

**REPORT OF THE  
SECRETARY OF HEALTH AND HUMAN RESOURCES**

# **REVIEW OF CHILD SUPPORT GUIDELINE**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



## **SENATE DOCUMENT NO. 52**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1995**

## **Review of Child Support Guideline § 20-108.2**

This report is being submitted pursuant to § 20-108.2 H, Code of Virginia which authorizes the Secretary of Health and Human Resources to ensure the child support guideline set out in § 20-108.2 of the Code of Virginia is reviewed by a panel which includes representatives of the courts, the executive branch, the General Assembly, the bar, custodial and noncustodial parents and child advocates.

The responsibility of this panel is to determine the adequacy of the guideline for the determination of appropriate awards for the support of children by considering current research and data on the cost of and expenditures necessary for rearing children, and any other resources it deems relevant to such a review. Findings of the panel are to be reported to the General Assembly.

Appointments to the Child Support Advisory Committee by the Secretary of Health and Human Resources, Kay Coles James, fully comply with the federally required makeup of the body to review the guideline. The Committee's first assignment from the Secretary was to review the guideline, as required. Membership on the Committee includes:

Betty Ruppert, Ph.D., Chair; Mr. Robert N. Baldwin; Mrs. Cathy Bolden; Ms. Cathy Burch; The Honorable Eric I. Cantor; The Honorable Mark L. Earley; Mr. Richard Ehrlenspiel; Ms. Cindy Ewing; Ms. Marilyn C. Goss; Ms. Cherry Harman; Mr. Ronald Hayes; Mr. Michael R. Henry; Ms. Patricia Howell; Judge Lawrence Janow; Ms. MaryAnn Leasher; Mr. Steve Linke; Ms. Shannon Mason; The Honorable Roger J. McClure; Ms. Emily McCoy; Mr. Frank Morrison; Ms. Betty Murphy; The Honorable Thomas K. Norment, Jr.; The Honorable Frederick Quayle; The Honorable W. Roscoe Reynolds; Ms. Charlotte Ruffin; Mr. Thomas Shaia; Mr. J. Michael Sharman; Mr. Murray Steinberg; Mr. John Towell; and Judge Roy B. Willett.

The Committee has met twice for the review of the guideline, and has scheduled its next meeting to continue the review. Written comments from the citizens of the Commonwealth were invited and received. Public comments were received during the first and second meetings. The Committee continues to invite and receive written comments concerning the guideline and any related issues.

The Division of Child Support Enforcement presented data on the deviations from the guideline, taken from a sample of approximately 13,000 child support court orders over an eighteen month period. This sample indicated a total of 2,644 deviations from the guideline in these court orders. The data was presented with the individual deviations used by the courts.

The Committee also heard from Dr. Robert Williams of Policy Studies, Inc. on available research on the cost of and expenditures necessary for rearing children. Dr. Williams, a recognized expert in the area of child support guidelines, is the developer of the current Virginia guideline formula.

The Committee approved a motion that Senator Norment seek an opinion from the Attorney General regarding § 20-108.2H, and more particularly that, 1) the review of the guideline currently being conducted, from which an initial report to the 1995 General Assembly shall contain no recommendations for changes to the guideline at this time, meets the Code and federal requirements; and 2) the intent to continue the review with anticipated recommendations for guideline changes to be made to the 1996 General Assembly shall, until it is amended, in no way impact the applicability and legality of the current guideline as codified in § 20-108.2.

The Committee subsequently approved the issuance of this report, noting that it has received some, and is continuing to receive, information on deviations from the guideline and data on the cost of raising children. Since the Committee was initially convened November 4, 1994, and due to the volume of issues for consideration, the Committee recommends no significant, material changes to the guideline for the 1995 Session. The Committee will make recommendations for guideline changes for the 1996 session.

The Committee will continue to meet in 1995 and will hear from additional experts and leaders in the field of child support guidelines. It will consider this information as it determines needed changes or revisions in the guideline formula and deviations.