



**CHILD SUPPORT ENFORCEMENT AND
DOMESTIC RELATIONS REFORM
COMMITTEE**

State of Arizona

1999 Annual Report

Submitted by:

Senator Ann Day

Representative Karen Johnson

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Senator David Petersen

***CHILD SUPPORT ENFORCEMENT
AND
DOMESTIC RELATIONS REFORM
COMMITTEE***

Members:

Senator Ann Day

Cochair, Domestic Relations Reform Study Subcommittee

Representative Karen Johnson

Cochair, Domestic Relations Reform Study Subcommittee

Representative Laura Knaperek

Cochair, Child Support Coordinating Council Subcommittee

Senator David Petersen

Cochair, Child Support Coordinating Council Subcommittee

TABLE OF CONTENTS

Child Support Enforcement and Domestic Relations Reform Committee: Members

Executive Summary	1
Introduction	3
<i>Historical Background</i>	3
<i>Legislative Response</i>	4
<i>Membership</i>	5
Child Support Coordinating Council Subcommittee 1999	7
<i>Summary</i>	7
<i>Membership</i>	7
<i>Work, Findings and Recommendations</i>	8
Tasks and Objectives	8
Recommendations for Legislative Action	11
Other Issues Before the Council	14
<i>Future Actions</i>	15
Domestic Relations Reform Study Subcommittee 1999	16
<i>Summary</i>	16
<i>Membership</i>	16

TABLE OF CONTENTS, continued

Work, Findings and Recommendations 17
Future Actions 19

Appendix

Child Support Coordinating Council Subcommittee i
Purpose i
Membership i

Child Support Coordinating Council Subcommittee: Members iv

Domestic Relations Reform Study Subcommittee v
Purpose v
Membership v

Domestic Relations Reform Study Subcommittee: Members vii

**CHILD SUPPORT ENFORCEMENT AND
DOMESTIC RELATIONS REFORM COMMITTEE
1999 ANNUAL REPORT**

EXECUTIVE SUMMARY

As required by law (Laws 1994, Chapter 374, Section 24), the Child Support Enforcement and Domestic Relations Reform Committee, comprised of Hon. Ann Day, Hon. Karen Johnson, Hon. Laura Knaperek and Hon. David Petersen, submits to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Chief Justice of the Arizona Supreme Court the following report.

From the outset of 1999, both the Child Support Coordinating Council Subcommittee ("Council") and the Domestic Relations Reform Study Subcommittee ("DR Subcommittee") continued to explore concepts for improving the child support and domestic relations systems. Specific proposals resulted in legislative change as work groups appointed by each subcommittee developed ideas and evaluated recommendations for future change.

The Council was originally conceived as a forum for all system stakeholders to develop and coordinate policies and strategies to improve the child support system. The Council's efforts this year again evidenced the wisdom and importance of forging collaborative solutions. In 1999, the Legislature enacted legislation based on proposals developed and recommended by the Council. The product of various work groups, the omnibus legislative proposal affected the duration of child support judgments, extended to adults the opportunity to commence actions to determine paternity, improved statutes regarding orders of assignment for payment of child support and facilitated the establishment of child support and custody orders when paternity is voluntarily established.

Efforts of various Council work groups have produced further recommendations intended for introduction to the Legislature in 2000. Proposed are amendments that ensure workman's compensation benefit payments may be assessed

for the payment of child support, provide that jury trials are not required in administrative appeals of child support matters, amend various laws necessary to execute centralized processing of support payments and make necessary technical corrections in child support statutes.

Notably, a Council work group continued throughout the year to improve the process for centralized processing of support payments. The committed efforts of the same group previously culminated in a statewide conversion to receipting, posting and distribution of all child support and spousal maintenance payments by a single clearinghouse.

When the DR Subcommittee reconvened at the end of the 1999 legislative session, members moved forward with the mission to broadly reform the state's domestic relations statutes. Rejuvenated by new members, the Subcommittee embarked on strategic planning to set its agenda for the new millennium. Three new work groups were formed to focus on specific issues in the areas of education and prevention, substantive law and court procedures. Although no recommendations for legislative enactment will be proposed in 2000, the ground work has been laid for accomplishment of long-term objectives designed to facilitate the adjudication of domestic relations cases in the best interests of families and children.

***CHILD SUPPORT ENFORCEMENT
AND DOMESTIC RELATIONS REFORM COMMITTEE
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INTRODUCTION

Historical Background

Session law establishing the Child Support Enforcement and Domestic Relations Reform Committee grew from the work of a legislative advisory committee.

