

**2005 Child Support Schedule Workgroup**  
**Is further discussion necessary?**

**Whole Family Formula**

1. Whole Family Formula will be part of the presumptive calculation for children not before the court.
  - a. Judges have authority to deviate from this formula only if the application would leave insufficient funds to meet the basic needs of the children in the receiving household, and when taking the totality of the circumstances of both parents, application of the formula would be unjust.
  - b. Include the following children in the calculation:
    - i). NCP's children, if there is a support ordered obligation
    - ii). Biological children
    - iii). Adopted children
    - iv). NCP's children from a current marriage if they are residing the NCP a majority of the time; and/or
    - v). NCP's children, if he or she can prove that child support is currently being paid
2. Step children are not to be included in the formula.
3. Application of the Whole Family Formula alone may not serve as the basis for a substantial change of circumstances.

(Checking the report, it appears 1.b.v should say “**NCP's children, regardless of whether the NCP can prove child support is currently being paid.** See pp. 19-20 of the Child Support Schedule Review Report of 2005, even though the Executive Summary says otherwise. See also Child Support Workgroup Minutes of 9-9-05.)

### **Update the Economic Table**

1. Update the current Economic Table using amount split between the Rothbarth-Betson estimator and the Engel estimator, which are considered to set child support too high and too low, respectively. (Slim majority, not a concensus.)
2. Start the Economic Table at 125% of the federal poverty guidelines (which we would round to \$1000).
3. Increase the table in increment from \$1000, in \$100 increments.
4. Use only one column for each child, rather than the current columns A&B, that differentiate between children under and over 12 years old.

### **Cap For Combined Net Income**

Increase the current presumptive level of \$5000 to be presumptive to \$12,000, resulting in the removal of the current advisory section.

### **Need Standard (Self-Support Reserve)**

Change the current Department of Social and Health Services' Need Standard to instead using 125% of the current Federal Poverty Guidelines for a single person.

### **Allocation of Health Care Costs**

Ordinary health care costs must be removed from the Economic Table. Once that is done, the current limitation of 5% of ordinary medical cost requirement that it be spent by the custodial parent before parents share in extraordinary costs should be removed from the support schedule. Parents should be required to share proportionately in all health care costs, similar to the method for allocating child care costs.