

**78B-12-101. Title.**

This chapter is known as the "Utah Child Support Act."

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-102. Definitions.**

As used in this chapter:

- (1) "Adjusted gross income" means income calculated under Subsection 78B-12-204(1).
- (2) "Administrative agency" means the Office of Recovery Services or the Department of Human Services.
- (3) "Administrative order" means an order that has been issued by the Office of Recovery Services, the Department of Human Services, or an administrative agency of another state or other comparable jurisdiction with similar authority to that of the office.
- (4) "Base child support award" means the award that may be ordered and is calculated using the guidelines before additions for medical expenses and work-related child care costs.
- (5) "Base combined child support obligation table," "child support table," "base child support obligation table," "low income table," or "table" means the appropriate table in Part 3, Tables.
- (6) "Cash medical support" means an obligation to equally share all reasonable and necessary medical and dental expenses of children.
- (7) "Child" means:
  - (a) a son or daughter under the age of 18 years who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States;
  - (b) a son or daughter over the age of 18 years, while enrolled in high school during the normal and expected year of graduation and not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States; or
  - (c) a son or daughter of any age who is incapacitated from earning a living and, if able to provide some financial resources to the family, is not able to support self by own means.
- (8) "Child support" means a base child support award, or a monthly financial award for uninsured medical expenses, ordered by a tribunal for the support of a child, including current periodic payments, all arrearages which accrue under an order for current periodic payments, and sum certain judgments awarded for arrearages, medical expenses, and child care costs.
- (9) "Child support order" or "support order" means a judgment, decree, or order of a tribunal whether interlocutory or final, whether or not prospectively or retroactively modifiable, whether incidental to a proceeding for divorce, judicial or legal separation, separate maintenance, paternity, guardianship, civil protection, or otherwise which:
  - (a) establishes or modifies child support;
  - (b) reduces child support arrearages to judgment; or
  - (c) establishes child support or registers a child support order under Chapter 14, Uniform Interstate Family Support Act.
- (10) "Child support services" or "IV-D child support services" means services

provided pursuant to Part D of Title IV of the Social Security Act, 42 U.S.C. Section 651 et seq.

(11) "Court" means the district court or juvenile court.

(12) "Guidelines" means the directions for the calculation and application of child support in Part 2, Calculation and Adjustment.

(13) "Income" means earnings, compensation, or other payment due to an individual, regardless of source, whether denominated as wages, salary, commission, bonus, pay, allowances, contract payment, or otherwise, including severance pay, sick pay, and incentive pay. "Income" includes:

(a) all gain derived from capital assets, labor, or both, including profit gained through sale or conversion of capital assets;

(b) interest and dividends;

(c) periodic payments made under pension or retirement programs or insurance policies of any type;

(d) unemployment compensation benefits;

(e) workers' compensation benefits; and

(f) disability benefits.

(14) "Joint physical custody" means the child stays with each parent overnight for more than 30% of the year, and both parents contribute to the expenses of the child in addition to paying child support.

(15) "Medical expenses" means health and dental expenses and related insurance costs.

(16) "Obligee" means an individual, this state, another state, or another comparable jurisdiction to whom child support is owed or who is entitled to reimbursement of child support or public assistance.

(17) "Obligor" means any person owing a duty of support.

(18) "Office" means the Office of Recovery Services within the Department of Human Services.

(19) "Parent" includes a natural parent, or an adoptive parent.

(20) "Split custody" means that each parent has physical custody of at least one of the children.

(21) "State" includes any state, territory, possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Native American Tribe, or other comparable domestic or foreign jurisdiction.

(22) "Temporary" means a period of time that is projected to be less than 12 months in duration.

(23) "Third party" means an agency or a person other than the biological or adoptive parent or a child who provides care, maintenance, and support to a child.

(24) "Tribunal" means the district court, the Department of Human Services, Office of Recovery Services, or court or administrative agency of any state, territory, possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Native American Tribe, or other comparable domestic or foreign jurisdiction.

(25) "Work-related child care costs" means reasonable child care costs for up to a full-time work week or training schedule as necessitated by the employment or training of a parent under Section 78B-12-215.

(26) "Worksheets" means the forms used to aid in calculating the base child

support award.

Amended by Chapter 142, 2009 General Session

**78B-12-103. District court jurisdiction.**

The district court shall have jurisdiction of all proceedings brought under this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-104. Continuing jurisdiction.**

The court shall retain jurisdiction to modify or vacate the order of support where justice requires.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-105. Duty of parents.**

(1) Every child is presumed to be in need of the support of the child's mother and father. Every mother and father shall support their children.

(2) Except as limited in a court order under Section 30-3-5, 30-4-3, or 78B-12-212:

(a) The expenses incurred on behalf of a minor child for reasonable and necessary medical and dental expenses, and other necessities are chargeable upon the property of both parents, regardless of the marital status of the parents.

(b) Either or both parents may be sued by a creditor for the expenses described in Subsection (2)(a) incurred on behalf of minor children.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-106. Ward of state -- Natural or adoptive parent has primary obligation to support -- Right of third party to recover support.**

(1) A natural or an adoptive parent whose minor child has become a ward of this or any other state is not relieved of the primary obligation to support that child until the child reaches the age of majority, regardless of any agreements or legal defenses that may exist between the parents or other care providers. Any state that provides support for a child shall have the right to reimbursement.

(2) Nothing contained in this chapter may act to relieve the natural parent or adoptive parent of the primary obligation of support.

(3) A third party has the same right to recover support from the natural or adoptive parent as a custodial parent.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-107. Duty of obligor regardless of presence or residence of obligee.**

An obligor present or resident in this state has the duty of support as defined in

this chapter regardless of the presence or residence of the obligee.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-108. Support follows the child.**

(1) Obligations ordered for child support and medical expenses are for the use and benefit of the child and shall follow the child.

(2) Except in cases of joint physical custody and split custody as defined in Section 78B-12-102, when physical custody changes from that assumed in the original order, the parent without physical custody of a child shall be required to pay the amount of support determined in accordance with Sections 78B-12-205 and 78B-12-212, without the need to modify the order for:

- (a) the parent who has physical custody of the child;
- (b) a relative to whom physical custody of the child has been voluntarily given; or
- (c) the state when the child is residing outside of the home in the protective custody, temporary custody, or custody or care of the state or a state-licensed facility for at least 30 days.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-109. Waiver and estoppel.**

(1) Waiver and estoppel shall apply only to the custodial parent when there is no order already established by a tribunal if the custodial parent freely and voluntarily waives support specifically and in writing.

(2) Waiver and estoppel may not be applied against any third party or public entity that may provide support for the child.

(3) A noncustodial parent, or alleged biological father in a paternity action, may not rely on statements made by the custodial parent of the child concerning child support unless the statements are reduced to writing and signed by both parties.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-110. Appeals.**

Appeals may be taken from orders and judgments under this chapter as in other civil actions.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-111. Court order -- Medical expenses of dependent children -- Assigning responsibility for payment -- Insurance coverage -- Income withholding.**

The court shall include the following in its order:

(1) a provision assigning responsibility for the payment of reasonable and necessary medical expenses for the dependent children;

(2) a provision requiring the purchase and maintenance of appropriate insurance for the medical expenses of dependent children, if coverage is or becomes available at

a reasonable cost; and

(3) provisions for income withholding, in accordance with Title 62A, Chapter 11, Parts 4 and 5.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-112. Payment under child support order -- Judgment.**

(1) All monthly payments of child support shall be due on the 1st day of each month pursuant to Title 62A, Chapter 11, Part 3, Child Support Services Act, Part 4, Income Withholding in IV-D Cases, and Part 5, Income Withholding in Non-IV-D Cases.