In June 1993, Senator John Greene, President of the Senate, and Representative Mark Killian, Speaker of the House of Representatives, appointed a Joint Select Committee on Child Support Enforcement, cochaired by Senator Matt Salmon and Representative Pat Blake Wilder, with the goal of creating an effective child support system for Arizona families and children. To assist in this effort, in July 1993, the Select Committee appointed a Technical Advisory Committee, cochaired by David Byers, Administrative Director of the Courts, and Bonnie Tucker, Deputy Director of the Arizona Department of Economic Security.

The Technical Advisory Committee brought together the major stakeholders in the statewide child support arena. Membership represented a cross section of program administrators, parents, judicial officers and attorneys, creating a forum for meaningful debate on the issues facing Arizona's child support enforcement system.

The Technical Advisory Committee identified various problems within the system and recommended solutions for corrective action, including identification of the agency or entity responsible for initiating implementation. The Committee developed 57 recommendations, of which 28 required legislative action. At the conclusion of its mission, the Committee submitted a report of its recommendations, dated November 1, 1993.

In the course of deliberations, there was consensus that integrated planning and communication among all of the child support stakeholders is vital to ensure continued improvement in the system. Thus, the first recommendation made in the Committee's report was that a child support coordinating council be formed to provide a mechanism for on-going communication and integrated planning among stakeholders to ensure consistency in child support policies.

A specific problem identified by the Technical Advisory Committee concerned the difficulty in understanding laws and procedures resulting from the lack of integration of statutes relating to domestic relations issues. To address this problem, it was recommended that a domestic relations study committee be established to consolidate, revise and modernize the domestic relations statutes.

Legislative Response

During the forty-first session, the Legislature created each of the two committees proposed in the recommendations of the Technical Advisory Committee. By Laws 1994, Chapter 374, Section 24, both the Child Support Coordinating Council Subcommittee ("Council") and the Domestic Relations Reform Study Subcommittee ("DR Subcommittee") were established within a legislative committee titled the Child Support Enforcement and Domestic Relations Reform Committee.

The Child Support Enforcement and Domestic Relations Reform Committee consists of the cochairs (or their designees) of each of the two subordinate subcommittees. This overarching committee was established to coordinate the work of the subcommittees, but is specifically directed not to make substantive changes to the work, findings or recommendations of these bodies. Any conflicts between the findings or recommendations of the subcommittees are to be referred back to the subcommittees for resolution.

Each of the subcommittees is cochaired by a member of the Senate and a member of the House of Representatives. The enabling legislation identifies the composition of each subcommittee's membership and prescribes the tasks to be undertaken. Reports are to be submitted by the subcommittees quarterly to the Child Support Enforcement and Domestic Relations Reform Committee. The overarching committee is responsible to report annually on the work, findings and

recommendations of the subcommittees to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Chief Justice of the Arizona Supreme Court.

The legislation creating the committee and its subcommittees was effective July 17, 1994. That same enabling law appropriated funds to the Arizona Supreme Court for costs associated with staffing the committees. In July 1994, the Arizona Supreme Court designated the Domestic Relations Division of the Administrative Office of the Courts to provide that support.

The legislation establishing the committee and its subcommittees originally was scheduled for repeal from and after December 31, 1997. Provisions of law enacted in 1997 (Laws 1997, Chapters 45, 176 and 250) extended this date, so that each of the Subcommittees may continue to serve the public until December 31, 2000. In 1998, the Domestic Relations Division joined with the Court Services Division becoming the Domestic Relations Unit.

Membership

The session law originally enacted in 1994, outlined the membership of each subcommittee by position or category and directed how chairpersons would be appointed. In 1995, the Legislature amended this law. Chapter 44 of the Laws of 1995 altered the numbers of subcommittee members and attempted to balance political party representation of legislative members. The new law also directly affected the composition of the Council.

Under the original law, the only legislative members of the Council were the two subcommittee cochairs, one appointed from each legislative chamber. As amended, session law now provides there shall be *two* members of the Senate from different political parties and *two* members of the House of Representatives, also from different political parties. As a result, two additional members, both of the minority party, were added to the Council in 1995. Cochairperson positions were unaffected.

The 1995 amendment spoke to, but did not require a change in, membership of the DR Subcommittee. Under the original session law, the DR Subcommittee's

Representatives, as well as a cochairperson appointed from each chamber. The 1995 amendment changed session law to provide that the legislative membership should include *three* members of the Senate and *three* members of the House of Representatives, in each case not more than two of whom are from the same political party.

From the outset of its deliberations, six legislators have served on the DR Subcommittee--three members of the state Senate and three members of the House of Representatives. Of these, four are of the majority party and two are of the minority party, achieving the political balance intended by the 1995 amendment.

