

Underlying Facts for Parenting Time for GA Child Support BCSO

Georgia's child support guidelines Basic Child Support Obligation table or presumptive child costs is based on economic studies using data from intact families. The following are highlights from statutes and economic studies that confirm that Georgia's BCSO table has no built in adjustment for a noncustodial parent's parenting time. That is, the BCSO assumes that the noncustodial parent has no parenting time. This is an underlying fact for determining an appropriate child support award or more specifically is a part of the foundation for rebutting the presumptive award when the noncustodial parent has any parenting time.

- **Georgia Code:**

First, Georgia statute states that the child cost table is based on intact family data. This means that there is an assumption of no second household expenses. There is no second household for a separated noncustodial parent because the data are from only intact, two-parent households. This is stated in OCGA § 19-6-15(i)(2)(K)(i):

(K) *Parenting time.*

(i) The child support obligation table is based upon expenditures for a child in intact households.

Technical Documentation from Georgia Guideline Studies

As the newly enacted child support guideline legislation in 2005 required a new study, the State of Georgia paid for only minimal documentation. Instead of a full-blown report, the state received only a brief technical documentation and other information in PowerPoint format. One of the key documents is *Technical Documentation: Georgia Child Support Guidelines Obligation Table*, December 30, 2005, submitted by Jane C. Venohr, Policy Studies, Inc., Denver, CO.

This document explicitly states the steps in developing the BCSO in pages 20-23. From the steps listed, there is no parenting time adjustment in the BCSO. The steps listed show Georgia's BCSO to be based on standard methodology for an Income Shares child cost table as originally developed by Policy Studies, Inc., Denver, CO but now promulgated by Center for Policy Research, Denver, CO. Key personnel moved from Policy Studies, Inc. to Center for Policy Research and CPR now develops child support cost tables for states. Georgia's BCSO was developed by PSI but CPR still uses the same methodology and CPR has recently consulted for the State of Georgia on child cost issues. Economic facts from other Income Shares states as developed by either PSI or CPR apply to Georgia's child support cost table.

Documentation from Other States

Because Georgia did not pay for a full economic report, it is necessary to go to documentation for other Income Shares states for explicit references to the parenting time assumption for the BCSO based on the Income Shares methodology. Documentation for other Income Shares states consistently state that the cost table is based on intact family data and there is no parenting time adjustment built in. The following corroborate these facts. The underlying fact of no built-in parenting time adjustment is stated essentially the same in each of the following examples. However, having more than one example shows that this underlying fact is universal in Income Shares states.

Maryland

From *Economic Basis for Updated Child Support Schedule, State of Maryland*, December 2, 1996, Robert G. Williams, David A. Price, and Jane C. Venohr, Policy Studies, Inc., Denver Colorado, p. 43:

Visitation costs are not factored into the schedule. Since the Schedule is based on expenditures for children in intact households, there is no consideration given for visitation costs.

Oregon

From *Economic Basis for Updated Child Support Schedule, State of Oregon*, December 31, 2001, Jane C. Venohr and Tracy E. Griffith, Policy Studies, Inc., Denver Colorado, p. 40:

Visitation costs are not factored into the schedule. Since the Schedule is based on expenditures for children in intact households, there is no consideration given for visitation costs.

New Jersey

From *New Jersey, Economic Basis for Updated Child Support Schedule*, March 30, 2004, Jane C. Venohr and Tracy E. Griffith, Policy Studies, Inc., Denver Colorado, p. IV-1:

Visitation costs and shared-parenting time are not factored into the schedule. Since the Schedule is based on expenditures for children in intact households, there is no consideration given for visitation costs.

Arizona

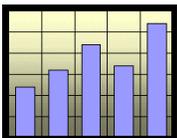
From *Economic Basis for Updated Child Support Schedule, State of Arizona*, February 3, 2003, Jane C. Venohr and Tracy E. Griffith, Policy Studies, Inc., Denver Colorado, p. 40:

Visitation costs are not factored into the schedule. Since the Schedule is based on expenditures for children in intact households, there is no consideration given for visitation costs.

Indiana

Indiana's Income Shares guidelines have commentary that explicitly states that the custodial parent presumptively incurs all of the child costs. From Indiana Rules of Court, Child Support Rules and Guidelines, Adopted Effective October 1, 1989, Including Amendments Received Through January 1, 2010, Commentary:

Analysis of Support Guidelines. The Indiana Child Support Guidelines are based on the assumption the child(ren) live in one household with primary physical custody in one parent who undertakes all of the spending on behalf of the child(ren).



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