(2) For purposes of child support services and income withholding pursuant to Title 62A, Chapter 11, Part 3 and Part 4, child support is not considered past due until the 1st day of the following month. For purposes other than those specified in Subsection (1) support shall be payable 1/2 by the 5th day of each month and 1/2 by the 20th day of that month, unless the order or decree provides for a different time for payment.

(3) Each payment or installment of child or spousal support under any support order, as defined by Section 78B-12-102, is, on and after the date it is due:

(a) a judgment with the same attributes and effect of any judgment of a district court, except as provided in Subsection (4);

(b) entitled, as a judgment, to full faith and credit in this and in any other jurisdiction; and

(c) not subject to retroactive modification by this or any other jurisdiction, except as provided in Subsection (4).

(4) A child or spousal support payment under a support order may be modified with respect to any period during which a modification is pending, but only from the date of service of the pleading on the obligee, if the obligor is the petitioner, or on the obligor, if the obligee is the petitioner. If the tribunal orders that the support should be modified, the effective date of the modification shall be the month following service on the parent whose support is affected. Once the tribunal determines that a modification is appropriate, the tribunal shall order a judgment to be entered for any difference in the original order and the modified amount for the period from the service of the pleading until the final order of modification is entered.

(5) The judgment provided for in Subsection (3)(a), to be effective and enforceable as a lien against the real property interest of any third party relying on the public record, shall be docketed in the district court in accordance with Sections 78B-5-202 and 62A-11-312.5.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-113. Enforcement of right of support.**

(1) (a) The obligee may enforce his right of support against the obligor. The office may proceed pursuant to this chapter or any other applicable statute on behalf of:

(i) the Department of Human Services;

(ii) any other department or agency of this state that provides public assistance,

as defined by Subsection 62A-11-303(3), to enforce the right to recover public assistance; or

(iii) the obligee, to enforce the obligee's right of support against the obligor.

(b) Whenever any court action is commenced by the office to enforce payment of the obligor's support obligation, the attorney general or the county attorney of the county of residence of the obligee shall represent the office.

(2) (a) A person may not commence an action, file a pleading, or submit a written stipulation to the court, without complying with Subsection (2)(b), if the purpose or effect of the action, pleading, or stipulation is to:

(i) establish paternity;

(ii) establish or modify a support obligation;

(iii) change the court-ordered manner of payment of support;

(iv) recover support due or owing; or

(v) appeal issues regarding child support laws.

(b) (i) When taking an action described in Subsection (2)(a), a person must file an affidavit with the court at the time the action is commenced, the pleading is filed, or the stipulation is submitted stating whether child support services have been or are being provided under Part IV of the Social Security Act, 42 U.S.C., Section 601 et seq., on behalf of a child who is a subject of the action, pleading, or stipulation.

(ii) If child support services have been or are being provided, under Part IV of the Social Security Act, 42 U.S.C., Section 601 et seq., the person shall mail a copy of the affidavit and a copy of the pleading or stipulation to the Office of the Attorney General, Child Support Division.

(iii) If notice is not given in accordance with this Subsection (2), the office is not bound by any decision, judgment, agreement, or compromise rendered in the action. For purposes of appeals, service must be made on the Office of the Director for the Office of Recovery Services.

(c) If IV-D services have been or are being provided, that person shall join the office as a party to the action, or mail or deliver a written request to the Office of the Attorney General, Child Support Division asking the office to join as a party to the action. A copy of that request, along with proof of service, shall be filed with the court. The office shall be represented as provided in Subsection (1)(b).

(3) Neither the attorney general nor the county attorney represents or has an attorney-client relationship with the obligee or the obligor in carrying out the duties under this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-114. County attorney to assist obligee.**

(1) The county attorney's office shall provide assistance to an obligee desiring to proceed under this chapter in the following manner:

(a) provide forms, approved by the Judicial Council of Utah, for an order of wage assignment if the obligee is not represented by legal counsel;

(b) inform the obligee of the right to file impecuniously if the obligee is unable to bear the expenses of the action and assist the obligee with such filing;

(c) advise the obligee of the available methods for service of process; and

- (d) assist the obligee in expeditiously scheduling a hearing before the court.
- (2) The county attorney's office may charge a fee not to exceed \$25 for providing assistance to an obligee under Subsection (1).

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-115. Husband and wife privileged communication inapplicable -- Competency of spouses.**

Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable under this chapter. Spouses are competent witnesses to testify to any relevant matter, including marriage and parentage.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-116. Social Security number in court records.**

The Social Security number of any individual who is subject to a support order shall be placed in the records relating to the matter.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-117. Rights are in addition to those presently existing.**

The rights created in this chapter are in addition to and not in substitution to any other rights.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-201. Procedure -- Documentation -- Stipulation.**

(1) In any matter in which child support is ordered, the moving party shall submit:

- (a) a completed child support worksheet;
- (b) the financial verification required by Subsection 78B-12-203(5);
- (c) a written statement indicating whether or not the amount of child support requested is consistent with the guidelines; and
- (d) the information required under Subsection (3).

(2) (a) If the documentation of income required under Subsection (1) is not available, a verified representation of the other party's income by the moving party, based on the best evidence available, may be submitted.

(b) The evidence shall be in affidavit form and may only be offered after a copy has been provided to the other party in accordance with Utah Rules of Civil Procedure or Title 63G, Chapter 4, Administrative Procedures Act, in an administrative proceeding.

(3) Upon the entry of an order in a proceeding to establish paternity or to establish, modify, or enforce a support order, each party shall file identifying information and shall update that information as changes occur with the court that conducted the proceeding.

(a) The required identifying information shall include the person's social security number, driver's license number, residential and mailing addresses, telephone

numbers, the name, address and telephone number of employers, and any other data required by the United States Secretary of Health and Human Services.

(b) Attorneys representing the office in child support services cases are not required to file the identifying information required by Subsection (3)(a).

(4) A stipulated amount for child support or combined child support and alimony is adequate under the guidelines if the stipulated child support amount or combined amount equals or exceeds the base child support award required by the guidelines.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-202. Determination of amount of support -- Rebuttable guidelines.**

(1) (a) Prospective support shall be equal to the amount granted by prior court order unless there has been a substantial change of circumstance on the part of the obligor or obligee or adjustment under Subsection 78B-12-210(6) has been made.

(b) If the prior court order contains a stipulated provision for the automatic adjustment for prospective support, the prospective support shall be the amount as stated in the order, without a showing of a material change of circumstances, if the stipulated provision:

- (i) is clear and unambiguous;
- (ii) is self-executing;
- (iii) provides for support which equals or exceeds the base child support award required by the guidelines; and
- (iv) does not allow a decrease in support as a result of the obligor's voluntary reduction of income.

(2) If no prior court order exists, a substantial change in circumstances has occurred, or a petition to modify an order under Subsection 78B-12-210(6) has been filed, the court determining the amount of prospective support shall require each party to file a proposed award of child support using the guidelines before an order awarding child support or modifying an existing award may be granted.

(3) If the court finds sufficient evidence to rebut the guidelines, the court shall establish support after considering all relevant factors, including but not limited to:

- (a) the standard of living and situation of the parties;
- (b) the relative wealth and income of the parties;
- (c) the ability of the obligor to earn;
- (d) the ability of the obligee to earn;
- (e) the ability of an incapacitated adult child to earn, or other benefits received by the adult child or on the adult child's behalf including Supplemental Security Income;
- (f) the needs of the obligee, the obligor, and the child;
- (g) the ages of the parties; and
- (h) the responsibilities of the obligor and the obligee for the support of others.

