Oregon Child Support Guidelines Calculator Instructions

Introduction

Welcome to Oregon's Child Support Calculator. You can use this calculator to determine a child support obligation based on Oregon's Child Support Guidelines. At the end of the calculation, you can view, save, and print a child support worksheet suitable for filing in court.

The worksheet will display in .pdf format. Most computers can display .pdf documents. If yours does not, you may need software such as Adobe Acrobat Reader.

Navigating the calculator

The calculator has three pages. At the end of each page, click "Continue" to move to the next page. To view or change information on a previous page, click "Previous."

<u>Do not use the "forward" button on your browser.</u>
<u>Your information may be changed or lost.</u>

Required information

Certain entries must be completed in order to move on to the next page. For example, you cannot continue to the second page without entering the parents' names and incomes. If you click "Continue" and the calculator does not advance to the next page, look for an **error** message in red and fill in the required information.

"More"

Most entries have instructions available right in the calculator. Anywhere you see "more," click for a brief explanation of the information the calculator is requesting.

Technical assistance

We want the calculator to work for you. If you have a problem or need help, send us an email at ChildSupportCalculatorQuestions@doj.oregon.gov Let us know what you entered and what happened. Depending on the issue, it may help to attach a copy of your .pdf worksheet or a screenshot. To take a screen shot on a PC, click the "Print Screen" key (or Alt-Print Screen to capture just the browser window) and then paste or attach the image into your email.

Expert version support calculator also available

For the expert user, we also offer an automated worksheet using Microsoft Excel. Both calculators produce the same results and allow you to print a worksheet to use in court, but the expert version provides little help. The expert version allows you to make changes to the support calculation and immediately see the impact of the changes on the support amount.

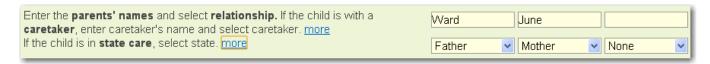
You can find the expert calculator on our <u>calculators</u> page or go directly to the <u>Child Support</u> Guidelines Calculator - Microsoft Excel Workbook.

General Information

Parents and caretakers

In this section, you will identify the parents and, if appropriate, caretaker. The parent's names and relationships to the child will appear on the worksheet.

First, enter each parent's name and relationship to the child(ren). Use the drop-down menus to select "Father" or "Mother." Select "Alleged father" if establishing paternity and support at the same time.



This calculator can determine support obligations for both parents when a child lives with a caretaker other than a parent.

If the child(ren) live(s) only with parents, leave the third space blank.

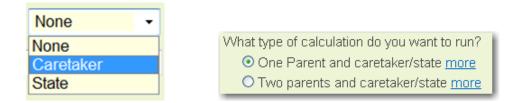
If the child(ren) live(s) with a caretaker, fill in the third line with the caretaker's name and select "caretaker" from the drop down menu. A caretaker is the person, other than a parent, who is the legal guardian of the child or who has physical custody, care, control and supervision of a child.

If the child is in the care of the state (foster care or state custody), select "state." The words "State of Oregon" will appear. State care includes children in foster care with DHS/Child Welfare or children in the custody of Oregon Youth Authority.

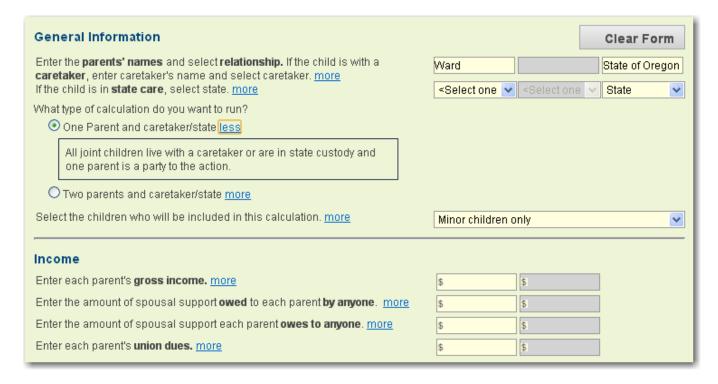
One-parent calculations (OAR 137-050-0710(3))

If one or more children in the calculation are with a parent, use the two-parent computation.

