

Additional Children

Alabama	<p>Rule 32(B)(6), Ala. R. Jud. Admin.(3/1/09): Preexisting Obligation: Amount actually paid shall be deducted from parent's gross income. If parent has legal obligation to and is providing for other children, an "imputed" obligation may be deducted from parent's gross income. "Imputed" obligation is the amount from schedule based on parent's income and # of other children; other children are children not subject of current case. In modification action, no deduction for children born/adopted after initial order except for support paid per an order. Per 1993 Comments, court may consider evidence as to after-born or adopted children to rebut presumptions in the guidelines. (NO CHANGE, other than date of comment)</p>
Alaska	<p>Rule 90.3(c)(1) AK. R. of CP, eff 10/1/2013. This rule requires the court to vary the support if it finds unusual circumstance exist and that those circumstances make application of the usual formula unjust. Commentary VI. Exceptions, B2 : (NOTE: Committee commentary is not adopted or approved by the Supreme Court; published for informational purposes & to assist users.) Subsequent children, born or adopted after the support obligation arose, are usually not considered good cause to vary the guidelines. Court should reduce support if failure to do so would cause a substantial hardship to the subsequent children. This factor can also be used as a defense in a modification action, particularly as to an upward modification, where the parent has taken a second job to better provide for the subsequent family. The defense should not be allowed to the extent support was set at a lower amount before adoption of the rule or if increased income is ordinary salary increases. The court should consider the income and potential income of both parents of the subsequent children in making a hardship determination. (Only change is reorganization of text.)</p>
Arizona	<p>Per A.R.S. 25-320, the Arizona Supreme Court adopted child support Guidelines, pursuant to Administrative Order 2011-46, effective June 1, 2011: Section 2.D. Parent's support of persons other than his or her natural children, such as stepchildren, is voluntary and not a basis for adjustment. Section 6: Adjustments to Gross Income are made for other support obligations: B. Deduct court ordered child support amounts if actually paid from gross income of parent paying the child support; do not deduct court ordered arrears payments. C. Deduct an amount determined by a simplified application of the guidelines from the gross income of the parent who is the custodian of children from other relationships. D. Permissive deduction from the income of a parent of children from other relationships where there is no court order; amount of deduction not to exceed the amount determined by simplified application of the guidelines. (No change to content.)</p>
Arkansas	<p>Administrative Order Number 10 (Jun 14, 2007): Section II(a): Court ordered support for other dependents presently paid is deducted from income. Section V(b)(7): The support required and given by a payor for dependent children, even without a court order is a factor to be considered for deviation from the standard calculation. (No change in law. Added information.)</p>

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California	Family Code Section 4057.5: If any portion of the income of either parent's subsequent spouse or partner is considered the court allows a hardship deduction based on minimum living expenses for one or more stepchildren of the party subject to the order. The income of a subsequent spouse or partner is not considered, unless excluding the income would lead to severe hardship for the child subject to the support order. The court should then consider whether including the income of the subsequent spouse or partner would cause extreme or severe hardship to any child being support by the parent or subsequent spouse or partner. (No change.)
Colorado	Section 14-10-115(6) C.R.S.: The amount of child support actually paid by a parent with an order for support of other children shall be deducted from that parent's gross income. Parent with a legal obligation to support non-joint children, either in that parent's home or with documented proof of payments for children not in the home, even without an order, may seek an adjustment, which shall be granted, of that parent's income before calculating basic support of children at issue. The amount of the adjustment shall not exceed the schedule of basic support obligations. The adjustment is 75% of the amount calculated using either the low-income adjustment or the regular schedule of basic support obligations based on the responsible parent's income only. Low income adjustment is used when gross income is \$1900 or less. The adjustment is deducted from the parent's gross income prior to calculating the basic support. The adjustment shall not be made to the extent it would reduce an existing support amount in a modification action for the children subject of the modification. (Change wording & increase in gross income level for low income adjustment.)
Connecticut	2005 Child Support and Arrearages Guidelines Regulation Section 46b-215a-3(4) (adopted per CGS 46b-215a): A parent's legal responsibility for others is a basis for deviation, considering only the following factors: resources available to a qualified child; child care expenses for parent's qualified child (with limitations); verified support payments made by a parent; and significant and essential needs of a spouse, may be used as a defense to an increase, but not a reason to decrease support and considering the income, assets and earning capacity of the spouse. (No change.)
Delaware	Family Court Rules of Civ Proc., XVII. Delaware Child Support Formula, Rule 509 (d) (eff. 1/1/11) for description of factors considered. Per Form 509, effective 1/1/13: The net income, after deducting the Self-Support Allowance (\$1100), of each parent, is multiplied by the percentage shown in the provided table (but not less than 67%). The resulting income amounts are added to obtain the total net available income. Children include dependent minor children in the obligor's home and outside the obligor's home for whom there is a court order or proof of a pattern of support. (Changes in amounts & percentages, but not method.)