One further amendment altered the membership of the DR Subcommittee. From the inception, six parents served on the subcommittee--two custodial parents, two noncustodial parents and two parents having joint custody, all of whom must be knowledgeable in domestic relations issues. In 1997, the Legislature added two additional parent members without any requirement of custodial status. (Laws 1997, Chapter 176, Section 2). This addition permits parents who are not divorced or separated to serve.

In 1997, the Legislature added additional requirements of membership. An amendment (Laws 1997, Chapter 173) to the original enabling law (Laws 1994, chapter 374, section 24) provides that members of each subcommittee shall serve two-year terms at the pleasure of the official or officials who appointed them. Additionally, the law specifies that the appointments shall be made at the start of each even fiscal year and that members may be reappointed.

**CHILD SUPPORT COORDINATING COUNCIL
SUBCOMMITTEE
1999**

Summary

In 1999, the importance of the Child Support Coordinating Council ("Council") as a recognized forum for cooperative decision making in the area of child support enforcement was reaffirmed. An omnibus legislative package developed by the Council was passed by the Legislature in 1999. Among its provisions are amendments regarding the duration of child support judgments, extending to adults the opportunity to commence actions to determine paternity, improving statutes regarding orders of assignment for payment of child support and facilitating the establishment of child support and custody orders when paternity is voluntarily established.

Through the activities of various work groups, additional recommendations for legislation improving the child support system were developed for introduction in 2000. Proposed are amendments that ensure workman's compensation benefit payments may be assessed for the payment of child support, provide that jury trials are not required in administrative appeals of child support matters, amend various laws necessary to execute centralized processing of support payments and make necessary technical corrections in child support statutes.

Membership

The session law originally establishing the Council (Laws 1994, Chapter 374, Section 24) prescribed the membership composition of the Council by title or category and directed how each would be appointed.

Chief Justice Zlaket signed Administrative Order 99-74 reappointing the following members to the Council: Judge Mark Armstrong and Judge Robert Duber II, presiding judges from the Domestic Relations department of the Superior Court (urban and rural respectively); Judge Rhonda Repp, Title IV-D Commissioner;

Honorable Michael Jeanes, Clerk of the Superior Court; and Honorable David Ostapuk, executive committee representative of the family law section of the state bar.

Other appointments made in 1999 include:

<i>Position</i>	<i>Former Member</i>	<i>New Member</i>
Co-Chair	Hon. Freddy Hershberger	Hon. Laura Knaperek
Arizona State Senate	Hon. Sandra Kennedy	Hon. Linda Aguirre
IV-D Director Department of Economic Security	Nancy Mendoza	Leona Hodges (Acting Director)
Custodial Parent	Deborah Schumacher	Laura Elmer
Custodial Parent	Vacant	Carmela Trapani
Joint Custodial Parent	William Hurst	Russell Smoldon
Office of the Attorney General	Kirk Burtch	Noreen Sharp
Director, Department of Economic Security	Dr. Linda J. Blessing	John Clayton

Work, Findings and Recommendations

The Council held six meetings during the year. At each meeting, public comments were encouraged to assist the Council's efforts. Throughout the year, existing work groups, in addition to three newly formed work groups, continued to meet and develop recommendations for improvement to the child support enforcement system. Of particular note were the efforts of a work group that improved the process for centralized processing of support payments.

Tasks and Objectives

Listed below is a description of the major activities by Council work groups.

Centralized Processing of Non IV-D Payments

One work group of the Council continues to coordinate and improve the process for centralized processing of support payments

Historically, all court-ordered child support was paid either directly to the person entitled to receive support (the "obligee") or, when ordered by the court, through the court clerk. With the advent of mandated orders of assignment (or "wage assignments"), fewer payments were made directly between the parties. Instead, payments came to the court clerk from the obligor's employer or other payor. Receipting and posting of support payments and distribution to the obligee was performed by the court clerk in each of Arizona's counties. With the establishment of the joint federal-state IV-D Program, responsibility for payment processing began to shift, depending on case type. The IV-D program provides child support enforcement services to public assistance recipients and others upon request. Court clerks continued to receipt, post and distribute payments in cases that were not serviced by the state. A different system evolved for IV-D cases and payment processing became bifurcated depending on case type.

