budgeted amount of \$20,000 we
22 have in our current memorandum of
23 understanding between our office and the

1 State Department of Human Resources to get
2 reimbursed for, so he is under that
3 \$20,000 cap. So I guess that is one thing
4 to consider there.

5 He does have quite an extensive --
6 both Jane Venohr and Mark both certainly
7 have a lot of experience as you can tell
8 by their resumes.

9 As you remember, some of you
10 Committee members who have been on quite a
11 number of years, Mr. Rogers has actually
12 presented, I think, a couple of times
13 before to this Committee back, I think, in
14 2004 and 2016, so he has done studies
15 before and presented to this Committee.

16 As for the second one that was
17 submitted was from the Center for Policy
18 Research, and if you looked at the cover
19 letter from Dr. Pearson, the Director of
20 that Center, they have assisted over
21 30 states, including Alabama, with their
22 child support guidelines reviews over the
23 last 13 years. Again, for some of you who

1 may or may not know, the Center for Policy
2 Research submitted a proposal back in
3 2008, which was ultimately adopted by the
4 Committee and the Supreme Court, so their
5 schedule is the one we are currently under
6 in the state of Alabama. That was
7 effective January 1, 2009. So this Center
8 is the one that did the last schedule, and
9 I think they even did the one under
10 another name back in the late '80s.
11 They've been around quite a while. I
12 think they have worked with the National
13 Center for State Courts over the years.
14 As you can tell, they do a lot of states'
15 guidelines studies. It's very
16 comprehensive. As you can tell, they
17 pretty much have followed the regs. The
18 only one I didn't see -- and it may be
19 subsumed under this. I was trying to read
20 over it this morning. I didn't see the
21 factors that influence rates among
22 noncustodial parents in compliance with
23 child support orders factor or element in

1 this proposal specifically, but it may be
2 subsumed under one of these other items
3 and I just don't know because it's kind of
4 technical to me at times.

5 But I will point out too about
6 both of the proposals mention the
7 Betson/Rothbarth Study. If you remember,
8 that's the study of child rearing
9 expenditures. And the Center for Policy
10 Research proposal mentions the 2020 study
11 that's based on more recent data, 2014 to
12 2019 consumer expenditure survey data.
13 Mark Rogers really refers to a 2010
14 Betson/Rothbarth Study, so I found that
15 interesting. He didn't really use the
16 updated numbers in his proposal. That's
17 something to consider.

18 Budgetwise, they are quite a bit
19 more detailed, but if we wanted everything
20 they have proposed here, it would be
21 \$47,160, which is well over twice the
22 budgeted amount in our current budget
23 between us and state DHR. They have on --

1 if you look at the first page -- or
2 actually the budget page, they did say
3 they could do a core task of just
4 compiling the economic data and schedule
5 and a final report for a little over
6 20,000 -- \$20,240 -- but it doesn't
7 include, for instance, the task 3 of
8 collecting and analyzing case file data
9 and labor market data. So I think that's
10 certainly a part of the guidelines or the
11 federal regulations we were going to
12 analyze, labor market data.

13 I was kind of questioning the
14 first task, review of federal
15 requirements. It looks like they already
16 reviewed the federal requirements, so I
17 kind of wondered about that \$3,420 amount
18 for that myself. And also the onsite
19 presentation would be \$4,260 obviously to,
20 I guess, fly someone in to come and meet
21 the Committee in person but certainly I
22 think it was mentioned in this proposal
23 could we do some kind of Zoom or

1 teleconference or videoconferencing to
2 present it that way and that could
3 certainly save a lot of travel money or
4 our side. So that -- I think the amount
5 could be whittled down a little bit
6 myself, but that's up to the Committee to
7 decide.

8 I will tell you I've had
9 discussions with Jennifer Bush and
10 Ms. McClenney at the state DHR. We were
11 trying to see if we could get possibly a
12 revised budget before this meeting, but I
13 understand it has to go through a process
14 whereby AOC has to submit an amended
15 budget with justifications and that is
16 submitted to the DHR Finance Review
17 Committee ultimately and they have to
18 approve the revised budget. And the best
19 case scenario, Ms. McClenney told me was
20 if she could get a revised budget by next
21 Tuesday, June 9th, we possibly could get
22 approved ultimately by June 16th if they
23 can get it to the Finance Review Committee

1 on Thursday, June 11th.

2 Now, I don't know if Jennifer and
3 Ms. McClenney want to jump in here and add
4 to what I've said. I will pause for a
5 minute to see if they want to add to that.

6 MS. DAVIS: Can I ask question
7 before -- while Jennifer and Lathesia are
8 thinking for a minute. We have -- if I
9 remember from the meeting last time,
10 basically in each budget there's \$20,000
11 that's generally set aside. So could we
12 use \$20,000 out of the 2020 budget and use
13 \$20,000 out of the '21 budget? Because
14 October is the new budget year. So if we
15 use \$20,000 out of each of the two
16 budgets, we're not really that far away.
17 Maybe Nathan can speak to that. I don't
18 know. We're putting you on the -- when I
19 see a wince, I will try not to put you on
20 the spot. Pretend like I didn't say that
21 unless you want to speak to that.

22 MR. WILSON: No, I typically don't
23 deal with budget matters, but we can

1 certainly try to.

2 MR. MADDOX: I think I would defer
3 to -- of course, we already have our
4 current budget of \$20,000. So certainly
5 if the Committee chose to do so, if they
6 hypothetically chose the Center for Policy
7 Research's proposal and they want the full
8 \$47,160, I guess arguably if the Committee
9 chose to do so, we could go ahead and do
10 an MOU with them, if they agree to it.
11 They may not do a split MOU. I don't
12 know. But they might could do like the
13 first two tasks or something before
14 September 30th, and we could get them
15 paid. And then maybe in the new '20/'21
16 fiscal year budget, we could do the --

17 MS. DAVIS: Right. I got the
18 impression since they offered to do task 2
19 and 5 between now and then, they were
20 willing to break it down. In the one that
21 says budget -- it says the core tasks are
22 tasks 2 and 5, and those combined between
23 \$20,000, that's the minimum it would cost

1 to do it. However, AOC can view the other
2 tasks as optional add-ons for contracted
3 purchases, which led me to think that they
4 could -- probably would be willing to do
5 that.

6 MR. MADDUX: It's really probably not
7 a bad idea, and it would certainly save a
8 lot of time having to get the current
9 budget revised. But I would like Jennifer
10 and/or Ms. McClenney to kind of jump in
11 here to provide input on those budgetwise.

12 MS. DAVIS: Jennifer, can you -- let's
13 see first if Jennifer can speak without
14 having to chat.

15 MS. BUSH: Yes. This is Jennifer
16 Bush. Bob accurately described the
17 process which would require approval by
18 the internal Review Committee within DHR.
19 If you would like to propose to amend the
20 budget higher than \$20,000, it can be
21 considered.

22 MS. DAVIS: Jennifer, did you hear my
23 thoughts that maybe we could span the

1 contract over two budgetary periods? Is
2 that possible also?

3 MS. BUSH: Yes. I mean, you would not
4 have the -- have to amend the budget if
5 you spend less than the budgeted amount
6 for each year.

7 MS. DAVIS: Okay. Well, we would
8 probably need to ask for additional
9 amounts for the --

10 MR. MADDOX: Next fiscal year.

11 MS. DAVIS: -- next fiscal year if we
12 do all -- if the Committee decides that --

13 MR. MADDOX: That would save a lot of
14 time in my opinion.

15 MS. DAVIS: Anyone else want to speak
16 to the budgetary aspect of it before we
17 get to the substantive part of the
18 proposals?

19 My suggestion is that we don't let
20 the budgets dictate. My personal view is
21 this is too important of an issue for us
22 to not pursue the best possible resources
23 within the two that we have.

1 There's several us on the
2 Committee that have worked before with
3 Mr. Rogers, and then Jane was involved
4 with, I think, another group first before
5 she was with this one. So we actually
6 have been --

7 MR. MADDOX: Policy Studies
8 Incorporated, I believe it was.

9 MS. DAVIS: Thank you. Thank you,
10 Bob. Bob's our historian here. And so we
11 have some experience working with both of
12 them, which makes it helpful. My
13 impression was the same as Bob, when I
14 looked at the two proposals, that it's
15 very typical of our experience with --
16 Jane Venohr is very detailed oriented and
17 she provides quite a bit of information,
18 which in the past I have found has been
19 very helpful as a Committee member just to
20 be able to make some decisions and have as
21 much information as possible. I'm going
22 to pause here and ask other Committee
23 members to comment.

1 MR. MADDOX: First, another point I
2 wanted to add --

3 MS. DAVIS: Sure.

4 MR. MADDOX: -- if you notice on
5 page 1 of Mark Rogers' proposal it said
6 the final report would be completed a few
7 months after a contract is finalized and
8 case study data are collected. Whereas,
9 Jane Venohr for the Center's proposal says
10 six weeks or something to that effect. So
11 it's a shorter time frame. Of course, she
12 has a research assistant it looks like
13 she's wanting to pay out of it as well.

14 MS. DAVIS: Right. Theirs is a bigger
15 operation. And also I was impressed with
16 the number of states. You look at their
17 proposal when they go into detail on --
18 let's see -- page 12 and 13 of the
19 proposal it listed states that they're
20 currently working on or have been working
21 on for two years. Ironically, Georgia is
22 one of those where Mark is from.
23 Tennessee, Arkansas, a lot of states that

1 surround us or other southern states are
2 included. So I think that's helpful. And
3 I'd like --

4 MR. MADDOX: I do want to add one more
5 thing.

6 MS. DAVIS: Oh, sure.

7 MR. MADDOX: Excuse me. I seem to
8 have remembered from previous studies that
9 Mark Rogers was focusing more on a cost
10 shares model instead of an income shares.

11 MS. DAVIS: Right.

12 MR. MADDOX: Don't you remember?

13 MS. DAVIS: That's correct.

14 MR. MADDOX: So I emailed him
15 yesterday to clarify that, and he said,
16 I've done it both ways depending on the
17 year. In 2016, I did Betson/Rothbarth
18 standard and second household adjusted and
19 with the latter combined with the Alabama
20 COLA. In 2006, I also included cost
21 shares. Okay. While there is much said
22 about cost shares, variations of
23 Betson/Rothbarth are more familiar. All

1 methods have significant flaws -- from
2 both the original government data sources
3 and from methodologies. I can present
4 each of the above methods, and could point
5 out the various flaws.

6 MS. DAVIS: Okay.

7 MR. MADDOX: We were given that.

8 MS. DAVIS: That's a good point. The
9 finance Committee obviously did choose to
10 go with the direction that the -- CPR with
11 Jane as their lead person to do research.

12 We're going to pause. Let's
13 direct our first pause at those members
14 that have previously dealt with either of
15 the two companies that might want to speak
16 either favorably or not favorably about
17 either one or just your views.

18 All right. Any Committee members
19 that were not involved in the last review
20 would like to speak?

21 Jim, I think -- are you waving, or
22 have you got a fly there you're dealing
23 with? I think Jim wants to speak. Jim, I

1 think you can unmute yourself. Do you
2 know how to unmute yourself?

