

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1332

H.P. 985 House of Representatives, April 22, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WARREN of Scarborough. (By
Request)

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Concerning Child Support Payments and
2 the Method Used by Courts in Setting
3 Payment Levels.
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 Sec. 1. 19 MRSA §214, sub-§9, as repealed and
8 replaced by PL 1985, c. 652, §3, is amended to read:

9 9. Support order. The court may order either
10 parent of a minor child to contribute reasonable and
11 just sums as child support payable weekly, monthly or
12 quarterly. The determination of the child support
13 obligation shall be as set out in section 753.
14 Availability of public welfare benefits to the family
15 shall not affect the decision of the court as to the
16 responsibility of a parent to provide child support.

1 The court shall inquire of the parties concerning the
2 existence of a child support order entered pursuant
3 to subchapter V. If such an order exists, the court
4 shall consider its terms in establishing a child sup-
5 port obligation.

6 The court's order may include a requirement for the
7 payment of part or all of the medical expenses, hos-
8 pital expenses and other health care expenses of the
9 child. If medical, hospitalization or dental insur-
10 ance coverage for his child is available to an obli-
11 gated parent on a group basis through his employment
12 or other affiliation, the court's order shall include
13 a provision requiring the obligated parent to obtain
14 and maintain that coverage on behalf of his child.
15 The court may enforce a support order as provided in
16 chapter 14-A.

17 **Sec. 2. 19 MRSA §301, sub-§3, as enacted PL**
18 **1979, c. 668, §3, is amended to read:**

19 **3. Court action.** If the court finds that the
20 nonsupporting parent or spouse is of sufficient abil-
21 ity or is able to labor and provide for his spouse or
22 children, and that he has willfully and without rea-
23 sonable cause, refused or neglected to so provide,
24 then it may order him to contribute to the support of
25 his spouse or child in regular amounts ~~that it deems~~
26 ~~reasonable--and--just~~ to be determined according to
27 section 753. The court shall consider the relative
28 financial resources and abilities of both parents or
29 spouses in determining the amount of the contribu-
30 tion.

31 **Sec. 3. 19 MRSA §302, as amended by PL 1985, c.**
32 **652, §11, is further amended to read:**

33 **§302. Support of child committed to custodial agency**

34 Whenever a child under the age of 17 years is
35 committed by the District Court, or the District
36 Court acting as a juvenile court, to custody other
37 than that of its parent, ~~such~~ that commitment shall
38 be subject to Title 22, sections 4038, 4061 and 4063.
39 The court may, after giving a parent a reasonable op-
40 portunity to be heard, adjudge that ~~such~~ the parent

1 shall pay in such manner as the court may direct such
2 sum as ~~will cover in whole or in part the support of~~
3 ~~such child~~ determined according to section 753, and
4 if ~~such that~~ parent ~~shall fail~~ willfully fails or
5 refuses to pay such sum, he may be proceeded against
6 as provided in chapter 14-A.

7 **Sec. 4.** 19 MRSA §303-A, as amended by PL 1985,
8 c. 652, §12, is repealed.

9 **Sec. 5.** 19 MRSA §446 is amended by adding at the
10 end a new paragraph to read:

11 The court shall determine child support obliga-
12 tions according to section 753.

13 **Sec. 6.** 19 MRSA §581, sub-§9, as repealed and
14 replaced by PL 1985, c. 652, §42, is amended to read:

15 9. Support; prosecution money. The court may
16 order either parent of a minor child to contribute
17 reasonable and just sums as child support, determined
18 in accordance with section 753, payable weekly,
19 monthly or quarterly. An order for child support
20 under this section may include an order for the pay-
21 ment of part or all of the medical expenses, hospital
22 expenses and other health care expenses of the child
23 or an order to provide a policy or contract for cov-
24 erage of those expenses. If medical, hospitaliza-
25 tion or dental insurance coverage for his child is
26 available to an obligated parent on a group basis
27 through his employer or group affiliation, the
28 court's order shall include a provision requiring the
29 obligated parent to obtain and maintain that coverage
30 on behalf of his child. The court shall inquire of
31 the parties concerning the existence of a child sup-
32 port order entered pursuant to subchapter V. If such
33 an order exists, the court shall consider its terms
34 in establishing a child support obligation.

35 **Sec. 7.** 19 MRSA §693, as amended by PL 1985, c.
36 53, §3, is further amended to read:

37 §693. Expenses pending divorce

1 In accordance with section 752, subsection 4,
2 pending a divorce action, the court may order either
3 spouse to pay to the other spouse, or to the attorney
4 for the other spouse, sufficient money for the de-
5 fense or prosecution thereof; may make reasonable
6 provision for either spouse's separate support, on a
7 motion for which costs and counsel fees may be or-
8 dered; enter such decree for the care, custody and
9 support of the minor children as the court deems
10 proper and in accordance with section 753; and in all
11 cases enforce obedience by appropriate processes on
12 which costs and counsel fees shall be taxed as in
13 other actions. An order for child support under this
14 section may include an order for the payment of part
15 or all of the medical expenses, hospital expenses and
16 other health care expenses of the children or an or-
17 der to provide a policy or contract for coverage of
18 such expenses. Availability of public welfare bene-
19 fits to the family shall not affect the decision of
20 the court as to the responsibility of a parent to
21 provide child support.

22 Sec. 8. 19 MRSA §752, sub-§10, as amended by PL
23 1985, c. 652, §46, is further amended to read:

24 10. Support order. An order of the court for
25 child support may run against the father or the moth-
26 er in whole or in part or against both, irrespective
27 of the fault of the father or mother in the divorce
28 action. When the order is to run against both, the
29 court shall specify the amount each shall pay. The
30 court shall inquire of the parties concerning the ex-
31 istence of a child support order entered pursuant to
32 subchapter V. If such an order exists, the court
33 shall consider its terms in establishing a child sup-
34 port obligation.

35 An order for child support shall be made in accord-
36 ance with section 753 and may include an order for
37 the payment of part or all of the medical expenses,
38 hospital expenses and other health care expenses of
39 the child or an order to provide a policy or contract
40 for coverage of these expenses. If medical, hospi-
41 talization or dental insurance coverage for the child
42 is available to an obligated parent on a group basis
43 through his employer or group affiliation, the
44 court's order shall include a provision requiring the

1 obligated parent to obtain and maintain that coverage
2 on behalf of his child.

3 Availability of public welfare benefits to the family
4 shall not affect the decision of the court as to the
5 responsibility of a parent to provide child support.

6 The court may enforce a support order as provided in
7 chapter 14-A.

8 Sec. 9. 19 MRSA §§753 and 754 are enacted to
9 read:

10 §753. Uniform guidelines for the determination of
11 child support obligations

12 1. Adoption of income shares formula. In deter-
13 mining, under this Title, initial child support obli-
14 gations or the modification of any child support or-
15 ders entered prior to the effective date of this sec-
16 tion, the court shall apply the income shares formula
17 as defined in this section. The obligations as de-
18 termined by the application of the formula shall have
19 the effect of a presumption which may be rebutted by
20 evidence that strict application of the formula will
21 not comply with the principles stated in subsection
22 10.

