



Department of Public Health and Human Services

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www.childsupport.mt.gov

Greg Gianforte, Governor

Adam Meier, Director

To: Temple McLean, Guidelines Coordinator | Facilitator for Guidelines Review and Oversight Committee (GROC) of Child Support Services Division (CSSD)

Cc: GROC participants (x = present at this meeting)

Participant	GROC role	Title	Phone	Email	Site
-- Clinch, Francis (FC)	Liaison	OAH Administrative Law Judge (ALJ)	406-444-5973	francis.clinch@mt.gov	Helena
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x Hochhalter, Priscilla (PH)	Recorder	CSSD Writer	406-444-2581	priscilla.hochhalter@mt.gov	Helena
x McLean, Temple (TM)	Facilitator	CSSD Guidelines Coordinator	406-655-5531	tmclean@mt.gov	Billings
x O'Connor, Iryna (IO)	Liaison	OAH Staff Attorney	406-444-2644	iryna.oconnor@mt.gov	Helena
x Probasco, Peg (PP)	Member	CSSD Staff Attorney (Retired)	406-490-6835	chefdog1@icloud.com	Butte
x Quinn, Patrick (PO)	Member	OLA Staff Attorney	406-329-5460	pquinn@mt.gov	Missoula
-- Rohrdanz, Vaughn (VR)	Member	CSSD Investigators Supervisor	406-655-5522	vrohrdanz@mt.gov	Billings
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x Watne, Kim (KW)	Member	CSSD Compliance Specialist	406-444-7753	kwatne@mt.gov	Helena
x Wigen, Micheale (MW)	Member	CSSD Regional Manager (Retired)	406-799-2061	mikie.wigen28@gmail.com	Great Falls

From: Priscilla Hochhalter, Writer | Recorder for GROC

Re: MINUTES + Supplemental Materials
2021 Aug 10 Tue., 1:00–4:00 p.m. (U.S. Mountain time) – GROC Regular Meeting – via Zoom videoconference

Date: 2021 Aug 25

Text: - For the above-noted meeting, see attached MINUTES (with definitions and resources).
- Currently, GROC regular meetings occur by videoconference each quarter (second Tue. of Feb., May, Aug., Nov.), 1:00–4:00p U.S. Mountain time.

Guidelines Review and Oversight Committee (GROC)

Mission: "The State must review, and revise, if appropriate, the child support guidelines...at least once every four years to ensure that their application results in the determination of appropriate child support order amounts." –From Electronic Code of Federal Regulations (ECFR), Title 45, Subtitle B, Chapter III, Part 302, §302.56, "Guidelines for setting child support orders," (e) (<https://ecfr.federalregister.gov/current/title-45/subtitle-B/chapter-III/part-302/section-302.56>).

DEFINITIONS

GROC materials may use the terms and/or abbreviations below...

Item	Definition
[Initials:]	GROC participants often are identified by their initials, as listed in the cover page / distribution list.
[States:]	States often are identified by their two-character Post Office abbreviations – e.g., DE (Delaware), GA (Georgia), ND (North Dakota), Oregon (OR).
ALJ	Administrative Law Judge
ARM	Administrative Rules of Montana (ARM) – especially https://rules.mt.gov/gateway/RuleNo.asp?RN=37.62.106
CCR	Central Case Registry (of Montana)
CSSD	DPHHS's Child Support Services Division
DPHHS	[Montana's] Department of Health and Human Services
[E]CFR	[Electronic] Code of Federal Regulations (https://ecfr.federalregister.gov/current/title-45/subtitle-B/chapter-III/part-302/section-302.56)
ENF	Enforcement of a child support case in SEARCHS
EST	Establishment of a new child support case in SEARCHS
GLW	Guidelines worksheet(s) in SEARCHS
GROC	[CSSD's] Guidelines Review and Oversight Committee
Jira	Program for tracking / fixing software bugs and other issues
MCA	Montana Code Annotated
MLSA	Montana Legal Services Association (https://www.mtlsa.org/)
MOD	Modification of an existing child support case in SEARCHS
MSU	Montana State University
MT	Montana (state of)
MTCS	Montana Child Support (software program for guidelines calculations)
NOCS	Notice and Order Concerning Support
OAH	[State] Office of Administrative Hearings
OCSE	[Federal] Office of Child Support Enforcement
OLA	[State] Office of Legal Affairs
PAT	Paternity in a child support case in SEARCHS
PIG	[Federal] Poverty Index Guidelines
SE	Self-employment (re. income calculations)
SEARCHS	System for the Enforcement and Recovery of Child Support
SNOCS	Subsequent Notice and Order Concerning Support
TNOCS	Temporary Notice and Order Concerning Support – a temporary order that can get support started for the kids, while other factors are pending
UM	University of Montana