3 MR. JEFFRIES: Sorry. That's -- I was
4 not trying to get your attention.

5 MS. DAVIS: Oh, you weren't?

6 MR. JEFFRIES: I agree with your
7 comments basically, Penny.

8 MS. DAVIS: Okay. Thank you.

9 I kind of feel like the people
10 that go to these meetings where you have
11 auctions, you have to be careful not to
12 scratch your ear or do anything where you
13 may buy a painting that you didn't want to
14 buy.

15 Okay. Well, I'm just going to
16 throw something out in the interest of
17 time. Like I said, I've been involved and
18 we've used -- listed to both proposals,
19 and particularly because it's been
20 ten years and we're so far behind, I feel
21 like a more intense study is warranted to
22 really be fair to the parents and to
23 present the most up-to-date information

1 for the judges and the parties that are
2 involved to be able to have a clear
3 picture of the real child care cost and
4 child support cost. So my proposal would
5 be that we accept the one that CPR has
6 submitted. I'll make that as a formal
7 motion, and we'll see if I can get a
8 second and we can have a discussion.

9 MS. BLACKBURN: I'll second.
10 Stephanie.

11 MS. DAVIS: Stephanie Blackburn,
12 Stacey, that presented the second.

13 So now we're open for discussion
14 on the proposal submitted by CPR. I'm
15 going to ask Jennifer Bush when you looked
16 at the proposal do you feel like it meets
17 the federal requirements.

18 MS. BUSH: I did feel like it met the
19 federal requirements.

20 MS. DAVIS: Okay. That's certainly
21 critical.

22 MR. MADDOX: I'll email Jane Venohr
23 real quick and see --

1 MS. DAVIS: Okay. I don't know if
2 y'all heard Mark but -- I mean Bob.
3 Excuse me -- but he's going to while we're
4 meeting email Jane and see if they would
5 be willing to accept two separate
6 payments, I guess.

7 Any other comments?

8 JUDGE THOMPSON: Penny, this is Bill
9 Thompson.

10 MS. DAVIS: Yes, Judge.

11 JUDGE THOMPSON: I was just wondering
12 if in his conversation with, I guess,
13 Center for Policy Research if Bob is going
14 to try to get them within that \$40,000
15 budget or if we're just accepting the
16 \$47,000 proposal.

17 MR. MADDOX: That's up to the
18 Committee, I guess, to decide how much
19 y'all would want to budget for.

20 MS. DAVIS: Yeah. I guess they have
21 divided it into tasks, and I did -- when I
22 was looking, I did have a question about
23 task 1, which is review of the federal

1 requirements, which was \$3,420 and --

2 MR. MADDOX: That seemed kind of fishy
3 to me. I think they know them pretty
4 well.

5 MS. DAVIS: Yeah. And as Bob had
6 mentioned, there's a possibility of
7 decreasing the onsite cost just by virtue
8 of their having online -- if you look at
9 their proposal regarding task -- that is
10 task 6, they indicated that was based
11 on -- somewhere I think I read it's based
12 on the -- what they project the airline
13 tickets and that sort of thing would be.
14 Let's see.

15 JUDGE SHERMAN: \$1,400 travel is what
16 they have listed.

17 MS. DAVIS: Thank you. Thank you.
18 And so I think we probably could save some
19 money.

20 JUDGE SHERMAN: If you took that off
21 and if they were willing to dispense with
22 the first task, which is about \$3,800 --
23 \$3,400 for federal research -- the

1 research on the federal regulations, which
2 in their proposal they cite the code
3 sections and talk about how they're in
4 compliance with it, so it seems to me
5 they're pretty well versed in it, that
6 would get you down about \$5,000 less.
7 You're still over the \$40,000, so you're
8 probably going to have to request an
9 increase in the budget either way, but
10 maybe we could consider authorizing up to
11 the \$47,000 and give you guys the
12 discretion to have conversation and
13 dialogue with them about doing a remote
14 presentation to save some cost and perhaps
15 eliminating task 1. And then we would
16 have to adjust the next year's budget or
17 request an adjustment in next year's
18 budget depending on how those
19 conversations went.

20 MS. DAVIS: That makes a lot of sense
21 to me. And, of course, I think what we're
22 doing -- and, Nathan, you can correct me
23 on this -- we're just making a suggestion

1 that the Supreme Court would have to
2 approve, is that correct, to determine who
3 we pick?

4 MR. WILSON: I think we would want to
5 look at precedent of the Supreme Court in
6 2018 and prior for 2016 and prior
7 revisions that they actually approved the
8 economist. It was higher, was it not?

9 MS. DAVIS: We --

10 MR. MADDOX: The Supreme Court has not
11 had input on that.

12 MS. DAVIS: So we just -- we could --

13 MR. MADDOX: The Committee chose and
14 AOC enters into the agreement, which is
15 funded by DHR.

16 MS. DAVIS: So we probably won't be
17 doing a GoFundMe campaign. So it's
18 whoever we pick. And I guess we can
19 select if the Committee chooses then
20 who the -- since they are over the
21 original budget that we had. Have you
22 gotten a response back from Jane?

23 MR. MADDOX: No. I just emailed her

1 three or four minutes ago.

2 MS. DAVIS: Then we can approve it
3 with the proviso that we manage
4 financially to get funding either through
5 the increased funding this year or through
6 the two different budgets that we talked
7 about. I see nods from Bob and Nathan, so
8 we think that would be the best way.
9 Certainly we would question the task 1, we
10 need to get a little more information from
11 Jane as to what we would be getting for
12 our \$3,420 amount. With the number of
13 people that -- the states they're already
14 doing, my first thought was kind of like
15 Bob's in that they should already be
16 familiar with that and it would be
17 duplicative if they charged everybody for
18 that same research.

19 MR. MADDOX: I would like the
20 Committee to address are there any other
21 tasks in this budget y'all don't think is
22 justified. Obviously we're questioning
23 task 1. Task 6 may or may not have, and I

1 mean, I guess we need to probably keep it
2 in here just --

3 MS. DAVIS: Yeah. We'll definitely
4 have to have a maybe in-person --

5 MR. MADDOX: Right.

6 MS. DAVIS: -- presentation instead of
7 onsite. It may be by Zoom or something
8 like Zoom, but I think the experience that
9 I had on the Committee before was --
10 having Jane and even Mark before to
11 explain and be able to ask questions was
12 just critical for the Committee to really
13 be able to make a recommendation to the
14 Court in terms of any changes on
15 guidelines. And so as Judge Palmer
16 pointed out the last time, the Committee
17 reviewed the proposals -- I think, if I
18 remember, Mark Rogers' proposals that were
19 not accepted. So they maintain the same
20 numbers in 2016, I believe it was, but I
21 would not want to do away with the total
22 amount of -- diminish the cost somewhat by
23 having it via Zoom instead of in person.

1 Because part of the expense, even though
2 they list the travel is \$1,400, the cost
3 to have the director of the project, Jane,
4 come would involve more time obviously,
5 her time if she had to come and go. That
6 might be diminished somewhat also.

7 MR. MADDOX: The travel is probably
8 about right for out-of-state travel.

9 MS. DAVIS: Yeah, yeah. It's
10 probably -- somewhere I think I read it
11 was based on --

12 MR. MADDOX: Federal.

13 MS. DAVIS: -- the federal amounts.
14 Good comments.

15 Other comments?

16 (No response.)

17 So the proposal is to go with CPR
18 with the authorization, I guess, for Bob
19 to try to work with Jennifer and to
20 contact Jane Venohr regarding working out
21 a payment scheme that's in keeping with
22 what we have budgeted this year and next
23 year and/or to get -- try to get an

1 increase from DHR to their procedure, and
2 I guess also to allow some negotiations
3 based on the task 1 and task 6. Does that
4 sort of summarize what we've talked about,
5 Judge Michael? Is that kind of what you
6 had in mind?

7 JUDGE SHERMAN: Yes, I'm in support of
8 that.

9 MS. DAVIS: Okay. That was Judge
10 Michael Sherman, Stacey.

11 Anyone else have any thoughts?

12 I'm reluctant to call on people,
13 other than Jennifer, because it's her
14 regulations, but anyone -- I'm tempted to
15 call on Judge Gray -- Professor Gray just
16 because he's an economist. Do you have
17 any comments that you'd like -- so I'm
18 going to go ahead and ask you, Professor
19 Gray, do you have any comments about the
20 proposal?

21 PROFESSOR GRAY: Sure. Well, first of
22 all, I'm not an economist. I'm a
23 statistician.

1 MS. DAVIS: I stand corrected. Thank
2 you.

3 PROFESSOR GRAY: No problem. No
4 problem. But I think the plan makes
5 sense. The one thing -- if we -- you do
6 set it up as task 2 and task 5 in this
7 fiscal year, you're still a little over
8 the \$20,000. So you might have to do a
9 little negotiation on that. But basically
10 what you're proposing makes good sense to
11 me.

12 MS. DAVIS: I jokingly refer to him as
13 our math person. That's probably a better
14 way to do it. That way, I'm --
15 statistician was a bad --

16 All right. Unless anyone has
17 comments, then I think we'll go ahead and
18 vote -- have the Committee to vote. And
19 do we need -- Bob, do you think we need to
20 go through and do a roll call vote -- this
21 is a significant vote this time -- instead
22 of raising hands?

23 MR. MADDOX: Not necessarily.

1 MS. DAVIS: Just raise their hands.

2 Okay. Everyone that's in favor of
3 the motion if you would -- can, would you
4 raise your hand?

5 Okay. All the visible people have
6 their hands up.

7 I guess for the people who are on
8 the phone that I can't see you, we'll
9 pause for a minute and let you chat in
10 either with a yes or a no.

11 MR. STARKEY: Greg Starkey votes yes.

12 MS. DAVIS: Thank you.

13 Anybody else want to verbally come
14 on and speak so you can be on the Record?

15 (No response.)

16 All right. Do we have a majority? I
17 guess we have a quorum. We didn't say it
18 earlier. We definitely have a quorum.

19 All right. So we will task Bob
20 with contacting Jane. And, Jennifer, if
21 you would help work with Bob on that as
22 far as contacting DHR and going through
23 that process for additional money. And I

1 guess we'll -- unless we hear a problem
2 from Jane, then I guess we'll address that
3 issue then. Hopefully, they will be
4 willing to work with us on their budget --
5 on the budget since we'll be over two
6 budget years. Hopefully, that will work
7 out.

8 Okay. We'll pause and see if
9 anybody has any questions or comments
10 regarding the proposals or any suggestions
11 that you would like for Bob to pass on to
12 Jane or her people.

13 MR. MADDOX: That was my next
14 question. Specifications: We obviously
15 are going to copy and paste the 302.56
16 items. Certainly we want those addressed
17 in the study. But are there any other
18 items or parameters the Committee wants
19 Jane Venohr to address? We may have to
20 wait until after we discuss the
21 adjustment -- I don't know -- before we
22 answer this question, but...

