

Report to the Kansas Supreme Court from the Kansas Supreme Court Child Support Guidelines Advisory Committee with Final Recommendations to the Kansas Child Support Guidelines

August 31, 2015

Summary

The Kansas Child Support Guidelines Advisory Committee recommends the adoption of proposed changes to Supreme Court Administrative Order No. 261. These changes include: increasing the child support schedules based on data from the United States Department of Agriculture USDA Consumer Expenditure Survey for 2012-2013; using gender neutral language in the child support worksheets and the examples; adjusting tax related components; and modifying numerous definitions and formulas in response to new case law and feedback from parents, attorneys, and judges.

The Supreme Court previously approved the committee's recommendation that it resumes meeting in 2016 to review sections of the administrative order related to the Parenting Time Adjustment, the Equal Parenting Time formula, and other elements of the child support guidelines. Normally the committee would not meet again until the next federally required review of the child support guidelines in 2018.

Introduction

The Code of Federal Regulations (45 C.F.R. § 302.56) requires the child support guidelines of each state to be reviewed at least once every four years to ensure that the application of the guidelines results in determinations of appropriate child support amounts. To meet this requirement, the Kansas Supreme Court convenes the Kansas Child Support Guidelines Advisory Committee every four years for the purpose of reviewing the existing guidelines and recommending changes to the Court. The last review of the guidelines concluded in 2012. Supreme Court Administrative Order No. 261, implementing the revised guidelines, became effective April 1, 2012.

45 C.F.R. § 302.56 states in part:

(h) As part of the review of a State's guidelines required under paragraph (e) of this section, a State must consider economic data on the cost of raising children and analyze case data, gathered through sampling or other methods, on the application of, and deviations from the guidelines. The analysis of the data must be used in the State's review of the guidelines to ensure that deviations from the guidelines are limited.

The members of the Kansas Child Support Guidelines Committee are appointed by the Chief Justice of the Kansas Supreme Court. Current members and their date of initial appointment are listed below:

Table 1
Kansas Child Support Guidelines Advisory Committee

Advisory Committee Member	Date of Initial Appointment
Hon. Thomas E. Foster	May 24, 2001
Professor Linda Elrod	April 7, 1989
Charles F. Harris	April 7, 1989
Sherri Loveland	April 7, 1989
Larry Rute	April 7, 1989
Hon. Constance Alvey	July 1, 2009
Hon. Amy Harth	July 1, 2009
Brian Mull	April 3, 2014
Amy Beardy	April 3, 2014
William McClain	April 3, 2014
Lisa Howell	April 3, 2014
*Doni Mooberry	June 2, 2014
Melissa Johnson	April 3, 2014
**Carol Park	June 3, 2012

*Completing the unexpired term of Roy Brungardt

**Completing the unexpired term of John Bird

Final Recommendations

The table below sets forth the changes to the Kansas Child Support Guidelines recommended by the Kansas Child Support Guidelines Advisory Committee.

Section	Subject	Recommended Change	Substantive or Technical
II	Definitions	Defines direct and indirect expenses. The definition of child support is modified to include, “[T]he needs of the child include direct and indirect expenses related to the day-to-day care and well-being of the child.”	Substantive