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District of Columbia	DC ST § 16-916.01(4) and (5): Child support paid by either parent per a support order is deducted from the parent's gross income before child support is computed. Each parent receives a deduction from gross income for each child living in that parent's home for whom the parent has a legal support obligation if the child is not subject to the order being determined. The deduction is calculated by determining the BSO for the additional child, using only the income of that child's parent, and multiplying that figure by 75%. Subtract the resulting amount from the parent's gross income before child support is computed. (Only change is to section number.)
Florida	F.S. 61.30(12): Only subsequent children are considered. The issue of subsequent children may be raised only in a proceeding for an upward modification of an existing order. The issue cannot be used to justify a decrease in an existing award. Court may disregard income from secondary employment if the court finds the employment was obtained primarily to support the subsequent children. Otherwise the court should not consider subsequent children as a basis for disregarding the support in the guidelines. The parent with the obligation for subsequent children may raise their existence as a justification for deviation, but the income of the other parent of the subsequent children shall be considered by the court. (No change.)
Georgia	Code of GA, § 19-6-15(f)(5)(B) and (C): A parent's gross monthly income shall be adjusted for preexisting orders actually being paid for 12 months or more or, if less than 12 months, for the period the order has been in effect, immediately prior to the date of the hearing to set, modify, or enforce child support. Only preexisting orders where the date of filing precedes the date of the case under consideration are included. Priority for preexisting orders is determined by date of filing the initial order in each case. Subsequent modifications of an initial order do not affect priority. Adjustments are allowed only to the extent that payments are actually being paid, shown by documentation. Maximum credit is an average of the current support actually paid over the 12 months prior to the hearing date. Arrears payments are not considered. The court may consider credits for either parent's other qualified children living in the parent's home for whom the parent is legally responsible. If this adjustment is applied, the BSO of the parent for the number of other qualified children shall be determined based on that parent's gross income, less only self employment taxes paid. The BSO for the parent is multiplied by 75% and the resulting amount subtracted from the parent's monthly gross income. (No change.)
Hawaii	2010 Family Court Child Support Guidelines Attachment C (Exceptional Circumstances): Paying parent can request an adjustment for child support paid for additional legal children (those recognized by order or statute). Divide the payor's total monthly support obligation by the number of children to be supported in the current case. If this amount is more than \$70.00/month/child, divide the payor's net income (from the Table of Incomes, Appendix D) by the total number of children payor is obligated to support to determine an amount for each child. If this amount is less than the amount the standard amount per child for the children to be supported in the current case, the payor may request the court set support in the lower amount for each child, less deductions for child care and health insurance. (No change.)

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Idaho	I.R.C.P. Rule 6(c)6 §7(1), (3)-(5) (as of 7/1/12): A deduction from gross income shall be allowed for: court ordered child support, support paid without a court order where the parent has established a regular pattern of payment, and when a natural or adopted child of another relationship resides in the home of either parent. The deduction shall be the Guideline support amount calculated for that child, using only that parent's income. No deduction is allowed in a proceeding to modify an existing support obligation for children born or adopted after the entry of the existing order. (No change.)
Illinois	750 ILCS 5/505(a)(3)(g): Prior obligations for support are deducted from gross income. Per Illinois case law [<u>In re Marriage of Potts</u> , 297 Ill. App 3d 110, 696 N.E. 2 nd 1263, 231 Ill. Dec 692 (1998)] prior obligations mean a family that is first in time, not the support order that is first. If all payments cannot be deducted from a paying parent's wages because of the federal CCPA, the employer must prorate, allocating a % to each order based on the total current support ordered. (No change.)
Indiana	Indiana Rules of Court, Child Support Rules and Guideline 3C: Deductions from weekly gross income are allowed for subsequent born or adopted children; court orders for prior born children; and those prior born children for whom a parent has a legal duty of support (does not apply to step-children). Subsequent born or adopted children: determine the number of such children; locate the appropriate factor for that number of children per the included table and apply it to the weekly gross income. No deduction is allowed for support ordered as the result of a second or subsequent marriage in an action to modify support out of a prior marriage. The same is true for a child born out of wedlock, with that child's date of birth determining prior or subsequent status. Court ordered support for prior born children: deduct the amount ordered from weekly gross income. Legal duty to support prior-born children: Deduct support actually paid or funds actually expended, even where there is no court order. Obligor must prove the obligation and payment. Custodian should be able to deduct his/her portion of support for prior-born children living in the home. Recommend using the guidelines to compute that support. (Last amendments to rules as of 1/1/10. This table includes step-child note. Unknown if this is a change from prior rules.)