23 MS. DAVIS: One thing that I'm going

1 to ask for clarity, it kind of relates to
2 the next two topics, which is when we were
3 doing our presentation for shared custody
4 several years ago, a formula the Committee
5 had approved and sent to the Alabama
6 Supreme Court, we found out we had a flaw
7 in it, and part of the underlying issue
8 with the flaw was that we were not quite
9 as clear as to what was the customarily
10 approved amount of days for visitation and
11 what was built into the calculation. I
12 think we're going to need clarity and
13 perhaps get them some direction too. And
14 that may not make sense to everybody.
15 That was the only point that came to my
16 mind. Does anybody else have any thoughts
17 about issues that you would like for Jane
18 and her research team to look into that
19 were not specified in the proposal that
20 you reviewed?

21 JUDGE SHERMAN: Penny, this is Michael
22 Sherman. I was just going to echo what
23 you just said. I had a question about --

1 in my mind that I did not verbalize
2 earlier about whether this proposal needed
3 to be informed by the discussions we were
4 going to have about shared custody. And
5 so I -- because that's something I think
6 would be helpful if we're going to make a
7 recommendation. And your point about
8 there being some understanding or clarity
9 about what assumptions they have in terms
10 of parenting time built into the basic
11 child support obligation is probably going
12 to be important if we were going to make
13 specific recommendations to the Supreme
14 Court about having a different provision
15 or some specific provision for shared
16 custody.

17 MS. DAVIS: Yes. Can I delay
18 commenting until we go through these
19 lists? But I think you and I are on the
20 same page and I think they're going to be
21 some type of direction from us in order
22 for them to do the calculations that we
23 need.

1 Any other underlying issues
2 relating to the formula or anything that
3 you want us to convey to Jane?

4 (No response.)

5 Well, this kind of leads into the
6 next agenda item that is set out, and you
7 should have received a Word document. I
8 know you've got a lot of material to flip
9 through there. But I just entitled this
10 Underlying Considerations. And what I
11 wanted us to at least mention and have on
12 the forefront of our minds are some of the
13 decisions that were made way back when.
14 And unfortunately, Judge Ford could not
15 join us. And Stephen Wright were, I
16 think, both on the original Committee.
17 Some of us have joined back in the '80s
18 and '90s, and so were not necessarily
19 involved in the original policy
20 determinations. So just to kind of go
21 through very quickly the few that I've
22 listed here.

23 The first one is the amount of

1 visitation that's customarily ordered, and
2 I -- what I put underneath was just the
3 provision of Rule 32 that addresses this,
4 as well as a comment. And the reason for
5 deviating under our current rules from the
6 guidelines -- or one of the reasons -- is
7 if the shared physical custody or
8 visitation rights provide for periods of
9 physical custody or care of children by
10 the obligor parent substantially in excess
11 of those customarily approved ordered by
12 the Court. And then if you look at the
13 comment that was from 1993, it says that
14 the Schedule of the Basic Child Support
15 Obligations -- that's the chart that we
16 looked at -- is premised on the assumption
17 that the noncustodial parent will exercise
18 customary visitation rights, including
19 summer visitation. And any abatement of
20 child support because of extraordinary
21 visitation should be based on visitation
22 in excess of customary visitation. So
23 reading those together indicates to me

1 that you see and the Basic Child Support
2 Obligation. And obviously, this was a
3 policy determination that was made early
4 on by the original Child Support Committee
5 and submitted to the Supreme Court, so the
6 Supreme Court obviously agreed to that
7 policy determination. So it does favor in
8 the sense of an economic favor of the --
9 the child that's already receiving support
10 because that amount is deducted when
11 you're calculating a subsequent support
12 order. So that is something the Committee
13 can choose to accept and continue with
14 that policy, or you could recommend a
15 change on that policy to the Supreme
16 Court. And this particular policy, the
17 way it's built into our guidelines
18 calculation, it does not impact it
19 immediately. It does not -- will not
20 change the studies and the charts that
21 Jane and them will develop right now. But
22 it is a consideration that the Committee
23 can take up now or any other part. So I

1 wanted to mention that. Again, I will
2 pause for questions or comments from the
3 Committee members.

4 (No response.)

5 The third item I want to bring to
6 the attention of the Committee is the
7 existing formula also provides for a
8 deduction for pre-existing alimony.

9 Again, a decision that was made by the
10 initial Committee and approved by the
11 Supreme Court at that time and continues
12 to be part of our calculation process.

13 Does anybody have any thoughts or
14 comments? Let me ask -- Stephen Arnold,
15 were you on the original Committee? I
16 can't remember. I didn't look.

17 MR. ARNOLD: Yes. I guess that's a
18 sign of age. I've been here since day 1.

19 MS. DAVIS: Okay. Well, good. If you
20 have any comments about any of these
21 decisions, then we would certainly welcome
22 those. And, again, I'm not suggesting to
23 anyone that we need to change anything. I

1 just think that it's prudent for the
2 Committee to be aware of these built-in
3 calculations that we have had for a number
4 of years. So, Stephen, you want to
5 comment on any of these so far?

6 MR. ARNOLD: No. I don't -- I think
7 everyone's thinking and going in the right
8 direction.

9 MS. DAVIS: Okay. Thank you. The
10 next -- excuse me if I put you on the
11 spot, Stephen. I didn't mean to. It just
12 dawned on me that you -- was anybody else
13 on the Committee -- existing Committee --
14 that has this historical information that
15 Stephen has for us?

16 (No response.)

17 Okay. The next issue that came to
18 my mind is the formula that's used
19 relating to child care costs, rather than
20 being the actual amount, it is a child
21 care cost that's determined by DHR's sort
22 of formula that they use based on
23 location, based on the age of the child,

1 based on the type of child care. And I
2 don't know, Jennifer, if you want to
3 comment on this or if anyone would like to
4 comment on that aspect of the formula.

5 MS. BUSH: The day care rates that DHR
6 uses are tied to its child care program,
7 and so they may be slightly lower than the
8 actual cost that people incur in reality.

9 MS. DAVIS: Okay. Any other comments
10 or thoughts?

11 (No response.)

12 The final one that I have
13 listed -- although, it's not necessarily
14 all of them -- dealt with the modification
15 that we have built into the formula, a
16 10 percent rebuttable presumption that
17 child support should be modified if
18 there's a -- basically a 10 percent
19 difference between the existing support
20 order and that order that you -- if you
21 apply the current figures that results in
22 the 10 percent deviation unless there is a
23 reason for the initial child support order

1 was issued that deviated from the
2 guidelines. So does anyone have any
3 comment about that?

4 (No response.)

5 Okay. Well, let me pause for a
6 moment and ask are there any other
7 underlying considerations in the child
8 support guidelines that any of the
9 Committee members feels like it would be
10 beneficial for the Committee to think
11 about or discuss?

12 MR. MADDOX: I got an email from Jane
13 Venohr.

14 MS. DAVIS: Okay. Good. Would you
15 like to report that to us?

16 MR. MADDOX: Yes. This is an email
17 from Jane Venohr with the Center for
18 Policy Research. It shows what a
19 relationship we've had over the years.
20 She emails quickly.

21 MS. DAVIS: Yeah. She's good.

22 MR. MADDOX: So she said basically
23 task 1 -- I asked her about that -- task 1

1 is the noneconomic stuff -- I found that
2 interesting that she used the word
3 stuff -- for example, not treating
4 incarceration as voluntary employment,
5 income imputation. You must consider
6 individual circumstances of the
7 noncustodial parent, such as education,
8 literacy, criminal record. If your
9 Committee is confused by these
10 requirements or don't understand them, I
11 would recommend doing that task. If it's
12 a slam dunk for the Committee, for
13 example, they understand, let's say, the
14 federal language in the guidelines, I
15 wouldn't bother. So that's a question for
16 Jennifer. I think we've already addressed
17 these in our guidelines, correct?

18 MS. BUSH: Yes, those two issues were
19 addressed in the text changes to the
20 rules.

21 MR. MADDOX: So we don't need that
22 task, correct?

23 MS. DAVIS: That's what it sounds like

1 to me.

2 MS. BUSH: That's correct. We have
3 the incarceration part and we also have
4 all of the elements that must be
5 considered.

6 MR. MADDOX: Great. So we can take
7 that out of the budget. Regarding your
8 other email, we're fine with however
9 Alabama needs to piecemeal the budget. I
10 just have to be careful that the new data
11 analysis doesn't bunch among my current
12 projects. They are all delaying getting
13 us the data for understandable reasons, so
14 that's the only thing I'm asking states to
15 remain flexible on. I can pump out
16 updated schedules. So I emailed her back
17 and asked so which tasks could you
18 accomplish before September 30th.

19 MS. DAVIS: Okay.

20 MR. MADDOX: So we can be a little
21 more detailed.

22 MS. DAVIS: Okay. That's good.

23 MR. MADDOX: So there's our answer.

1 So could we get a vote?

2 MS. DAVIS: Let me ask, does the
3 Committee -- did everyone hear what Bob
4 said or have any questions about the
5 response that Jane gave Bob via email?
6 Let's pause for a minute and let
7 everybody...

8 (No response.)

9 Okay. I don't see any hands or I
10 think we've paused long enough that
11 someone could have chatted in if they want
12 to. Let's go ahead, Bob.

13 MR. MADDOX: I was just wondering if
14 we're going to do a modified vote now that
15 we know they're willing to do two MOUs for
16 different fiscal years.

17 MS. DAVIS: Do we want to vote to take
18 out -- if Jennifer's comfortable that we
19 have met the federal requirements -- let's
20 see. Go back to the list. Regarding
21 task 1, Jennifer, if you're comfortable
22 that we have met the requirements of
23 task 1, then we could amend our budget to

1 eliminate our -- the acceptance of the
2 proposal to eliminate task 1. Is that in
3 keeping with what you think she is okay
4 with?

5 MR. MADDOX: (Nods head.)

6 MS. DAVIS: Which would save \$3,420.

7 Do I hear a motion to that effect from
8 someone?

9 JUDGE THOMPSON: I move that we accept
10 that.

11 MS. DAVIS: Judge, thank you. Do we
12 have --

13 MR. MADDOX: Judge Michael Sherman.

14 MS. DAVIS: No, that was Bill that
15 made the motion. Do we have a second?

16 MS. STEINWINDER: I'll second, Katie
17 Steinwinder.

18 MS. DAVIS: Thank you, Katie. So
19 Katie is second. For some reason, we have
20 Jamie on here for you, Katie.

21 MS. STEINWINDER: I apologize on that.
22 We had to change devices at the list
23 minute because I was having a mic problem

1 on mine. Sorry.

2 MS. DAVIS: So, Stacey Johnson, if you
3 will note, if you go back to look at the
4 recording, that Jamie on our recording is
5 not really Jamie.

6 THE REPORTER: Okay.

7 MS. DAVIS: That's her undercover
8 name. She's in witness protection. Now
9 she's no longer in witness protection
10 because her name and face is out there.