Section	Subject	Recommended Change	Substantive or Technical
II.D	Domestic Gross Income – Wage Earner	The following was added, “VA Disability payments, Social Security Disability payments, and any employer provided or private disability insurance payments shall be considered income for child support purposes.” A comment further explaining the inclusion of disability payments was added to the endnotes.	Substantive
II.F	Imputed Income	Income may be imputed to either parent. Currently, income may only be imputed to the parent not having primary residency.	Substantive
II.F.1.d	Imputed Income	Clarifies that the value of both in-kind payment and reimbursement of certain expenses must be added to gross income.	Substantive
III.B.1	Rounding	Clarifies the instruction regarding how income is rounded.	Technical
III.B.7	Sharing Equal or Nearly Equal Time and Expenses	To qualify for shared residential custody treatment, the parties must share the child’s time on an equal or nearly equal basis, not based on a non-primary residency extended parenting time basis (i.e. summer visitation, holiday’s etc.) and the parties must be sharing direct expenses of the child.	Substantive
III.B.7.a.(1)(f)	Shared Expense Formula - Alternative Dispute Provisions	Provides that “neither party may unilaterally modify or terminate the agreed upon shared expense plan.”	Substantive
III.B.7.b	Equal Parenting Time Formula	In circumstances where the parents agree to each provide clothing for the child in their own home, the multiplier would be reduced from 11% to 10% for a combined monthly gross income less than \$4,690; from 13% to 12% for combined monthly gross income more than \$4,690 but less than \$8,125; and from 16% to 15% if combined monthly gross income is greater than \$8,125.	Substantive

Section	Subject	Recommended Change	Substantive or Technical
		<p>New factors were added for the court to consider when deciding which parent is to pay the direct expenses when the parties are not able to reach an agreement, and when the equal parenting time formula is used to set child support. These factors replace instructions establishing that the parent with the lower net child support obligation shall be responsible for all direct expenses.</p> <p>Step 3.a was corrected by replacing, “the higher income parent” with “the parent with the higher support obligation.”</p> <p>The current “Not Less Than Zero” rule was deleted. The court is instructed that when the Equal Parenting Time Formula is used and the result is less than zero, the court shall consider the overall financial circumstances of the parties to determine whether an adjustment should be made.</p> <p>The following instruction has been added: “In situations where the Equal Parenting Time formula has previously been established with one parent paying the direct expense portion and there is a subsequent realignment of the relative incomes, absent agreement of the parties, the Court shall determine which parent should pay the direct expense portion.”</p>	
IV.D.1.	Child Support Income	References to “Mother” and “Father” have been replaced throughout the child support guidelines with gender neutral language. The parties' names will be used on the child support	

Section	Subject	Recommended Change	Substantive or Technical
		worksheet and the DRA. Fictional names “Chris” and “Casey” have been used in examples as a replacement for “Mother” and “Father.”	
IV.D.5.c.	Work-Related Child Care Costs (Kansas credit)	Eliminate this section as Kansas no longer has a child care tax credit.	Substantive
IV.E.2.c.	Extended Parenting Time Adjustment	Expand the availability of the adjustment to situations when the child spends time on a shared time schedule during the summer. Currently, this adjustment is limited to situations where the child spends 14 or more consecutive days with the parent not having primary residency.	Substantive
IV.E.3.	Income Tax Considerations	Inserts a paragraph explaining the impact of the federal Affordable Care Act. The committee recommends that this section be bolded.	Substantive
IV.E.4.	Special Needs or Extraordinary Expenses	Extraordinary expenses have been removed from the guidelines based on the economist’s recommendation. What had been considered “extraordinary expenses” is already factored into the child support schedules.	Substantive
IV.E.6.	Overall Financial Conditions of the Parties	Adds overtime pay as a factor that may be considered as being “historically relied upon” in determining the overall Financial Conditions Adjustment. Currently, additional employment is considered but not overtime pay.	Substantive
IV.F.7.	Required Worksheet Signatures	Clarifies that the person preparing the worksheets shall sign the worksheet, and the judge approving the worksheet shall sign and date it. Worksheets submitted but not approved shall not be signed by the judge. These same changes will also be made to the sample worksheet in Appendix VII.	Substantive

