

Members

Rep. Vanessa Summers, Chairperson  
Rep. Edmund Mahern  
Rep. Cleo Duncan  
Rep. Andrew Thomas  
Sen. David Ford  
Sen. Richard Bray  
Sen. Anita Bowser  
Sen. Billie Breaux  
John Brandt  
Bruce Pennamped  
Hon Michael Gotsch  
Hon R. Jerome Kearns



# CHILD CUSTODY AND SUPPORT ADVISORY COMMITTEE

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Authority: IC 33-2.1-10-1

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 5, 2004  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington  
St., Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

**Members Present:** Rep. Vanessa Summers, Chairperson; Rep. Edmund Mahern; Rep. Cleo Duncan; Sen. David Ford; Sen. Richard Bray; Sen. Anita Bowser; Sen. Billie Breaux; John Brandt; Bruce Pennamped; Hon Michael Gotsch; Hon R. Jerome Kearns.

**Members Absent:** Rep. Andrew Thomas.

Chairperson Summers called the third meeting of the Indiana Child Custody and Support Advisory Committee ("Committee") to order at 1:10 P.M.

### **Preliminary Draft 3380 concerning Title IV-D waiver**

Judge Michael Gotsch discussed PD 3380, which is the bill draft requiring the Indiana Family and Social Services Administration ("FSSA") to seek a Title IV-D waiver to allow a private attorney to work on Title IV-D cases at the same time as a Title IV-D prosecutor. Judge Gotsch stated that the Committee does not need to proceed with this bill draft because a waiver is not currently needed. Judge Gotsch explained that the Child

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Support Bureau within FSSA has received guidance from the Federal Office of Child Support Enforcement stating that a Title IV-D prosecutor should not close a Title IV-D case when a program participant is also using a private attorney for court enforcement of a child support order. Judge Gotsch also noted that Karla Mantia, the director of the Child Support Bureau suggested that the Bureau was willing to facilitate an outreach program with the state bar association and further training with prosecutors to insure compliance with this policy.

By consensus, the Committee agreed that the Committee's final report should recommend that the Indiana State Bar Association, FSSA, the Indiana Continuing Legal Education Forum, and the Indiana Prosecuting Attorney's Council provide information to attorneys who work on child support cases stating that private attorneys are permitted to work on Title IV-D cases at the same time as a Title IV-D prosecutor.

### **Final Report**

The Committee voted 11-0 to approve the final report.

### **Adjournment**

Chairperson Summers adjourned the meeting at 1:20 P.M.