23 2. Definition and application of income shares
24 formula. The responsibility for support of minor
25 children shall be shared by both parents in propor-
26 tion to the share of each parent in their combined
27 annual gross income.

28 A. The combined basic child support obligation
29 shall be established first by adding the annual
30 gross income of both parents to determine com-
31 combined annual gross income. The combined monthly
32 gross income shall be determined by dividing the
33 combined annual gross income by 12. The combined
34 basic child support obligation shall be that
35 amount stated in subsection 6, Table A, for the
36 amount of the combined monthly gross income to
37 the nearest \$50 based on the number and ages of
38 the children. Each parent's share of the com-
39 combined basic child support obligation shall be the
40 same as his share of the combined annual gross
41 income.

1 B. Employment related child care expenses for
2 the minor children of both parents shall be
3 shared in the same proportion as their shares of
4 the combined annual gross income and those
5 amounts shall be added to the support obligation
6 of each.

7 C. If health insurance is provided by one of the
8 responsible parents under circumstances when that
9 parent contributes to the cost of the insurance,
10 the cost to the responsible parent shall be de-
11 ducted from the gross income of that parent in
12 determining combined annual gross income and in
13 determining each parent's share of the combined
14 annual gross income.

15 Uninsured medical expenses for the children shall
16 be shared by the parents in the same proportion
17 as their shares of the combined annual gross in-
18 come and shall be paid in such manner as the
19 court shall determine.

20 3. Periodic child support payments. In any case
21 when the children are expected to reside with one of
22 the parents for more than 75% of the time on an annu-
23 al basis as determined by overnights, the periodic
24 child support payment shall be equal to the sum of
25 the other parent's entire share of the combined basic
26 child support obligation as stated in subsection 2,
27 paragraph A, and the other parent's share of
28 employment-related child care expenses as determined
29 by subsection 2, paragraph B, if any. The periodic
30 child support payment shall be payable in such
31 installments as the court shall determine and shall
32 be stated separately for each child.

33 4. Living arrangement adjustment. In any living
34 arrangement for the minor children, however de-
35 scribed, in which the children reside with each par-
36 ent at least 25% of the overnights on an annual ba-
37 sis, the periodic child support payment shall be de-
38 termined as follows:

39 A. The combined basic child support obligation
40 as determined by subsection 2, paragraph A, shall
41 be multiplied by 1.5 to determine the basic child
42 support obligation adjusted for shared parenting
43 arrangements;

1 B. Each parent's share of the potential basic
2 child support obligation adjusted for shared
3 parenting shall be calculated as if the children
4 were residing with the other parent 100% of the
5 time;

6 C. The proportion of overnights spent by the
7 children in each household shall be calculated on
8 an annual basis;

9 D. Each parent's share of the potential basic
10 child support obligation adjusted for shared
11 parenting shall be multiplied by the proportion
12 of the overnights the children spend residing
13 with the other parent on an annual basis; and

14 E. Each parent's share of the basic child sup-
15 port obligation adjusted for shared parenting
16 owed to the other parent as determined in para-
17 graph D, shall be set off. The difference, pro-
18 rated over a 12-month period and added to the
19 employment-related child care expense, if any, as
20 calculated pursuant to subsection 2, paragraph B,
21 shall determine the net periodic child support
22 payment due from one parent to the other.

23 5. Definition of income. "Income," as used in
24 this section, is defined as follows.

25 A. Gross income is the aggregate of all earned
26 income, other available income, potential income
27 and the difference, if any, between earned income
28 and the ability of a parent to earn.

29 B. Earned income is compensation paid or payable
30 for personal services, whether denoted as wages,
31 salary, commission, bonus or otherwise. Specifi-
32 cally included are periodic payments pursuant to
33 pension programs, retirement programs, annuities
34 or insurance policies of any type and all gain
35 derived from capital, labor, or both combined,
36 including profit gained through the sale or con-
37 version of capital assets. In established earned
38 income derived from a business, when that busi-
39 ness is a proprietorship or corporation, wholly
40 owned by the parent, or a partnership in which
41 the parent is a partner, costs of doing business

1 will be deducted in accordance with United States
2 Internal Revenue Service criteria, except that
3 depreciation on real or personal property shall
4 not be accounted as a deduction.

5 C. Other available income is all income which is
6 received by and under the control of the parent,
7 or his guardian or conservator, including alimony
8 and payments from nonmeans tested government pro-
9 grams. It does not include payments made pursu-
10 ant to the Aid to Families with Dependent Chil-
11 dren program, general assistance, supplemental
12 security income or the value of medicaid bene-
13 fits, food stamps or any other payment or subsidy
14 from a means-tested government program.

15 D. Potential income is that income which could
16 be received if action were taken to obtain it,
17 such as social security, Veterans' Administration
18 benefits, armed service allotments, unemployment
19 compensation or workmans' compensation. It shall
20 be assumed that a parent will apply for all in-
21 come benefits for which he is potentially eligi-
22 ble, either presently, prospectively or retroac-
23 tively.

24 E. The court may make reasonable inquiry of both
25 parents as to all aspects of earned income, other
26 available income and potential income and the
27 parents' ability to earn. When there is evidence
28 that a parent is not working full time, or is
29 working below full earning capacity, the court
30 shall examine the reasons for such a limitation
31 on earnings. If the reasons include a matter of
32 choice by the parent, the court may then consider
33 evidence establishing that parent's earning ca-
34 capacity in the local job market.

35 6. Table of child support obligation. The table
36 that shall be utilized to determine the parents' ba-
37 sic child support obligation under this Title is
38 stated as table A in this subsection. Amounts stated
39 in the lowest brackets of Table A reflect the need of
40 each parent to maintain a self-supporting income.