Section	Subject	Recommended Change	Substantive or Technical
V.B.2.	Duty to Notify	If a judge sanctions for failure to disclose a material change of circumstances, the judge must establish a “determinate amount of time” for the sanction.	Substantive
End Notes	Membership and appointment dates on the Kansas Child Support Guidelines Advisory Committee	Updates	Technical
Appendix I	Child Support Worksheet	Updated to include preparer signature lines.	Technical
Appendix I	Child Support Worksheet	Updated to remove “Extraordinary Expenses” on Line E.4. This same change will be made to the example in Appendix VII, Sample Child Support Worksheet.	Substantive
Appendix II	Child Support Schedules	Updated with new support amounts per the advice of the economist.	Substantive
Appendix III	Domestic Relations Affidavit	The “declaration under penalty of perjury” language currently used on the short form DRA has replaced the verification by a notary used on the long form DRA.	Substantive
Appendix IV	Interstate Pay Differential	Updated with new federal Bureau of Labor Statistics data to provide the 4 th quarter 2014 average wage figures for each state. Table 1 was modified by removing the calculations and Table 2 was deleted entirely as the information contained in Table 2 was not necessary.	Technical
Appendix V	Income Tax Considerations	Updated with the same language regarding the federal Affordable Care Act recommended in Section IV.E.3.	Substantive
Appendix V	Income Tax Considerations	Updated with current references and figures from 2015 federal and state tax laws. This section also updates instructions regarding self-employment income or if income is received from a	Substantive Technical

Section	Subject	Recommended Change	Substantive or Technical
		Limited Liability Corporation (LLC) or as a member of an S-Corporation. Updates and changes the format for Kansas and Federal Income Tax tables.	Technical
Appendix VI	Cafeteria Plans and Salary Reduction Agreements	References to Health Savings Accounts (HSA) and Code Section 223 have been added.	Technical
Appendix VII	Equal Parenting Time Worksheet	Deleted the following phrase on line 15: “[t]his amount shall not be less than zero.” Inserted on line 15 is the following: “[w]hen the Equal Parenting Time Formula is used and the court is instructed that when the Equal Parenting Time Formula is used and the result is less than zero, the court shall consider the overall financial circumstances of the parties to determine whether an adjustment should be made.”	Substantial
Appendix XI	Equal Parenting Time Worksheet	Deleted the following phrase on line 15: “[t]his amount shall not be less than zero.” Inserted on line 15 is the following: “[w]hen the Equal Parenting Time Formula is used and the court is instructed that when the Equal Parenting Time Formula is used and the result is less than zero, the court shall consider the overall financial circumstances of the parties to determine whether an adjustment should be made.”	Substantial

Economic Data and the Cost of Raising Children

Dr. Jodi Messer-Pelkowski, Professor of Economics at Wichita State University, served as the economist during this review and created the current Kansas Child Support schedules. The economic data analyzed by Dr. Messer-Pelkowski supports an increase in the Kansas child support schedules based on Consumer Expenditure Survey data for 2012-2013 published by the United States Department of Agriculture (USDA). The USDA reports spending on children for

the following major budget items: housing, food, transportation, clothing, health care, child care, education, and miscellaneous goods and services. Almost all income levels will see an average increase between 3.0% and 3.5% depending on the number of children in the family and their combined gross income. Dr. Pelkowski prepared an addendum to the Economist's Report that explains the increase in the child support schedules. This addendum shows changes in the Consumer Price Index (CPI) for Kansas and compares the CIP for Kansas to the CPI nationally and in surrounding states. The addendum also shows how the CPI impacts the Kansas Child Support Guidelines schedules.

In 2012, the expenditure data indicated that the amount of spending by families on younger children (ages 0 to 5 and ages 6 to 11) had increased at a higher rate than spending on older children (ages 12 to 18). In response to this, the multiplying factor for children ages 0 to 5 was increased from .76 to .80 and the multiplying factor for children ages 6 to 11 was increased from .86 to .92. These factors are multiplied against the child support obligation for children in the 12 to 18 year old age group to obtain the child support obligation for children in the appropriate groups. For example, child support for a 4 year old child is determined by multiplying the child support obligation from the older child age group (12 to 18 year old child) by .8. In this example, if the child support obligation for the older child age group is \$100, the child support for the 4 year old child would be \$80 ($\$100 \times .8 = \80). If the child were 7 years old, the child support obligation would be \$92 ($\$100 \times .92 = \92).