RESOURCES

2021 Aug 10 – GROC Regular Meeting – via Zoom

Resources for this meeting (x = attached or included with this document)...

1. Federal **regulations**: “Guidelines for setting child support orders.” Electronic Code of Federal Regulations (ECFR), Title 45, Subtitle B, Chapter III, Part 302, Section 302.56 (<https://ecfr.federalregister.gov/current/title-45/subtitle-B/chapter-III/part-302/section-302.56>).
2. Meaningful input – mandated and described in federal regulations:
 - From (h)(3) in resource **1, above**: **“Provide a meaningful opportunity for public input, including input from low-income custodial and noncustodial parents and their representatives. The State must also obtain the views and advice of the State child support agency funded under title IV-D of the Act.”**
 - From <https://www.federalregister.gov/d/2016-29598/p-519>: **“Regarding the composition of the committee or body conducting the quadrennial review, we further agree that the quadrennial review should provide for a meaningful opportunity for participation by citizens and particularly low-income citizens, representing both custodial and noncustodial parents. The child support guidelines review body should also include participation by the child support agency. While we are not mandating the specific composition of the review body, we are requiring in § 302.56(h)(3) meaningful opportunity for public input, including input from low-income custodial and noncustodial parents and their representatives, and the views and advice of the State IV-D agency.”**
- x 3. [1p – spreadsheet:] Addendum H, Case Analysis / 200% of Poverty Assessment – for 2020 Quadrennial Report.
- x 4. [1p – end of:] Guidelines History 1, 1980s–1990s, aka “Primer,” at <https://dphhs.mt.gov/assets/cssd/GuidelinesHistory.pdf> – a brief history of the child support guidelines in Montana – re. cost of raising a child (DE’s Melson basis) vs. federal poverty index guidelines (MT’s modified Melson basis).
5. [10p of excerpts – provided last meeting:] **Federal regulations re. “residence.”** Federal Register, Vol. 81, No. 244 (2016 Dec 20), Rules and Regulations: **Flexibility, Efficiency, and Modernization (FEM) in Child Support Enforcement Programs**; see highlights on excerpt’s pages 1–4, 6, 8–10 (marked 93492, 93494, 93520, 93521, 93523, 93525, 93526, 93562), or full document at <https://www.govinfo.gov/content/pkg/FR-2016-12-20/pdf/FR-2016-12-20.pdf>.