Prompted by federal mandates, state legislation in 1985 required the IV-D agency to established a central clearinghouse to "receive, disburse and monitor" support payments in IV-D cases (46-441, Arizona Revised Statutes). A system was developed to record payments on an automated statewide computer system for processing through the support payment clearinghouse. Still, payments continued to be made to a Superior Court Clerk or to the clearinghouse, depending on the specific county involved. Subsequent federal welfare reform legislation directed states to effectuate centralized payment processing in both IV-D and certain, but not all, non-IV-D cases. Legislation was enacted in Arizona in 1997 (Laws 1997, Chapter 219) consistent with the federal mandate. However, as a result of the work of the Council, added to this legislation were amendments to state law that authorized the support payment clearinghouse to receive and disburse *all* monies applicable to support or spousal maintenance on or before October 1, 1999 (unless the court had specifically ordered otherwise).

The Council work group undertook the mission of implementing centralization of all support payments (including spousal maintenance payments) by December 1, 1998. Among the substantial tasks involved was connecting the

Superior Court Clerks to the statewide child support database and converting data in non-IV-D cases from the records of individual court clerks to that database. Conversion involved loading information in approximately 60,000 non-IV-D support cases into the state database. On schedule, the "switch" was turned on and centralized payment processing became a reality. With this bold step, Arizona became one of the first states in the nation to operate a centralized clearinghouse for the collection and distribution of *all* child and spousal support.

The conversion benefitted many sectors. Families and children are better served by efficient and expeditious processing of support payments and centralized record keeping. Employers and other payers who deduct earnings or other monies pursuant to orders of assignment now forward payments to one Arizona collection point, rather than to up to sixteen different locations as under the previous system. State taxpayers benefit from the cost savings and economies of scale offered by a single collection entity. The integrity of the support processing system itself is enhanced by reducing the incidence of loss, errors or mismanagement.

On the first anniversary of this centralized effort, more than \$456 million was processed through the support payment clearinghouse. More than \$1 million was processed daily. Misdirected payments have been reduced by more than 60% and posting errors remain less than 1% of the total payments posted.

Although centralization has been realized, the commitment and efforts of those involved in the process continues. Identified issues are being addressed expeditiously through cooperative efforts of this collaborative, multi-agency workgroup. This successful collaboration will insure that payments continue to be processed timely. As with any major undertaking, the transition to centralization was not without some limitations. Throughout 1999, solutions were coordinated by the Council work group with the cooperation of all stakeholders, particularly the Clerks of the Superior Court, the IV-D agency and the Administrative Office of the Courts.

Review of Child Support Statutes

This work group has functioned since 1997 to examine particular statutes related to child support enforcement to identify inconsistencies, lack of clarity, or

unnecessary duplication and to recommend improvements. Again this year, the work group developed proposals for legislative change. Please see the following section titled "Recommendations for Legislative Action" for additional details about legislation enacted in 1999 and proposed for 2000.

Recommendations for Legislative Action

The product of various subcommittee work groups resulted in an omnibus legislative proposal being recommended for passage during the First Regular Session of the Forty-fourth Legislature in 1999. Introduced as Senate Bill 1152 under sponsorship Council cochair Senator David Petersen, the proposals were adopted as Laws 1999, Chapter 283.

The primary element extends the duration of child support judgments. Under previous law (A.R.S. § 25-503(J)), money judgments for child support arrearage established during the minority of the child(ren) were valid for ten years after emancipation of all of the children subject to the support order, and thereafter were subject to renewal every five years to remain enforceable. Such judgments now are enforceable from the date of issue until paid in full, without any requirement of renewal. Also affected are vested child support installments, each of which under existing law (§ 25-503(I)) becomes a judgment by operation of law when due. Under the new law, with specified exceptions, the right to collect on these "unwritten" judgments expires "three years after the emancipation of the last remaining child who was included in the court order" establishing the support obligation. The new law also mandates that beginning January 1, 2000, child support orders, including modified orders, notify the parties of this expiration date.

Also, included are provisions that:

- Permit an adult to bring an action under A.R.S. § 25-803 to "establish the adult's biological parent." Section 25-804 is amended to permit an action for maternity or paternity to be commenced after a child's eighteenth birthday; however, an action must be commenced before a child's eighteenth birthday for purposes of establishing a duty to pay support or past support.
- Reduce from ten to five days after receipt the time within which an employer must serve a copy of an ex parte order of assignment upon an employee. It

is also now required that the obligor serve rather than mail to the obligee a request for and notice of hearing to contest an ex parte order of assignment.

- Provide that within ten days of the date that an employee is terminated, an employer or payor must notify the clerk or the clearinghouse of an obligor's Social Security Number, last known address and name and address of the obligor's new employer, if known. No previous time period was established in statute.
- Indicate that the state child support agency may not adjust an order of assignment by administrative process under A.R.S. § 25-505 if the court orders otherwise.
- Permit a child support obligor who is the subject of two or more orders of assignment for the same children to request at any time that the court terminate an order of assignment. No fee may be charged for filing the request.
- Eliminate in a paternity case the filing fee usually charged for initiating or responding to a proceeding to establish child support, custody or visitation, so long as the proceeding is brought within ninety days of the date and in the same county that paternity was judicially determined.

