

**Commission on Child Support  
Draft Minutes  
Kneip Conference Room 3  
700 Governors Drive, Pierre, SD 57501  
Thursday, May 29, 2025  
1:00-5:00 p.m. CDT  
Microsoft Teams**

**Members Present:** Rhyann Gaddis Cudmore, Secretary Matt Althoff, Christi Weideman, Tom Weerheim, Senator Amber Hulse, and Representative Mike Stevens.

**Others Present:** Presenter Dr. Jane Venohr, Center for Policy Research, DSS employees - Max Wetz, Director Division of Child Support; Nichole Brooks, Assistant Director Division of Child Support; Carmin Dean, Policy Strategy Manager; Cheriee Watterson, Policy Strategy Manager; Jeremy Lippert, Director of Legal Services; Tracy Mercer-O'Daniel, Special Projects Coordinator; Caroline Srtska, UJS Staff Attorney; members of the public present Jessica Steidl, Zac Martin, and Senator Tom Pischke; member of the media Bob Mercer, Keloland News.

**Call to Order:** Filling in due to the absence of Chair Strawn, Althoff called the meeting to order at 1:02 p.m.

**Roll call:** Mercer-O'Daniel called the roll. Member absent – Judge Eric Strawn. All other members present.

**Approval of Agenda:** Hulse moved to approve the agenda of the May 29, 2025, meeting. The motion was seconded by Steven and the motion was approved.

**Approval of Minutes:** Minutes from the April 29, 2025, meeting will be reviewed and approved at the next meeting.

**Presentation by Dr. Jane Venohr:** Dr. Venohr provided a review of child support guidelines and economic data. Her research showed an average increase of 15.8% on goods and services from July 2021 to March 2025 in the Midwest region. Data from the USDA estimated food costs increased \$33-\$43 more per month for a child. The presentation also included a review of low-income adjustment, analysis of case file data, and labor market data showing the average unemployment in SD is currently 1.8% versus the U.S. average of 4.2%. The commission discussed whether to change the low-income adjustment. Althoff asked about the lowest income rung. Venohr responded that it is about \$10,000. She noted SD has less in that category than other states. Hulse asked what we can do better in collecting child support on minimum orders so that we are not hurting the most vulnerable.

**Prior period support:** Wetz provided the commission with three alternatives to current SDCL 25-71-21.1 and 25-85 based on prior discussions and request of the Commission. The first option changes the limit from three years to one year. The

second option removes the entitlement to prior-period support and the third option allows for three years in which the custodial parent has assigned their right of support to the Department of Social Services and no prior period support for non-TANF cases. Stevens stated he would like a 4<sup>th</sup> option of not making any change. Hulse asked about the need for the change. Wetz explained that if we go back three years that puts the payor in arrears to start. Weideman, Weerheim, and Cudmore voiced support to go back one year from the date of application. Stevens expressed concern that the proposals don't distinguish between those who know about the child and those who don't. Althoff suggested the Commission review the materials and come back to discuss again in June.

**Adjudication of Paternity:** An amendment to SDCL 25-7A-6 was presented to add the following: If genetic testing showing a 99% or higher likelihood of paternity, or a Voluntary Acknowledgment of Paternity, are presented as evidence during the hearing, the referee shall make a finding of adjudication of paternity and include such finding in the report to the court." Weideman suggested to add "either" to ensure it is understood only one of those is required.

**Public Comment: Three members of the public present spoke.** Jessica Steidl voiced her concerns on lump sum payments. Zac Martin commented on the need for both parents to be involved in their kids' lives. He stated he sees a lot of dads afraid they don't have any rights if they haven't always been involved. Senator Tom Pischke asked the committee to remember that costs are increasing for both parents. He stated he likes the idea of using a percentage for all obligations to alleviate a disincentive for earning more. Pischke stated he sent two legislative proposals to DCS for the Commission's consideration.

**Emancipation:** The Commission weighed different options for amending SDCL 25-5-18.1. One option removes the school requirement and sets the emancipation age at 18 or 19 years of age. Other options add clarification to the school requirement by adding alternative instruction or by removing the full-time component. Weideman recommended combining the two and changing secondary school language to high school. Hulse commented she understood the full-time implication but doesn't want to hurt those who graduate early or receive alternative education. Cudmore asked if there is anything preventing a parent reaching out and asking for it to be adjusted if the child graduates early. Weideman asked if DCS's preferences is Option 1 removing the school component. Althoff said the current language requires our team to be education experts. Cudmore said she would prefer the age of 19.

**Incarcerated Payors:** Wetz presented information on incarcerated payors of support and indicated there were two issues to consider: clarity is needed about the minimum amount for the incarcerated parent and what happens to the obligation amount when the incarcerated parent is released. Weerheim stated that you must look at what happens when they are incarcerated for 180 days or more. Stevens asked if you can have different amounts for low income and incarcerated. His opinion is that we

shouldn't go back to the original order amount. Weideman felt it should be recalculated upon release. Althoff voiced the need for uniformity. Weerheim said during the last commission the intent was to set it at \$79. Clarification is needed. Weerheim stated the child support referees just want it spelled out. Althoff asked DCS to come to the June meeting with draft alternatives.

**Guideline Adjustments:** Additional discussion was had on guideline adjustments. Althoff summarized that we need to be mindful wages aren't tracking with expenses. Weideman feels some adjustment should be made since no adjustment was made in 2016. We should look at an inflation related increase.

**Stevens moved to adjourn, seconded by Hulse. Motion passed and meeting adjourned.**

**Next Meeting – June 26, 1:00 p.m.**