

## **IC 33-24-11**

### Chapter 11. Indiana Child Custody and Support Advisory Committee

#### **IC 33-24-11-1**

##### **Establishment of committee; membership; appointments**

Sec. 1. (a) The Indiana child custody and support advisory committee is established. The committee consists of twelve (12) members as follows:

- (1) One (1) judge or magistrate whose jurisdiction and caseload includes domestic relations.
- (2) One (1) attorney admitted to the practice of law in Indiana who conducts at least fifty percent (50%) of the attorney's practice in the area of domestic relations.
- (3) Eight (8) members of the general assembly, with the members chosen from the standing committees that consider child custody and support matters.
- (4) A custodial parent.
- (5) A noncustodial parent.

(b) The appointments under subsection (a)(3) must include the following:

- (1) Four (4) members from the senate, with not more than two (2) from the same political party and not more than two (2) of the same gender.
- (2) Four (4) members from the house of representatives, with not more than two (2) from the same political party and not more than two (2) of the same gender.

(c) Appointments of the committee members shall be made as follows:

- (1) The speaker of the house of representatives shall appoint the members under subsection (a)(1) and (a)(4) and the four (4) members from the house of representatives under subsection (a)(3).
- (2) The president pro tempore of the senate shall appoint the members under subsection (a)(2) and (a)(5) and the four (4) members from the senate under subsection (a)(3).

(d) The members appointed under subsection (a)(1) and (a)(2) must be of opposite gender.

(e) The members appointed under subsection (a)(4) and (a)(5) must be of opposite gender.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-11-2**

##### **Term of appointment; vacancies**

Sec. 2. (a) An appointment under section 1 of this chapter is for a two (2) year term. A term begins August 1 of a year and an appointment required to be made that year shall be made before August 2.

(b) If a vacancy occurs, the vacancy shall be filled from the same group that was represented by the outgoing member. The new

member serves for the remainder of the unexpired term.  
*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-3**

#### **Designation of chairperson**

Sec. 3. The chairman of the legislative council shall designate a member to serve as chairperson of the committee.  
*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-4**

#### **Compensation and expenses**

Sec. 4. (a) A member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) A member of the committee who is a state employee but is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on an interim study committee established by the legislative council.

*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-5**

#### **Meetings**

Sec. 5. The committee shall meet at the call of the chairperson. The committee may meet any number of times during the year. However, the committee may not be compensated for more than four (4) meetings during a year.

*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-6**

#### **Review of child support guidelines and items relating to children's welfare; recommendations**

Sec. 6. (a) The committee shall review the child support guidelines adopted by the supreme court. The committee shall make recommendations, if appropriate, concerning any amendments to the guidelines. In reviewing the guidelines and formulating recommendations, the committee shall consider all relevant matters, including the following:

- (1) The mathematics pertaining to the child support guideline chart.
- (2) The actual costs of supporting a child.

- (3) Whether it is appropriate to calculate child support guideline amounts based primarily upon the ability of the parent to pay rather than the financial needs of the child.
- (4) Equality of child support awards for the children of the parties, regardless of birth order.
- (5) A mechanism that may be employed to modify the amount of support to be paid due to a change in financial circumstances or a change in the number of children being supported by either parent.
- (6) The age of a child to the extent that the child may require different amounts of support at different ages.
- (7) Clarification regarding under what circumstances, if any, support may be abated.
- (8) A mechanism that may be employed to ensure that the guidelines are applied flexibly.
- (9) The application of the guidelines to a split custody situation.
- (10) Whether it is appropriate to base child support guidelines upon the premise that the child should enjoy the same standard of living that the child would have enjoyed if the family remained intact.

(b) In addition to the duties set forth in subsection (a), the committee shall review custody and educational expenses and other items relating to the welfare of a child of a family that is no longer intact.

*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-7**

#### **Reports**

Sec. 7. The committee shall submit a report to the supreme court administrator and to the legislative services agency not later than August 1 of each year. The report to the legislative services agency must be in an electronic format under IC 5-14-6.

*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-8**

#### **Distribution of reports**

Sec. 8. The supreme court administrator shall distribute the report to the members of the supreme court.

*As added by P.L.98-2004, SEC.3.*

### **IC 33-24-11-9**

#### **Supreme court review of report**

Sec. 9. The supreme court shall review the committee's report. The supreme court may amend the child support guidelines adopted by the supreme court based upon the committee's recommendations.

*As added by P.L.98-2004, SEC.3.*