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Iowa	<p>Child Support Guidelines per I.C. § 598.21B: IA Court Rules, Chapter 9, Rule 9.5(8-9): A prior obligation per a court or administrative order actually paid or the qualified additional dependent amount is deducted from gross monthly income. Rule 9.7: The qualified additional dependent deduction applies to children for whom a parent demonstrates a legal obligation. The obligation may be shown by a court or administrative order; by a statement of the person admitting paternity in court and concurrence of the mother and the denial of paternity by the mother's husband if other than the person admitting paternity; by filing and registration of an affidavit of paternity on or after 7/1/93, if mother was unmarried at the time of conception, birth and the period between. If mother was married at the time of conception, birth or between, a court order determining that mother's husband is not the father is also necessary.; by a child being born during marriage except per above paternity situations. Rule 9.8(2): The qualified additional dependents deduction can be used in establishing or modifying support, but cannot be used to determine if the threshold for a downward modification has been met. A parent cannot take both the deduction for support actually paid and under the qualified additional dependent for the same child. The qualified additional dependent deduction can't be taken for a child with a prior court or administrative order. (No change.)</p>
Kansas	<p>Kansas Child Support Guidelines (§ III.B.6.): Multiple Family Application may be used to adjust support of the NCP when that parent has legal financial responsibility for other children who reside with that parent. May be used by an NCP when establishing an original order of support or an increase in support sought by the CP. Use the support schedule representing the total number of children the NCP is legally obligated to support to determine the BSO. If the NCP's wife or NCP is pregnant at the time of the motion to increase support the court completes 2 worksheets, with and without the unborn child. Support will be amount without the unborn child until that child is born, then the amount from the child with the unborn. (No change.)</p>
Kentucky	<p>K.R.S. Section 403.212(2)(g)(2) & (3): Support for additional children is a deduction from gross income. Deduct the amount of pre-existing orders for current support for prior-born children to the extent actually paid; the amount of support, to the extent actually paid, for prior-born children which parent is legally responsible not subject to an order. If such children live with the parent, use an imputed obligation in the amount resulting from application of the guidelines for the prior-born children. (No change.)</p>
Louisiana	<p>LARS 9:315.1(C)(2) and (3): Court may consider a party's legal obligation to support dependents not the subject of the current action who live in the party's household. Court may use its discretion in setting support in a case involving one or more families, where none of the children live in the NCP household but who have existing support orders. Support cannot be set below the minimum fixed in RS 9:315.14. (No change.)</p>

