
JEFFERSON COUNTY MEDIATION SERVICES
VOLUNTEER COLLOQUIUM MINUTES
January 15, 2013

Volunteers Present: Neila Achter, Marty Atlas, Barbara Bieri, Jolena Brusha, Terry Eaton, David Head, Lee Ann Huntington, Linda Lautigar, Rachel Levy, Fiona Lewis, Mary Mrozek, Ronnie Rosenbaum, Deirdre Santoscoy, Doug Tabor, Scott Wylie, Suzanne Yates

Staff Present: Julie Carter and Helena Jo Goldstein

I. Welcome:

Helena Jo Goldstein welcomed everyone to the meeting and asked those present to introduce themselves.

II. Presentation: The Colorado Child Support Worksheet
Donna Gibbs, Jefferson County Child Support Services

Ms. Gibbs discussed a number of issues that arise when JCMS mediators do mediations for Child Support Services (CSS). A document, called Mediations for Jeffco Child Support Services, which may be useful for mediators to have at mediation sessions, accompanies these minutes as a separate document.

What follows is a list of various other points that came up during the discussion at the meeting.

1. CSS legally only has authorization to enforce child support. If parties agree in an MOU that A will pay B \$x child support per month, plus \$y for summer camp (or banjo lessons, etc.), CSS can only enforce an order for \$x a month. B can also complete a wage assignment to collect \$y through the Child Support Registry, and get that filed with the court, but B must undertake that task, CSS can't do it.
2. CSS does not collect or enforce orders for the payment of maintenance (alimony). In Colorado, a judge may not change the maintenance order once it has been issued. The parties can stipulate to a change in maintenance. That agreement would have to be filed with the court and be approved by a judge.
3. If the parties decide to deviate from the amount of child support as calculated by the worksheet, the reason for that deviation should be spelled out in the agreement. There should also be a date set for when the parties will review whether the reasons for the deviation still exist (typically one year).
4. CSS does genetic testing every Monday and Tuesday at their offices, from 9-11 AM. If the issue arises in a CSS case, the tech will arrange for testing, and the cost will be added to monies owed by the obligor. (Parties who have a court order for testing, but are not involved with CSS can call Ms. Gibbs at 303.271.4393 to schedule an

- appointment. The Court order must be presented at the time of testing. The current cost is \$113.85, and a check made out to LabCorp must be brought to the appointment.)
5. Until the non-custodial parent has 93 or more overnights a year, there is no impact on the child support worksheet. Once the non-custodial parent has more the 102 overnights, worksheet B becomes the correct child support worksheet to use. Every parenting plan, whether in the form of an MOU or the ten page court plan, should state clearly at some point how many total overnights per year the non-custodial parent has.
 6. If a custodial parent moves from one state to another, they can register their child support order in their new state of residence, and that state's CSS office will enforce the order.
 7. The age a child emancipates is based on the state where the order originated. This could be anywhere between the ages of 18 and 21. Jeffco CSS will collect child support as long as is required by the state where the order originated.
 8. Child support must be paid for the month the child emancipates (in CO, when the child turns 19 or graduates from high school, whichever comes later). To be safe, anyone paying child support should file a motion with the court asking that the support order be terminated due to emancipation. Getting this court ordered termination will (hopefully) ensure that the support registry will terminate the wage assignment.
 9. After three months of non-payment, the obligor will receive a letter letting them know their driver's license will be suspended in three months unless payments are started. Once a driver's license is suspended, an amount equal to three months of child support must be paid. When CSS records that the monetary value of three months of support have been received, they will send the obligor a letter confirming that they are now in compliance with their support obligation. To get their license reinstated, the obligor must take that letter to Motor Vehicles AND pay a \$95 fee. The compliance letter does not mean the license has been reinstated. If the license is a commercial license and the way obligor is earning an income, the CSS tech has the discretion to not have the license suspended.
 10. If the obligor is going to be in jail for more than 6 months their child support obligation will be set at \$50/month. Once the obligor has been out of jail for 120 days, the order is raised. If they are employed, a worksheet is done to calculate the new obligation. If the obligor is not employed, the calculation is done using minimum wage for them. Using minimum wage will result in the obligor owing \$245/month for one child, \$265/month for two children.

Helena Jo Goldstein and Julie Carter thanked everyone who attended for participating in the discussion, and wished them a good evening.

IV. Next Colloquium: Tuesday, March 19, 2013, 6:00 – 8:00 p.m. in the Open Space Hearing Room (Ponderosa Room). Topic to be announced- suggestions are welcome.

The meeting was adjourned.

Submitted by: *Helena Jo Goldstein*

Helena Jo Goldstein, Programs Manager

Approved by: *Mark Loye*

Mark Loye, Director