MINUTES
2021 Aug 10 – GROC Regular Meeting – via Zoom

- I Call to order / General business
The meeting was called to order. No general business was introduced.
- II MTCS vs. SEARCHS calculations
- A Description of issue.
- As of July 1, mailings now are sent not manually by CSSD, but automatically from SEARCHS to the state's Print-&Mail Unit.
 - Thus, final calculations now should be made in SEARCHS, not in MTCS; however, in ~Jan-Mar 2020, bugs were found in SEARCHS calculations.
 - Until these bugs get fixed (per 2020Mar Jira ticket), here are two required work-arounds for known calculation issues with "non-standard" income:
 - To do self-employment and/or railroad retirement Tier II: Make calculations in MTCS and then, on GLW in SEARCHS, transfer / override data.
 - To do multiple-source income (e.g., when a parent has varied types of income combined in the same column): Use MTCS first for data.
- B Discussion of issue.
- Wigen: For calculations that can't be done correctly in SEARCHS, can caseworkers still use MTCS and print out the mailings manually?
 - McLean: They've been asked to use only the automated "from SEARCHS to Print-&Mail" process.
 - Wigen: The problem is the tax components; if we can successfully remove those in the future, then we could use only SEARCHS.
 - McLean: Yes. But for now, we must use work-arounds. **Everyone, please study the supplemental materials I'll send you on those.**
- ** Task-McLean/All: McLean will send, for all to review as requested, the above-mentioned supplemental materials.
- III GROC guidance (instructions to help caseworkers)
- A Railroad retirement and self-employment income calculations – in SEARCHS vs. in MTCS: These issues were covered under II, above.
- B Zero orders / flipped obligations / reverter clauses.
Points to consider:
- It's rare to have a true "zero order" – i.e., a calculation resulting in no transfer payment. Only in testing, when each parent's circumstances (income, parenting days, etc.) are made to exactly mirror the other's, does a zero order consistently occur.
 - More common is a flipped obligation, in which some change(s) – income, parenting days, etc. – can cause an obligee and obligor to swap roles.
 - A reverter clause is great for any change(s) "on the horizon" – i.e., reasonably projected to occur – within the next 18 months (e.g., a move, a job change, a child being born or changing residence). A reverter is conditional: if specified conditions occur, it takes effect; if not, it **doesn't**. So it can reduce effort by averting future modifications with, if well drafted, low risk of any ill effects (since, if conditions don't change, it won't take effect).
 - Each reverter clause needs its own ready-to-go calculation, activated only if the reverter conditions occur. Below is a highlighted example reverter:
- Child Support.** The Obligor shall pay current/future child support for the abovel-named children in the amount of \$159.00 per child per month. The amount was determined according to the Montana Child Support Guidelines, worksheet attached. The payment is/was due January 1, 2019.

Beginning the first month after the child returns to the mother full time, the father shall pay current/future child support for the above-named children in the amount of \$532.00 per child per month. The amount was determined according to the Montana Child Support Guidelines, worksheet attached.
- Discussion:
- McLean: Since Region 5 caseworkers don't specialize but work the same case from start to end, how often are reverter clauses used there?
 - Quinn: Occasionally. Reverters should be drafted carefully.
 - Probasco: When Ann Steffens was still around, we considered creating some automated reverter clause(s).
 - McLean: Yes, in about 2014, she wanted to do that. The question was: Would doing so require specific notice to both parties?
 - Probasco: The original notice could say, e.g., "If some certain change(s) happen, as specified here, then the event(s) below will follow..."
 - McLean: So the goal is to create, eventually, auto-reverter clauses – but drafted carefully.
 - Wigen: We've reviewed Utah's full universal order (i.e., when kids are with Mom, Pop owes \$__; when with Pop, Mom owes \$__)—a great concept. But "parenting days" also must be considered; the glitch was the "110 days." So, without universal orders, reverter clauses are all we have.
 - McLean: Send me your input on my GROC guidance. One goal is to dispel the wrong idea [as reported in ALJ Liz Leman's email to McLean] that a flipped obligation always yields a zero order. We could consider all of this, including creating reverter clauses, during our next economic study.
 - Strandell: Only after the SEARCHS Transformation.
 - McLean: Right. All of this is, say, a couple of years in the future.
- ** Task-All: Please send McLean your thoughts re. her GROC guidance on this topic.
- C New case event re. imputed income.
- Description: This new case event prompts caseworkers to select whose imputed income (obligor's, obligee's, or both) is used in calculation.
 - Per last meeting's task re. adding this event in SEARCHS...
 - Kial Leach got it added to the EST menu and rewrote its text for better clarity (thank you!).
 - It should be added to the MOD menu too, please.
 - Ticklers need to have a critical status of "S" for "significant" and each regional office needs to assign some person(s) to be responsible for them.
 - McLean asked and received permission to work on completing the tasks below.
- ** Task-McLean: Ask Kial to get this case event added to MOD, as it was to EST; also, in both, change its critical status from "A[III]" to "S[significant]."
- ** Task-McLean: Draft, for managers' approval, a memo asking each regional office's leadership to assign who (in that office) will handle these ticklers.