During 1999, a work group appointed to recommend improvements to existing child support statutes developed proposals for introduction to the Legislature in 2000. Based on these efforts, the Council has proposed amendments to existing laws that ensure workman's compensation benefit payments may be assessed for the payment of child support, provide that jury trials are not required in administrative appeals of child support matters, amend various laws necessary to execute centralized processing of support payments and make necessary technical corrections in child support statutes.

Child Support Guidelines

This work group was formed upon the request of the AOC to assist the Domestic Relations Unit of the Court Services Division in its review of the child support guidelines.

Section 25-230 of the Arizona Revised Statutes directs the Supreme Court to "...establish guidelines for determining the amount of child support." Additionally, the Supreme Court is required to "...review the guidelines at least once every four years to ensure that their application results in the determination of appropriate child support amounts."

Since the initial adoption in 1987, the guidelines have been reviewed four times. The last review was conducted in 1995, and revised guidelines were adopted by the Supreme Court on July 10, 1996, for actions filed after October 31, 1996. Consistent with state and federal law, Arizona's guidelines must be studied again in 1999 for implementation in October, 2000.

In past years, specialized committees have been appointed to conduct the review process. Rather than establish a new committee, the Child Support Coordinating Council of the State Legislature (Council) has been asked to assist in the review. The Council appointed the Child Support Guidelines workgroup to fill this role. The feedback received, together with any additional suggestions for improvement, will aid the Supreme Court in meeting its statutory obligation to ensure that application of the guidelines results in the determination of appropriate child support amounts. Ultimately, all proposals for change will be reviewed by designated court committees, including the Arizona Judicial Council, before submission for consideration by the Supreme Court.

Financing

This work group was formed upon the request of the Office of the Auditor General. Under consideration is the method by which the child support enforcement program should be financed in the future. The work group was charged with the responsibility of studying whether the program should continue as a cost recovery program or as a public service program funded through appropriations.

As part of the process, the group has studied the structural funding issues of how the IV-D program is funded in Arizona and the income levels of parties in IV-D cases in Arizona. The group will continue its efforts to bring recommendations to the Council by March, 2000.

Recommendations from the Council, based on the findings of this workgroup, will be reported to the legislature in September, 2000.

Non-Disclosure Indicator

The focus of this workgroup was to examine ways to comply with new federal law requiring that states flag child support cases where domestic violence exists. Placing a flag on these cases serves to protect the address of that individual.

The group first examined on what basis the Family Violence Indicator would be "turned on". Upon their recommendation, the Council adopted a policy turning on the indicator when one of the following occurs:

- ▶ an order of protection has been issued in Arizona or has been afforded full faith & credit in Arizona; or
- ▶ a IV-D case has been deemed a 'good cause' case meaning the IV-D agency will not proceed with enforcement due to domestic violence issues.

A third recommendation was adopted which altered the terminology used to refer to these cases from Family Violence Indicator to Non Disclosure Indicator. The intent the change was to address potential concern that placement of the indicator on a party might indicate guilt of violence.

The group will continue collaborating with the Division of Child Support Enforcement to facilitate these changes to their automated child support system. Future gatherings will serve to streamline the process and identify methods of improvement as needed.

Other Issues Before the Council

Council work groups continue to identify methods to improve the child support enforcement system.

Throughout the year, the Council maintained its knowledge of issues related to child support enforcement by inviting presentations on relevant topics. Jane Venohr, Ph.D., of Policy Studies, Inc., Denver, Colorado, presented the historical economic background of the guidelines and commented on the group's recommendations.

Dr. Sanford Braver, of Arizona State University, advised the same group on the issue of post divorce standard of living and issues relating to adjustments granted to noncustodial parents who exercise visitation with their children.

Future Actions

The Council is committed to the continued development of mechanisms and procedures to enhance the delivery of child support services to the families and children of Arizona. Work groups will continue to explore issues currently under discussion and endeavor to increase public awareness of child support issues. Implementation of centralized processing of support payments goes forward with cooperation among all system participants. As chartered, the Council will maintain its important role in providing a forum for cooperative decision making and cohesive policy development among all interested stakeholders in the child support enforcement system.