(4) When no prior court order exists, the court shall determine and assess all arrearages based upon the guidelines described in this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-203. Determination of gross income -- Imputed income.**

(1) As used in the guidelines, "gross income" includes prospective income from any source, including earned and nonearned income sources which may include salaries, wages, commissions, royalties, bonuses, rents, gifts from anyone, prizes, dividends, severance pay, pensions, interest, trust income, alimony from previous marriages, annuities, capital gains, Social Security benefits, workers' compensation benefits, unemployment compensation, income replacement disability insurance benefits, and payments from "nonmeans-tested" government programs.

(2) Income from earned income sources is limited to the equivalent of one full-time 40-hour job. If and only if during the time prior to the original support order, the parent normally and consistently worked more than 40 hours at the parent's job, the court may consider this extra time as a pattern in calculating the parent's ability to provide child support.

(3) Notwithstanding Subsection (1), specifically excluded from gross income are:

(a) cash assistance provided under Title 35A, Chapter 3, Part 3, Family Employment Program;

(b) benefits received under a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP benefits, or General Assistance; and

(c) other similar means-tested welfare benefits received by a parent.

(4) (a) Gross income from self-employment or operation of a business shall be calculated by subtracting necessary expenses required for self-employment or business operation from gross receipts. The income and expenses from self-employment or operation of a business shall be reviewed to determine an appropriate level of gross income available to the parent to satisfy a child support award. Only those expenses necessary to allow the business to operate at a reasonable level may be deducted from gross receipts.

(b) Gross income determined under this subsection may differ from the amount of business income determined for tax purposes.

(5) (a) When possible, gross income should first be computed on an annual basis and then recalculated to determine the average gross monthly income.

(b) Each parent shall provide verification of current income. Each parent shall provide year-to-date pay stubs or employer statements and complete copies of tax returns from at least the most recent year unless the court finds the verification is not reasonably available. Verification of income from records maintained by the Department of Workforce Services may be substituted for pay stubs, employer statements, and income tax returns.

(c) Historical and current earnings shall be used to determine whether an underemployment or overemployment situation exists.

(6) Gross income includes income imputed to the parent under Subsection (7).

(7) (a) Income may not be imputed to a parent unless the parent stipulates to the amount imputed, the parent defaults, or, in contested cases, a hearing is held and the judge in a judicial proceeding or the presiding officer in an administrative proceeding enters findings of fact as to the evidentiary basis for the imputation.

(b) If income is imputed to a parent, the income shall be based upon employment potential and probable earnings as derived from employment opportunities, work history, occupation qualifications, and prevailing earnings for

persons of similar backgrounds in the community, or the median earning for persons in the same occupation in the same geographical area as found in the statistics maintained by the Bureau of Labor Statistics.

(c) If a parent has no recent work history or a parent's occupation is unknown, income shall be imputed at least at the federal minimum wage for a 40-hour work week. To impute a greater income, the judge in a judicial proceeding or the presiding officer in an administrative proceeding shall enter specific findings of fact as to the evidentiary basis for the imputation.

(d) Income may not be imputed if any of the following conditions exist and the condition is not of a temporary nature:

(i) the reasonable costs of child care for the parents' minor children approach or equal the amount of income the custodial parent can earn;

(ii) a parent is physically or mentally unable to earn minimum wage;

(iii) a parent is engaged in career or occupational training to establish basic job skills; or

(iv) unusual emotional or physical needs of a child require the custodial parent's presence in the home.

(8) (a) Gross income may not include the earnings of a minor child who is the subject of a child support award nor benefits to a minor child in the child's own right such as Supplemental Security Income.

(b) Social Security benefits received by a child due to the earnings of a parent shall be credited as child support to the parent upon whose earning record it is based, by crediting the amount against the potential obligation of that parent. Other unearned income of a child may be considered as income to a parent depending upon the circumstances of each case.

Amended by Chapter 41, 2012 General Session

**78B-12-204. Adjusted gross income.**

(1) As used in this chapter, "adjusted gross income" is the amount calculated by subtracting from gross income alimony previously ordered and paid and child support previously ordered.

(2) The guidelines do not reduce the total child support award by adjusting the gross incomes of the parents for alimony ordered in the pending proceeding. In establishing alimony, the court shall consider that in determining the child support, the guidelines do not provide a deduction from gross income for alimony.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-205. Calculation of obligations.**

(1) Each parent's child support obligation shall be established in proportion to their adjusted gross incomes, unless the low income table is applicable. Except during periods of court-ordered parent-time as set forth in Section 78B-12-216, the parents are obligated to pay their proportionate shares of the base combined child support obligation. If physical custody of the child changes from that assumed in the original order, modification of the order is not necessary, even if only one parent is specifically

ordered to pay in the order.

(2) Except in cases of joint physical custody and split custody as defined in Section 78B-12-102 and in cases where the obligor's adjusted gross income is \$1,050 or less monthly, the base child support award shall be determined as follows:

(a) combine the adjusted gross incomes of the parents and determine the base combined child support obligation using the base combined child support obligation table; and

(b) calculate each parent's proportionate share of the base combined child support obligation by multiplying the combined child support obligation by each parent's percentage of combined adjusted gross income.

(3) In the case of an incapacitated adult child, any amount that the incapacitated adult child can contribute to the incapacitated adult child's support may be considered in the determination of child support and may be used to justify a reduction in the amount of support ordered, except that in the case of orders involving multiple children, the reduction shall not be greater than the effect of reducing the total number of children by one in the child support table calculation.

(4) In cases where the monthly adjusted gross income of either parent is between \$650 and \$1,050, the base child support award shall be the lesser of the amount calculated in accordance with Subsection (2) and the amount calculated using the low income table. If the income and number of children is found in an area of the low income table in which no amount is shown, the base combined child support obligation table is to be used.

(5) The base combined child support obligation table provides combined child support obligations for up to six children. For more than six children, additional amounts may be added to the base child support obligation shown. Unless rebutted by Subsection 78B-12-210(3), the amount ordered may not be less than the amount which would be ordered for up to six children.

(6) If the monthly adjusted gross income of either parent is \$649 or less, the tribunal shall determine the amount of the child support obligation on a case-by-case basis, but the base child support award may not be less than \$30.

(7) The amount shown on the table is the support amount for the total number of children, not an amount per child.

(8) For all worksheets, income and support award figures shall be rounded to the nearest dollar.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-206. Income in excess of tables.**

If the combined adjusted gross income exceeds the highest level specified in the table, an appropriate and just child support amount shall be ordered on a case-by-case basis, but the amount ordered may not be less than the highest level specified in the table for the number of children due support.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-207. Obligation -- Adjusted gross income used.**

Adjusted gross income shall be used in calculating each parent's share of the base combined child support obligation. Only income of the natural or adoptive parents of the child may be used to determine the award under these guidelines.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-208. Joint physical custody -- Obligation calculations.**

In cases of joint physical custody, the base child support award shall be determined as follows:

(1) Combine the adjusted gross incomes of the parents and determine the base combined child support obligation using the base combined child support obligation table.

(2) Calculate each parent's proportionate share of the base combined child support obligation by multiplying the base combined child support obligation by each parent's percentage of combined adjusted gross income. The amounts so calculated are the base child support obligation due from each parent for support of the children.