TABLE A

TABLE OF BASIC CHILD SUPPORT OBLIGATIONS

3 4 5 6	COMBINED MONTHLY GROSS INCOME	Number of Children Ages 0-11 years					
		1	2	3	4	5	6
7	\$ 50	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5
8	100	10	10	10	10	10	10
9	150	15	15	15	15	15	15
10	200	20	20	20	20	20	20
11	250	25	25	25	25	25	25
12	300	30	30	30	30	30	30
13	350	35	35	35	35	35	35
14	400	40	40	40	40	40	40
15	450	45	45	45	45	45	45
16	500	77	77	78	78	78	79
17	550	107	108	109	110	110	111
18	600	114	138	139	140	141	142
19	650	122	168	169	171	172	173
20	700	129	197	199	201	203	204
21	750	137	213	229	231	233	235
22	800	144	224	258	261	263	266
23	850	151	235	287	290	293	296
24	900	158	245	307	318	321	324
25	950	165	256	320	346	349	353
26	1,000	171	266	333	374	377	381
27	1,050	178	276	346	390	406	410
28	1,100	184	286	358	404	434	438
29	1,150	191	297	371	419	457	466
30	1,200	198	307	384	433	473	495
31	1,250	204	317	397	448	488	521
32	1,300	210	326	408	461	502	537
33	1,350	215	335	418	472	515	550
34	1,400	220	343	429	484	527	563
35	1,450	226	351	439	495	540	576
36	1,500	231	358	449	506	552	590
37	1,550	236	366	459	517	564	603
38	1,600	241	374	469	529	577	616
39	1,650	246	382	479	540	589	629
40	1,700	251	390	489	551	601	642
41	1,750	257	398	499	563	614	656

1	1,800	262	406	509	574	626	669
2	1,850	267	414	519	585	638	682
3	1,900	272	422	529	597	650	695
4	1,950	277	430	539	608	663	709
5	2,000	282	438	549	619	675	721
6	2,050	287	445	558	629	686	733
7	2,100	292	452	567	639	697	746
8	2,150	297	460	576	650	709	758
9	2,200	302	467	586	660	720	770
10	2,250	307	475	595	671	732	783
11	2,300	312	483	605	682	744	796
12	2,350	317	491	615	694	757	809
13	2,400	322	499	625	705	769	822
14	2,450	327	507	635	716	781	835
15	2,500	332	514	645	727	793	848
16	2,550	337	522	654	737	804	860
17	2,600	342	529	663	748	816	872
18	2,650	347	536	672	758	827	884
19	2,700	351	544	682	768	838	896
20	2,750	356	551	691	779	849	908
21	2,800	361	558	700	789	861	920
22	2,850	365	566	709	799	872	932
23	2,900	370	573	718	810	883	944
24	2,950	375	580	727	820	894	956
25	3,000	380	588	736	830	905	968
26	3,050	384	594	745	840	916	979
27	3,100	388	601	753	850	927	990
28	3,150	393	608	762	859	937	1,001
29	3,200	397	615	771	869	948	1,013
30	3,250	402	622	779	879	958	1,024
31	3,300	406	629	788	888	969	1,035
32	3,350	411	636	796	898	979	1,047
33	3,400	415	643	805	908	990	1,058
34	3,450	420	649	814	917	1,001	1,069
35	3,500	423	656	822	926	1,010	1,080
36	3,550	428	663	831	937	1,022	1,091
37	3,600	433	671	840	947	1,033	1,103
38	3,650	437	678	849	957	1,044	1,115
39	3,700	442	685	858	967	1,055	1,127
40	3,750	447	693	867	978	1,066	1,139
41	3,800	451	700	876	988	1,077	1,151
42	3,850	456	707	885	998	1,089	1,163
43	3,900	461	715	894	1,008	1,100	1,175
44	3,950	465	722	903	1,019	1,111	1,187
45	4,000	470	729	913	1,029	1,122	1,199
46	4,050	475	737	922	1,039	1,133	1,211
47	4,100	479	744	931	1,049	1,145	1,223

1	4,150	484	751	940	1,059	1,156	1,235
2	4,200	489	759	949	1,070	1,167	1,247
3	4,250	493	766	958	1,080	1,178	1,259
4	4,300	498	773	967	1,090	1,189	1,271
5	4,350	503	780	976	1,100	1,200	1,283
6	4,400	507	788	985	1,111	1,212	1,295
7	4,450	512	795	994	1,121	1,223	1,307
8	4,500	517	802	1,003	1,131	1,234	1,319
9	4,550	521	810	1,013	1,141	1,245	1,331
10	4,600	526	817	1,022	1,151	1,256	1,343
11	4,650	531	824	1,031	1,162	1,268	1,355
12	4,700	535	832	1,040	1,172	1,279	1,367
13	4,750	540	839	1,049	1,182	1,290	1,379
14	4,800	545	846	1,058	1,192	1,301	1,391
15	4,850	549	854	1,067	1,203	1,312	1,403
16	4,900	554	861	1,077	1,213	1,324	1,415
17	4,950	558	867	1,085	1,222	1,334	1,425
18	5,000	562	874	1,093	1,232	1,344	1,436
19	5,050	567	880	1,101	1,241	1,354	1,447
20	5,100	571	887	1,110	1,250	1,364	1,458
21	5,150	575	894	1,118	1,260	1,375	1,469
22	5,200	579	900	1,126	1,269	1,385	1,480
23	5,250	584	907	1,135	1,278	1,395	1,491
24	5,300	588	913	1,143	1,288	1,405	1,502
25	5,350	592	920	1,151	1,297	1,415	1,513
26	5,400	596	927	1,159	1,306	1,425	1,524
27	5,450	601	933	1,168	1,316	1,436	1,535
28	5,500	605	940	1,176	1,325	1,446	1,546
29	5,550	609	946	1,184	1,334	1,456	1,557
30	5,600	613	953	1,193	1,344	1,466	1,568
31	5,650	617	960	1,201	1,353	1,476	1,579
32	5,700	622	966	1,209	1,363	1,486	1,590
33	5,750	626	973	1,218	1,372	1,497	1,601
34	5,800	630	979	1,226	1,381	1,507	1,612
35	5,850	634	986	1,234	1,391	1,517	1,622
36	5,900	639	993	1,242	1,400	1,527	1,633
37	5,950	643	999	1,251	1,409	1,537	1,644
38	6,000	647	1,006	1,259	1,419	1,548	1,655
39	6,050	651	1,012	1,267	1,428	1,558	1,666
40	6,100	656	1,019	1,276	1,437	1,568	1,677
41	6,150	660	1,026	1,284	1,447	1,578	1,688
42	6,200	664	1,032	1,292	1,456	1,588	1,699
43	6,250	668	1,039	1,300	1,465	1,598	1,710
44	6,300	673	1,045	1,309	1,475	1,609	1,721
45	6,350	677	1,052	1,317	1,484	1,619	1,732
46	6,400	681	1,059	1,325	1,493	1,629	1,743
47	6,450	685	1,065	1,334	1,503	1,639	1,754

