



## Child Support Guideline Amendments by Jodi L. Wyman

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Parents may have heard that the Child Support Tables have been updated. The new amounts took effect May 1<sup>st</sup>. Finding out the numbers on the new Child Support Guidelines do not require a call to a lawyer, as they are available online at the Department of Justice website.

This is the first change to the support amounts since they were enacted in 1997.

It is interesting that the support amounts did not simply increase across the board to take inflation into account. In fact, for lower income parents the support payments will decrease.

For example, a father who does not live with his children and earns \$10,000 annually used to pay \$95 in support for one child each month. Under the new tables, the dad would pay only \$25. If he had three children, he used to pay \$145. He now will pay only \$66.

For middle-income parents the change is only a matter of a few dollars. Higher income payors will see an increase. For example, a non-custodial mother earning \$70,000 with one child used to pay \$550 each month to the other parent. She would now owe \$603. If she has three children, her support goes from \$1164 to \$1271.

Parents have many complaints about the amounts in the child support tables. A mother receiving only \$66 to feed and clothe three children will wonder how the government came up with such an inadequate number. Similarly, a mother paying \$1,271 a month to her former spouse for the care of young children will say it certainly does not cost that much every month to feed them. Parents paying support are also usually puzzled that their payments are the same regardless of the custodial parent's income.

The theory behind the amounts in the Guidelines is that families spend more money on their children as their family income grows. The percentage of family income devoted to the children should remain the same across all levels of income. If you spend 25% of your income on the children, you will do so whether you earn \$10,000 or \$70,000. It is just the children's standard of living that changes. As well, the percentage of family income devoted to children increases with the number of children.

The Guidelines try to reflect the amount of money the non-custodial parent would be spending on his or her children if the family was together. The Guidelines

assume the parent receiving support is also contributing a similar percentage of their income to the children's care. The reality however is that it is much more costly to create two households out of one home, so usually most parents feel a serious financial pinch when they separate.

The amendments to the Child Support Guidelines also address some smaller issues. One is extraordinary expenses. In addition to child support, parents can be expected to pay for a portion of some of the extras, such as daycare, medical costs and extraordinary extracurricular expenses. The Courts have been debating the meaning of "extraordinary" almost since the Guidelines were first enacted. The amendments provide some assistance by outlining the factors at which the court can look, such as each parent's incomes, any special talents of the children and the number of programs or activities in which the child is involved.

Hopefully, the changes to the Child Support Guidelines are not so huge that they will spark a number of new Court cases. After all, the point of the Guidelines in the first place was to prevent parents from needing to go to Court over child support.