- IV 2020 Quadrennial Review / Report – issues to resolve by year-end deadline [per resource [1](#), ECFR, Section 302.56, items (c)(2), (c)(3), (e)]
- A Addendum H, Case Analysis (resource [3](#) below) is being updated with 2019 calculation data, especially for default orders with imputed low income.
- Per OCSE, default orders are the top issue in our current (2020) version of this case analysis, which is required with every quadrennial report.
 - McLean: What qualifies as a default?
 - **Wigen: If neither parent signed, it's a full-on default.**
 - **McLean: Right. But if there's any indication at all that the obligor participated, then it's not a pure default.**
 - Wigen: We should exclude any calculation that does not result in an order.
 - McLean: We should exclude also any case that was dismissed, and any calculation performed re. a Workers Compensation withholding order.
 - And, for the current 2020 report, we'll consider only the obligor (though for the 2024 report we can consider both parents).**
 - Watne: That helps.
 - **McLean: The sorting criteria, in order, are...**
 - 1st: Select all whose gross income is 200% or less of federal poverty index guidelines level for that year.
 - 2nd: Select only obligors.
 - 3rd: Select all obligors who show \$0 / no data at line 17.
- B Residence: Our 2020 verbiage is not accepted by OCSE; see resource [5](#) (Federal Register excerpts that mention "residence") from Chad Edinger.
- * Recommendation: To meet year-end deadline, propose an emergency rule change to add "residence" at start of ARM 37.62.106(3)(c).
- ** Task-Strandell/Quinn/et al: Work on above compliance issue with Chad Dexter and others.
- C Variances / default orders: The new case event re. imputed income (see III.C above) will be helpful for data analysis here.
- D **Children's healthcare coverage: Our 2020 verbiage is accepted by OCSE. To prepare for 2023 legislature:**
- ** Task-McLean: Per OCSE, work to clarify terms.
- ** Task-McLean et al: If needed, work with attorneys to draft proposed rule change for 2023 legislature.
- E Incarcerated obligors: Our 2020 verbiage is accepted by OCSE. To prepare for 2023 legislature:
- ** Task-McLean: Via DocDirect requests, extract / analyze 2017–2020 data re. postcards sent, plus requested and actual modifications that resulted.
- ** Task-McLean: Perform semi-annual DocDirect requests to extract analyzable data on:
 - how many postcards sent and to whom, plus requested and actual modifications that resulted.
 - imputed income used (obligor's, obligee's, or both) and default orders.
 - variances and CCR cases.
- ** Task-McLean et al: If needed, work with attorneys to draft proposed rule change for 2023 legislature.
- F **Summary...**
- Hochhalter: So, re. the entire 2020 Quad Report, what is left to do in order to meet OCSE compliance by the year-end deadline?
 - **McLean: For the work of this committee, what's left to do is to finish Addendum H.**
 - Strandell and McLean agreed that this addendum should be finished ASAP, so Chad Dexter can take it "up the chain" before he retires on Oct07.
 - ** Task-McLean/Strandell: Working with others as needed, McLean will prepare, for Strandell / Dexter to send "up the chain," a finished Addendum H.
- V 2024 Quadrennial Review / Report – preparations for 2023 legislature
- A Excluding tax components from calculations.
- McLean is comparing 2018 (the baseline) vs. 2019 calculations—i.e., before and after the 2018 tax law changes.
 - This comparison, started for addendum H (IV.A above) of our 2020 report, also is useful in working toward the goal of excluding tax components.
 - ** Task-McLean et al: Find a tax-less platform we can test.
 - ** Task-Quinn: Develop a legal opinion re. excluding taxes / defining income administratively.
- B Budgeting for an affordable economist – to do an updated study of MT's economy, per federal regulations.
- 1 Status notes:
 - In 2006 – 15 years ago – the last significant rule changes were made re. economics in MT, so it's time to address this topic again.
 - In 2009 GROC began, but did not finish, some work with Dr. Christiana Stoddard in the MSU-Bozeman agricultural economics department: she gave as much help as she could for free (her hourly rate was \$120) and wrote up a report. (Note: Per MSU's website, she is still there.)
 - We could get bids from Dr. Stoddard and/or others. Possibilities: UM's "Bureau of Business and Economic Research" (<http://www.bber.umt.edu/>); MSU's Office of Research, Economic Development, and Graduate Education (<https://www.montana.edu/research/>); MT's Department of Labor and Industry (DOLI) Research & Analysis Bureau (<https://lmi.mt.gov/>).
- 2 Federal requirements – per resource [4](#) below (CSSD's Guidelines History 1, aka "Primer").
 - We are required to consider the cost of raising a child, and to analyze data re. variances.
 - DE's Melson model is based on "cost of raising a child," while MT's modified Melson is based on federal poverty index guidelines (PIG).
- 3 Dr. Betson – current dialog and possible future help.
 - Per McLean's 90-minute phone call with Economist David Betson, <https://inequality.stanford.edu/about/people/david-betson>, who contributes to the Center for Policy Research (CPR) at <https://centerforpolicyresearch.org/> on the economics of child support:
 - This call was helpful on such issues as taxes and variances; Dr. Betson once "surveyed" judges at a conference via simple dialog on variances.
 - He said when we discuss "simplicity" and "transparency," what we're really after is "understandability." Child support doesn't have to be super-simple, necessarily; what it must be is understandable. Some complexity can be tolerated if it can be truly understood.
 - Though his expertise is in "cost of raising a child," while MT uses poverty index guidelines, we could direct him to study MT's economy and whether, say, MT should "consider a sliding scale instead of a fixed SOLA rate to comport with the economic evidence" (see resource [4](#)).
 - We could exclude housing from the calculation—or possibly do calculations both with and without it.
 - ** Task-McLean et al: Continue seeking and discussing viable ways to do the necessary economic study.
- VI Meaningful input from guidelines users – for compliance with resources [1](#) and [2](#)
- A Input via GROC.
- 1 Participants list: Two additions from the Office of Administrative Hearings (OAH), Attorney Iryna O'Connor and ALJ Francis Clinch, replace Terressa McDaniel and Cassie Chaffey, who now have other responsibilities; also, retiring Micheale Wigen has offered to continue as a member-at-large.