Also in 2012, the highest combined monthly income computed on the child support schedules was raised from \$14,600 to \$15,500. The committee recommends that this \$15,500 ceiling be retained.

Two factors continue to contribute to the committee's unanimous support for adjusting the child support schedules as recommended by the economist: (1) the public's demand that committee decisions be based on data; and (2) the likelihood that failing to make the adjustment now would result in a much greater adjustment in the future. The economist's report is attached.

Report on the Use of Adjustments and Deviations from the Guidelines

45 C.F.R. § 302.56(h) requires the analysis of "case data, gathered through sampling or other methods, on the application of, and deviations from, the guidelines. The analysis of the data must be used in the State's review of the guidelines to ensure that deviations from the guidelines are limited."

Kansas judges may deviate from the basic child support obligation and apply one or more "adjustments" to increase or decrease one or more parties' child support obligation. Adjustments must be requested by a party, and are discretionary with the court. There are six types of adjustments: (1) Long-Distance Parenting Time Costs; (2) Parenting Time Adjustment; (3)

Income Tax Considerations; (4) Special Needs/Extraordinary Expenses; (5) Support of Children Beyond the Age of Majority; and (6) Overall Financial Conditions of the Parties.

The Kansas Department for Children and Families (DCF) provided data showing adjustments involving 4,843 worksheets in 2013, and 3,771 worksheets in 2014. All of the cases included in the study were IV-D cases, which means the cases receive child support enforcement services through the DCF Child Support Enforcement (CSE) Division. The IV-D caseload includes families that receive public assistance and families that do not receive public assistance. It is important to note that although this study was conducted pursuant to the Code of Federal Regulations, there is no federal standard suggesting how many deviations, or adjustments, are “too many.” The data provided by DCF is reflected in the table below.

Another task was to determine the frequency of deviation from the guidelines. Only 3.8% of the 64,500 cases in the study included an adjustment during the study period. This demonstrates the limited use of adjustments in Kansas IV-D cases. It is not known whether this represents an appropriate number of adjustments.

	FY 2013		FY 2014	
Total Worksheets Created	4,843		3,771	
	Adjustments		Adjustments	
Agreement Past Minority	3	0.06%	3	0.08%
Income Tax Consideration	1,725	35.62%	2,036	53.99%
Long Distance Visitation Costs	47	0.97%	27	0.72%
Overall Financial Condition	160	3.30%	122	3.24%
Parenting Time Adjustment	87	1.80%	80	2.12%
Special Needs	20	0.41%	18	0.48%
Total Adjustments	2,042		2,286	

Process for Reviewing the Kansas Child Support Guidelines

Committee Meeting Process

The committee met on an almost monthly basis beginning in June 2014. Meetings were open to the public and notices of meetings were published in the *Kansas Register*. All meetings have been held in the Kansas Judicial Center, Topeka, Kansas. The committee has scheduled meetings for the fourth Friday of each month through October 2015, though it is possible that not all of the meetings will be necessary. Committee minutes are posted on the Judicial Branch website. Members of the public have made presentations to the committee and observed meetings in person.

Stakeholder Input

Stakeholder input was extremely valuable during the review process. The committee solicited input on the preliminary recommendations from the following stakeholders: judges, attorneys, child support payors and payees, software developers, and the general public. This was accomplished by offering stakeholders the opportunity to submit input via a web-based survey. Notice of this opportunity was made through emails to judges and active Kansas attorneys, postings on the Kansas Judicial Branch and Kansas Payment Center (KPC) websites, publication in the *Kansas Register*, and a media release.

The survey was structured so that it provided numeric data showing the level of stakeholder satisfaction with specific recommended changes to the guidelines. The survey also provided stakeholders the opportunity to share comments on each of the recommendations. The committee's final recommendations incorporate stakeholder feedback obtained through the survey and through direct communication with the committee throughout the process of reviewing the child support guidelines.