11 So Katie has seconded. So, again,
12 we'll ask for a raising of hands for
13 everyone in favor of deleting task 1 from
14 the budget proposal from the CPR. A show
15 a hands everyone in favor of deleting
16 that.

17 Okay. Now I'm going to pause for
18 anyone who is opposed to deleting that to
19 raise a hand.

20 Okay. I see no hands raised.

21 And so we'll also pause and allow
22 for people who are not pictured or on the
23 phone if you would indicate by chat or if

1 you want to unmute and let us know how you
2 feel, either yea or nay.

3 MR. STARKEY: Greg Starkey, yea.

4 MS. DAVIS: Okay. Thank you. Anybody
5 else?

6 (No response.)

7 We have a quorum in favor, so we
8 will go forward with that.

9 All right. Let me pause again and
10 ask since we've had an email from Jane did
11 her email prompt any questions from the
12 Committee?

13 (No response.)

14 Okay. We were, I think, about
15 through -- finished with underlying
16 considerations, but let me circle back and
17 see if anybody had any comments about any
18 other issues related to the policy
19 determinations that are built into the
20 guidelines that you wanted us to address
21 as a Committee or you wanted to direct
22 Jane to consider.

23 (No response.)

1 All right. Then the next item on
2 our agenda is the shared custody research
3 report, and you should have three
4 documents in front.

5 Michael, is Mallory still on?

6 MR. GREGORY: Yes.

7 MS. DAVIS: In just a minute -- I'll
8 give everybody a chance to find your
9 documents, there will be two kind of
10 charts that you'll be looking at, and then
11 as sort of an extensive memorandum that
12 Mallory Hall did for us. The documents
13 that you see there is a request that we
14 asked Mallory to do some research for us.
15 Mallory was at the time a third-year
16 student at the University of Alabama Law
17 School. I'm happy to report she has
18 recently graduated and is in the process
19 of studying for the bar. So we appreciate
20 her taking time away from her studies to
21 discuss her reports with us. She and
22 Professor Gray and I have gone over these
23 memorandums and the two charts, and I felt

1 like that, from my perspective, it was
2 helpful to have Mallory sort of walk me
3 through the information before I really
4 dived into it. And I thought that would
5 be helpful to the Committee. I don't know
6 how much time you had to devote to reading
7 the memo and looking at the charts, but I
8 think after we get Mallory to kind of go
9 through that, it would be helpful. So I'm
10 going to ask Mallory to tell us -- she'll
11 be starting with her law firm after she
12 passes the bar -- to tell us what firm she
13 is with and who she'll be with as an
14 associate. And then I will turn the
15 microphone, so to speak, to Mallory to
16 walk us through these charts in the
17 memorandum. So, Mallory, are you there
18 for us?

19 MS. HALL: Yes, I am. I'm here. And
20 thank y'all for having me today. I'm
21 excited to get to be with you.

22 I wanted to -- like Penny was
23 saying, the -- all of the information I

1 sent you is probably very overwhelming.
2 There's a ton of stuff there, so I kind of
3 wanted to give you a little bit -- like
4 kind of start at an overview of the
5 project that I've been working on, talk to
6 you about some of the assumptions that
7 I've used going throughout the project so
8 you can keep those in mind, and kind of
9 use those assumptions to narrow the scope
10 a little bit of my project. I want to go
11 through too those documents that you have,
12 the documents Penny referred to, and
13 describe how you can use those together.
14 And then I also -- I thought it would be
15 easiest to maybe look at that calculations
16 chart first. I'm a visual person, so to
17 me, that's kind of the easiest thing to
18 kind of walk through and get a general
19 idea of what I've done.

20 So to start off, like she
21 mentioned, my main project was just to --
22 I started off -- there are three main
23 methods of calculating child support, and

1 most of my focus was on the income shares
2 model because that's, I mean, the model
3 Alabama already uses. It's also used by
4 40 states plus D.C., so it's the
5 overwhelming majority of the states that
6 are using that model. And I basically
7 took -- I looked at all 50 states and kind
8 of tried to take all of their minor
9 differences in their calculations and
10 reduce it to essentially the same basic
11 equation. You'll see that going through
12 your memo.

13 So if you look on the memo, that
14 very first page has just like a brief
15 introduction. You've got your assumptions
16 there. The biggest variation amongst the
17 states, aside from just, you know, how
18 they actually do the calculation, was what
19 sort of adjustments they make. Penny
20 referred earlier to Alabama adjusts for
21 like prior child support and prior
22 alimony, but other states have -- some
23 states have those same, some states have

1 way more adjustments that they make.

2 So one of the things I did was I'm
3 only taking into consideration in my
4 project expenses for child care and health
5 insurance, because all -- if I recall
6 correctly, every calculation took those
7 into consideration. So those were the two
8 commonalities I could pull out in terms of
9 adjustments.

10 And then I also have a couple
11 notes about terminology in there. I'll
12 let you look over that, but, you know,
13 there's a lot of terms used to refer to
14 the same thing. For instance, you know,
15 we mentioned shared custody. You may also
16 see it joint custody, joint physical
17 custody, shared physical custody. So that
18 kind of alerts you to those.

19 I assumed all child care costs are
20 work related. Health insurance represents
21 the child's share. And then importantly
22 too all numbers are rounded to the nearest
23 whole number. The majority of the

1 calculations did that already, but just to
2 simplify things, I've done that.

3 Like I said -- let me see -- so
4 the difference between the income shares
5 models states is really whether or not
6 they --

7 THE REPORTER: Wait.

8 MS. HALL: For instance, I gathered
9 worksheets for any parent arrangement.
10 And like Penny was saying, it's kind of
11 based on those underlying assumptions of
12 parenting time. But only nine states
13 treat that like Alabama does. The other
14 31 states plus D.C. do factor in parenting
15 time generally once a certain threshold is
16 met. So it tends to be anywhere from
17 about 25 percent of the time that you have
18 parenting time, and that's roughly about
19 92 overnights a year and really up to
20 about equal. Some of the formulas
21 actually say, you know, approaching equal
22 time. For instance, Arizona's, you've
23 have got to hit 143 nights per year in

1 order to kick in that calculation that
2 considers your parenting time. And
3 essentially what the parenting time
4 adjustment does is just try to decrease
5 the cost of child support for a parent
6 that has their child more than that
7 standard visitation arrangement.

8 So looking at the materials you
9 had, I've kind of already mentioned the
10 memo. The memo is -- to me I would use
11 that more to start off just looking at
12 maybe the introductions to each of the
13 sections. So I've split up income shares
14 models into different formats that they
15 use. Some of them, like Alabama, don't
16 consider parenting time, and some of them
17 do in different ways. So you'll see
18 within the income shares model states you
19 have three different categories within it.
20 And then so there will be an introduction
21 at the beginning of each of those
22 categories and there will also be what
23 I've reduced the basic formula to. So,

1 for instance, if you have it in front of
2 you, if you're looking on page 2 of the
3 memo, you'll see the calculation there.
4 And I want to start off -- because the
5 rest of the calculations do not build off
6 of this first one that I've addressed, so
7 the letters and everything look
8 overwhelming. It starts to become
9 intuitive the more you look at it, though.
10 And essentially, every state starts off
11 taking the two parents' income -- some
12 make adjustments to that income, for
13 instance, for alimony or child support
14 previously owed -- and then those amounts
15 are combined and then distributed
16 proportionally amongst the two parents.
17 So, for instance, you know, their combined
18 total 6,000 a month, but one parent's
19 contributing 75 percent of that and the
20 other parent is contributing 25 percent of
21 that. So that share of the income is what
22 you're thinking of when you think of the
23 income shares model.

1 And then from there, all states
2 take that combined income and apply it to
3 a child support schedule to get what I --
4 what you'll see on there is the BCSO, the
5 basic child support obligation. So those
6 will vary, of course, throughout the
7 different states based on, you know, how
8 they arrived at that number, cost of
9 living, child care expenses, things like
10 that.

11 And then with your first -- your
12 first section of states that don't
13 consider parenting time, all you're doing
14 is taking that BCSO, that basic child
15 support obligation, and splitting it
16 proportionally based on their income
17 contributions. And then generally, one
18 parent -- the parent that owes the larger
19 amount, they're the parent that actually
20 pays child support. So that's taking into
21 consideration no adjustments whatsoever
22 for parenting time. And if you look on
23 the chart there, you'll see I've got that

1 basic formula that we just discussed under
2 Alabama -- that's the example state that
3 I've used there and you'll kind of see
4 there -- and you'll kind of see from there
5 all of your calculations start at the BCSO
6 because all of them at the beginning do
7 the same thing in terms of proportionally
8 splitting up the income.

9 So before -- oh, and then within
10 the memo, my suggestion, I would not read
11 it straight through, not that -- I don't
12 know if anybody would feel compelled to do
13 so -- but after the introductions, I go
14 into specifically how each state
15 calculates, and so in there I will note
16 like small variations and things like
17 that. And then you'll also see after
18 every state I've applied a common
19 hypothetical throughout. So you'll see
20 the hypothetical. I tell you what I'm
21 assuming in that hypothetical, and then I
22 plug those numbers in and show you what
23 the child support payment would come out

1 being. So that's with -- the memo
2 itself -- you know, every state within a
3 category is going to be very similar, so I
4 would suggest maybe picking, you know,
5 model states if you want to like dive into
6 that and seeing what a couple of states do
7 rather than just reading all of it.

8 If you look over now at the
9 calculations chart -- oh, and actually
10 before I mention that just briefly, the
11 other charts you have is the numbers
12 chart. So that basically just shows you
13 what the monthly obligation comes out to
14 be. And notably all of the states are
15 organized in order of their initial BCSO,
16 so before any adjustments just so that you
17 can kind of see how, you know, a lower
18 BCSO may translate into a lower payment
19 and vice versa.

20 The calculation sheet is the one
21 where I think you can really see easier
22 what's happening here, so I started off
23 with a few notes just to remind you what

1 each of the categories is. And I think
2 this is a nice to place to start. So the
3 states I'm referring to as ISM-A, those
4 don't consider parenting time, so they're
5 shared states like Alabama. ISM-B
6 subcategory a, they are, generally
7 speaking, taking the basic support
8 obligation, multiplying that by
9 150 percent, and then taking the results
10 and multiplying each share by the other
11 parent's parenting time, which I know is
12 confusing to think of. It's easier to
13 see, and we'll look at that time in a
14 second.

15 The ISM-B subcategory b states
16 start the same. They take that
17 150 percent multiplier, but then they're
18 going to multiply each parent's resulting
19 share by their own parenting time and just
20 the parent owing more will subtract that
21 parenting time amount from their ultimate
22 share.

23 And then the final category of

1 states are your ISM-C states, and those
2 are ones that subtract from the BCSO a
3 specific parenting time credit. And most
4 of those will have some sort of chart or
5 visual to help you know how to calculate
6 that credit.

7 In this calculation too, I've
8 also -- I have used a control BCSO first
9 so you could kind of use that to compare
10 everyone if the BCSO was the same, but
11 I've already then taken each state's
12 actual BCSO so you can see what the actual
13 numbers would have resulted in that
14 particular state's calculation.