- 2 Invite to join: Audrey Cromwell (Bozeman attorney) – from the “list” of MT family-law attorneys of low-income clients.
- 3 **Who else on the “list” could be invited (must attend at least 75% of meetings)? And if a candidate declines, who else might they recommend?**
- ** Task-McLean et al: Invite 1-2 select “list” candidates to join GROC (& attend at least 75% of meetings); if they can’t, ask: who do they recommend?
- B Input via surveys, etc.
- McLean is updating the 2002 survey, with input from MT Legal Services Association (MLSA) at <https://www.mtlsa.org/> and others.
- ** Task-McLean: Update 2002 survey, with input from MLSA and others as needed.
- VII External outreach to the community – trainings, conferences, etc.
- A Jul29 virtual training: Quinn/McLean gave training, with examples of **good vs. bad orders (“The Good, the Bad, and the Ugly”)**, to standing masters.
- B Oct06 Billings judicial conference: Quinn/Probasco will promote the use of TNOCS to district court judges.
- Probasco: **Can Quinn “lead”** on this presentation, as I am retired and not state-employed? [Note: Quinn had to leave the meeting before this point.]
 - McLean: **I will ask him. He just presented recently (see VII.A above), so it shouldn’t be too hard for him to prepare and/or** update a presentation.
 - McLean to Probasco: When you present to these judges, can you do a simple 2- or 3-question survey re. variances?
 - Probasco: It can be hard to find a moment of their time / attention; still, we can and should try.
 - McLean: I mean just pose 2-3 questions. **As noted above, Dr. Betson once “surveyed” judges just by asking: “What have you seen re. variances?” I’ll also prepare for the judges a handout map of MT’s CSSD regions, with contact data for the attorney out of each regional office: #2-Great Falls, April Armstrong; #3-Billings, Ann Hefeneider; #4-Butte, Andrew Betson; #5-Missoula, Patrick Quinn; #8-Helena, Amy Pfeifer.**
- ** Task-McLean: For Oct06-Billings – ask Quinn to take the lead on this **presentation, per Probasco’s request.**
- ** Task-McLean: For Oct06-Billings – prepare a 2-3 question survey of judges re. variances they’ve seen.
- ** Task-McLean: For Oct06-Billings – **prepare a map showing MT’s CSSD regions, plus the associated attorneys’ contact data.**
- VIII **Internal ‘outreach’ to state employees – trainings**
- A On GLW: Be ready for another region-wide training to the OAH—after the SEARCHS Transformation, which is projected for completion by Sep30.
- B On self-employment (SE) income:
- 1 Basic video course, by ALJ Robin Hall: ADA captioning is done! All who do calculations should take this course, so SE will be calculated correctly.
 - McLean: **It’s critical to get this** training in use to prevent (especially if OAH is later involved) known issues caused by incorrect SE calculations.
 - Strandell: Only after SEARCHS Transformation and training, Then we can move this video course into iSpring (our new internal training software).
 - McLean asked Helman, who agreed, to review this course (while Transformation occurs) and share ideas on how best to distribute and apply it.
 - ** Task-McLean/Helman: McLean will send a link to Helman, who will review this video course.
 - 2 Advanced video course, by McLean: ADA compliance is being completed.
 - 3 Recruiting regional CSSD trainers: **Each region needs “specialists”** to help, or recruit others to help, with analysis and training re. SE income. This past February, Rohrdanz volunteered for Region 3; we can also ask Lance Oaas, given his experience and interest in self-employment.
 - 4 **Probasco’s SE scenarios – when to implement? After SE training “attendance,” or…?**
- IX [Tabled for today:] Military basic allowance for housing (BAH)
- Confirm policy in light of finalized action by 2020 Yellowstone County District Court (YCDC).
 - Final determination on petition for judicial review (PJR)?
- X [Currently inactive:] Calculations audit
- This audit may resume later.
- XI Other
- No additional agenda items were submitted.
- XII Adjournment / Next meeting
- This meeting ended at 2:34p. Next one is scheduled as usual (second Tue. of second month of the quarter): Nov09, 1:00–4:00p U.S. Mountain time.

