



State of Colorado Child Support Commission Report



December 2009

Child Support Commission

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Pauline Burton

John Bernhart

Robert J. Kurtz

Advisory to the Commission/ Subject Matter Expert

Anna Sandoval

Assistant to the Commission

Introduction

This is the interim report of the 2009 Child Support Commission on its review of the Colorado Child Support Guidelines. After appointment by the governor, the Commission held its first meeting on September 10, 2009. The Commission has held four monthly meetings in 2009 and will continue to meet in 2010. A final report will be issued upon adjournment of the Commission.

The Child Support Commission was created pursuant to section 14-10-115(15), Colorado Revised Statutes. This statute authorizes the Commission to review the Colorado Child Support Guidelines and related child support issues and to make recommended changes to the Governor and the General Assembly. In its statutory charge, the Commission review the economic data on the cost of raising children, the rate of deviations from the guidelines and other issues. The Commission meets every four years pursuant to federal and state laws.

Work of the 2009 Child Support Commission

In the brief time that the Commission has met this year, it has begun a review of the underlying assumptions of Colorado's child support guidelines formulas, the rates of deviation in both IV-D and non-IV-D cases, the economic data on the cost of raising children and other mandatory and discretionary issues.

The Commission has retained the services of Jane Venohr, Policy Research Institute to assist in the collection and analysis of data on the cost of raising children, as well as the effect of the underlying assumptions on Colorado's child support formulas. The Commission did agree to recommend retaining the Income-Shares Model formula for the guidelines as it accurately reflects the duty and ability of both parents to support their children.

Regarding the rate of deviations from the guidelines, data summaries were presented on the rate of deviations in both IV-D and non-IV-D cases. IV-D cases are those child support cases handled by the Colorado Department of Human Services, Division of Child Support Enforcement pursuant to Title IV-D of the Social Security Act. County Child Support Enforcement Units administer these cases. Non-IV-D cases are all other child support cases and do not involve the Department and are handled by members of the private bar or by individuals on their own. The child support guidelines apply to both IV-D and Non-IV-D cases. The deviation rates for the years 2005 through 2008 for IV-D cases were less than three percent in both establishment and modification matters. An additional data summary based on responses to a survey sent to the judges and magistrates of all judicial districts reveal a deviation rate of less than 5 percent for all non-IV-cases. The Commission agreed that these deviation rates reveal that the child support

guidelines were being applied informally throughout the state and that deviations were limited as intended by the general assembly.

The Commission also began its review of other mandatory and discretionary issues and has no further recommendations at this time.

Conclusion:

Due to the short period of time the Commission has been able to meet in 2009 and especially because data collection and analysis of many issues is still ongoing, the Commission is making no specific recommendations in this interim report, except as reflected above.