15 All right. So looking in -- let
16 me pause there. I know I'm throwing out a
17 ton of information at you and stuff, and
18 hopefully, I'm just giving you an overview
19 and y'all can kind of dive in more later
20 and see how this works. But before we
21 look a little bit more at the chart, is
22 there anyone that has any questions at
23 that point?

1 (No response.)

2 I'm not hearing anybody or seeing any
3 hands, so I'm going to assume no questions
4 at least at that point. You may have them
5 but want to reserve them until you've
6 gotten to research it a little bit more.
7 Sorry? Did I hear someone?

8 Okay. All right. So if --
9 looking at Alabama first, we discussed
10 their basic formula and how you're not
11 take parenting time into consideration
12 there at all. If you look at the first
13 calculation beneath that basic formula
14 will be like I described that has that
15 control BCSO. So I'm assuming that the
16 basic obligation for all the states is
17 \$900 just so that you can see a little
18 more purely how much each of the states
19 really compare if you're starting at the
20 same point. So what you'll see with
21 Alabama is that basic obligation, that
22 \$900, was split by the two parents'
23 percentage shares of the income. And

1 you'll see that's one of my assumptions
2 above. So parent A, we're assuming
3 they've got 33 percent of the income;
4 parent B, I'm assuming they've got
5 67 percent of the income. And so
6 essentially, all you're doing is splitting
7 that \$900 into two shares and the parent
8 owning the larger amount owes the final
9 amount.

10 Now, below that you'll see I
11 calculated with the states actual BCSO,
12 and here I've also allowed for those
13 adjustments that I discussed that were
14 common amongst all the states, child care
15 and health insurance. So you'll see
16 within your assumptions I'm assuming \$200
17 total a month for those two expenses. So
18 there it just -- the calculation just gets
19 slightly more complex. You would just --
20 Alabama's BCSO is \$818 for that combined
21 \$6,000 income, and so I'm adjusting that
22 amount, getting an adjusted BCSO, which is
23 that \$1,018, and then I'm proportionally

1 splitting that. And then you'll notice at
2 the end that parent B's share of the
3 income, 682, is reduced by the payment
4 they have made for child care and health
5 insurance. So I'm assuming that parent B
6 has paid all of that amount. Although, if
7 you look above, B's share based on income
8 is only \$134. So 67 percent of that \$200,
9 B's share would only be \$134. So
10 essentially, B's getting a credit for what
11 B has overpaid for A's share, the \$66 of
12 the adjustment. So in Alabama in
13 actuality what those numbers are going to
14 arrive at are a \$482 child support
15 payment.

16 I've got a little note down there.
17 This is not precise, but it seems as
18 though that it -- Alabama assumes a
19 standard visitation arrangement with the
20 noncustodial parent -- so the one with the
21 less parenting time -- have around
22 25 percent of the time, and that's just
23 numbers that I kind of calculated based on

1 what the standard visitation arrangement
2 looks like, so it's around 25 percent.
3 And each of these states going through
4 have a different threshold for where that
5 parenting time credit kicks in, but it's
6 typically between about -- if you've got
7 above 25 percent, so above that standard
8 parenting time, and yet below an equal
9 time arrangement.

10 So with Alabama's, it stops there,
11 but if you look, the next two are those
12 ISM-B categories, which they're -- we're
13 taking the basic obligation, multiplying
14 that by 150 percent, and then splitting
15 that up. So what that 150 percent is
16 doing is trying to consider the fact that
17 the more parenting time the noncustodial
18 parent has, the more shared expenses that
19 they're now being responsible for that
20 they don't need. So essentially, when
21 you're giving more parenting time to that
22 parent, your obligations are starting to
23 be slightly redundant and duplicitous. So

1 the 150 percent kind of factors in those
2 extra payments that parents are making and
3 then splits it out. So with the A
4 states -- and I've used Colorado as your
5 reference point just because it's kind of
6 a purer and easier calculation -- I've
7 really picked these states because they're
8 the most similar to Alabama, and so I
9 think that the comparison is easier to
10 see. So with those -- the A states, if
11 you'll notice once you split each
12 parent's, that increased basic obligation,
13 you're still splitting it by income like
14 you did in Alabama or by percentage share
15 of the income, but then from that number,
16 you're multiplying like, for instance,
17 parent A's obligation by parent B's
18 parenting time and then you're doing the
19 same for parent B. So you'll take parent
20 B's obligation, multiple it by parent A's
21 parenting time. And then what you're
22 doing is you're getting the difference
23 between those two. So each parent's --

1 the amount of their parenting time is
2 getting filtered out of that amount that
3 they ultimately owe. So the ultimate
4 obligation there is the difference between
5 those two proportional amounts based on
6 the other parent's parenting time. And I
7 know, again, that gets very confusing. I
8 apologize. If anybody has any questions,
9 please cut me off. And if you look down
10 at the calculations that -- the first one,
11 remember, is that control calculation. So
12 we've got our basic numbers that we're
13 using throughout -- and you'll see how the
14 final obligation is reduced. So you start
15 off -- you've got it split out. Your \$900
16 is increased by 150 percent to get that
17 \$1,350. That's proportionally split based
18 on each parent's income. And then the
19 result, so parent A's at 446, parent B's
20 at \$904. You're multiplying it then by
21 the other parent's parenting time. So
22 here parent A is multiplied by parent B's
23 40 percent of the parent time, and parent

1 B is multiplied by parent A's 60 percent
2 of the parenting time. And then those
3 reduced amounts where you're crediting out
4 the time that children are with the other
5 parent, you find the difference between
6 those two to arrive at the final
7 obligation.

8 So the next category -- oh, I'm
9 sorry. Below that, you'll see the actual
10 numbers play out, and so I've taken into
11 account down there that -- if you'll look,
12 the final numbers turn out basically the
13 same, but you're going to end up
14 subtracting out a share of that credit
15 that B is paying for, kind of like we
16 talked about in Alabama. So if in my
17 hypothetical B's paying all of the child
18 care and health insurance, so this formula
19 still credits them back the \$66 they've
20 paid toward A's share.

21 And then below that, I've got just
22 a couple of notes about other ones. You
23 can also see North Carolina's worksheet

1 that's pretty similar, same with
2 Louisiana, although they kind of almost
3 credit -- they consider excess payment
4 twice. So it's a little bit funky in its
5 calculation.

6 And then the other -- the ISM-B
7 subcategory b, so looking at New Mexico,
8 that third column now starts off the same.
9 So you're starting off with that basic
10 obligation. You're increasing it by
11 150 percent to consider that shared
12 parenting time that you're -- that you've
13 got. And then here once you split that
14 proportionally, then you're multiplying
15 each parent's obligation by their own
16 percent of the parenting time. So not the
17 other parent's percentage, by their own
18 parenting time. So if you look below in
19 the control example, you'll see it was
20 split up and it starts exactly the same as
21 over with Colorado, parent A owes \$446,
22 parent B's at \$904. But here you're
23 multiplying the \$446 times parent A's

1 parenting time, so you've got the
2 different multipliers with those two. And
3 so the result there, you're taking the
4 difference and you're coming out and, as
5 you can see, using the same numbers, the
6 control, those two models end up arriving
7 at the exact same number. So the only
8 difference between those models is just
9 how they arrive at it, but the ultimate
10 calculation is -- the ultimate result will
11 be the same with those. And then again
12 down below you see D.C. and also South
13 Carolina have worksheets that are very
14 similar, so just trying to kind of key you
15 into certain states. If you're interested
16 in that model, maybe check that out over
17 in the memo too so you've got more
18 information there.

19 Before I move into ISM-C, I'll
20 just pause again and see if anybody has
21 any questions or comments at that point.

22 MS. DAVIS: Mallory, my recollection
23 is when we looked at Iowa in terms of the

1 formulas that were used, Iowa's was fairly
2 close to Alabama except that they did give
3 an additional -- their formula included a
4 credit so that the noncustodial parent was
5 given credit for the additional time over
6 the usual and customary time, which we've
7 assigned as being 25 percent or 92 days.

8 So the chart which you'll go through I
9 think does take it first in increments if
10 you have 5 percent more time or 10 percent
11 more time, but to the full shared 50/50
12 custody arrangement, and then we also
13 asked you to also break them down to
14 the -- by 1, 2, 3 percent all the way up
15 to 25 percent.

16 MS. HALL: Right. And that's a good
17 segue too, because I mean, just for time
18 sake those ISM states, I gave you a couple
19 of examples how states will calculate that
20 credit differently. So I let you see a
21 few examples. But as Penny was saying,
22 the one that we -- and, again, I'm
23 certainly not your math -- your

1 statistician. That's Professor Gray --
2 but the one that seemed the most intuitive
3 to us and what Penny and Brian and I were
4 kind of thinking of was, you know, for a
5 pro se parent, are they going to be able
6 to take what Alabama's current worksheet
7 is and then if we adopt a different model,
8 how user friendly will that be. And Iowa
9 we found to be very intuitive and very
10 kind of logical with the way it applies
11 the credit.

12 So let's go ahead and skip over --
13 essentially those -- all three, Arizona,
14 Indiana, and Iowa are all doing the basic
15 obligation splitting by share and then the
16 parent that owes is getting a credit, so
17 they're having a reduction based on their
18 parenting time.

19 MS. DAVIS: Let me make sure the
20 public understands this. This would -- if
21 you used this formula -- so a noncustodial
22 parent, instead of having visitation of
23 the usual 25 percent, they have 35 percent

1 and the custodial -- the noncustodial
2 parent would get a credit, which means
3 that they would have the obligation
4 reduced based on that extra 10 percent of
5 time that they actually had the children
6 under their roof?

7 MS. HALL: That's correct. And
8 looking below too, I mean, I would just
9 recommend just looking down at the
10 credits, so you'll see that on page 4
11 again under that third column for Iowa.
12 The way Iowa has it is that initial chart
13 that you'll see with just the 15 percent,
14 the 20 percent, and the 25 percent, so in
15 Iowa if you have parenting time between
16 128 and 147 nights per year -- and so
17 you're looking for a pretty big range
18 there. That's about 35 percent of the
19 parenting time up to about 40 percent of
20 parenting time -- you get a 15 percent
21 credit. So whatever your obligation was,
22 it will be reduced by 15 percent. And
23 then it does the same thing, so if it's

1 \$148 to \$166, you're reducing that amount
2 by 20 percent credit and then \$167 or
3 more. So at that point, you're
4 approaching pretty much equally parenting
5 time. At that point, they get a
6 25 percent credit.

7 Now, we expanded it a couple of
8 times. And before -- if you look at the
9 note right below that first chart if a
10 standard custody arrangement assumes that
11 the noncustodial parent has about
12 25 percent of overnights, and now
13 according to my hypothetical they have
14 40 percent of the overnights, a 15 percent
15 credit is logical. You've increased your
16 time from this 15 percent of the time.
17 But what we figured -- what we also
18 discussed was, okay, 15 percent credit
19 works at the higher end because that's
20 40 percent of the parenting time, but at
21 the lower end, those parents are getting a
22 pretty big credit. There's a big
23 difference between having your child

1 128 nights a year and 147 nights a year.