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Maine	MRS, Title 19-A, § 2007(K): The existence of other persons who are actually financially dependent on either party, including elderly, disabled relatives, and adult children pursuing post-secondary education is a criteria that may justify deviation from the schedule amount. Court may consider the obligation of a CP for a minor child in CP household if the computation of support would result in a significantly greater obligation on the part of the NCP. (No change.)
Maryland	MD Code, §12-201(c): Adjusted actual income means actual income minus preexisting reasonable child support obligation actually paid. Support schedule uses combined adjusted actual income to determine basic child support obligations. (No change in law; section reworded here. Text re shared custody removed from this table. See Residential Credit table.)
Massachusetts	2013 Mass. Child Support Guidelines (II)(H): In setting an initial order the court shall deduct support actually paid from gross income: amount of prior orders; voluntary payments outside the paying parent's home, to the extent the amounts are reasonable; or an amount for child residing with the paying parent, who has no order, calculated according to the Mass guidelines using the incomes of both parents of the child. Party seeking the deduction must provide evidence of existence and payment of prior orders or voluntary payments. Obligations to a subsequent family may be used as a defense in a modification action seeking an increase in support, but is not a reason to decrease an existing order. (No change in law.)
Michigan	2013 MCSF 2.08: Additional (biological or adopted) children include those from a relationship with someone other than the other parent in the current case; those in common with the other parent in the current case who live with a third party when determining support for the children living with either parent; and those in common with the other parent in the current case who live with either parent when determining support for other children in common who live with a third party. Deduct from a parent's income the health insurance premium used to cover qualifying additional children (divide the premium by the number of individuals covered and multiply by the number of qualifying additional children covered. After this deduction multiply the parent's remaining net income by the Additional Children Table's Adjustment Multiplier [found at Section 2.08(B)(2)] to determine the net income to use for the current case. (No change in law.)
Minnesota	MS 518A.33: A deduction is calculated for the obligation of either parent legally responsible for a nonjoint child, if the child primarily resides in the parent's household and parent is not obligated to pay basic support for the nonjoint child to the child's other parent or a legal custodian under an existing support order. The court uses the guidelines under section 518A.35 to determine BSO for the nonjoint child(ren) using the gross income of the parent seeking the deduction and the number of nonjoint children residing in that parent's household. If the number of nonjoint children is more than two use the guideline for two children rather than the greater number. The deduction is 50% of the guideline amount. (No change.)
Mississippi	Miss. Code Section 43-19-101(3)(c) and (d): The amount of court ordered support and an amount that the court deems just for another child or other children residing with that parent is deducted from the absent parent's gross income. (No change.)

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Missouri	Civil Procedure Form 14, Line 2a and c: From gross income deduct court or administrative ordered current support actually paid and a support amount for a child primarily living in the parent's home not subject to the current proceeding. Adjustment for child living in parent's home is the amount of the BSO shown in the schedule for those children using only that parent's income and with no adjustment for other children. Adjustment allowed in original action or modification. Adjustment in favor of movant in a modification action is limited to lesser of the amount that would have been available at the time of the original order or the amount of an order in another action entered after the existing order. Adjustment limited to natural or adopted children; does not apply to stepchildren. If there is an existing order for a child in the parent's home the adjustment for that child is reduced by the amount actually being paid in current support. See examples in the Directions, Comments and Examples form.
Montana	ARM 37.62.110(1)(b): An amount for all other children (natural or adopted, but not stepchildren) is allowed as a deduction from income. When establishing an order this amount is the total of any pre-existing support orders and an amount equal to one-half of the primary support allowance per ARM 37.62.121 or ARM 37.62.114 for other children for whom there is no order, including those living and not living with the parent. When modifying a current order, deduct the amount per 37.62.146: Calculate support considering all children, prior and subsequent, of each parent, then calculate the support considering no subsequent children of either parent. If both calculations result in a decrease in the transfer payment, the lesser decrease is granted as the new transfer payment. If both calculations result in an increase in the transfer payment, the lesser of the increase is granted as the new transfer payment. If the one calculation decreases and one increases the transfer payment, modification is denied. (ARM 37.62.146 repealed: 2012 MAR p. 747, eff 7/1/12.)
Nebraska	Neb. Ct. R. 4-205(D) & (E) and 4-220: Child support previously ordered for other children is deducted from gross income. A credit may be given for biological or adopted children for whom the obligor provides regular support. No reduction is allowed in an existing support order solely because of the birth, adoption or acknowledgment of subsequent children of the obligor. The duty to provide for subsequent children is a defense to an upward modification. (No change.)
Nevada	NRS 125B.080(9)(e): The court shall consider the legal responsibility of the parents for the support of others. The deviation must be justified by a finding of fact. No formula exists. (No change.)
New Hampshire	N.H. Rev. Stat. §458-C:2(I)(a): Court or administratively ordered support actually paid to others is a deduction from gross income. If raised by the parties or the court, court shall consider: §458-C:5(I)(c): The economic consequences of the presence of stepparents, stepchildren or natural or adopted children is a special circumstance to be considered; and 458-C:5(I)(i): The economic consequences to either party of providing voluntary or court ordered post secondary education expenses for a natural or adopted child. (No change in law; this section reworded.)