(3) If the obligor's time with the children exceeds 110 overnights, the obligation shall be calculated further as follows:

(a) if the amount of time to be spent with the children is between 110 and 131 overnights, multiply the number of overnights over 110 by .0027, then multiply the result by the base combined child support obligation, and then subtract the result from the obligor's payment as determined by Subsection (2) to arrive at the obligor's payment; or

(b) if the amount of time to be spent with the children is 131 overnights or more, multiply the number of overnights over 130 by .0084, then multiply the result by the base combined child support obligation, and then subtract the result from the obligor's payment as determined in Subsection (3)(a) to arrive at the obligor's payment.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-209. Split custody -- Obligation calculations.**

In cases of split custody, the base child support award shall be determined as follows:

(1) Combine the adjusted gross incomes of the parents and determine the base combined child support obligation using the base combined child support obligation table. Allocate a portion of the calculated amount between the parents in proportion to the number of children for whom each parent has physical custody. The amounts so calculated are a tentative base child support obligation due each parent from the other parent for support of the child or children for whom each parent has physical custody.

(2) Multiply the tentative base child support obligation due each parent by the percentage that the other parent's adjusted gross income bears to the total combined adjusted gross income of both parents.

(3) Subtract the lesser amount in Subsection (2) from the larger amount to determine the base child support award to be paid by the parent with the greater financial obligation.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-210. Application of guidelines -- Use of ordered child support.**

(1) The guidelines in this chapter apply to any judicial or administrative order establishing or modifying an award of child support entered on or after July 1, 1989.

(2) (a) The guidelines shall be applied as a rebuttable presumption in establishing or modifying the amount of temporary or permanent child support.

(b) The rebuttable presumption means the provisions and considerations required by the guidelines, the award amounts resulting from the application of the guidelines, and the use of worksheets consistent with these guidelines are presumed to be correct, unless rebutted under the provisions of this section.

(3) A written finding or specific finding on the record supporting the conclusion that complying with a provision of the guidelines or ordering an award amount resulting from use of the guidelines would be unjust, inappropriate, or not in the best interest of a child in a particular case is sufficient to rebut the presumption in that case. If an order rebuts the presumption through findings, it is considered a deviated order.

(4) The following shall be considered deviations from the guidelines, if:

(a) the order includes a written finding that it is a deviation from the guidelines;

(b) the guidelines worksheet has:

(i) the box checked for a deviation; and

(ii) an explanation as to the reason; or

(c) the deviation is made because there were more children than provided for in the guidelines table.

(5) If the amount in the order and the amount on the guidelines worksheet differ by \$10 or more:

(a) the order is considered deviated; and

(b) the incomes listed on the worksheet may not be used in adjusting support for emancipation.

(6) (a) Natural or adoptive children of either parent who live in the home of that parent and are not children in common to both parties may at the option of either party be taken into account under the guidelines in setting a child support award, as provided in Subsection (7).

(b) Additional worksheets shall be prepared that compute the base child support award of the respective parents for the additional children. The base child support award shall then be subtracted from the appropriate parent's income before determining the award in the instant case.

(7) In a proceeding to adjust or modify an existing award, consideration of natural or adoptive children born after entry of the order and who are not in common to both parties may be applied to mitigate an increase in the award but may not be applied:

(a) for the benefit of the obligee if the credit would increase the support obligation of the obligor from the most recent order; or

(b) for the benefit of the obligor if the amount of support received by the obligee would be decreased from the most recent order.

(8) (a) If a child support order has not been issued or modified within the previous three years, a parent, legal guardian, or the office may move the court to adjust the amount of a child support order.

(b) Upon receiving a motion under Subsection (8)(a), the court shall, taking into

account the best interests of the child:

(i) determine whether there is a difference between the payor's ordered support amount and the payor's support amount that would be required under the guidelines; and

(ii) if there is a difference as described in Subsection (8)(b)(i), adjust the payor's ordered support amount to the payor's support amount provided in the guidelines if:

(A) the difference is 10% or more;

(B) the difference is not of a temporary nature; and

(C) the order adjusting the payor's ordered support amount does not deviate from the guidelines.

(c) A showing of a substantial change in circumstances is not necessary for an adjustment under this Subsection (8).

(9) (a) A parent, legal guardian, or the office may at any time petition the court to adjust the amount of a child support order if there has been a substantial change in circumstances. A change in the base combined child support obligation table set forth in Section 78B-12-301 is not a substantial change in circumstances for the purposes of this Subsection (9).

(b) For purposes of this Subsection (9), a substantial change in circumstances may include:

(i) material changes in custody;

(ii) material changes in the relative wealth or assets of the parties;

(iii) material changes of 30% or more in the income of a parent;

(iv) material changes in the employment potential and ability of a parent to earn;

(v) material changes in the medical needs of the child; or

(vi) material changes in the legal responsibilities of either parent for the support of others.

(c) Upon receiving a petition under Subsection (9)(a), the court shall, taking into account the best interests of the child:

(i) determine whether a substantial change has occurred;

(ii) if a substantial change has occurred, determine whether the change results in a difference of 15% or more between the payor's ordered support amount and the payor's support amount that would be required under the guidelines; and

(iii) adjust the payor's ordered support amount to that which is provided for in the guidelines if:

(A) there is a difference of 15% or more; and

(B) the difference is not of a temporary nature.

(10) Notice of the opportunity to adjust a support order under Subsections (8) and (9) shall be included in each child support order.

Amended by Chapter 19, 2012 General Session

**78B-12-211. Limitation on amount of support ordered.**

(1) There is no maximum limit on the base child support award that may be ordered using the base combined child support obligation table, using the low income table, or awarding medical expenses except under Subsection (2).

(2) If amounts under either table as provided in Part 3, Tables, in combination

with the award of medical expenses exceeds 50% of the obligor's adjusted gross income, or by adding the child care costs, total child support would exceed 50% of the obligor's adjusted gross income, the presumption under Section 78B-12-215 is rebutted.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-212. Medical expenses.**

(1) (a) The court shall order that insurance for the medical expenses of the minor children be provided by a parent if it is available at a reasonable cost.

(b) The court shall, in accordance with Section 30-3-5, designate which health, hospital, or dental insurance plan is primary and which health, hospital, or dental insurance plan is secondary if at any time a dependent child is covered by both parents' health, hospital, or dental insurance plans.

(2) In determining which parent shall be ordered to maintain insurance for medical expenses, the court or administrative agency may consider the:

- (a) reasonableness of the cost;
- (b) availability of a group insurance policy;
- (c) coverage of the policy; and
- (d) preference of the custodial parent.

(3) The order shall require each parent to share equally the out-of-pocket costs of the premium actually paid by a parent for the children's portion of insurance unless the court finds good cause to order otherwise.

(4) The parent who provides the insurance coverage may receive credit against the base child support award or recover the other parent's share of the children's portion of the premium. In cases in which the parent does not have insurance but another member of the parent's household provides insurance coverage for the children, the parent may receive credit against the base child support award or recover the other parent's share of the children's portion of the premium.

(5) The children's portion of the premium is a per capita share of the premium actually paid. The premium expense for the children shall be calculated by dividing the premium amount by the number of persons covered under the policy and multiplying the result by the number of children in the instant case.

(6) The order shall, in accordance with Subsection 30-3-5(1)(b), include a cash medical support provision that requires each parent to equally share all reasonable and necessary uninsured and unreimbursed medical and dental expenses incurred for the dependent children, including but not limited to deductibles and copayments unless the court finds good cause to order otherwise.

(7) The parent ordered to maintain insurance shall provide verification of coverage to the other parent, or to the Office of Recovery Services under Title IV of the Social Security Act, 42 U.S.C. Section 601 et seq., upon initial enrollment of the dependent children, and thereafter on or before January 2 of each calendar year. The parent shall notify the other parent, or the Office of Recovery Services under Title IV of the Social Security Act, 42 U.S.C. Section 601 et seq., of any change of insurance carrier, premium, or benefits within 30 calendar days of the date the parent first knew or should have known of the change.