2 So we thought why not break it down even
3 more.

4 So the next chart you'll see is a
5 little bit more broken down. So I take it
6 all the way back to a 5 percent credit.
7 So essentially, I'm starting it at the
8 parent has the child about 25 percent of
9 the time, and then we just essentially
10 fill in the two spots before Iowa's chart.
11 But then if you go on the last page -- and
12 this is what we found. It's more
13 information, but it's still fairly
14 intuitive -- you'll see I've broken it
15 down by each percentage point. So what
16 that means is in this model, every time
17 you've got your parent B's obligation that
18 he or she owes to the other parent, any
19 amount above that 25 percent of the
20 parenting time, they get a little credit
21 for. So the more they have, the less they
22 pay in child support. The less they have
23 the child, the more they pay in child

1 support. So what you're just doing is
2 every time as you go up 1 percentage point
3 of time, which you'll see is about three
4 or four days difference, then they get
5 1 percent taken off of the amount they
6 owe. So up 2 percent of time, they get a
7 2 percent credit. So that was what Penny
8 and I were saying, that one to me is very
9 logical. As a nonmath person just looking
10 at that thinking about what I pay, that
11 seems fair. If I've got my child
12 1 percent more time than what the
13 calculation considers, well, I should have
14 1 percent credit back and all the way up
15 to where you're essentially splitting
16 equal time. So that was the credit we
17 found the most intuitive.

18 I -- for the sake of time, you can
19 look at the other two credits. Arizona's
20 is a little bit simpler to me. Whereas,
21 Indiana's gets a little more involved.
22 You'll see there they actually have a
23 separate parenting time credit worksheet.

1 So in terms of keeping things easy for us
2 to save some time, you know, that
3 certainly --

4 MS. DAVIS: Mallory, let me interrupt
5 you for a minute just because of our time
6 sequence. Just circling back just a
7 moment, on page 3 in the block that has
8 the assumptions, if you look at the
9 formula that Alabama had, it would be the
10 same formula that Alabama uses with the
11 only difference being the credit. So you
12 would take whatever the amount that we
13 come up with the -- that Alabama would
14 currently have for the noncustodial parent
15 to pay, which in this instance was the
16 \$541, and then if the noncustodial parent
17 had the child 15 percent more than the
18 25 percent, that's where the credit would
19 come in. So it would be from -- the \$872
20 was the amount that was -- that you had
21 minus the \$200 they were paying to child
22 care and the health insurance, the total
23 amount of that. Then you subtract the

1 131. That's where the 131 comes from to
2 come up with \$541.

3 And, again, we don't have a lot of
4 time -- we knew we wouldn't -- but I felt
5 like it would be helpful to the Committee
6 members as well as the public to have
7 Mallory sort of go through this
8 information. She has indicated she'll
9 make herself available.

10 What's the name of the firm that
11 you're going to be working with, Mallory,
12 so we'll have that on Record if anybody
13 wants to get in touch with you?

14 MS. HALL: I should have said that to
15 start. Yeah, I'll be working at Lloyd,
16 Gray, Whitehead & Monroe, a civil defense
17 firm in Birmingham that I had the
18 opportunity to clerk for last summer. So
19 definitely nothing family-law related,
20 which is why I told Penny I was so excited
21 to get to work on this project because
22 it's an area I have less experience in
23 starting off.

1 MS. DAVIS: So clearly she's now
2 become an expert like many lawyers tends
3 to become experts in areas other than
4 they're going to. So we will be
5 utilizing -- she's willing to assist us
6 and answer questions both now and in the
7 future. But we really have about five
8 minutes, so -- for this segment on our
9 agenda. So let me pause here and let the
10 Committee -- do you have any questions you
11 want to ask Mallory now or if you want to
12 take time and read the material and then
13 we'll come up with a series of questions
14 that we can pick her brain on later? So
15 I'll pause at this point.

16 MR. MADDOX: I didn't want to put them
17 on the spot, but in the past there's been
18 a joint custody subcommittee of this
19 Committee. Jim Jeffries, Melody Baldwin,
20 and Stephanie Blackburn are the ones I had
21 listed from before, so I didn't know if
22 that group of people wanted to take this
23 research and meet or make a recommendation

1 for the next Committee meeting. I don't
2 want to put anybody on the spot, but I
3 just wanted to mention that.

4 MS. DAVIS: I think, Jim, if I
5 remember, you were sort of the Chair. I
6 don't really think it would be fair for
7 you to have to commit to going through all
8 this research now unless you want to. So
9 if anyone is interested in working on a
10 subcommittee on this topic, why don't we
11 just get you to email us, and we'll do a
12 subcommittee of people who are interested.
13 And I know Jim has a lot of practical
14 experience, so if anybody wants to -- Jim,
15 go ahead.

16 MR. JEFFRIES: No. I was just going
17 to ask Mallory a question. Based on her
18 extensive comparison that she's been able
19 to do here, which was really good, I
20 thought, I'm curious what she thinks is
21 the most appropriate way to deal with
22 child support in joint shared custody
23 situations. I don't know if you've formed

1 an opinion about that or not, Mallory. I
2 was just curious.

3 MS. HALL: I have. And I -- actually,
4 it ended up I was in a mediation clinic
5 this past year as well, so I had a lot of
6 experience actually calculating child
7 support. That was a lot of what we did.
8 And to me, I very much -- I think fairness
9 is going to be a big deal when it comes to
10 especially a pro se plaintiff approaching
11 child support, and to me, it doesn't seem
12 fair, especially now with states, you
13 know, really pushing parents to try to
14 maximize their parenting time as much as
15 possible. Well, if I'm going to have my
16 child for 40 percent of the time, why am I
17 still paying all of this money because at
18 a certain point that's not fair. So
19 that's why Iowa's calculation is what I
20 would prefer. I mean, from Alabama's
21 worksheet -- and you'll see basically it
22 will just need like one line added to it
23 and with that beside -- that chart beside

1 it. And so I think a lot of parents will
2 really respond to the fact that, well,
3 yeah, I want to have my child as much as
4 possible, I can only have them 35 percent
5 of the time but I would also like the
6 amount that I'm paying to reflect that I
7 have my child more. So I think that's
8 more encouraging in terms of wanting
9 parents to maximize their parenting time
10 with their children. So to me, Iowa's
11 makes the most sense. That's one that --
12 you know, if you can do the current
13 Alabama calculation, that's one more box
14 on it and it makes sense. So to me,
15 that's definitely -- I think that would be
16 the most intuitive and I think it makes
17 the most sense. Does that answer your
18 question?

19 MR. JEFFRIES: Yes, it does. It
20 exactly does. Thank you.

21 This is more of a question for
22 Penny. Penny, did Mallory or did -- did
23 Mallory or the two of y'all have an

1 opportunity to discuss the proposal that
2 our Committee put together that was
3 actually submitted to the Supreme Court a
4 year and a half or two ago?

5 MS. DAVIS: What I asked her to do is
6 just do a 50-state study.

7 MR. JEFFRIES: Right.

8 MS. DAVIS: So we just started really
9 from a clean slate rather than having any
10 presupposed views one way or the other
11 just to kind of see what other states were
12 doing since they had rejected what we sent
13 to them.

14 MR. JEFFRIES: Right.

15 MS. DAVIS: I felt like we needed to
16 do some -- present to the Court that we
17 had taken their rejection to try to at
18 least do extensive research in terms of
19 what other states have done. I don't
20 think the -- the Committee itself could go
21 back and look at -- or subcommittee what
22 was sent before.

23 MR. JEFFRIES: Right.

1 MS. DAVIS: And if that subcommittee
2 and Committee wants to rescind the initial
3 formula that was rejected, I think you
4 could certainly do that. This is just to
5 give the Committee options and information
6 in terms of what other states are doing.

7 MR. JEFFRIES: Got it. Thank you.

8 MS. DAVIS: And Dr. Gray was also --
9 we pulled him in on our discussions too to
10 look at the numbers and how they click
11 together.

12 MR. ARNOLD: Penny?

13 MS. DAVIS: Yes, sir.

14 MR. ARNOLD: I want to ask a question
15 or two, please. Mallory, has there been
16 any study or survey, anecdotal or
17 otherwise, what this adjustment does to
18 actual litigation negotiation, and how it
19 shifts power between the higher income
20 earner versus the lower income earner and
21 the proportionate impacts the adjustment
22 has? A hundred dollar impact upwards to a
23 person who's making \$10,000 a month is far

1 less than a hundred dollar impact on a
2 person making \$2,000 a month. I've always
3 been troubled by the time share adjustment
4 in those regards because I see people
5 fighting day after day over days and hours
6 of shared time, and when they're impacted
7 more with, gee, it's going to affect how
8 much I get or how much I pay, the
9 incentive to fight is intensified. So are
10 there any anecdotal studies, anything that
11 can give us some guidance on those
12 concerns?

13 MS. HALL: Now, I did not specifically
14 focus on that in my research, but there
15 are -- I can't imagine that there would
16 not be. Now, I recall a couple that I did
17 not delve deeply into just because I was
18 trying to unpack each of the states, but
19 that said, I'm more than happy to do a
20 little extra research and maybe I could
21 send to Penny a couple of links or
22 something to some of those articles and
23 maybe she could forward it to the rest of

1 the Committee. I don't have a good answer
2 for you right now, though, but like I
3 said, I'm certainly happy to look into
4 more about the impact that that's had in
5 the states that have adopted a model like
6 that.

7 MR. ARNOLD: I think the impact is
8 important. What happens in a case where
9 the payor fights for that 145 days to get
10 an adjustment and the divorce is done, and
11 then the payer doesn't exercise that time.

12 MS. HALL: Well, that's certainly -- I
13 certainly see the risk in that. You know,
14 I guess optimistically speaking, you would
15 hope that parents just want the time with
16 their child because they want the time
17 with their child. And, you know, child
18 support can always be recalculated too.
19 So, you know, if you do have a situation
20 where you've got a parent that fights for
21 all this time and then never uses any of
22 it, in my experience, you know, changing
23 that child support amount -- you know, it

1 certainly does require coming to court
2 again, so there are issues with that, but,
3 you know, it's not --

4 MR. ARNOLD: The cost -- if it costs
5 the recipient \$5,000 to go to court --

6 MS. HALL: Right.

7 MR. ARNOLD: -- amortized over the
8 length of the difference, it -- a lot of
9 problems are presented by this, and I just
10 would like those kind of things looked at
11 too, other than just what appears to be
12 your very, very hard work to making the
13 fairness of the math. I appreciate
14 everything you're doing and have done. We
15 live in this real world, and it's tough out
16 there.

17 MR. JEFFRIES: I totally understand
18 what you're saying, and I had --
19 especially in Baldwin County where we have
20 a judge who does -- who orders joint
21 physical custody all the time. Every case
22 almost. I see what you're saying in those
23 circumstances, but I would say I see way

1 more circumstances where you have a
2 primary custodial parent and a
3 noncustodial parent and the same thing
4 happens where you have this calculation
5 that occurs giving the custodial parent a
6 set amount based on the guidelines and
7 then the noncustodial parent ends up
8 having close to 50 percent of the time
9 anyway. It can work both ways is all I'm
10 trying to say.