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<p>New Jersey</p>	<p>N J Rules of Court Appendix IX A (10)(a): Other legal dependents of either parent and multiple family obligations are factors that may require an adjustment of the BSO. Legal dependents include natural or adopted children, but not stepchildren unless a court has found a legal obligation. A serial-family parent must request the adjustment and the income of the second family's other parent must be provided to the court or shall be imputed. Adjustment applies to dependents born before or after the child at issue in the current matter. The adjustment may be requested by either party and may be applied in an initial order or modification. In multiple family situations, if the court has jurisdiction over all matters, it may either average the orders or fashion another equitable resolution. If multiple orders reduce the NCP income below the self-support reserve, the orders should be adjusted to distribute the NCP's available income equitably among all children, taking into consideration the CP's share and the NCP's self-support reserve. If the orders are from other tribunals, the court may consider that fact in relation to the NCP's self-support reserve. (No change through amd eff 4/8/14; amd eff 9/1/14 not yet published.)</p>
<p>New Mexico</p>	<p>N.M. Stat. §40-4-11.1(C)(2)(e): Gross income excludes a reasonable amount for a parent's obligation to support prior children in that parent's custody. A duty to support subsequent children is not ordinarily a basis for reducing support but may be raised as a defense to an increase in support for the children in the current case. (No change.)</p>
<p>New York</p>	<p>N.Y. Dom. Rel. Law §240 (1-b)(b)(5)(vii)(D): Child support actually paid pursuant to a court order or written agreement on behalf of any child for whom the parent has a legal duty of support and who is not the subject of the current action is deducted from gross income. Per §240(1-b)(f)(8) the needs of the NCP's children not subject to the current action for whom NCP is providing support and whose support is not deducted from gross income per above section and the financial resources of any person obligated to support those children may be a factor considered by the court. (No change.)</p>
<p>North Carolina</p>	<p>North Carolina Child Support Guidelines: Child support payments actually made per a pre-existing order, separation agreement or voluntary arrangement are deducted from the parent's gross income. A voluntary support agreement may be considered when the parent has consistently paid support for a reasonable and extended period of time. A pre-existing order is one in effect at the time an order in the pending action is entered or modified regardless of the children's birth dates. A parent's responsibility for other adopted or natural children living with that parent is deducted from gross income. This deduction can be used in a modification but cannot be the sole basis for modification of an existing order. Child support for children in the parent's home is the BSO under the schedule or one-half of the BSO if the children's other parent also lives in the home. (This information does not appear in the 2011 support guidelines.)</p>

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North Dakota	ND Admin Code 75-02-04.1-06.1: Multiple family cases: Use where obligor owes support payable to two or more obligees or owes support to at least one obligee and to a child living with the obligor but not the obligee. If a court consolidates proceedings involving an obligor and two or more obliges the court must determine all obligations without regard to the initial party. A hypothetical support determined by the schedule must first be determined for the children with the obligor whether or not the obligee is a party. Next determine the amount due each party who is an obligee under the schedule. The support for each obligee before the court is equal to one-half of the two amounts totaled, before any adjustment for extended visitation. (No change to law; corrected code source.)
Ohio	ORC §3119.23: Other court ordered payments and each parent's responsibility for the support of others are factors to be considered in granting a deviation. The worksheets show these amounts as deductions from gross income. The adjustment for minor children born or adopted who are living in the home is the total federal income tax exemption less any support received for those children. Stepchildren are not included in calculating this adjustment. (No change.)
Oklahoma	Okla. Stat. Tit. 43 § 118A(1)(c): Deductions for other children for whom the parent is legally responsible and actually paying support is a deduction from gross income to arrive at adjusted gross income. § 118C: Deduction limited to biological, legal or adopted child, born prior to the child in the current case, for whom parent is actually supporting. No deduction is allowed for stepchildren or other children in parent's household for whom parent has no obligation. Deduction for out of home children requires proof of a court ordered obligation and proof of payment. Deduction for in home children requires proof of residence (more than 50% of the time) and a legal duty to support child. Compute this deduction using the total number of qualified children in the parent's home and the OK guideline schedules times 75% of the guideline amount. (No change.)