Survey Results

A total of 327 survey responses were received. Separate survey results, including narrative comments, are attached for each of the following stakeholder groups: 1) judges/attorneys, 2) child support payors and spouses of payors, and 3) child support payees and spouses of payees. The survey was open from May 20, 2015, to June 22, 2015.

Respondents who identified themselves as judges or attorneys were automatically directed to a page designed to give them an opportunity to respond faster than the general public. The judge and attorney page assumed a higher level of understanding of the child support guidelines than the general public and less explanation of each section was provided. Judges or attorneys who are also payors or payee were provided the opportunity to complete the full survey. Information about who responded to the 2015 survey is provided in the tables below. Please note that not all respondents provided a response to each question. Therefore, not all tables will achieve a total of 327, with the exception of Table 1 which required a response before the participant could proceed.

Table 1

Description	N=	%
Payor or spouse of a payor	93	28.44
Payee or spouse of a payee	46	14.07
Other – not working professionally in child support	13	3.98
Judge or attorney	164	50.15
Other	11	3.36
Total	327	100.00

The 2015 survey asked participants for demographic data for the first time. This information is provided in Table 2.

Table 2
Age of Payor and Payees

Age of Respondents	N=	%
Younger than 18	0	0.0
18 to 25 years old	3	1.96
26 to 35 years old	34	22.22
36 to 45 years old	69	45.10
46 to 55 years old	38	24.84
56 to 65 years old	7	4.58
Older than 65 years	2	1.31

Table 3
Sex of Payors and Payees

Sex of Respondents (combined payor and payee)	N=	%
Males – Total	81	52.94
Females – Total	72	47.08
Sex of Payors		
Males who identified as payor or spouse of payor	66	71.74
Females who identified as payor or spouse of payor	26	28.26
Sex of Payees		
Males who identified as payee or spouse of payee	7	15.56
Females who identified as payee or spouse of payee	38	84.44

Summary of Survey Results

A full summary, including narrative comments, of all survey respondents is attached. This survey shows general agreement with the recommended changes although, not surprisingly, there is less agreement on some items than there is on others. Overall, there were 14 sections of the Kansas Child Support Guidelines to which major changes were recommended. Responses to items are reported as either percentages or as a weighted average on a possible score of 1 (strongly disagree) to 5 (strongly agree). Weighted averages of 1.0 would indicate that all respondents strongly disagreed with the recommendation. A weighted average of 3.0 would indicate that the respondents as a group were neutral toward the recommendation. A weighted average of 5.0 would indicate that all respondents strongly agreed with the recommendation.

The item with the highest weighted average (4.21) was the recommendation that the court impute income to either parent. A list of all 14 areas and their weighted averages are presented in the tables below. Table 4 reports results for those items that were common to all respondents. Table 5 reports results for those items that were asked only of judges and attorneys.

Table 4
Items Common To All Survey Participants

Section	Description	Judges /Attorneys Weighted Average	Payor/Spouse of Payor Weighted Average	Payee/Spouse of Payee Weighted Average	Total Weighted Average
II.F	Imputed income may be attributed to either parent	4.21	3.03	3.66	3.24
II.D	Domestic gross income: VA disability, SSD, employer provided or private disability payments considered as income.	3.94	2.31	3.60	2.85
III.B.7.a. (1)(f)	Shared expense formula: neither party may unilaterally modify or terminate the shared expense plan.	3.94	3.27	3.78	3.43
II	Definitions of direct and indirect expenses	3.71	2.70	3.61	3.02
III.B.7.b.	Equal parenting time formula: changes the clothing allowance for parents who agree to provide clothing for the child in their own home.	3.67	3.03	3.21	3.13