When all of the child(ren) for whom you are computing support live(s) with a caretaker or are in state care, you may choose whether to compute support for one parent only or for both parents.



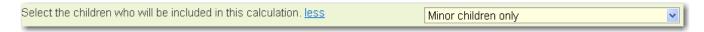
When you choose a one-parent calculation, the second column will turn grey and cannot be used.



Children Attending School

Next, select whether you are computing support for minor children and/or Children Attending School.

 Count a Child Attending School who is age 18, living with a parent, and attending high school as a minor child. OAR 137-050-0700(4)



ORS 107.108 allows but does not require an order for the parents to pay support for a Child Attending School (high school or college) 18, 19, or 20 years old.

In some cases, only a parent who pays support for the minor child should continue to pay for that child when s/he becomes a Child Attending School. In other cases, the court may order both parents to support the child.

If only the parent paying support for minors will be ordered to pay support for Children Attending School, select "no".

Do you want the parent who receives support for the minor children to pay support for the Children Attending School?

Income and adjustments

In this section, you will enter information about the parents' income and about other factors that affect income. The calculator will use this information to determine the basic support obligation, and the parents' shares of the support obligation.

Income (OAR 137-050-0715)

Income most commonly includes gross monthly salary and wage, but also includes all earnings and income from (almost) any source.



"Gross" means before taxes or other deductions.

To determine monthly wages:

- Multiply weekly income by 52 and divide by 12.
- Multiply income paid every two weeks by 26 and divide by 12.
- Multiply income paid twice a month by 2.

If actual income is known, use it. If no information is available about current income, employment history, or earning ability, use the minimum wage in the state where the parent lives (in Oregon, \$1603.33 for 2015). Income can be based on a parent's earning potential when the parent could be earning more if they tried. Earning potential is determined by employment history and qualifications, education, and employment prospects in the parent's community.

Where income varies or includes seasonal overtime, it may be appropriate to average income over time. Typically, this is a year, but may vary depending on circumstances.

Self-employed parents may deduct certain expenses. OAR 137-050-0715(1)(f)

TANF recipients are presumed unable to pay support, but are attributed minimum wage income \$1603.33 for 2015) to determine the other parent's support obligation.

Do not include child support or spousal support. Obligations to other children or to a former spouse are addressed in the non-joint child deduction and in adjusted income.

Do not include food stamps, Social Security or Veterans benefits received on behalf of a child, adoption assistance, guardianship assistance, or foster care subsidies. These are for the benefit of the child and not considered income for child support purposes.

Spousal support owed to the parent (OAR 137-050-0720(1)(d))

Enter the monthly amount of spousal support owed to the parent whether or not the person who owes is currently paying. This can be spousal support owed by the other

parent in this calculation or by another person. This will be added to the parent's income.



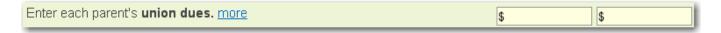
Spousal support the parent owes (OAR 137-050-0720(1)(c))

Enter the monthly amount of spousal support the parent owes, whether or not the parent is currently paying. This can be spousal support the parent owes to the other parent in this calculation or to another person. This will be deducted from the parent's income.



Mandatory union dues (OAR 137-050-0720(1)(a))

Enter the amount of the parent's mandatory contributions to a union or other labor organization.



Children

Enter the name of each child of both parents in this calculation. If calculating a support obligation for only one parent whose child(ren) live(s) with a caretaker or in state care, list the children of that parent who live with the caretaker or are in state care.



18-year-old child in high school and living at home (OAR 137-050-0700(4))

Include 18-year-old Children Attending School who attend high school and live with a parent, as if the child was a minor child. Do not include any child who:

- Is 19 years old or older,
- Qualifies for ongoing support as a Child Attending School for a reason other than high school attendance, or
- Does not live with a parent (even if they live with a caretaker).