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<p>Oregon</p>	<p>OAR 137-050-0400: A deduction from income is allowed when a parent is legally responsible for support of a child not subject to the current calculation. The child must reside in the parent's home or the parent must be required to pay support by order. A child attending school is qualified only if the parent is ordered to pay ongoing support for that child. A stepchild is qualified only if the parent is ordered to pay ongoing support for that child. To calculate the deduction, subtract union dues, health care coverage and spousal support obligations to be paid by the parent, add spousal support owed to the parent. Using this figure reference the obligation scale using the income and number of children to determine the total additional child deduction. A credit for support of non-joint children, both in a parent's household and for whom a parent has a court or administrative order is allowed. A non-joint child is the legal child of one but not both parents subject to the support determination; specifically excludes stepchildren. Determine the basic support amount for the total non-joint children of the parent for whom the credit is being calculated using the scale in OAR 137-050-0490. Subtract this amount from the parent's modified gross income. In addition, the number and needs of other dependents of a parent may be used to rebut the support calculated per OAR 137-050-0330.</p>
<p>Pennsylvania</p>	<p>Pa. R. Civ. Pro. Rule 1910.16-5: Other support obligations of the parties are a factor for deviation. Rule 1910.16-7: If obligor's total support obligations are equal to or less than 50% of obligor's net income, no deviation for the new child is allowed. If the total obligations are more than 50% of obligor's net income, the court may consider a proportional reduction in the obligations. Neither the first nor second family is to receive a preference. The court should not divide the guideline amount for all children among the households. The presumptive amount of BSO is calculated using only the formula and does not include additional expenses. The court must ensure the obligor retains at least \$931 (SSR). (Only change is to the SSR amount.)</p>
<p>Rhode Island</p>	<p>Administrative Order 2012-05, Part One, IV (2) (a), (c): Pre-existing child support orders are a required deduction from gross income to the extent actually paid. Use either the amount being garnished or withheld, or the prior annual average of actual payments. If no order has been entered for children of a prior relationship, the court may allow a deduction from income only if a subsequent child support order is entered for those children. For additional minor dependents in the home of the obligor or obligee, a deduction of up to 50% of the child support obligation for the additional children should be calculated using the guidelines applied to the incomes of the parents of those additional children. The court may deduct up to 100% of the support for the children of the subsequent relationship where the other parent of those children is unable to contribute to the combined gross income by reason of death, incapacity or incarceration. (No significant change to concepts.)</p>

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South Carolina	SC Soc. Serv. Reg. 114-4720(8) and (9): Previously or existing court orders for support, to the extent actually paid, should be deducted from gross income. Either parent shall receive a credit for additional natural or adopted children, but not stepchildren, living in the home of the parent. Calculate the deduction using only the income of the parent with the additional children, by taking the BSO from the guidelines times .75. Subtract the result from that parent's gross income. This credit is available whether or not a third party supports the additional children. Stepchildren may be considered if a court order establishes a legal responsibility for them. (No change.)
South Dakota	SDCL 25-7-6.7 and 25-6.10: Payments made on other support orders are deducted from gross income. The obligation of either parent to provide for subsequent natural, adopted, or stepchildren, is a factor to be considered for a deviation from the BSO. An existing order may not be modified solely for this reason. (No change.)
Tennessee	Rules of TN DHS CSSD, Rule 1240-2-4-.02(1)(c) and 1240-2-4-.04(5): The court shall consider credits for either parent's other qualified children to be deducted from the parent's gross income. Qualified children are those for whom the parent is legally responsible and actually paying the support. The court shall not consider children in the current case, stepchildren, and other minors in the parent's home for whom the parent has no obligation. A credit worksheet is used to calculate the amount of credit to be deducted. To receive credit for in home children the parent must prove a legal duty of support and that the child lives with the parent at least 50% of the time. The credit is 75% of the support per the guidelines. For out of home children, those who live with the parent less than 50% of the time , the parent must provide proof of legal obligation and payment for at least a year. This credit is the actual amount paid up to 75% of the support per the guidelines. (No change in substance.)
Texas	Texas Family Code §154.123(b)(7): Factors for adjustment of support include whether either party has the managing conservatorship or actual physical custody of another child and the expenses for a son or daughter for education beyond secondary school. §154.128: For an obligor who has children in more than one household, determine the support that would be ordered if all the children lived in one household; divide the amount by the total number of children obligor is to support and multiply the result by the number of children not before the court; subtract this amount from the net resources of the obligor; then apply the guidelines to the children before the court. The total number of children includes those before the court and any other children, including those in obligor's household. The credit for children for whom the obligor has an order is computed regardless of whether the obligor is delinquent and without regard to the amount of the order. §154.129 provides an alternate method of computing support in multiple family cases. Other children includes only those for whom an obligor has a legal obligation; it does not include stepchildren. (No change.)