1	6,500	690	1,072	1,342	1,512	1,649	1,765
2	6,550	694	1,078	1,350	1,522	1,659	1,776
3	6,600	698	1,085	1,359	1,531	1,670	1,787
4	6,650	702	1,092	1,367	1,540	1,680	1,798
5	6,700	707	1,098	1,375	1,550	1,690	1,809
6	6,750	711	1,105	1,383	1,559	1,700	1,819
7	6,800	714	1,110	1,390	1,566	1,708	1,827
8	6,850	717	1,114	1,396	1,573	1,716	1,835
9	6,900	720	1,119	1,401	1,580	1,723	1,843
10	6,950	724	1,124	1,407	1,587	1,731	1,851
11	7,000	727	1,129	1,413	1,593	1,738	1,859
12	7,050	730	1,134	1,419	1,600	1,745	1,867
13	7,100	733	1,138	1,425	1,607	1,753	1,874
14	7,150	736	1,143	1,431	1,614	1,760	1,882
15	7,200	739	1,148	1,437	1,620	1,767	1,890
16	7,250	743	1,153	1,443	1,627	1,775	1,898
17	7,300	746	1,158	1,449	1,634	1,782	1,906
18	7,350	749	1,163	1,454	1,641	1,789	1,914
19	7,400	752	1,167	1,460	1,647	1,797	1,922
20	7,450	755	1,172	1,466	1,654	1,804	1,929
21	7,500	758	1,177	1,472	1,661	1,812	1,937
22	7,550	761	1,182	1,478	1,668	1,819	1,945
23	7,600	765	1,187	1,484	1,674	1,826	1,953
24	7,650	768	1,192	1,490	1,681	1,834	1,961
25	7,700	771	1,196	1,496	1,688	1,841	1,969
26	7,750	774	1,201	1,501	1,695	1,848	1,976
27	7,800	777	1,206	1,507	1,702	1,856	1,984
28	7,850	780	1,211	1,513	1,708	1,863	1,992
29	7,900	784	1,216	1,519	1,715	1,870	2,000
30	8,000	790	1,225	1,531	1,729	1,885	2,016
31	8,050	793	1,230	1,536	1,735	1,892	2,023
32	8,100	795	1,234	1,542	1,740	1,898	2,030
33	8,150	798	1,238	1,547	1,746	1,904	2,036
34	8,200	800	1,243	1,552	1,751	1,910	2,043
35	8,250	803	1,247	1,557	1,757	1,916	2,049
36	8,300	805	1,251	1,562	1,762	1,922	2,056
37	8,350	807	1,255	1,567	1,767	1,928	2,062
38	8,400	810	1,259	1,572	1,773	1,934	2,069
39	8,450	812	1,263	1,578	1,778	1,940	2,076
40	8,500	815	1,268	1,583	1,784	1,946	2,082
41	8,550	817	1,272	1,588	1,789	1,952	2,089
42	8,600	819	1,276	1,593	1,795	1,958	2,095
43	8,650	822	1,280	1,598	1,800	1,964	2,102
44	8,700	824	1,284	1,603	1,806	1,970	2,108
45	8,750	827	1,288	1,608	1,811	1,976	2,115
46	8,800	829	1,292	1,614	1,817	1,982	2,122
47	8,850	831	1,297	1,619	1,822	1,989	2,128

1	8,900	834	1,301	1,624	1,828	1,995	2,135
2	8,950	836	1,305	1,629	1,833	2,001	2,141
3	9,000	839	1,309	1,634	1,839	2,007	2,148
4	9,050	841	1,313	1,639	1,844	2,013	2,154
5	9,100	844	1,317	1,644	1,850	2,019	2,161
6	9,150	846	1,322	1,650	1,855	2,025	2,168
7	9,200	848	1,326	1,655	1,861	2,031	2,174
8	9,250	851	1,330	1,660	1,866	2,037	2,181
9	9,300	853	1,334	1,665	1,872	2,042	2,187
10	9,350	855	1,337	1,669	1,876	2,047	2,192
11	9,400	857	1,340	1,672	1,880	2,051	2,197
12	9,450	859	1,343	1,676	1,884	2,056	2,202
13	9,500	861	1,345	1,680	1,888	2,060	2,207
14	9,550	863	1,348	1,683	1,892	2,065	2,211
15	9,600	865	1,351	1,687	1,897	2,069	2,216
16	9,650	867	1,354	1,691	1,901	2,074	2,221
17	9,700	868	1,357	1,694	1,905	2,078	2,226
18	9,750	870	1,360	1,698	1,909	2,083	2,231
19	9,800	872	1,362	1,702	1,913	2,088	2,235
20	9,850	874	1,365	1,706	1,917	2,092	2,240
21	9,900	876	1,368	1,709	1,921	2,097	2,245
22	9,950	878	1,371	1,713	1,926	2,101	2,250
23	10,000	880	1,374	1,717	1,930	2,106	2,255

24	COMBINED						
25	MONTHLY						
26	GROSS						
27	INCOME						
	Number of Children Ages 12-17 years						
	1	2	3	4	5	6	
28	\$ 50	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5
29	100	10	10	10	10	10	10
30	150	15	15	15	15	15	15
31	200	20	20	20	20	20	20
32	250	25	25	25	25	25	25
33	300	30	30	30	30	30	30
34	350	35	35	35	35	35	35
35	400	40	40	40	40	40	40
36	450	45	45	45	45	45	45
37	500	77	78	78	78	79	79
38	550	108	109	110	110	111	112
39	600	138	139	140	141	142	143
40	650	151	169	171	172	173	175
41	700	160	199	201	203	204	206
42	750	169	229	231	233	235	237
43	800	178	258	261	263	266	268

1	850	187	287	290	293	296	299
2	900	195	304	318	321	324	327
3	950	203	316	346	349	353	356
4	1,000	212	329	374	377	381	385
5	1,050	220	341	401	406	410	414
6	1,100	228	354	429	434	438	442
7	1,150	236	367	457	462	466	471
8	1,200	244	379	474	490	495	500
9	1,250	252	392	490	518	523	529
10	1,300	259	403	504	546	551	557
11	1,350	266	413	517	571	577	583
12	1,400	272	423	529	596	602	609
13	1,450	279	433	542	611	628	634
14	1,500	285	443	554	625	653	660
15	1,550	291	453	567	639	678	685
16	1,600	298	463	579	653	703	710
17	1,650	304	473	591	667	727	736
18	1,700	310	483	604	681	743	761
19	1,750	317	493	616	695	758	787
20	1,800	323	503	628	709	773	812
21	1,850	329	513	641	723	789	838
22	1,900	336	522	653	737	804	860
23	1,950	342	532	665	751	819	876
24	2,000	348	542	677	764	834	892
25	2,050	354	551	689	777	848	906
26	2,100	360	560	700	789	862	921
27	2,150	366	569	712	803	876	937
28	2,200	372	578	723	816	890	952
29	2,250	378	588	735	829	905	967
30	2,300	384	598	747	843	920	984
31	2,350	391	607	760	857	935	1,000
32	2,400	397	617	772	871	950	1,016
33	2,450	403	627	784	884	965	1,032
34	2,500	410	637	796	898	980	1,048
35	2,550	416	646	808	911	994	1,063
36	2,600	421	655	819	924	1,008	1,078
37	2,650	427	664	830	936	1,021	1,093
38	2,700	433	673	842	949	1,035	1,108
39	2,750	439	682	853	962	1,049	1,123
40	2,800	445	691	864	975	1,063	1,137
41	2,850	451	700	876	988	1,077	1,152
42	2,900	456	709	887	1,000	1,091	1,167
43	2,950	462	718	898	1,013	1,105	1,182
44	3,000	468	727	909	1,026	1,118	1,197
45	3,050	473	735	920	1,038	1,131	1,211
46	3,100	479	744	930	1,050	1,144	1,225
47	3,150	484	752	941	1,062	1,157	1,239