(8) A parent who incurs medical expenses shall provide written verification of the cost and payment of medical expenses to the other parent within 30 days of payment.

(9) In addition to any other sanctions provided by the court, a parent incurring medical expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if that parent fails to comply with Subsections (7) and (8).

Amended by Chapter 285, 2010 General Session

**78B-12-213. Determination of parental liability.**

(1) The district court or administrative agency may issue an order determining the amount of a parent's liability for medical expenses of a dependent child when the parent:

(a) is required by a prior court or administrative order to:

(i) share those expenses with the other parent of the dependent child; or

(ii) obtain insurance for medical expenses but fails to do so; or

(b) receives direct payment from an insurer under insurance coverage obtained after the prior court or administrative order was issued.

(2) If the prior court or administrative order does not specify what proportions of the expenses are to be shared, the district court may determine the amount of liability as may be reasonable and necessary.

(3) This section applies to an order without regard to when it was issued.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-214. Child care expenses -- Expenses not incurred.**

(1) The child support order shall require that each parent share equally the reasonable work-related child care expenses of the parents.

(2) (a) If an actual expense for child care is incurred, a parent shall begin paying his share on a monthly basis immediately upon presentation of proof of the child care expense, but if the child care expense ceases to be incurred, that parent may suspend making monthly payment of that expense while it is not being incurred, without obtaining a modification of the child support order.

(b) (i) In the absence of a court order to the contrary, a parent who incurs child care expense shall provide written verification of the cost and identity of a child care provider to the other parent upon initial engagement of a provider and thereafter on the request of the other parent.

(ii) In the absence of a court order to the contrary, the parent shall notify the other parent of any change of child care provider or the monthly expense of child care within 30 calendar days of the date of the change.

(3) In addition to any other sanctions provided by the court, a parent incurring child care expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if the parent incurring the expenses fails to comply with Subsection (2)(b).

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-215. Child care costs.**

(1) The need to include child care costs in the child support order is presumed, if the custodial parent or the noncustodial parent, during extended parent-time, is working and actually incurring the child care costs.

(2) The need to include child care costs is not presumed, but may be awarded on a case-by-case basis, if the costs are related to the career or occupational training of the custodial parent, or if otherwise ordered by the court in the interest of justice.

(3) The court may impute a monthly obligation for child care costs when it imputes income to a parent who is providing child care for the minor child of both parties so that the parties are not incurring child care costs for the child. Any monthly obligation imputed under this section shall be applied towards any actual child care costs incurred within the same month for the child.

Amended by Chapter 467, 2013 General Session

**78B-12-216. Reduction for extended parent-time.**

(1) The base child support award shall be:

(a) reduced by 50% for each child for time periods during which the child is with the noncustodial parent by order of the court or by written agreement of the parties for at least 25 of any 30 consecutive days of extended parent-time; or

(b) 25% for each child for time periods during which the child is with the noncustodial parent by order of the court, or by written agreement of the parties for at least 12 of any 30 consecutive days of extended parent-time.

(2) If the dependent child is a client of cash assistance provided under Title 35A, Chapter 3, Part 3, Family Employment Program, any agreement by the parties for reduction of child support during extended parent-time shall be approved by the administrative agency.

(3) Normal parent-time and holiday visits to the custodial parent shall not be considered extended parent-time.

(4) For cases receiving IV-D child support services in accordance with Title 62A, Chapter 11, Parts 1, 3, and 4, to receive the adjustment the noncustodial parent shall provide written documentation of the extended parent-time schedule, including the beginning and ending dates, to the Office of Recovery Services in the form of either a court order or a voluntary written agreement between the parties.

(5) If the noncustodial parent complies with Subsection (4), owes no past-due support, and pays the full, unadjusted amount of current child support due for the month of scheduled extended parent-time and the following month, the Office of Recovery Services shall refund the difference from the child support due to the custodial parent or the state, between the full amount of current child support received during the month of extended parent-time and the adjusted amount of current child support due:

(a) from current support received in the month following the month of scheduled extended parent-time; or

(b) from current support received in the month following the month written documentation of the scheduled extended parent-time is provided to the office, whichever occurs later.

(6) If the noncustodial parent complies with Subsection (4), owes past-due support, and pays the full, unadjusted amount of current child support due for the month of scheduled extended parent-time, the Office of Recovery Services shall apply the difference, from the child support due to the custodial parent or the state, between the full amount of current child support received during the month of extended parent-time and the adjusted amount of current child support due, to the past-due support obligation in the case.

(7) For cases not receiving IV-D child support services in accordance with Title 62A, Chapter 11, Parts 1, 3, and 4, any potential adjustment of the support payment during the month of extended visitation or any refund that may be due to the noncustodial parent from the custodial parent, shall be resolved between the parents or through the court without involvement by the Office of Recovery Services.

(8) For purposes of this section the per child amount to which the abatement applies shall be calculated by dividing the base child support award by the number of children included in the award.

(9) The reduction in this section does not apply to parents with joint physical custody obligations calculated in accordance with Section 78B-12-208.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-217. Award of tax exemption for dependent children.**

(1) No presumption exists as to which parent should be awarded the right to claim a child or children as exemptions for federal and state income tax purposes. Unless the parties otherwise stipulate in writing, the court or administrative agency shall award in any final order the exemption on a case-by-case basis.

(2) In awarding the exemption, the court or administrative agency shall consider:

(a) as the primary factor, the relative contribution of each parent to the cost of raising the child; and

(b) among other factors, the relative tax benefit to each parent.

(3) Notwithstanding Subsection (2), the court or administrative agency may not award any exemption to the noncustodial parent if that parent is not current in his child support obligation, in which case the court or administrative agency may award an exemption to the custodial parent.

(4) An exemption may not be awarded to a parent unless the award will result in a tax benefit to that parent.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-218. Accountability of support provided to benefit child -- Accounting.**

(1) The court or administrative agency which issues the initial or modified order for child support may, upon the petition of the obligor, order prospectively the obligee to furnish an accounting of amounts provided for the child's benefit to the obligor, including an accounting or receipts.

(2) The court or administrative agency may prescribe the frequency and the form of the accounting which shall include receipts and an accounting.

(3) The obligor may petition for the accounting only if current on all child support that has been ordered.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-219. Adjustment when child becomes emancipated.**

(1) When a child becomes 18 years of age or graduates from high school during the child's normal and expected year of graduation, whichever occurs later, or if the child dies, marries, becomes a member of the armed forces of the United States, or is emancipated in accordance with Title 78A, Chapter 6, Part 8, Emancipation, the base child support award is automatically adjusted to the base combined child support obligation for the remaining number of children due child support, shown in the table that was used to establish the most recent order, using the incomes of the parties as specified in that order or the worksheets, unless otherwise provided in the child support order.

(2) The award may not be reduced by a per child amount derived from the base child support award originally ordered.

(3) If the incomes of the parties are not specified in the most recent order or the worksheets, the information regarding the incomes is not consistent, or the order deviates from the guidelines, automatic adjustment of the order does not apply and the order will continue until modified by the issuing tribunal. If the order is deviated and the parties subsequently obtain a judicial order that adjusts the support back to the date of the emancipation of the child, the Office of Recovery Services may not be required to repay any difference in the support collected during the interim.

Renumbered and Amended by Chapter 3, 2008 General Session

**78B-12-301. Base combined child support obligation table -- Both parents.**

The table in this section shall be used to:

(1) establish a child support order entered for the first time on or after January 1, 2008;

(2) modify a child support order entered for the first time on or after January 1, 2008;

(3) modify a temporary judicial child support order established on or before December 31, 2007, if the new order is entered on or after January 1, 2008; or

(4) modify a final child support order entered on or before December 31, 2007, if the modification is made on or after January 1, 2010.