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Utah	Utah Code 78B-12-210(6), (7): Natural or adoptive children of either parent who live in the home of that parent may be considered in setting or modifying support. Children considered are the natural or adoptive children. Separate worksheets shall be done to compute the obligations of each parent for the additional children and subtracted from that parent's income before determining the support in the current case. Credit is not available to an obligor if by doing so the children for whom a prior order exists would be reduced or for the obligee for a present family, the obligation of the obligor would be increased. (No change in substance.)
Vermont	15 V.S.A. § 656a: Additional dependents mean natural, adopted and stepchildren for whom a parent has a duty of support. In setting or modifying support, support for the children at issue in the current case shall be adjusted if parent also is responsible for support of additional dependents not part of the current case. Calculate the amount under the guidelines for additional dependents based on the responsible parent's available income without any other adjustments. Subtract this amount from that parent's available income prior to calculating support in the current case. The adjustment cannot be used to lower support in a modification of an existing order. (No change.)
Virginia	Va. Code §20-108.1(B)(1): Actual monetary support for other family members or former family members is a reason for which the support under the schedule can be rebutted. Per Va. Code § 20-108.2(C)(4): Child support actually paid per a court or administrative order or written agreement for children other than those in the current action shall be deducted from that parent's income. For natural or adopted children or children in a parent's household or custody not subject to the current action, a deduction from gross income based on the support from the schedule based solely on the income of the parent responsible for such children shall be presumed. The existence of a parent's responsibility for such children is not by itself a material change in circumstance to support modification and cannot reduce the support obligation that impairs the custodian's ability to maintain minimum housing and basic necessities. (No change.)
West Virginia	WVC §48-13-403 (Worksheet A) and 502 (Worksheet B): Both worksheets identify an "additional dependent deduction" to be subtracted from the monthly gross income. There is no definition of the amount or formula stated for this deduction. WVC§ 48-13-702(b)(6) lists the needs of another child or children to whom the obligor owes a duty of support as a reason for deviation from the amount calculated under the formula. (No change to substance; section number changes; reworked language.)

Additional Children

Wisconsin	Wis. Stat. §767.511(lm)(bz): The needs of any person other than the child(ren) in the current case, whom either party is legally obligated to support is a factor for deviation from the standard calculation. DCF 150.02(2), Wis. Adm. Code: The amount of existing legal obligations for child support is deducted from an obligor's monthly income to determine the adjusted monthly income available for child support. DCS 150.04(1): Applies only if the additional child support obligation is the result of a court order and the current action is for children from a subsequent family or paternity. Additional children cannot be used to modify an existing order. For a serial-family parent, apply the sections as follows: (1) determine the parent's monthly income available for child support under DCS 150.03(1); (2) determine the (date) order of the parent's legal obligations for child support by the date each obligation is incurred. For a marital child the obligation is incurred on the child's date of birth; for a non-marital child the obligation is incurred on the date paternity is legally established; for a non-marital child in an intact family the obligation is incurred on the date of adoption or legal paternity; for a non-marital maternal child the obligation is incurred on the child's date of birth; (3) determine the first child support obligation per an existing order or determine the support according to these rules; (4) adjust the monthly income available for child support by subtracting the support for the first legal obligation from the parent's monthly income available for child support. Repeat this calculation process for the remaining children, subtracting the support from the prior adjusted amount. Use the final adjusted monthly income available for child support by the appropriate % standard under 150.03(1) to determine the new child support obligation. (No change.)
Wyoming	W.S. 20-2-303(a)(iii): Actual payments under preexisting orders for current support of other children are deducted from income to determine "net income." (No change.)
District of Columbia	DC ST 16.916.01(d)(4), (5): A support order that is being paid by either parent shall be deducted from that parent's gross income before computing the current support obligation. Each parent receives a deduction for each child living in that parent's home for whom the parent owes a legal duty of support. If the child is not subject to an order deduction is calculated under the DC statute, using only the custodian's income, which is then multiplied by 75%. (No change.)
Guam	19 GAR, Art 2, 1203(b)(2) and (3): Court ordered child support of other children, actually paid, shall be deducted from the gross income of the payor parent. Obligations for other children may be considered by the court but does not necessarily require a reduction in support. The court may credit up to \$50.00 per child for other natural children in the parent's home, but this credit is not routinely given. (No change.)