1	<u>3,200</u>	<u>490</u>	<u>761</u>	<u>952</u>	<u>1,074</u>	<u>1,170</u>	<u>1,253</u>
2	<u>3,250</u>	<u>495</u>	<u>769</u>	<u>962</u>	<u>1,085</u>	<u>1,183</u>	<u>1,267</u>
3	<u>3,300</u>	<u>501</u>	<u>778</u>	<u>973</u>	<u>1,097</u>	<u>1,196</u>	<u>1,281</u>
4	<u>3,350</u>	<u>506</u>	<u>786</u>	<u>983</u>	<u>1,109</u>	<u>1,209</u>	<u>1,295</u>
5	<u>3,400</u>	<u>512</u>	<u>795</u>	<u>934</u>	<u>1,121</u>	<u>1,222</u>	<u>1,308</u>
6	<u>3,450</u>	<u>517</u>	<u>803</u>	<u>1,005</u>	<u>1,133</u>	<u>1,235</u>	<u>1,322</u>
7	<u>3,500</u>	<u>522</u>	<u>811</u>	<u>1,015</u>	<u>1,144</u>	<u>1,247</u>	<u>1,335</u>
8	<u>3,550</u>	<u>528</u>	<u>820</u>	<u>1,026</u>	<u>1,157</u>	<u>1,261</u>	<u>1,350</u>
9	<u>3,600</u>	<u>534</u>	<u>829</u>	<u>1,037</u>	<u>1,170</u>	<u>1,275</u>	<u>1,365</u>
10	<u>3,650</u>	<u>539</u>	<u>838</u>	<u>1,049</u>	<u>1,183</u>	<u>1,289</u>	<u>1,380</u>
11	<u>3,700</u>	<u>545</u>	<u>847</u>	<u>1,060</u>	<u>1,195</u>	<u>1,303</u>	<u>1,394</u>
12	<u>3,750</u>	<u>551</u>	<u>856</u>	<u>1,071</u>	<u>1,208</u>	<u>1,317</u>	<u>1,409</u>
13	<u>3,800</u>	<u>557</u>	<u>865</u>	<u>1,083</u>	<u>1,221</u>	<u>1,331</u>	<u>1,424</u>
14	<u>3,850</u>	<u>563</u>	<u>874</u>	<u>1,094</u>	<u>1,233</u>	<u>1,344</u>	<u>1,439</u>
15	<u>3,900</u>	<u>568</u>	<u>883</u>	<u>1,105</u>	<u>1,246</u>	<u>1,358</u>	<u>1,454</u>
16	<u>3,950</u>	<u>574</u>	<u>892</u>	<u>1,117</u>	<u>1,259</u>	<u>1,372</u>	<u>1,469</u>
17	<u>4,000</u>	<u>580</u>	<u>901</u>	<u>1,128</u>	<u>1,271</u>	<u>1,386</u>	<u>1,483</u>
18	<u>4,050</u>	<u>586</u>	<u>910</u>	<u>1,139</u>	<u>1,284</u>	<u>1,400</u>	<u>1,498</u>
19	<u>4,100</u>	<u>592</u>	<u>919</u>	<u>1,151</u>	<u>1,297</u>	<u>1,414</u>	<u>1,513</u>
20	<u>4,150</u>	<u>597</u>	<u>928</u>	<u>1,162</u>	<u>1,310</u>	<u>1,428</u>	<u>1,528</u>
21	<u>4,200</u>	<u>603</u>	<u>937</u>	<u>1,173</u>	<u>1,322</u>	<u>1,442</u>	<u>1,543</u>
22	<u>4,250</u>	<u>609</u>	<u>946</u>	<u>1,185</u>	<u>1,335</u>	<u>1,456</u>	<u>1,557</u>
23	<u>4,300</u>	<u>615</u>	<u>955</u>	<u>1,196</u>	<u>1,348</u>	<u>1,469</u>	<u>1,572</u>
24	<u>4,350</u>	<u>621</u>	<u>964</u>	<u>1,207</u>	<u>1,360</u>	<u>1,483</u>	<u>1,587</u>
25	<u>4,400</u>	<u>626</u>	<u>973</u>	<u>1,219</u>	<u>1,373</u>	<u>1,497</u>	<u>1,602</u>
26	<u>4,450</u>	<u>632</u>	<u>982</u>	<u>1,230</u>	<u>1,386</u>	<u>1,511</u>	<u>1,617</u>
27	<u>4,500</u>	<u>638</u>	<u>991</u>	<u>1,241</u>	<u>1,398</u>	<u>1,525</u>	<u>1,632</u>
28	<u>4,550</u>	<u>644</u>	<u>1,000</u>	<u>1,253</u>	<u>1,411</u>	<u>1,539</u>	<u>1,646</u>
29	<u>4,600</u>	<u>650</u>	<u>1,009</u>	<u>1,264</u>	<u>1,424</u>	<u>1,553</u>	<u>1,661</u>
30	<u>4,650</u>	<u>655</u>	<u>1,018</u>	<u>1,275</u>	<u>1,436</u>	<u>1,567</u>	<u>1,676</u>
31	<u>4,700</u>	<u>661</u>	<u>1,027</u>	<u>1,287</u>	<u>1,449</u>	<u>1,584</u>	<u>1,691</u>
32	<u>4,750</u>	<u>667</u>	<u>1,036</u>	<u>1,298</u>	<u>1,462</u>	<u>1,594</u>	<u>1,706</u>
33	<u>4,800</u>	<u>673</u>	<u>1,045</u>	<u>1,309</u>	<u>1,475</u>	<u>1,608</u>	<u>1,720</u>
34	<u>4,850</u>	<u>679</u>	<u>1,054</u>	<u>1,321</u>	<u>1,487</u>	<u>1,622</u>	<u>1,735</u>
35	<u>4,900</u>	<u>685</u>	<u>1,062</u>	<u>1,332</u>	<u>1,500</u>	<u>1,636</u>	<u>1,750</u>
36	<u>4,950</u>	<u>690</u>	<u>1,070</u>	<u>1,342</u>	<u>1,511</u>	<u>1,649</u>	<u>1,763</u>
37	<u>5,000</u>	<u>695</u>	<u>1,079</u>	<u>1,353</u>	<u>1,523</u>	<u>1,661</u>	<u>1,777</u>
38	<u>5,050</u>	<u>700</u>	<u>1,087</u>	<u>1,363</u>	<u>1,534</u>	<u>1,674</u>	<u>1,790</u>
39	<u>5,100</u>	<u>706</u>	<u>1,095</u>	<u>1,373</u>	<u>1,546</u>	<u>1,686</u>	<u>1,803</u>
40	<u>5,150</u>	<u>711</u>	<u>1,103</u>	<u>1,383</u>	<u>1,557</u>	<u>1,699</u>	<u>1,817</u>
41	<u>5,200</u>	<u>716</u>	<u>1,111</u>	<u>1,393</u>	<u>1,569</u>	<u>1,712</u>	<u>1,830</u>
42	<u>5,250</u>	<u>721</u>	<u>1,119</u>	<u>1,403</u>	<u>1,580</u>	<u>1,724</u>	<u>1,844</u>
43	<u>5,300</u>	<u>727</u>	<u>1,128</u>	<u>1,414</u>	<u>1,592</u>	<u>1,737</u>	<u>1,857</u>
44	<u>5,350</u>	<u>732</u>	<u>1,136</u>	<u>1,424</u>	<u>1,603</u>	<u>1,749</u>	<u>1,871</u>
45	<u>5,400</u>	<u>737</u>	<u>1,144</u>	<u>1,434</u>	<u>1,615</u>	<u>1,762</u>	<u>1,884</u>
46	<u>5,450</u>	<u>742</u>	<u>1,152</u>	<u>1,444</u>	<u>1,627</u>	<u>1,775</u>	<u>1,897</u>
47	<u>5,500</u>	<u>748</u>	<u>1,160</u>	<u>1,454</u>	<u>1,638</u>	<u>1,787</u>	<u>1,911</u>