DOMESTIC RELATIONS REFORM STUDY SUBCOMMITTEE 1999

Summary

In nineteen ninety-nine, the Domestic Relations Reform Study Subcommittee ("Subcommittee") reengineered for the future. Under the leadership of Legislative cochairs Senator Ann Day and Representative Karen Johnson, membership vacancies were filled, strategic planning was undertaken to establish future goals and new work groups were formed to develop specific recommendations for reform of the domestic relations system. The Subcommittee held four public meetings during the year. Although no recommendations were advanced to the Legislature for enactment in 2000, a foundation has been laid for accomplishment of long-term objectives designed to improve domestic relations laws and procedures in the best interests of families and children.

Membership

At the January 27, 1999 meeting, Senator Day announced that Rep. Karen Johnson, a Republican from Mesa, was appointed by the Speaker of the House as a cochair of the Subcommittee, replacing Rep. Lela Steffey who did not seek reelection in 1998. The DR Subcommittee also learned that Rep. Kathi Foster had been appointed by the Speaker, to replace Elise Salinger as a House of Representatives member from the minority party.

At the end of 1999, there were three other vacancies in the Subcommittee membership. The positions are designated by enabling law for a domestic relations attorney, a parent knowledgeable in domestic relations issues and an administrative officer of the Supreme Court. During the year, two other positions became available. In June, Zenia Kuzma announced her resignation from the Subcommittee to relocate in the Washington, D.C. area. An original Subcommittee appointee, Zenia capably and faithfully served in the position designated to a professional domestic relations mediator. Later in the year Professor Ira Mark Ellman of the

university College of Law resigned his membership position as a parent to complete a sabbatical. All nonlegislative members of the Subcommittee are appointed by the cochairs with the approval of Legislative Leadership.

At a Subcommittee meeting on September 15, 1999, Senator Ann Day and Representative Karen Johnson announced that, with the approval of legislative leadership, the cochairs had made the following appointments:

<i>Position</i>	<i>Former Member</i>	<i>New Member</i>
Domestic Relations Attorney	Mark Robens	Alice L. Bendheim
Parent	Judge Barry Schneider	Diane C. Kerns
Admin. Officer of the Supreme Court	Alice Rose Thatch	Beverley Boyd
Professional Domestic Relations Mediator	Zenia Kuzma	Russell Schoeneman, Ph.D.
Joint custodial parent	Beverly Burns	Debbora Woods-Schmitt
Parent	Professor Ira Ellman	Judge Mark Armstrong

Work, Findings and Recommendations of the Subcommittee

The DR Subcommittee is specifically charged in its enabling legislation (Laws 1994, Chapter 374, Section 24) to recommend changes to reform the state's domestic relations statutes.

Four meetings of the Subcommittee were held during 1999: on January 27, July 20, September 15 and October 26. A fifth meeting scheduled in December was canceled when legislative members were called into a special session.

In the first part of the year, opportunities for the Subcommittee to meet were limited by the busy pace of the legislative session. The first Subcommittee meeting on January 27, 1999, was held shortly after the Legislature began the First Regular Session of the Forty-fourth Legislature on January 11. At that meeting members learned of domestic relations-related bills then pending in the Legislature and

received reports from the Subcommittee's two standing work groups. The Courts and Substantive Law Work Group revisited a proposal to revise the state's visitation and custody laws. Originally, the group recommended replacing the terms "custody" and "visitation" and to require parenting plans in cases for dissolution of marriage and legal separation involving minor children. Under present law, parenting plans are required only when parents seek joint custody. Subsequently, the work group refined its proposal, focusing on amendments to the child custody provisions of section 25-403, Arizona Revised Statutes. The Subcommittee failed to agree on recommending this proposal to the Legislature. (Nevertheless, a bill incorporating the work group's recommendations was independently introduced in the House of Representatives in 1999 but failed to pass.) The Custody Evaluation, Property Distribution and Conciliation Court Work Group reported little activity, and suggested that a new mission might be appropriate.

At the January 27, 1999 meeting, the Subcommittee also received a status report on the Family Court Committee established by the Chief Justice, to examine the manner in which cases involving family issues are processed and determined in the Superior Court. Subcommittee members discussed the possibility of establishing a work group to liaison with the Family Court Committee, assisting in the development of legislative changes required to facilitate the Committee's recommendations. Ultimately, the Family Court Committee voted to disband while a pilot project is undertaken in the Superior Court in Maricopa County. The pilot project was initiated at the direction of the Presiding Judge to create an integrated family court to serve the citizens of in that county. Subcommittee member Judge Mark Armstrong, Presiding Family Court Judge of the Superior Court in Maricopa County, is chair of the task force managing the pilot project.