11 MS. HALL: And the fact the income
12 shares -- you are still considering the
13 income disparity. You know, if you've got
14 a parent that makes \$30,000 a year and
15 you've got another parent that makes
16 \$200,000 a year, well, their original
17 payment was already going to be a lot
18 higher. You know, so that does at
19 least -- you know, I certainly see all of
20 the concerns that you have, but that was
21 something that helped me get my head
22 around it a little bit was that their
23 incomes are -- still the primary focus is

1 what proportion of the money do they bring
2 in. And I think, you know, again not
3 being a natural numbers person, I think I
4 would be very interested to play with the
5 numbers, plug in some different ones, and
6 then, you know, kind of see how it comes
7 out. Because I think some of your
8 concerns may be at least pacified somewhat
9 by just the fact that they're still
10 getting credit for if one parent makes way
11 less than another parent.

12 MR. ARNOLD: But you're putting power
13 in the hands of one versus the other that
14 the guidelines were originally designed to
15 level out.

16 MS. HALL: Well, I don't -- I guess I
17 kind of see where you're coming from. I
18 don't know that it's a power shift
19 because, you know, as -- you know, if --
20 me as a parent, I would much rather my
21 ex-husband, my children's father, have
22 more parenting time, and if that means me
23 making less money, okay. I'm not having

1 to care for my children as much and I want
2 them to be with their father as much as
3 they feasibly can be. So I do still think
4 there's that power there, and power in
5 terms of having not always just, you know,
6 stereotypically the mom that's going to
7 have the kids all the time. You know, Mom
8 may have a full-time job and we need to
9 get closer to 50 percent. So, you know, I
10 still think that there is power on both
11 sides. I do see where there could be
12 somewhat of a disparity, but I don't know
13 how much of an impact that would make or
14 how often that would happen.

15 MS. DAVIS: Amanda, I think you have
16 your hand raised. Amanda, can you unmute
17 yourself?

18 MS. COX: Yes, ma'am. I've got it
19 now. Mallory, your research is excellent.
20 Thank you so much. I just had a question.
21 Does this apply to 50/50 like week on/week
22 off? Can all this be applied to that as
23 well? I see there's a lot of 60/40, but

1 would it apply to the straight 50/50?

2 MS. HALL: Typically speaking, I don't
3 see why it couldn't, but I know too a lot
4 of states will just say no child support
5 at 50/50. Some do that. But you should
6 still be able to calculate it the same
7 way, because just because you have the
8 same amount of time doesn't mean one
9 parent doesn't still make a lot more
10 money. So in that situation, which kind
11 of addresses Mr. Arnold's concern, you've
12 got -- you know, that -- you've still got
13 the income disparity that that parent even
14 with 50 percent of the time may still owe
15 money because it's not just about how much
16 time you've had, it's we want the children
17 to be in as much of a status quo situation
18 as we can. So that parent, even with
19 50 percent of the time, if I'm making, you
20 know, 75 percent of the salary, I'm still
21 going to owe money.

22 MS. DAVIS: Amanda, if you look on
23 page 5, the calculations on Iowa went up

1 to 25 percent. Then it already includes
2 25 percent, so that would be your 50/50
3 arrangement.

4 MS. COX: Okay.

5 MS. DAVIS: I saw another hand. My
6 screen doesn't -- let me see if I can see
7 everybody.

8 MS. KING: Rachel King. I had a quick
9 question sort of piggybacking on some of
10 the current concerns that Steve Arnold
11 had. When you think of how the system was
12 set up with a primary custodian and then
13 the nonprimary paying child support,
14 there's still basic obligations that that
15 primary custodian is going to have to pay
16 irrespective of how much time the
17 noncustodial or lesser custodial parent
18 have received. So even if we give a 10,
19 15, 20 percent reduction in child support
20 to the noncustodial parent for the
21 additional time, the custodial parent is
22 still having to pay all these basic
23 expenses for school registration. What

1 are we doing to offset that? Are these
2 states addressing that, that, okay, well,
3 you're going to pay less in child support,
4 but now you have to pay a percentage of
5 all these other things that traditionally
6 the custodial parent that was just -- was
7 just saddled with that burden and so I --

8 MS. DAVIS: Yeah. Thank you, Rachel.

9 MS. KING: -- don't know these numbers
10 are fair.

11 MS. DAVIS: Thank you, Rachel. I
12 think you're -- you're right. And I think
13 that's what some of the states that you
14 use the 150 percent calculations that she
15 referred to earlier, I think that's the
16 template that they use acknowledging that
17 both parties, even if you're 50/50, are
18 paying more than you would because you're
19 still doing -- you're still having the --
20 you're still having to have a roof over
21 the child's head, a room that -- the
22 built-in expenses that you have, and so
23 there are some states that did 150 percent

1 adjustment. I think that's part of what
2 we're looking at.

3 Now, obviously, you know, I don't
4 want to cut off the discussion, but
5 because we want to allow time for the
6 public to comment, we're all going to --
7 what I wanted to do is with regard to this
8 particular portion is to allow Mallory to
9 explain what her research was. And a good
10 thing is I think that it will be easier
11 for the Committee members to understand
12 where her research is coming from, and it
13 also obviously prompted some serious
14 inquiry. So we were never intending to
15 reach any conclusions with regard to how
16 we should calculate shared custody at this
17 point, but just wanted to introduce this
18 information to you. So I'm going to
19 suggest that anybody that has any
20 particular further research that you'd
21 like Mallory to do or if she decides that
22 she needs to, we'll see if we can get
23 someone else to assist with it. And --

1 but this is something we'll circle back
2 to.

3 Also, we have some other issues
4 that's -- some other judges have presented
5 that we'll also need to go forward with.
6 I feel like our priority because of our --
7 the stipulations that Uncle Sam has on us
8 in terms of reviewing the child support
9 tables, that's going to be our priority
10 for the next few weeks. But I do think it
11 was important to begin the conversation on
12 the shared custody and also to bring to
13 the forefront some of the policy issues
14 that -- underlying our way of calculating
15 child support. But everything is really
16 on the table, and I really appreciate the
17 comments. I certainly appreciate Mallory
18 taking the time to join us and the
19 extensive research provided, the very
20 intuitive comments from the practitioners.
21 I wish we had more time to get the bench's
22 view on this. We'll do that again in the
23 future.

1 But at this point, we need to see
2 if we have anybody from the public that
3 would like to verbally -- I did not have
4 any written comments from the public, but
5 we do have some people that have joined us
6 in the public and I want to give them an
7 opportunity. And I will look real quickly
8 on my notes as to who they are. I'll find
9 them here somewhere. I think we've got --
10 there's several people that are here.
11 We've got Brandy and several others that
12 are part of the public, so let me ask if
13 you would -- if you would like to speak,
14 if you would unmute yourself and let us
15 know. And based on the number of people
16 that speaks, we'll divide up the time.
17 So, Brandy, would you like to speak? Is
18 Brandy still on? I'm sorry. I didn't
19 hear you. You would or would not like to
20 speak? We don't see her.

21 Let's see. We have -- Felicia,
22 would you like to speak?

23 MS. KNIGHT: Yes, ma'am, I sure would.

1 First of all, I'd like to --

2 MS. DAVIS: Before you speak, let's
3 see who else wants to speak so we'll know
4 how much time we can allocate.

5 Ms. Anderson, did you want to speak also?

6 Can you unmute yourself, Ms. Anderson?

7 MS. ANDERSON: Okay. I'm sorry. I
8 was having difficulty with the mute
9 button. I'm here in conjunction with
10 Ms. Knight. I work as a private
11 investigator, and so I'll follow suit with
12 whatever questions she has or if you have
13 any questions for me.

14 MS. DAVIS: Okay. So there's two,
15 Ms. Knight first and then Ms. Anderson.
16 Anyone else in the public that would like
17 to speak?

18 (No response.)

19 Okay. We've got about 15 minutes.
20 So let's start -- in case Brandy wants to
21 circle back in or somebody, let's start
22 Felicia with five minutes and then we'll
23 see if Ms. Anderson wants to speak

1 further. We'll see how much additional
2 time we have left. But, Ms. Knight, we'll
3 start with you.

4 MS. KNIGHT: Okay. Thank you for the
5 five minutes. It's going to be hard to
6 cover the 15 years of dereliction of duty
7 in two counties in five minutes.

8 But I'd like to start out with
9 no one at the county level is aware that
10 this is a federal law, but it -- currently
11 there's a violation of federal law.
12 Section 228, Title 18 United States Code
13 makes it illegal for an individual to
14 willfully fail to pay child support in
15 certain circumstances. Are you guys
16 familiar with that, or would you like for
17 me to read it? I'll read it. For one, an
18 individual is subject to federal
19 prosecution if he or she willfully fails
20 to pay child support that has been ordered
21 by a court for a child who lives in
22 another state or is past due for longer
23 than one year or exceeds the amount of

1 \$5,000. The violation of this law is a
2 criminal misdemeanor and a convicted
3 offender faces fines up to six months in
4 prison. If under the same circumstances
5 the child support payment is overdue for
6 longer than two years or exceeds the
7 amount of \$10,000, the violation is a
8 criminal felony and convicted offenders
9 face fines of up to two years in prison.
10 Lastly, this statute prohibits individuals
11 obligated to pay child support from
12 crossing state lines or fleeing the
13 country with the intent to avoid paying
14 child support that has either been past
15 due for more than one year or exceeds
16 \$5,000. Any individual convicted of this
17 crime may face up to two years in prison.

18 Okay. Ten years ago, I went to
19 the Etowah County DHR. I have three boxes
20 of paperwork. I have seven letters. I
21 have \$200 court appearances on my case.
22 So the next thing I'd like to do is if you
23 guys can pull up your Google, I can read

1 it, or you can actually google it. If you
2 put in Trussville Times and Scott Moore,
3 you will find that there are two articles
4 where the person who owes \$100,000 to my
5 daughter is on the air every day. He
6 makes six figures a year. He hangs out
7 with Bobby Bowden, with Nick Saban, of
8 course Coach Dye just passed away but he
9 was a good friend of his. And I've been
10 to the Homewood police station twice while
11 he was two blocks away with a valid
12 warrant for his arrest. They will not
13 pick him up. I have made over 250 phone
14 calls to Etowah County Sheriff's
15 Department giving them the address where
16 he is while he was there. Ms. Anderson
17 can verify some of those times. Now, I
18 didn't pay her for all 250 times, but
19 sometimes she was sitting there. This is
20 where it gets even more ridiculous. If
21 you pull up Zillow and you put in 3244
22 Brook Highland Trace, the \$340,000 home
23 where Mr. Moore lives, there's a picture

1 of him getting into his SUV in front of
2 that residence. If you go to Google Maps,
3 you will find the same thing. At
4 four o'clock today, he will be on the
5 radio. He's on the radio every day Monday
6 through Friday from four to six. He is at
7 every Alabama game. He was bragging last
8 Wednesday that he makes \$2,000 every
9 30 minutes. Okay.