1	5,550	753	1,168	1,464	1,650	1,800	1,924
2	5,600	758	1,177	1,475	1,661	1,812	1,938
3	5,650	763	1,185	1,485	1,673	1,825	1,951
4	5,700	768	1,193	1,495	1,684	1,837	1,965
5	5,750	774	1,201	1,505	1,696	1,850	1,978
6	5,800	779	1,209	1,515	1,707	1,863	1,992
7	5,850	784	1,217	1,525	1,719	1,875	2,005
8	5,900	789	1,226	1,536	1,730	1,888	2,018
9	5,950	795	1,234	1,546	1,742	1,900	2,032
10	6,000	800	1,242	1,556	1,753	1,913	2,045
11	6,050	805	1,250	1,566	1,765	1,926	2,059
12	6,100	810	1,258	1,576	1,776	1,938	2,072
13	6,150	816	1,266	1,587	1,788	1,951	2,086
14	6,200	821	1,275	1,597	1,799	1,963	2,099
15	6,250	826	1,283	1,607	1,811	1,976	2,112
16	6,300	831	1,291	1,617	1,823	1,989	2,126
17	6,350	837	1,299	1,627	1,834	2,001	2,139
18	6,400	842	1,307	1,637	1,846	2,014	2,153
19	6,450	847	1,315	1,648	1,857	2,026	2,166
20	6,500	852	1,323	1,658	1,869	2,039	2,180
21	6,550	858	1,332	1,668	1,880	2,051	2,193
22	6,600	863	1,340	1,678	1,892	2,064	2,206
23	6,650	868	1,348	1,688	1,903	2,077	2,220
24	6,700	873	1,356	1,698	1,915	2,089	2,233
25	6,750	879	1,364	1,709	1,926	2,102	2,247
26	6,800	883	1,371	1,716	1,935	2,112	2,257
27	6,850	887	1,377	1,724	1,943	2,121	2,267
28	6,900	891	1,382	1,731	1,951	2,130	2,277
29	6,950	895	1,388	1,738	1,960	2,139	2,287
30	7,000	899	1,394	1,746	1,968	2,148	2,296
31	7,050	903	1,400	1,753	1,976	2,157	2,306
32	7,100	907	1,406	1,761	1,984	2,166	2,316
33	7,150	911	1,412	1,768	1,993	2,175	2,326
34	7,200	915	1,418	1,775	2,001	2,184	2,335
35	7,250	919	1,424	1,783	2,009	2,193	2,345
36	7,300	923	1,430	1,790	2,017	2,202	2,355
37	7,350	927	1,436	1,798	2,026	2,212	2,365
38	7,400	931	1,442	1,805	2,034	2,221	2,374
39	7,450	935	1,448	1,813	2,042	2,230	2,384
40	7,500	939	1,454	1,820	2,050	2,239	2,394
41	7,550	943	1,460	1,827	2,058	2,248	2,404
42	7,600	947	1,466	1,835	2,067	2,257	2,413
43	7,650	951	1,472	1,842	2,075	2,266	2,423
44	7,700	955	1,477	1,850	2,083	2,275	2,433
45	7,750	959	1,483	1,857	2,091	2,284	2,443
46	7,800	963	1,486	1,865	2,100	2,293	2,452
47	7,850	967	1,495	1,872	2,108	2,302	2,462