Monthly Combined Adj. Gross Income		Number of Children					
		1	2	3	4	5	6
From	To						
726 -	750	138	245	286	319	351	382

751 -	775	141	252	294	328	360	392
776 -	800	146	259	301	336	370	402
801 -	825	151	265	309	345	379	412
826 -	850	155	272	317	353	389	423
851 -	875	160	279	324	362	398	433
876 -	900	165	285	332	370	407	443
901 -	925	169	292	340	379	417	453
926 -	950	174	299	348	387	426	464
951 -	975	179	305	355	396	436	474
976 -	1,000	183	312	363	405	445	484
1,001 -	1,050	193	322	374	417	459	500
1,051 -	1,100	201	335	390	435	478	520
1,101 -	1,150	210	348	405	452	497	541
1,151 -	1,200	220	362	420	469	516	561
1,201 -	1,250	229	375	436	486	535	582
1,251 -	1,300	238	388	451	503	553	602
1,301 -	1,350	248	401	467	520	572	623
1,351 -	1,400	256	414	481	536	590	642
1,401 -	1,450	265	426	495	552	607	661
1,451 -	1,500	275	438	510	568	625	680
1,501 -	1,550	284	451	524	584	643	699
1,551 -	1,600	293	463	538	600	660	718
1,601 -	1,650	303	476	553	616	678	737
1,651 -	1,700	311	488	567	632	695	757
1,701 -	1,750	320	500	581	648	713	776
1,751 -	1,800	330	513	596	664	731	795
1,801 -	1,850	339	525	610	680	748	814
1,851 -	1,900	348	538	624	696	766	833

1,901 -	1,950	358	550	638	712	783	852
1,951 -	2,000	366	562	652	727	800	870
2,001 -	2,100	385	580	673	750	825	898
2,101 -	2,200	399	604	701	781	859	935
2,201 -	2,300	410	628	728	812	893	972
2,301 -	2,400	420	652	756	843	927	1,009
2,401 -	2,500	431	676	784	874	961	1,046
2,501 -	2,600	443	700	811	904	995	1,082
2,601 -	2,700	453	723	838	934	1,028	1,118
2,701 -	2,800	464	747	865	964	1,060	1,154
2,801 -	2,900	475	770	891	994	1,093	1,189
2,901 -	3,000	485	794	918	1,024	1,126	1,225
3,001 -	3,100	496	817	945	1,054	1,159	1,261
3,101 -	3,200	508	838	970	1,081	1,189	1,294
3,201 -	3,300	518	859	994	1,108	1,219	1,326
3,301 -	3,400	529	881	1,018	1,135	1,248	1,358
3,401 -	3,500	539	902	1,042	1,162	1,278	1,391
3,501 -	3,600	548	923	1,066	1,189	1,308	1,423
3,601 -	3,700	555	944	1,090	1,216	1,337	1,455
3,701 -	3,800	564	965	1,115	1,243	1,367	1,487
3,801 -	3,900	573	985	1,138	1,269	1,396	1,519
3,901 -	4,000	581	1,004	1,160	1,294	1,423	1,548
4,001 -	4,100	590	1,024	1,182	1,318	1,450	1,577
4,101 -	4,200	599	1,043	1,204	1,342	1,477	1,607
4,201 -	4,300	608	1,062	1,226	1,367	1,503	1,636
4,301 -	4,400	616	1,081	1,248	1,391	1,530	1,665
4,401 -	4,500	624	1,101	1,270	1,416	1,557	1,694
4,501 -	4,600	633	1,119	1,291	1,439	1,583	1,722

4,601 -	4,700	641	1,133	1,306	1,456	1,601	1,742
4,701 -	4,800	650	1,147	1,321	1,473	1,620	1,762
4,801 -	4,900	659	1,161	1,336	1,489	1,638	1,783
4,901 -	5,000	668	1,175	1,351	1,506	1,657	1,803
5,001 -	5,100	676	1,189	1,366	1,523	1,675	1,823
5,101 -	5,200	684	1,203	1,381	1,540	1,694	1,843
5,201 -	5,300	693	1,217	1,396	1,557	1,712	1,863
5,301 -	5,400	701	1,227	1,408	1,570	1,726	1,878
5,401 -	5,500	710	1,238	1,419	1,582	1,741	1,894
5,501 -	5,600	719	1,248	1,431	1,595	1,755	1,909
5,601 -	5,700	728	1,259	1,442	1,608	1,769	1,925
5,701 -	5,800	733	1,269	1,454	1,621	1,783	1,940
5,801 -	5,900	739	1,280	1,465	1,634	1,797	1,956
5,901 -	6,000	745	1,290	1,477	1,647	1,812	1,971
6,001 -	6,100	751	1,302	1,490	1,661	1,827	1,988
6,101 -	6,200	756	1,313	1,503	1,676	1,843	2,005
6,201 -	6,300	763	1,325	1,516	1,690	1,859	2,023
6,301 -	6,400	769	1,336	1,528	1,704	1,874	2,039
6,401 -	6,500	775	1,347	1,540	1,717	1,889	2,055
6,501 -	6,600	780	1,358	1,553	1,731	1,904	2,072
6,601 -	6,700	786	1,369	1,565	1,745	1,919	2,088
6,701 -	6,800	786	1,380	1,577	1,759	1,934	2,105
6,801 -	6,900	841	1,391	1,590	1,772	1,950	2,121
6,901 -	7,000	850	1,402	1,602	1,786	1,965	2,138
7,001 -	7,100	859	1,413	1,614	1,800	1,980	2,154
7,101 -	7,200	868	1,417	1,618	1,804	1,985	2,159
7,201 -	7,300	876	1,420	1,621	1,807	1,988	2,163
7,301 -	7,400	883	1,423	1,624	1,811	1,992	2,167