Section	Description	Judges /Attorneys Weighted Average	Payor/Spouse of Payor Weighted Average	Payee/Spouse of Payee Weighted Average	Total Weighted Average
V.B.2.	Duty to notify: requires the judge to set a “determinate amount of time” for sanctions	3.67	3.17	3.81	3.40
IV.E.6.	Overall financial conditions: adds overtime pay as a factor that may be considered	3.43	2.29	3.66	2.83
Appendix II	Child support schedules: updates schedules, generally increasing by 3.5%	3.59	2.03	3.85	2.72
IV.E.4.	Special needs or extraordinary expenses: removes references to extraordinary expenses	3.29	3.17	3.00	3.08

Table 5
Items Unique To Judges And Attorneys

Section	Description	Judges /Attorneys Weighted Average
II.F.1.d	Impute income: in-kind payments and reimbursements of certain expenses added to gross income	3.93
IV.D. 5.c	Work-related child care costs: conforms guidelines to Kansas tax law	3.93
IV.E. 2.c	Extended parenting time adjustment: expands the availability of the adjustment	3.92
IV.E.3	Income tax considerations: inserts an explanation describing the impact of the federal Affordable Care Act	3.84
IV.E.7.	Child support worksheet: requires signatures of the person preparing the worksheet and the judge once the judge has approved the worksheet	3.59

The item with the lowest weighted average (3.30) was the recommendation that references to “extraordinary expenses” be removed from the Special Needs Adjustment. The next lowest weighted average (3.39) was the update to the child support schedules, generally raising the child support obligation by approximately 3%. Both the recommendation to remove

extraordinary expenses and increase the child support obligation were based on information from the Economist. Dr. Pelkowski informed the committee that it was a mistake to have included extraordinary expenses as an adjustment along with Special Needs as the items typically considered extraordinary expenses are already factored into the expenditures on children by families and incorporated into the schedules. Responding to the feedback obtained from the survey, Dr. Pelkowski provided an addendum to the Economist’s Report showing how the Consumer Price Index shows inflation rising much higher than 3% over the past 4 years. The fact that the child support schedules are typically adjusted only once every four years was included in the Economist’s report but this information was not included in the survey question regarding the proposed increase. It is possible that the weighted average may have been different if both items had a more complete explanation on the survey.

Special Issues: Equal Parenting Time (Section III.B.7.b.) and Parenting Time Adjustment

Stakeholders were asked to respond to questions regarding two matters that consumed considerable time during the current review: Equal Parenting Time and the Parenting Time Adjustment. Both of these components are intended to provide parents with a mechanism that provides them with a financial accommodation for the time each parent spends with the child without increasing conflict and potential litigation. The Equal Parenting Time Formula was introduced with Administrative Order No. 260 in 2012. The Parenting Time Adjustment first appeared with Administrative Order No. 180 in 2003. For purposes of this review, the committee wanted to know from stakeholders how often the two components are used, and how satisfied the stakeholders are with the two components. The feedback from stakeholders is provided in Tables 6 and 7.

Table 6
Judge and Attorney Utilization of the Equal Parenting Time Formula and Worksheet

Estimate of how often the EPT formula is used	%	N=
Almost never	11.27%	8
Less than 5%	19.72%	14
5% to 25%	46.48%	33
Between 25% and 75%	21.13%	15
Greater than 75%	1.41%	1

Table 7
Judge and Attorney Response to the Equal Parenting Time Formula and Worksheet

Question	Weighted Average	N=
The EPT works for parents who are cooperative and willing to work together	4.22	78
The EPT worksheet is complicated and difficult to understand	3.47	78
The EPT could be useful but needs to be revised	3.47	78
I have had cases where the “not less than zero” component of the formula has created a problem	3.18	77
I have never had a client or a case that has used the EPT	1.65	77
I encourage parties to use the EPT	3.01	76
The EPT and the EPT worksheet should be removed from the child support guidelines	2.30	79

The EPT formula is used but certainly not in every case. It is clear that the EPT, although not an easy tool to use, is useful for parents who are cooperative and willing to work together. Although respondents requested that the EPT be revised, the only specific recommendations to revision were regarding the “not less than zero” component of the EPT. The committee is recommending a change to this component as a result of the survey feedback.