1	<u>7,900</u>	<u>971</u>	<u>1,501</u>	<u>1,879</u>	<u>2,116</u>	<u>2,311</u>	<u>2,472</u>
2	<u>7,950</u>	<u>975</u>	<u>1,507</u>	<u>1,887</u>	<u>2,124</u>	<u>2,321</u>	<u>2,482</u>
3	<u>8,000</u>	<u>979</u>	<u>1,513</u>	<u>1,894</u>	<u>2,133</u>	<u>2,330</u>	<u>2,491</u>
4	<u>8,050</u>	<u>982</u>	<u>1,518</u>	<u>1,901</u>	<u>2,140</u>	<u>2,338</u>	<u>2,500</u>
5	<u>8,100</u>	<u>985</u>	<u>1,523</u>	<u>1,908</u>	<u>2,147</u>	<u>2,346</u>	<u>2,508</u>
6	<u>8,150</u>	<u>988</u>	<u>1,528</u>	<u>1,914</u>	<u>2,154</u>	<u>2,353</u>	<u>2,516</u>
7	<u>8,200</u>	<u>991</u>	<u>1,533</u>	<u>1,920</u>	<u>2,161</u>	<u>2,361</u>	<u>2,524</u>
8	<u>8,250</u>	<u>994</u>	<u>1,538</u>	<u>1,926</u>	<u>2,168</u>	<u>2,368</u>	<u>2,532</u>
9	<u>8,300</u>	<u>997</u>	<u>1,543</u>	<u>1,933</u>	<u>2,174</u>	<u>2,375</u>	<u>2,540</u>
10	<u>8,350</u>	<u>1,000</u>	<u>1,547</u>	<u>1,939</u>	<u>2,181</u>	<u>2,383</u>	<u>2,548</u>
11	<u>8,400</u>	<u>1,003</u>	<u>1,552</u>	<u>1,945</u>	<u>2,188</u>	<u>2,390</u>	<u>2,556</u>
12	<u>8,450</u>	<u>1,005</u>	<u>1,557</u>	<u>1,952</u>	<u>2,195</u>	<u>2,398</u>	<u>2,564</u>
13	<u>8,500</u>	<u>1,008</u>	<u>1,562</u>	<u>1,958</u>	<u>2,202</u>	<u>2,405</u>	<u>2,572</u>
14	<u>8,550</u>	<u>1,011</u>	<u>1,567</u>	<u>1,964</u>	<u>2,209</u>	<u>2,412</u>	<u>2,580</u>
15	<u>8,600</u>	<u>1,014</u>	<u>1,572</u>	<u>1,970</u>	<u>2,216</u>	<u>2,420</u>	<u>2,588</u>
16	<u>8,650</u>	<u>1,017</u>	<u>1,577</u>	<u>1,977</u>	<u>2,222</u>	<u>2,427</u>	<u>2,596</u>
17	<u>8,700</u>	<u>1,020</u>	<u>1,581</u>	<u>1,983</u>	<u>2,229</u>	<u>2,435</u>	<u>2,604</u>
18	<u>8,750</u>	<u>1,023</u>	<u>1,586</u>	<u>1,989</u>	<u>2,236</u>	<u>2,442</u>	<u>2,612</u>
19	<u>8,800</u>	<u>1,026</u>	<u>1,591</u>	<u>1,996</u>	<u>2,243</u>	<u>2,450</u>	<u>2,620</u>
20	<u>8,850</u>	<u>1,029</u>	<u>1,596</u>	<u>2,002</u>	<u>2,250</u>	<u>2,457</u>	<u>2,628</u>
21	<u>8,900</u>	<u>1,032</u>	<u>1,601</u>	<u>2,008</u>	<u>2,257</u>	<u>2,464</u>	<u>2,636</u>
22	<u>8,950</u>	<u>1,035</u>	<u>1,606</u>	<u>2,014</u>	<u>2,264</u>	<u>2,472</u>	<u>2,644</u>
23	<u>9,000</u>	<u>1,037</u>	<u>1,610</u>	<u>2,021</u>	<u>2,270</u>	<u>2,479</u>	<u>2,652</u>
24	<u>9,050</u>	<u>1,040</u>	<u>1,615</u>	<u>2,027</u>	<u>2,277</u>	<u>2,487</u>	<u>2,659</u>
25	<u>9,100</u>	<u>1,043</u>	<u>1,620</u>	<u>2,033</u>	<u>2,284</u>	<u>2,494</u>	<u>2,667</u>
26	<u>9,150</u>	<u>1,046</u>	<u>1,625</u>	<u>2,040</u>	<u>2,291</u>	<u>2,502</u>	<u>2,675</u>
27	<u>9,200</u>	<u>1,049</u>	<u>1,630</u>	<u>2,046</u>	<u>2,298</u>	<u>2,509</u>	<u>2,683</u>
28	<u>9,250</u>	<u>1,052</u>	<u>1,635</u>	<u>2,052</u>	<u>2,305</u>	<u>2,516</u>	<u>2,691</u>
29	<u>9,300</u>	<u>1,055</u>	<u>1,639</u>	<u>2,058</u>	<u>2,311</u>	<u>2,523</u>	<u>2,699</u>
30	<u>9,350</u>	<u>1,057</u>	<u>1,643</u>	<u>2,063</u>	<u>2,317</u>	<u>2,529</u>	<u>2,705</u>
31	<u>9,400</u>	<u>1,060</u>	<u>1,646</u>	<u>2,067</u>	<u>2,322</u>	<u>2,535</u>	<u>2,711</u>
32	<u>9,450</u>	<u>1,062</u>	<u>1,650</u>	<u>2,072</u>	<u>2,327</u>	<u>2,540</u>	<u>2,717</u>
33	<u>9,500</u>	<u>1,064</u>	<u>1,654</u>	<u>2,076</u>	<u>2,332</u>	<u>2,546</u>	<u>2,723</u>
34	<u>9,550</u>	<u>1,066</u>	<u>1,657</u>	<u>2,081</u>	<u>2,337</u>	<u>2,551</u>	<u>2,729</u>
35	<u>9,600</u>	<u>1,069</u>	<u>1,661</u>	<u>2,085</u>	<u>2,343</u>	<u>2,557</u>	<u>2,735</u>
36	<u>9,650</u>	<u>1,071</u>	<u>1,665</u>	<u>2,090</u>	<u>2,348</u>	<u>2,562</u>	<u>2,741</u>
37	<u>9,700</u>	<u>1,073</u>	<u>1,668</u>	<u>2,095</u>	<u>2,353</u>	<u>2,568</u>	<u>2,747</u>
38	<u>9,750</u>	<u>1,076</u>	<u>1,672</u>	<u>2,099</u>	<u>2,358</u>	<u>2,574</u>	<u>2,753</u>
39	<u>9,800</u>	<u>1,078</u>	<u>1,675</u>	<u>2,104</u>	<u>2,363</u>	<u>2,579</u>	<u>2,759</u>
40	<u>9,850</u>	<u>1,080</u>	<u>1,679</u>	<u>2,108</u>	<u>2,368</u>	<u>2,585</u>	<u>2,765</u>
41	<u>9,900</u>	<u>1,083</u>	<u>1,683</u>	<u>2,113</u>	<u>2,374</u>	<u>2,590</u>	<u>2,771</u>
42	<u>9,950</u>	<u>1,085</u>	<u>1,686</u>	<u>2,118</u>	<u>2,379</u>	<u>2,596</u>	<u>2,777</u>
43	<u>10,000</u>	<u>1,087</u>	<u>1,690</u>	<u>2,122</u>	<u>2,384</u>	<u>2,602</u>	<u>2,783</u>

1 7. Additional dependents being supported pursuant to court order or administrative decision. If a
2 parent is subject to a court order or administrative
3 decision to pay current child support for natural or
4 adopted children other than those for whom support is
5 being sought, then, to the extent that on an annual-
6 ized basis calculated for a one-year period prior to
7 the date of the hearing, that parent has honored such
8 order or decision, his annual gross income shall be
9 decreased by such amount for the purpose of determin-
10 ing the parents' combined annual gross income and for
11 the purpose of determining the responsible parent's
12 share of the combined annual gross income.
13

14 8. Additional dependents being supported other
15 than pursuant to court order or administrative deci-
16 sion. If a parent is actually supporting, other than
17 pursuant to a court order or administrative decision,
18 dependent natural or adopted children other than the
19 children for whom support is being sought in a pro-
20 ceeding under this Title, then that parent's current
21 basic support obligation shall be calculated on the
22 basis of the total of the number of such other chil-
23 dren and the number of children for whom support is
24 to be determined in the subject proceeding and the
25 proportion of the latter to the total shall be uti-
26 lized to determine the parent's share of the combined
27 basic child support obligation.

28 9. Children of different age groups. In cases
29 in which there are children from different age
30 groups, namely 0-11 years of age and 12-17 years of
31 age, as specified in subsection 6, Table A, the com-
32 bined basic child support obligation of both parents
33 shall be determined by mathematically averaging and
34 weighting by number the 0-11 years of age and the
35 12-17 years of age amounts according to the number
36 and ages of the children.

37 10. Principles to be considered by court in ap-
38 plying the formula. In deciding whether the presump-
39 tion supporting the determination of a child support
40 obligation by application of the income shares formu-
41 la has been rebutted, the court shall consider the
42 following principles.