Resource 3 – Addendum H, Case Analysis / 200% of Poverty Level – for 2020 Quadrennial Report

Note: Per the GROC minutes of 2020 Nov 11: “A subcommittee was formed to collect and analyze calculations performed in 2019 where the value at line 5 is less than \$14,663 available for child support [in order to] review cases qualifying under the 200% of poverty benchmark where gross income is at or below \$34,680...The analysis will be inserted into the Quadrennial Review.”

CASE ANALYSIS CASE REVIEW OF CHILD					CASE ANALYSIS CASE REVIEW OF CHILD SUPPORT ORDERS ENTERED 2019														
Year of Calc	CSED/DC Case No.	Obligor	# of Children	Pers Allowance (line 4)	OBLIGOR								MISC						
					Gross Inc (line 1i)	Other Children Ordered CS (line 2a)	Other Children Allowance (line 2b)	Inc After Deductions (line 3)	Wrksht C	Line 7	Per YR Obl (line 22)	Taxes S/M?	Amt on Line 17? Y/N	Default Order? (Y/N)	Mo Recent Pmt	Total Arrears [OPS]			
2019	147487	Father	1	\$16,237	\$0	\$0	\$0	\$0	\$0		\$0	\$0	S/1	N	N	21-Apr	\$ 11,019		
2019	190592	Father	1	\$16,237	\$0	\$0	\$0	\$0	\$0		\$0	\$0	S/1	N	N	15-Jun	\$ 8,368		
2019	168771	Mother	1	\$16,237	\$0	\$0	\$0	\$0	\$0		\$0	\$0	S/0	N	N/A	21-Aug	\$ 7,891		
2019	151614	Father	1	\$15,782	\$15,080	8%	\$0	\$0	\$13,240	9%	0.84	\$1,192	100%	\$1,192	S/1	N	N/A		
2019	171515	Father	2	\$16,237	\$15,080	5%	\$0	\$2,436	\$10,804	7%	0.67	\$756	100%	\$756	S/1	N	Y	20-Aug	\$ 2,475
2019	129542	Father	1	\$16,237	\$16,684	9%	\$0	\$0	\$14,492	10%	0.89	\$1,449	100%	\$1,449	S/1	N	N/A	20-Mar	\$ -
2019	123900	Father	2	\$16,237	\$17,651	7%	\$0	\$1,620	\$13,789	9%	0.85	\$1,241	100%	\$1,241	S/1	N	N/A	21-Jul	\$ 4
2019	182927	Father	3	\$16,237	\$17,680	9%	\$0	\$0	\$15,254	10%	0.94	\$1,525	100%	\$1,525	S/1	N	N/A	21-Aug	\$ 31,626
2019	188222	Father	1	\$16,237	\$17,680	11%	\$0	\$0	\$16,607	12%	1.02	\$1,993	100%	\$1,993	S/1	N	N/A	21-Jun	\$ 6,482
2019	192108	Father	1	\$16,237	\$17,680	9%	\$0	\$0	\$15,254	10%	0.94	\$1,525	100%	\$1,525	S/1	N	N/A	21-Jun	\$ 5,121
2019	188321	Father	3	\$16,237	\$18,033	9%	\$0	\$0	\$15,524	11%	0.96	\$1,708	100%	\$1,708	S/1	N	Y	21-Apr	\$ 1,589