Questions for the payors and payees were slightly different. 39 of the 93 payors or spouses of payors, and 16 of the 36 payees or spouses of payees indicated that they had used or attempted to use the EPT to determine the amount of child support they would be obligated to pay. Their questions and responses are provided in the Tables 8 through 11. As with the tables above, data is reported as either a percentage, a weighted average, or as a whole number (N=).

Table 8
Payor/Payee Utilization of the Equal Parenting Time Formula and Worksheet

Statement Regarding EPT	Payor Weighted Average	Payor N=	Payee Weighted Average	Payee N=
We used the EPT successfully	2.37	35	2.69	16
The worksheet was easy to understand and complete	2.25	36	2.75	16
I wanted to use the EPT but the other party would not cooperate	3.28	36	2.94	16
Use of the EPT would have reduced the amount of child support paid by the payee	3.64	36	3.31	16

Statement Regarding EPT	Payor Weighted Average	Payor N=	Payee Weighted Average	Payee N=
We used the Parenting Time Adjustment instead of the EPT	2.44	36	3.06	16
The EPT should be ordered even if one or both parties do not agree	4.24	34	3.00	16

Table 9
Judge and Attorney Utilization of the Parenting Time Adjustment

Estimate of How Often the Parenting Time Adjustment is Used	%	N=
Less than 5%	13.04%	9
5% to 25%	50.72%	35
Between 25% and 75%	23.19%	16
Greater than 75%	10.14%	7

Table 10
Judge and Attorney Response to the Parenting Time Adjustment

Question	Weighted Average	N=
The 5%, 10%, and 15% adjustments currently available in the guidelines are fair.	2.64	76
The current parenting time adjustment is easy to understand.	3.22	77
The parenting time adjustment should be eliminated.	2.04	77
The parenting time percentage (35%, 40%, 45%) encourage litigation.	3.14	77
Adjustments at smaller parenting increments (35%, 36%, 37%, etc.) would encourage litigation.	3.34	77
Adjustments at smaller parenting time increments (35%, 36%, 37%, etc.) would be more fair than adjustments at the current parenting time increments (35%, 40%, 45%).	2.84	76

Table 11
Payor/Payee Utilization of the Parenting Time Adjustment

Statement regarding EPT	Payor Weighted Ave	Payor N=	Payee Weighted Ave	Payee N=
The 5%, 10%, and 15% adjustments currently available in the guidelines are fair.	1.55	33	1.75	12
The current parenting time adjustment is easy to understand.	2.30	33	2.33	12
The parenting time adjustment should be eliminated.	2.30	33	2.33	12
The parenting time percentages (35%, 40%, 45%) encourage litigation.	3.09	33	3.58	12
Adjustments at small parenting time increments (35%, 36%, 37%, etc.) would encourage litigation.	3.36	33	3.33	12
Adjustments at smaller parenting time increments (35%, 36%, 37%, etc.) would be fairer than adjustment at the current parenting time increments (35%, 40%, 45%).	2.91	32	3.00	12

Feedback from judges, attorneys, payors and payees suggests that although support for the parenting time adjustment and for the equal parenting time formula and worksheet is neutral at best, there is also support for keeping both tools. This feedback also provides support for the committee to resume meeting in 2016 for the purpose of devising methods that improve fairness, are simpler to use, and are not likely to increase litigation. The Court has already approved the committee's recommendation to meet in 2016 for this purpose.

Committee Membership

Seven new members were added to the Kansas Child Support Guidelines Advisory Committee in 2014, bringing the total number of individuals on the committee to 14. Four members of the public who are child support payors and payees were selected from 231 individuals who submitted applications during a statewide search. One of the payees was not able to fulfill her obligation and another individual will be recommended to fulfill her unexpired term before the committee resumes meeting in 2016.