Adjournment *sine die* of the Forty-fourth Legislature did not occur until May 7, 1999, leaving little opportunity for a formal meeting of the Subcommittee in the interim. However, the Subcommittee convened again on July 20 to set an agenda for the balance of the year. Challenged to improve the domestic relations system, members shared individual concerns and undertook strategic planning to develop an action plan for the future.

At meetings on September 15 and October 26, 1999, members developed and categorized forty-seven topics for reform. Analysis revealed the most critical importance was placed on eliminating the adversarial process as a means of

importance was placed on eliminating the adversarial process as a means of resolving of family issues; reviewing the manner in which child custody determinations are made; implementing marriage skills education and other divorce prevention programs; and, increasing mediation of family cases. Three new work groups were formed and tasked to develop specific improvements in the domestic relations system in the following areas: Education and prevention, substantive law and court procedures. Members were assigned to each work group to begin shaping policies and procedures to improve the domestic relations system.

Future Actions

The Subcommittee will continue to pursue a strategy for accomplishing the long-term goal of reforming domestic relations laws and procedures. The impact of domestic relations matters on families and children demands that resolution systems operate fairly, efficiently and as family-friendly as practicable. Rejuvenated with new members and directed through strategic planning, the Subcommittee is poised for creative action toward meaningful solutions. As always, the Subcommittee also stands prepared to serve as a clearinghouse for new ideas and proposals and to provide advice to the Legislature, in order that system changes be developed in a coherent manner.

***APPENDIX TO
CHILD SUPPORT ENFORCEMENT AND
DOMESTIC RELATIONS REFORM
COMMITTEE
1999 ANNUAL REPORT***

CHILD SUPPORT COORDINATING COUNCIL SUBCOMMITTEE

Purpose

Pursuant to Laws 1994, Chapter 374, the Child Support Coordinating Council Subcommittee was formed to:

- Coordinate and review plans of various government agencies.
- Make recommendations regarding child support enforcement and related issues to the Child Support Enforcement and Domestic Relations Reform Committee.
- Develop a plan to implement a statewide parent education program. (With successful implementation of this program effective in 1997, the mandate to develop a program was stricken from session law by Laws 1997, Chapter 176.)

Membership

Membership consists of the following members or their designees who have knowledge of or experience in, child support enforcement and related issues:

- The Director of the Department of Economic Security.
- The Assistant Director of the Division of Child Support Enforcement of the Department of Economic Security.
- A Division or Section Chief from the Office of the Attorney General who is appointed by the Attorney General.
- The Director of the Arizona Supreme Court Administrative Office of the Courts.
- Two Presiding Judges from the domestic relations department of the superior court who are appointed by the Chief Justice of the Arizona Supreme Court; one judge from an urban county, and one judge from a rural county.
- A title IV-D Court Commissioner who is appointed by the Chief Justice of the Arizona Supreme Court.
- A Clerk of the Superior Court who is appointed by the Chief Justice of the Arizona Supreme Court.

- Two County Attorneys who are appointed by the Director of the Department of Economic Security from a county that is currently contracting with the state to provide child support enforcement services; one County Attorney from an urban county and one County Attorney from a rural county.
- An Executive Assistant from the Office of the Governor who is appointed by the Governor.
- One person knowledgeable in child support issues who is a noncustodial parent and one person knowledgeable in child support issues who is a custodial parent, who are appointed by the President of the Senate.
- One person knowledgeable in child support issues who is a noncustodial parent and one person knowledgeable in child support issues who is a custodial parent, who are appointed by the Speaker of the House of Representatives.
- One parent knowledgeable in child support issues who has joint custody who is appointed jointly by the President of the Senate and the Speaker of the House of Representatives.
- One person from the Executive Committee of the Family Law Section of the State Bar of Arizona who is appointed by the Chief Justice of the Supreme Court.
- One person from the business community who is appointed jointly by the President of the Senate and the Speaker of the House of Representatives.
- Two members of the Senate from different political parties.
- Two members of the House of Representatives from different political parties.

The President of the Senate shall appoint the two Senate members and designate one of the members as the cochairperson. The Speaker of the House of Representatives shall appoint the two House of Representatives members and designate one of the members as the cochairperson. Each cochairperson may appoint additional members to the Child Support Coordinating Council Subcommittee to serve as non-voting technical experts. Members shall serve two-year terms at the

pleasure of the official or officials who appointed them. Appointments shall be made at the start of each even fiscal year and members may be reappointed.

Reports of the Council's work are required to be submitted quarterly to the Child Support Enforcement and Domestic Relations Reform Committee.