2019	173595	Father	1	\$16,237	\$21,868	9%	\$1,300	\$0	\$17,152	12%	1.06	\$2,058	100%	\$2,058	S/1	N	N/A	20-Dec	\$ 18,571
2019	176439	Father	1	\$16,237	\$0		\$0	\$0	\$0			\$0		\$0	S/1	Y	N	21-Aug	\$ 5,560
2019	191916	Father	2	\$16,237	\$0		\$0	\$0	\$0			\$0		\$0	S/1	Y	N	21-Aug	\$ 34,777
2019	163159	Father	2	\$16,237	\$8,989	5%	\$0	\$0	\$8,859	5%	0.55	\$443	100%	\$443	S/1	Y	N	21-Aug	\$ 29,183
2019	174197	Father	2	\$16,237	\$15,080	8%	\$0	\$0	\$13,240	9%	0.82	\$1,192	100%	\$1,192	S/1	Y	?	21-Jul	\$ 503
2019	149667	Father	1	\$16,237	\$17,680	9%	\$0	\$0	\$15,254	10%	0.94	\$1,525	100%	\$1,525	S/1	Y	N	21-Jul	\$ 7,744
2019	174373	Father	1	\$16,237	\$17,680	9%	\$0	\$0	\$15,254	10%	0.94	\$1,525	100%	\$1,525	S/1	Y	N	21-Aug	\$ 12,784
2019	193065	Father	3	\$16,237	\$17,680	9%	\$0	\$0	\$15,254	10%	0.94	\$1,525	100%	\$1,525	S/1	Y	N/A		\$ -
2019	186751	Father	1	\$16,237	\$18,040	10%	\$0	\$0	\$15,614	11%	0.96	\$1,718	100%	\$1,718	S/1	Y	N/A	20-May	\$ 3,334
2019	183611	Father	1	\$16,237	\$20,800	10%	\$0	\$0	\$17,637	12%	1.09	\$2,116	100%	\$2,116	S/1	Y	??	21-Jul	\$ 4,612
2019	193012	Father	1	\$16,237	\$21,632	9%	\$1,644	\$0	\$16,610	12%	1.02	\$1,993	100%	\$1,993	M/2	Y	N	21-Apr	\$ 3,683
2019	137419	Father	1	\$16,237	\$25,562	15%	\$0	\$0	\$21,200	18%	1.31	\$4,963	76%	\$3,795	S/1	Y	N/A	21-Apr	\$ 6,585
2019	167386	Father	1	\$16,237	\$29,128	11%	\$0	\$0	\$20,203	16%	1.24	\$3,966	83%	\$3,278	S/1	Y	N/A	21-Jun	\$ 7,079
2019	146086	Father	1	\$16,237	\$29,148	12%	\$3,156	\$0	\$20,709	18%	1.28	\$4,472	81%	\$3,642	S/1	Y	N	21-Jun	\$ 483
2019	186097	Father	1	\$16,237	\$29,831	16%	\$0	\$4,060	\$25,571	18%	1.57	\$9,334	50%	\$4,700	S/1	Y	N/A	21-Jul	\$ 5
2019	189224	Father	2	\$16,237	\$30,002	19%	\$0	\$0	\$24,997	23%	1.54	\$8,760	65%	\$5,688	S/1	Y	N/A	20-May	\$ 31,023
2019	168958	Father	1	\$16,237	\$31,034	15%	\$0	\$0	\$31,875	14%	1.96	\$15,638	29%	\$4,577	S/1	Y	Y	19-Sep	\$ 18,870
2019	175813	Father	1	\$16,237	\$31,811	13%	\$1,800	\$0	\$24,045	17%	1.48	\$7,808	52%	\$4,067	S/1	Y	N	21-Aug	\$ 4,814