43 A. The subsistence needs of each parent should

1 be taken into account, but in no event may the
2 child support obligation be set at zero for a re-
3 sponsible parent except in extreme circumstances.

4 B. Child support must cover a child's basic
5 needs as a first priority, but to the extent ei-
6 ther parent enjoys a
7 higher-than-subsistence-level standard of living,
8 the child is entitled to share the benefit of
9 that improved standard.

10 C. Each child of a parent has an equal right to
11 share in that parent's income, subject to those
12 factors such as the age of the child, the income
13 of each parent and the presence of other depen-
14 dents to whom the parent owes a legal obligation
15 of support.

16 D. The formula shall be applied without regard
17 to the gender of the parent.

18 E. The formula is intended to avoid creating ec-
19 onomic disincentives for remarriage or labor
20 force participation.

21 F. The formula encourages the involvement of
22 both parents in their children's upbringing by
23 taking into account the financial support pro-
24 vided directly by parents who have shared or al-
25 located residential responsibility for the chil-
26 dren above the stated minimum. The formula
27 presumes that direct expenses for the children,
28 such as food and clothing, are incurred by the
29 parents in approximate proportion to the duration
30 of the children's residence in each of the
31 parent's household. The formula presumes that,
32 in shared parenting situations, some of the ex-
33 penses for the children incurred by each of the
34 parents are duplicated and the basic child sup-
35 port obligation should be increased by 50% to
36 account for the duplication. When there is sub-
37 stantial evidence that the direct expenses are
38 not incurred in that proportion, the court may
39 make an offsetting adjustment in the parent's re-
40 spective shares of the combined basic child sup-
41 port obligation.

1 G. The formula shall be used by the court to set
2 the child support obligation unless the court
3 shall determine that its use would lead to an in-
4 equitable outcome in situations such as when a
5 child has unusual educational, social or health
6 needs; when a responsible parent is terminally
7 ill; or when the geographical locations of the
8 parents' homes are so widely separated that
9 transportation of the children between the homes
10 is a significant additional cost.

11 In any case when the court determines that the
12 presumption supporting application of the formula has
13 been rebutted and departs from application of the
14 formula, the court shall state in its order its rea-
15 sons for that departure.

16 §754. Periodic review of child support scale

17 The Department of Human Services shall review Ta-
18 ble A contained in section 753, subsection 6, at
19 least biannually and shall make that recommendation
20 to the Legislature for revision of the table as the
21 commissioner deems necessary to ensure that the in-
22 come shares formula as applied will continue to pro-
23 vide fair and equitable child support, based on the
24 best available economic evidence. For purposes of
25 this section, fair and equitable child support is de-
26 fined to be that share of each parent's gross income
27 estimated to have been allocated to the support of
28 the children, if the parents and children were living
29 in an intact household.

30 Sec. 10. 19 MRS 766, sub-§1, ¶G, as enacted by
31 PL 1979, c. 578, §§5 and 7, is amended to read:

32 G. Ordering the payment of temporary support for
33 the dependent party or any child in his custody,
34 or both, when there is a legal obligation to sup-
35 port that person, provided that determination of
36 any child support obligation shall be in accord-
37 ance with section 753;

1

STATEMENT OF FACT

2 The purpose of this bill is to enact a uniform
3 method for courts to determine child support obligations
4 in any situation such as separation, annulment,
5 divorce or protection from abuse cases when a court
6 is requested or required to enter a support order as
7 part of its determination of parental rights and re-
8 sponsibilities. The bill is consistent with case law
9 as developed by the courts. A specific formula,
10 known as the income shares formula, is adopted in order
11 to promote uniformity of treatment; provide for
12 adequate support for children consistent with the
13 parent's standard of income; and, by providing
14 predictability of outcome, to encourage establishment
15 of support obligations through mediation and negotia-
16 tion rather than through contested litigation in the
17 courts.

18 The income shares formula was developed by the
19 Child Support Models staff of the National Center for
20 State Courts as an approach to the determination of
21 child support that is consistent with the best economic
22 evidence. The income shares formula has been
23 adopted in part by the Department of Human Services
24 and promulgated by regulations effective October 6,
25 1986, to determine support obligations pursuant to
26 the Maine Revised Statutes, Title 19, sections 303-A,
27 498 and 498-A and 45 Code of Federal Regulations,
28 Sections 302.53 and 302.56. To the extent that the
29 Department of Human Services rules are consistent
30 with the functions of the courts in determining support,
31 the language of the rules has been included in
32 the bill.

33 The specific table that is utilized in the bill
34 to determine the support obligation of the parents is
35 the same table developed by the Department of Human
36 Services and is adopted without change.

37 Sections 1 to 8 of the bill amend other provi-
38 sions to refer to the uniform guidelines to be used
39 to determine child support payments.

40 Section 9 of this bill adds a new provision spec-
41 ifying the method and principles to be applied by the

1 courts in determining child support obligations. The
2 bill enacts Title 19, section 753 which does the fol-
3 lowing:

4 1. Adopts the income shares formula as the
5 methodology for the courts to use in initially estab-
6 lishing support orders or in revising support orders
7 previously entered, under any circumstances arising
8 under Title 19. It provides that application of the
9 formula shall have the effect of a rebuttable pre-
10 sumption;

11 2. Defines the income shares formula itself and
12 the method by which the child support obligation of
13 both parents is to be derived, including specific
14 provisions for a basic child support obligation and
15 provisions for the treatment of work-related child
16 care expenses, health insurance costs and uninsured
17 health care expenses;

18 3. Contains a provision for the determination of
19 a periodic support payment when the children reside
20 nearly all the time with one parent;

21 4. Contains a provision for the adjustment of
22 the periodic support payment when the residential
23 care of the children is shared to a significant ex-
24 tent by both parents;

25 5. Contains detailed definitions of income to be
26 applied by the court in implementing the formula;

27 6. Contains a provision adopting the table for
28 determining the basic support obligation;

29 7. Contains a provision for the adjustment of
30 the income of a parent who is complying with the man-
31 date of another order to pay child support for other
32 children;

33 8. Contains a provision for adjustment of the
34 formula so that other natural or adopted children of
35 the parents who are their legal responsibility and
36 are being voluntarily supported, will be treated on a
37 par with the children for whom a support obligation
38 is being established by the court;

1 9. Contains a provision that implements the for-
2 mular in situations when there are children of differ-
3 ent ages; and

4 10. Adds a provision requiring the Department of
5 Human Services to review the table of child support
6 obligations biannually and to make proposals for re-
7 vision based on the best available information.

8 Section 9 of the bill enacts Title 19, section
9 754, which contains principles to be considered by
10 the court in applying the formula and authority for
11 the court to modify the strict application of the
12 formula when it finds its operation to be inequitable
13 and states examples when the inequities may arise.
14 It further provides that the court must explain any
15 departure from the formula.

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