CHILD SUPPORT COORDINATING COUNCIL SUBCOMMITTEE
List of Members

Cochairs: Senator David Petersen
Representative Laura Knaperek

Honorable Linda Aguirre
Arizona State Senate

Honorable Mark Armstrong
Presiding Judge (Urban)

Jodi R. Beckley
Executive Assistant
Governor's Office

David K. Byers
Administrative Director of the Courts

Bryan Chambers for Jerry DeRose
County Attorney Providing
Enforcement Services

John Clayton
Director
Department of Economic Security

Honorable Robert Duber II
Domestic Relations Judge (Rural)

Kim Gillespie for Noreen Sharp
Office of the Attorney General

Conrad Greene
Noncustodial Parent

Leona Hodges
IV-D Child Support Director
Department of Economic Security

Honorable Michael Jeanes
Clerk of the Superior Court
in Maricopa County

David Norton
Noncustodial Parent

Honorable David R. Ostapuk
State Bar Family Law Section
Executive Committee

Honorable Rhonda L. Repp
IV-D Commissioner

Honorable Rebecca Rios
Arizona House of Representatives

Chuck Shipley
Business Representative

Russell Smoldon
Joint Custody Parent

Carmela Trapani
Custodial Parent

Bianca Varelas for Barbara LaWall
County Attorney Providing
Enforcement Services

Vacant
Custodial Parent

DOMESTIC RELATIONS REFORM STUDY SUBCOMMITTEE

Purpose

Pursuant to Laws 1994, Chapter 374, the Child Support Coordinating Council Subcommittee was formed to:

- Recommend a method for consolidating the domestic relations statutes in Title 25, Arizona Revised Statutes, with other related sections of law, including Titles 8 and 14, Arizona Revised Statutes. (Having achieved this goal by legislation enacted in 1996, this mandate was stricken from session law by Laws 1997, Chapter 176.)
- Recommend changes to the domestic relations statutes, rules and procedures and other related issues each year in a phased-in approach designed to lead to a reform of the state's domestic relations statutes.
- Clarify the rights of grandparents in domestic relations issues.

Membership

The Domestic Relations Reform Study Subcommittee consists of the following members:

- Two noncustodial parents knowledgeable in domestic relations issues.
- Two custodial parents knowledgeable in domestic relations issues.
- Two parents who have joint custody who are knowledgeable in domestic relations issues.
- Two parents knowledgeable in domestic relations issues.
- One active or retired judge or commissioner from the domestic relations department of the superior court.

- One domestic relations attorney.
- One Clerk of the Court.
- A professional domestic relations mediator.
- A psychologist experienced in performing child custody evaluations.
- A domestic relations educator experienced in matters relating to parenting or divorce classes.
- An Administrative Officer of the Supreme Court.
- Three members of the Senate, not more than two of whom are from the same political party.
- Three members of the House of Representatives, not more than two of whom are from the same political party.

The President of the Senate shall appoint the three Senate members and designate one of the members as the cochairperson. The Speaker of the House of Representatives shall appoint the three House of Representatives members and designate one of the members as the cochairperson. Nonlegislative members are appointed by the cochairs with the approval of the President of the Senate and the Speaker of the House of Representatives. Members shall serve two-year terms at the pleasure of the official or officials who appointed them. Appointments shall be made at the start of each even fiscal year and members may be reappointed.

Reports of the Subcommittee's proposals for consolidation and change are required to be submitted quarterly to the Child Support Enforcement and Domestic Relations Reform Committee.

DOMESTIC RELATIONS REFORM STUDY SUBCOMMITTEE
Members

Cochairs: Senator Ann Day
Representative Karen Johnson

Honorable Mark Anderson
Arizona House of Representatives

Diane C. Kerns
Parent

Honorable Mark Armstrong
Parent

Honorable David Petersen
Arizona State Senate

Alice L. Bendheim
Domestic Relations Attorney

Honorable John M. Quigley
Domestic Relations Judge

Beverley Boyd
Administrative Officer of the
Supreme Court

Russell Schoeneman, Ph.D.
Domestic Relations Mediator

Sanford Braver, Ph.D.
Domestic Relations Educator

Ellen Seaborne
Custodial Parent

Honorable Jack Brown
Arizona State Senate

Kathryn Tolman
Noncustodial Parent

Honorable Kathi Foster
Arizona House of Representatives

Deborah Woods-Schmitt
Parent with Joint Custody

Corrine Harper
Custodial Parent

Brian W. Yee, Ph.D.
Psychologist with Child Custody
Evaluation Experience

Terrill J. Haugen
Noncustodial Parent

Jeffrey C. Zimmerman
Parent with Joint Custody

Honorable Alma Jennings Haught
Clerk of the Court

Prepared by Committee Staff:

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Administrative Office of the Courts
Arizona Supreme Court
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