7,401 -	7,500	888	1,426	1,627	1,814	1,996	2,171
7,501 -	7,600	894	1,429	1,630	1,818	1,999	2,175
7,601 -	7,700	899	1,432	1,633	1,821	2,003	2,179
7,701 -	7,800	904	1,436	1,636	1,824	2,007	2,184
7,801 -	7,900	910	1,439	1,639	1,828	2,011	2,188
7,901 -	8,000	915	1,442	1,642	1,831	2,014	2,192
8,001 -	8,100	921	1,445	1,646	1,835	2,018	2,196
8,101 -	8,200	926	1,448	1,649	1,838	2,022	2,200
8,201 -	8,300	933	1,451	1,652	1,842	2,026	2,204
8,301 -	8,400	938	1,454	1,655	1,845	2,029	2,208
8,401 -	8,500	944	1,460	1,661	1,852	2,037	2,216
8,501 -	8,600	949	1,475	1,678	1,871	2,058	2,240
8,601 -	8,700	954	1,491	1,696	1,891	2,080	2,263
8,701 -	8,800	960	1,506	1,714	1,911	2,102	2,287
8,801 -	8,900	965	1,522	1,732	1,931	2,124	2,311
8,901 -	9,000	971	1,537	1,749	1,951	2,146	2,334
9,001 -	9,100	976	1,553	1,767	1,970	2,167	2,358
9,101 -	9,200	983	1,568	1,785	1,990	2,189	2,382
9,201 -	9,300	988	1,584	1,803	2,010	2,211	2,405
9,301 -	9,400	994	1,599	1,820	2,030	2,233	2,429
9,401 -	9,500	999	1,614	1,838	2,049	2,254	2,453
9,501 -	9,600	1,004	1,630	1,856	2,069	2,276	2,477
9,601 -	9,700	1,010	1,645	1,874	2,089	2,298	2,500
9,701 -	9,800	1,015	1,661	1,891	2,109	2,320	2,524
9,801 -	9,900	1,021	1,673	1,905	2,124	2,336	2,542
9,901 -	10,000	1,026	1,683	1,917	2,137	2,351	2,557
10,001 -	10,100	1,033	1,694	1,928	2,150	2,365	2,573
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10,101 -	10,200	1,039	1,704	1,940	2,163	2,379	2,589
10,201 -	10,300	1,045	1,715	1,951	2,176	2,394	2,604
10,301 -	10,400	1,051	1,725	1,963	2,189	2,408	2,620
10,401 -	10,500	1,058	1,736	1,975	2,202	2,422	2,635
10,501 -	10,600	1,064	1,746	1,986	2,215	2,436	2,651
10,601 -	10,700	1,070	1,757	1,998	2,228	2,451	2,666
10,701 -	10,800	1,077	1,767	2,010	2,241	2,465	2,682
10,801 -	10,900	1,083	1,778	2,021	2,254	2,479	2,697
10,901 -	11,000	1,090	1,788	2,033	2,267	2,494	2,713
11,001 -	11,100	1,096	1,799	2,045	2,280	2,508	2,729
11,101 -	11,200	1,103	1,809	2,056	2,293	2,522	2,744
11,201 -	11,300	1,109	1,820	2,068	2,306	2,537	2,760
11,301 -	11,400	1,116	1,830	2,080	2,319	2,551	2,775
11,401 -	11,500	1,123	1,841	2,091	2,332	2,565	2,791
11,501 -	11,600	1,129	1,851	2,103	2,345	2,579	2,806
11,601 -	11,700	1,136	1,862	2,115	2,358	2,594	2,822
11,701 -	11,800	1,143	1,872	2,126	2,371	2,608	2,838

11,801 -	11,900	1,150	1,882	2,138	2,383	2,622	2,852
11,901 -	12,000	1,157	1,892	2,148	2,395	2,635	2,867
12,001 -	12,100	1,164	1,901	2,159	2,407	2,648	2,881
12,101 -	12,200	1,171	1,910	2,170	2,419	2,661	2,895
12,201 -	12,300	1,178	1,919	2,180	2,431	2,674	2,910
12,301 -	12,400	1,185	1,929	2,191	2,443	2,687	2,924
12,401 -	12,500	1,192	1,938	2,202	2,455	2,700	2,938
12,501 -	12,600	1,199	1,947	2,212	2,467	2,714	2,952
12,601 -	12,700	1,206	1,956	2,223	2,479	2,727	2,967
12,701 -	12,800	1,213	1,966	2,234	2,491	2,740	2,981
12,801 -	12,900	1,220	1,975	2,245	2,503	2,753	2,995
12,901 -	13,000	1,227	1,984	2,255	2,514	2,766	3,009
13,001 -	13,100	1,233	1,993	2,265	2,525	2,778	3,022
13,101 -	13,200	1,239	2,001	2,275	2,536	2,790	3,035
13,201 -	13,300	1,245	2,010	2,285	2,547	2,802	3,049
13,301 -	13,400	1,250	2,018	2,294	2,558	2,814	3,062
13,401 -	13,500	1,256	2,027	2,304	2,569	2,826	3,075

13,501 -	13,600	1,262	2,035	2,314	2,580	2,838	3,088
13,601 -	13,700	1,267	2,044	2,324	2,591	2,850	3,101
13,701 -	13,800	1,273	2,052	2,334	2,602	2,862	3,114
13,801 -	13,900	1,279	2,061	2,344	2,613	2,875	3,127
13,901 -	14,000	1,284	2,069	2,354	2,624	2,887	3,141
14,001 -	14,100	1,290	2,078	2,363	2,635	2,899	3,154
14,101 -	14,200	1,296	2,087	2,373	2,646	2,911	3,167
14,201 -	14,300	1,301	2,095	2,383	2,657	2,923	3,180
14,301 -	14,400	1,306	2,104	2,393	2,668	2,935	3,193
14,401 -	14,500	1,312	2,112	2,403	2,679	2,947	3,206
14,501 -	14,600	1,317	2,121	2,413	2,690	2,959	3,220
14,601 -	14,700	1,323	2,129	2,423	2,701	2,971	3,233
14,701 -	14,800	1,329	2,138	2,432	2,712	2,983	3,246
14,801 -	14,900	1,334	2,146	2,442	2,723	2,995	3,259
14,901 -	15,000	1,340	2,155	2,452	2,734	3,008	3,272
15,001 -	15,100	1,345	2,163	2,461	2,744	3,018	3,284
15,101 -	15,200	1,351	2,170	2,469	2,752	3,028	3,294

15,201 -	15,300	1,357	2,177	2,476	2,761	3,037	3,304
15,301 -	15,400	1,362	2,184	2,484	2,769	3,046	3,314
15,401 -	15,500	1,368	2,191	2,491	2,778	3,056	3,325
15,501 -	15,600	1,373	2,198	2,499	2,786	3,065	3,335
15,601 -	15,700	1,379	2,205	2,507	2,795	3,074	3,345
15,701 -	15,800	1,384	2,211	2,514	2,803	3,084	3,355
15,801 -	15,900	1,390	2,218	2,522	2,812	3,093	3,365
15,901 -	16,000	1,395	2,225	2,529	2,820	3,102	3,375
16,001 -	16,100	1,401	2,232	2,537	2,829	3,112	3,385
16,101 -	16,200	1,407	2,239	2,545	2,837	3,121	3,396
16,201 -	16,300	1,412	2,246	2,552	2,846	3,130	3,406
16,301 -	16,400	1,418	2,253	2,560	2,854	3,140	3,416
16,401 -	16,500	1,423	2,260	2,567	2,863	3,149	3,426
16,501 -	16,600	1,429	2,267	2,575	2,871	3,158	3,436
16,601 -	16,700	1,434	2,274	2,583	2,880	3,168	3,446
16,701 -	16,800	1,440	2,281	2,590	2,888	3,177	3,457
16,801 -	16,900	1,445	2,288	2,598	2,897	3,186	3,467

16,901 -	17,000	1,451	2,295	2,605	2,905	3,196	3,477
17,001 -	17,100	1,456	2,302	2,613	2,914	3,205	3,487
17,101 -	17,200	1,462	2,309	2,621	2,922	3,214	3,497
17,201 -	17,300	1,467	2,316	2,628	2,931	3,224	3,507
17,301 -	17,400	1,473	2,323	2,636	2,939	3,233	3,517
17,401 -	17,500	1,478	2,330	2,643	2,947	3,242	3,528
17,501 -	17,600	1,483	2,337	2,651	2,956	3,252	3,538
17,601 -	17,700	1,489	2,344	2,659	2,964	3,261	3,548
17,701 -	17,800	1,494	2,351	2,666	2,973	3,270	3,558
17,801 -	17,900	1,499	2,358	2,674	2,981	3,280	3,568
17,901 -	18,000	1,505	2,365	2,682	2,990	3,289	3,578
18,001 -	18,100	1,510	2,372	2,689	2,998	3,298	3,588
18,101 -	18,200	1,516	2,379	2,697	3,007	3,308	3,599
18,201 -	18,300	1,520	2,386	2,704	3,015	3,317	3,609
18,301 -	18,400	1,525	2,392	2,712	3,024	3,326	3,619
18,401 -	18,500	1,530	2,399	2,720	3,032	3,336	3,629
18,501 -	18,600	1,535	2,406	2,727	3,041	3,345	3,639