Resource 4 – [End of] Guidelines History 1, 1980s–1990s, aka “Primer”:

Cost of raising a child (DE’s Melson basis) vs. federal poverty index guidelines (MT’s modified Melson basis)

Note: This “Guidelines History 1, 1980s-1990s (aka ‘Primer’),” written ~2003 by John McRae / Ann Steffens, sums up the origin and history of Montana’s guidelines.

For these reasons, Delaware abandoned the federal poverty guidelines as a basis for its child support guideline variables. In its place, the Family Court selected an approach recommended by the National Research Council in its publication, *Measuring Poverty: A New Approach*.¹⁷ The approach begins with family expenditures for food, shelter, and clothing at the 30th to the 35th percentile of all family expenditures on those items as measured by the Consumer Expenditure Survey. Children are valued at seven tenths of an adult and there is an adjustment for the economies of scale possible with larger families.

The standard of living adjustment (SOLA), the final phase of the Melson guideline, consists of a percentage, increasing as the number of children increase, applied to income available at the point in the calculation where a parent has met his/her portion of the child’s primary support. For example, a Montana parent with two children will pay 21% of income available for SOLA, whether the amount available in the child support calculation is \$5,000 or \$500,000. Because of the use of these flat rates, some of the criticisms that apply to the Wisconsin guideline can also be leveled at SOLA. That is, the effect of a flat tax rate is contrary to studies, which show that as parental income increases, the percentage of income spent on children decreases. Montana may want to consider a sliding scale instead of a fixed SOLA rate to comport with the economic evidence.

PART SIX Conclusion

Having laid the foundation for the guidelines review, Montana’s task is to choose the model that best meets the goals set by the state. In addition, federal regulations require consideration of economic evidence on the cost of raising children and analysis of data gathered regarding deviations from the guidelines in actual case records.

¹⁷ Citro, Constance F. and Robert Michael, (Eds.). 1995. *Measuring Poverty: A New Approach*. National Research Council, Washington, D.C., National Academy Press.