10 He has numerous children and
11 numerous cases. I've spoken with the
12 other mothers, and yesterday they backed
13 out. They're scared. Okay. You can look
14 at his records. If you google Scott Moore
15 versus the City of Leeds, he almost killed
16 his ex-wife who doesn't want to be named.
17 So everybody's scared to do anything,
18 right, but my daughter needs major medical
19 surgery right now.

20 I went to court 15 times about the
21 insurance. Then they said because of
22 Title 32 insurance wasn't reasonable or
23 affordable, but they have never verified

1 his income. So how do they know if
2 insurance is reasonable or affordable if
3 they haven't verified his income.

4 The judge has issued the writ of
5 arrest. He said it would be issued in ten
6 days in 2016. I had to go to the judge's
7 office. I wound up getting his personal
8 phone number, and I had to be just a
9 nuisance for seven months. The warrant
10 was supposed to be issued in ten days. It
11 took seven months before the warrant was
12 issued. Now, the current state is they
13 won't pick Scott Moore up because of the
14 coronavirus.

15 So when are you guys going to
16 start enforcing child support again? Does
17 anybody have an answer to that question?

18 MS. DAVIS: Ms. Knight, what this
19 Committee does is we are -- make
20 recommendations to the Supreme Court
21 regarding the existing child support
22 guidelines. We're not involved in
23 enforcement of them, but we do appreciate

1 your -- certainly your concerns.

2 Was there anything directly
3 related to the discussion today on the
4 guidelines that you'd like to address?
5 You've got about one more minute left.

6 MS. KNIGHT: Well, the guidelines
7 today, I would like to see them enforced.
8 Could there be a proposal made to do an
9 investigation into Etowah County? I have
10 letters where social workers have told me
11 to get another job when I have two jobs.
12 They've told me I never will collect child
13 support, to give up. I have -- I mean, I
14 have two boxes of paperwork. Is there
15 not -- I didn't know about these meetings
16 until like about two weeks ago. In
17 ten years I've been doing this, I've met
18 with Governor Bentley, I've met with Becky
19 Nodgren, I've sent letters to Nancy
20 Buckner. I requested administrative
21 reviews. When I get the letters for the
22 administrative review, it's always
23 postmarked after the ten days that you

1 have to reply, so they deny it. And I
2 really just wish if there's any way you
3 can put this in the records, the two
4 articles from the Trussville Tribune on
5 Jeffrey Scott Moore. Those articles, Drew
6 Taylor Lyons, he makes a list of all the
7 things -- I don't know why I can't find my
8 article now. I've been sitting here for
9 an hour holding them tight and I can't
10 find my article I printed out. But he
11 lists all the things that are supposed to
12 be done. There hasn't been any tax
13 withholding. They haven't suspended his
14 driver's license. They know where he is.
15 So what is the point of having a writ of
16 arrest if it won't be enforced? So if you
17 could include all this and maybe at your
18 next month's meeting can you assign
19 somebody to look at the dereliction of
20 duty that's going on in Etowah and
21 Jefferson County because it's clearly --

22 MS. DAVIS: That's not the purview of
23 our Committee. We really --

1 MS. KNIGHT: So who would I contact,
2 then?

3 THE REPORTER: Wait, wait.

4 MS. DAVIS: -- appreciate your
5 thoughts.

6 Ms. Anderson, did you have any
7 comments? You've got about three minutes
8 if you'd like to comment further since
9 y'all are on the same -- working together.
10 Anything you need to add relating to the
11 Committee meeting that we had today?

12 MS. KNIGHT: So you're not going to
13 address any of this?

14 MS. DAVIS: Ms. Knight, this follows
15 out -- what you're requesting the
16 Committee to do is not under the purview
17 of what our Committee does.

18 MS. KNIGHT: Well, can you tell me
19 what Committee does do that?

20 MS. DAVIS: I don't know there's a
21 Committee that --

22 MS. KNIGHT: Why? Why? Because under
23 the Title IV-D, DHR collects five times

1 amount of the arrearage that Scott Moore
2 owes. So they're getting \$500,000; my
3 child is getting nothing. And that's okay
4 with all you guys?

5 MS. DAVIS: Ms. Anderson, did you have
6 a comment? I don't want to not let you
7 have a time -- any time to speak. You
8 have a couple of minutes if you'd like to
9 speak on the committee's...

10 (No response.)

11 Is there anyone else from the
12 public that would like to speak?

13 MS. KNIGHT: The host muted me. Wow.

14 MS. DAVIS: Ms. Knight, your comments
15 will be part of the Record.

16 MS. KNIGHT: They will be. Can I get
17 a copy of that, please? How do I get a
18 copy of that?

19 MS. DAVIS: Your comments will be --
20 the court reporter, Ms. Johnson, is taking
21 notes, and once the -- she has a chance to
22 type those up, they'll be posted on the
23 website. So the same website you can get

1 the information will have your comments.

2 MS. KNIGHT: I couldn't access that
3 information. Can you tell me what tab it
4 would be at possibly?

5 MR. MADDOX: It's on the
6 Administrative Office of Courts website,
7 www.alacourt.gov. On the home page, you
8 go to the link called child support in the
9 top.

10 MS. KNIGHT: Okay.

11 MR. MADDOX: There's a box that drops
12 down, and it's called Child Support
13 Guidelines Review. Everything this
14 Committee considered in terms of
15 documents, agendas, notices, and
16 transcripts of the meetings are posted on
17 there.

18 MS. KNIGHT: You're breaking up on me.

19 MS. DAVIS: The comments that you've
20 made today will be a part of the
21 transcript, and that will be included on
22 the website. Did you get the website that
23 he indicated?

1 MS. KNIGHT: I did. And so I'll be
2 able to print them out from underneath the
3 guidelines review part?

4 MR. MADDOX: Yes, ma'am, you can
5 print -- there will be a PDF document.
6 You can print them, yes, ma'am.

7 MS. KNIGHT: Okay. Thank you so much.

8 MS. DAVIS: You're welcome. Thank you
9 for your comments.

10 Any other comments from the
11 public?

12 (No response.)

13 Okay. Well, thank you all for
14 participating --

15 MR. MADDOX: Wait a minute. I have a
16 response from Jane Venohr.

17 MS. DAVIS: Okay. Thank you, Bob.

18 MR. MADDOX: So I don't know if we
19 take a vote again on this, but she gave me
20 an option that before September 30th they
21 can complete task 2, which is about
22 \$12,000, and half of task 3, the data
23 analysis, for roughly \$8,000. So that

1 would be the \$20,000 before September
2 30th. Then the other half of task 3 and
3 the other tasks 4, 5, and 6 would be
4 roughly \$23,000, which would probably be
5 put in the budget for next year to be
6 approved, would be done after October 1.

7 MS. DAVIS: Okay. Let me ask Jennifer
8 will that be sufficient, you think, for
9 you to be meeting our guidelines at that
10 pace or federal requirements? Is Jennifer
11 still on?

12 MS. BUSH: I am still on. It sounds
13 like a good start.

14 MS. DAVIS: Okay.

15 MR. MADDOX: Certainly, Jennifer, you
16 and I can talk about deadlines in terms of
17 after October 1. We already have heard
18 task 3, September 30th. If we need to
19 speed them up on the others, like October
20 or November, to make that December 1st
21 deadline, we'll talk about that.

22 MS. DAVIS: If the committee's okay,
23 we'll just task Jennifer and Bob to work

1 with Jane on the timing of everything so
2 that we meet the guidelines. Is that okay
3 with everyone without having a vote, or do
4 we need a vote? If everyone's okay with
5 tasking them, if you would raise your
6 hand.

7 Okay. That's the majority. So
8 we'll just task them with the details of
9 that.

10 MR. MADDOX: That makes probably both
11 of us very happy we don't have to do a
12 budget revision.

13 MS. DAVIS: Yeah. And, again, that's
14 sort of typical our experience with Jane
15 in the past that they're accommodating to
16 Alabama in the past, so I think it's good
17 to work with her again and her team.

18 In terms of meeting again, we did
19 not send out a date, but we were looking
20 at some dates just to get a general feel.

21 MR. MADDOX: Thursday, August 6th.

22 MS. DAVIS: Yeah. Would y'all check
23 your calendars real quick like on

1 Thursday, August the 6th?

2 MR. MADDOX: Do you think it's in
3 person?

4 MR. WILSON: I think at some point
5 prior to that there's going to need to be
6 a Supreme Court order, but I don't know
7 exactly when or what that might be.

8 MS. DAVIS: Okay. I don't know if you
9 heard. Bob asked Nathan if he knew
10 what -- if he knew a way to predict the
11 future in terms of Zoom meetings versus in
12 person or -- and oddly enough, he does not
13 have a crystal ball. So if we need to
14 meet by Zoom again, then we will ask the
15 Court for an order to do so. If we do
16 something in person, then obviously we'll
17 go back to our normal procedure. As soon
18 as we know something, we will let you
19 know. In terms of agenda items, we'll
20 have an opportunity to look at and have
21 more conversation about the information
22 Mallory sent. If you have any questions
23 you'd like us to research further, we'll

1 try to do it by that point in time. Also,
2 when you looked at the policy that Jane's
3 group had sent, they were going to ask for
4 some information from us early on, and it
5 may be that we'll have something that we
6 need to address the Committee at that
7 point too.

8 Any other question or comments? I
9 did mention earlier that we have some
10 other issues that another judge has asked
11 us to look at, so we'll have plenty of
12 agenda items then. My thought process is
13 that we'll be meeting pretty frequently
14 this year because of the federal guideline
15 deadlines. And so I apologize if we're
16 using more time -- of your time than I
17 thought, but I think we will probably need
18 to continue to meet.

19 Any questions or comments before
20 we adjourn?

21 MR. MADDOX: It's 12:30.

22 MS. DAVIS: It is 12:30, so I
23 definitely appreciate everybody providing

1 your time on Zoom and I think it's worked
2 out the best that it can. So thank you
3 again so much. Y'all have a good day and
4 a safe day.

5 MR. MADDOX: Thank you.

6 (Proceedings concluded at
7 12:30 p.m.)

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REPORTER'S CERTIFICATE

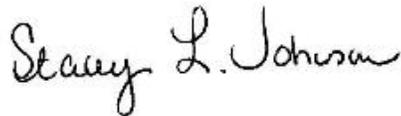
STATE OF ALABAMA

AUTAUGA COUNTY

I, Stacey L. Johnson, Certified Court Reporter and Commissioner for the State of Alabama at Large, hereby certify that on June 4, 2020, I reported, to the best of my ability, the proceedings in the matter of the foregoing cause, and that pages 5 through 130 contain a true and accurate transcription.

I further certify that I am neither of kin nor of counsel to any of the parties to said cause, nor in any manner interested in the results thereof.

This the 10th day of July, 2020.



STACEY L. JOHNSON, CCR

Commissioner for the

State of Alabama at Large

CCR 386, Expires 9/30/2020

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