18,601 -	18,700	1,540	2,413	2,735	3,049	3,354	3,649
18,701 -	18,800	1,545	2,420	2,742	3,058	3,364	3,659
18,801 -	18,900	1,550	2,427	2,750	3,066	3,373	3,670
18,901 -	19,000	1,555	2,434	2,758	3,075	3,382	3,680
19,001 -	19,100	1,560	2,441	2,765	3,083	3,391	3,690
19,101 -	19,200	1,565	2,448	2,773	3,092	3,401	3,700
19,201 -	19,300	1,570	2,455	2,780	3,100	3,410	3,710
19,301 -	19,400	1,575	2,462	2,788	3,109	3,419	3,720
19,401 -	19,500	1,580	2,469	2,796	3,117	3,429	3,731
19,501 -	19,600	1,585	2,476	2,803	3,126	3,438	3,741
19,601 -	19,700	1,590	2,483	2,811	3,134	3,447	3,751
19,701 -	19,800	1,595	2,490	2,818	3,143	3,457	3,761
19,801 -	19,900	1,600	2,497	2,826	3,151	3,466	3,771
19,901 -	20,000	1,605	2,504	2,834	3,159	3,475	3,781
20,001 -	22,000	1,766	2,754	3,117	3,475	3,822	4,159
22,001 -	24,000	1,926	3,005	3,401	3,791	4,170	4,537
24,001 -	26,000	2,087	3,255	3,684	4,107	4,518	4,915

26,001 -	28,000	2,247	3,506	3,968	4,423	4,865	5,293
28,001 -	30,000	2,408	3,756	4,251	4,739	5,213	5,672
30,001 -	32,000	2,508	3,916	4,451	4,979	5,473	5,952
32,001 -	34,000	2,608	4,076	4,651	5,219	5,733	6,232
34,001 -	36,000	2,708	4,236	4,851	5,459	5,993	6,512
36,001 -	38,000	2,808	4,396	5,051	5,699	6,253	6,792
38,001 -	40,000	2,908	4,556	5,251	5,939	6,513	7,072
40,001 -	42,000	3,008	4,716	5,451	6,179	6,773	7,352
42,001 -	44,000	3,108	4,876	5,651	6,419	7,033	7,632
44,001 -	46,000	3,208	5,036	5,851	6,659	7,293	7,912
46,001 -	48,000	3,308	5,196	6,051	6,899	7,553	8,192
48,001 -	50,000	3,408	5,356	6,251	7,139	7,813	8,472
50,001 -	52,000	3,508	5,476	6,391	7,299	7,993	8,672
52,001 -	54,000	3,608	5,596	6,531	7,459	8,173	8,872
54,001 -	56,000	3,708	5,716	6,671	7,619	8,353	9,072
56,001 -	58,000	3,808	5,836	6,811	7,779	8,533	9,272
58,001 -	60,000	3,908	5,956	6,951	7,939	8,713	9,472

60,001 -	62,000	4,008	6,076	7,091	8,099	8,893	9,672
62,001 -	64,000	4,108	6,196	7,231	8,259	9,073	9,872
64,001 -	66,000	4,208	6,316	7,371	8,419	9,253	10,072
66,001 -	68,000	4,308	6,436	7,511	8,579	9,433	10,272
68,001 -	70,000	4,408	6,556	7,651	8,739	9,613	10,472
70,001 -	72,000	4,508	6,676	7,791	8,899	9,793	10,672
72,001 -	74,000	4,608	6,796	7,931	9,059	9,973	10,872
74,001 -	76,000	4,708	6,916	8,071	9,219	10,153	11,072
76,001 -	78,000	4,808	7,036	8,211	9,379	10,333	11,272
78,001 -	80,000	4,908	7,156	8,351	9,539	10,513	11,472
80,001 -	82,000	5,008	7,276	8,491	9,699	10,693	11,672
82,001 -	84,000	5,108	7,396	8,631	9,859	10,873	11,872
84,001 -	86,000	5,208	7,516	8,771	10,019	11,053	12,072
86,001 -	88,000	5,308	7,636	8,911	10,179	11,233	12,272
88,001 -	90,000	5,408	7,756	9,051	10,339	11,413	12,472
90,001 -	92,000	5,508	7,876	9,191	10,499	11,593	12,672
92,001 -	94,000	5,608	7,996	9,331	10,659	11,773	12,872

94,001 -	96,000	5,708	8,116	9,471	10,819	11,953	13,072
96,001 -	98,000	5,808	8,236	9,611	10,979	12,133	13,272
98,001 -	100,000	5,908	8,356	9,751	11,139	12,313	13,472

Renumbered and Amended by Chapter 3, 2008 General Session  
Amended by Chapter 37, 2008 General Session

**78B-12-302. Low income table -- Obligor parent only.**

The table in this section shall be used to:

- (1) establish a child support order entered for the first time on or after January 1, 2008;
- (2) modify a child support order entered for the first time on or after January 1, 2008;
- (3) modify a temporary judicial child support order established on or before December 31, 2007, if the new order is entered on or after January 1, 2008; or
- (4) modify a final child support order entered on or before December 31, 2007, if the modification is made on or after January 1, 2010.

Monthly Combined  
Adj. Gross Income

Number of Children

		1	2	3	4	5	6
From	To						
0 -	649	30	30	30	30	30	30
650 -	675	30	30	30	30	31	31
676 -	700	58	60	60	61	61	62
701 -	725	88	88	90	91	92	92
726 -	750	117	118	119	120	122	123
751 -	775		148	149	151	153	155
776 -	800		178	179	182	183	186
801 -	825		207	209	212	214	216
826 -	850		236	239	242	244	247
851 -	875		266	269	272	275	278

876 -	900	299	303	305	309
901 -	925	329	333	337	339
926 -	950		363	366	370
951 -	975		393	398	402
976 -	1,000			428	433
1,001 -	1,050				494

Enacted by Chapter 3, 2008 General Session  
Amended by Chapter 37, 2008 General Session

**78B-12-401. Advisory committee -- Membership -- Expiration.**

(1) On or before May 1, 2012, and then on or before May 1 of every fourth year subsequently, the governor shall appoint a child support guidelines advisory committee consisting of:

- (a) one representative recommended by the Office of Recovery Services;
- (b) one representative recommended by the Judicial Council;
- (c) two representatives recommended by the Utah State Bar Association;
- (d) two representatives of noncustodial parents;
- (e) two representatives of custodial parents;
- (f) one representative with expertise in economics; and
- (g) two representatives from diverse interests related to child support issues, as

the governor may consider appropriate. However, none of the individuals appointed under this subsection may be members of the Utah State Bar Association.

(2) The term of the committee members expires one month after the report of the committee is submitted to the Legislature under Section 78B-12-402.

(3) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(4) The committee ceases to exist no later than November 1, 2015, and then on or before November 1 of every fourth year subsequently.

Amended by Chapter 19, 2012 General Session

**78B-12-402. Duties -- Report -- Staff.**

(1) The advisory committee shall review the child support guidelines to ensure their application results in the determination of appropriate child support award amounts.

(2) The committee shall report to the Legislative Judiciary Interim Committee on or before October 1, 2015, and then on or before October 1 of every fourth year subsequently.

(3) The committee's report shall include recommendations of the majority of the

committee, as well as specific recommendations of individual members of the committee.

(4) Staff for the committee shall be provided from the existing budget of the Department of Human Services.

Amended by Chapter 19, 2012 General Session

**78B-12-403. Expenses for per diem and travel.**

A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

- (1) Section 63A-3-106;
- (2) Section 63A-3-107; and
- (3) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Repealed and Re-enacted by Chapter 286, 2010 General Session