Parenting time (OAR 137-050-0730)

If there is a parenting time agreement or court order, or if you expect one as part of the current action, you may enter amounts of shared parenting time. Enter the annual overnights the children are with each parent, averaged over two years. For help calculating overnights under a parenting calendar, see the <u>Parenting Plan Calculator</u>.

If there is no parenting time agreement or order, enter "365" for the parent the child lives with more of the time and zero for the other parent.

When you fill in the first parent's overnights and press TAB, the calculator will automatically fill in the second parent's overnights. If there is a caretaker or the child is in state care, fill in both parent's overnights (or 0 if none) and the balance will appear under "remaining overnights."

Once you have entered the parenting time overnights, press minor children appear in the table below.

. Repeat until all the

	Child's Name	Overnights with Ward	Overnights with June	Remaining Overnights
Edit Remove	VVally	90	275	0
Edit Remove	Theodore	75	290	0

Children Attending School

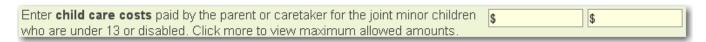
This question appears if you indicated above that you are computing support for Children Attending School. You do not need to enter the children's names. Pull down the menu and select the number of Children Attending School, other than those you included with the minor children, for whom you are computing support.

Select the number of joint **Children Attending School** age 18 to 20.

Do not include 18-year-olds in high school and living with a parent. more

Child Care Costs (OAR 137-050-0735)

Enter the child care (i.e., day care) expenses each parent or caretaker pays for children under 13 or disabled. Child care costs must be related to employment, job search, or training or education necessary to obtain a job. Do not include amounts paid by the government or an employer.



Child care costs are limited to the amounts the Department of Human Services (DHS) has determined, based on a market price survey, are charged by most providers in the community. The guidelines use a simplified version of this rate structure that is easier to read and in most cases more generous than the detailed DHS tables.

	Maximum Per Child			
Age of Child	Cities of Portland, Bend, Eugene, Corvallis, Springfield, Monmouth, Ashland	All Other Oregon or Out of State Locations		
	Springheid, Monthodin, Ashland	of Out of State Locations		
Newborn	\$900	\$595		
to 1 year	Ψοσο			
1 to 3	\$894	\$575		
years	Ψ094			
3 to 6	\$705	\$475		
years	Ψ105	φ473		
6 years and older	\$698	\$460		

Some suburban areas are as expensive as neighboring cities. Where the specific limit in the DHS tables is higher, it may be used. The DHS amount is based on the exact zip code where the care is provided and the type and certification of the provider. The DHS tables are located at http://apps.state.or.us/caf/fsm/07cc-f.htm#RateCharts.

The guideline support formula no longer accounts for an estimated tax credit.

Social Security and Veterans Benefits Paid to the Child (OAR 137-050-0740)

Enter the amount of a disabled or retired parent's Social Security or Veterans benefit paid to a child (or on a child's behalf) in the disabled or retired parent's column.

Enter the amount of a disabled or retired parent's **Social Security or veterans'**benefit paid to a child (or on a child's behalf) in the disabled or retired parent's column. more

Under ORS 25.275(4), an obligor may receive a credit against the support obligation for Social Security or Veterans benefits paid to the child (through a representative payee) as a result of the obligor's disability or retirement. Simply put, the benefits pay towards the obligor's support obligation.

This credit is up to the parents to request, and granted at the court's discretion, except that state law (ORS 25.280) requires that Survivors' and Dependents' Educational Assistance under 38 U.S.C. chapter 35, be credited. The Child Support Program will normally apply these credits except as follows.

Do not include benefits paid as a result of the child's disability.

Do not include benefits for which the parent has designated him- or herself the representative payee.

Because this portion of the calculation happens before the formula determines which parent(s) will pay, it is not possible to enter only the obligor's figure. Enter the amount of the parent's benefit paid to the child in each parent's column. Only a parent with a support obligation will have that obligation reduced.

Non-Joint Children (OAR 137-050-0720)

Select the number of non-joint children for each parent. A non-joint child is the child of one (but not both) of the parties to the action:

- That the parent has a duty to support, and
- Whose support is not being determined in the current action.



Only include children that reside in the parent's home or for whom the parent is ordered to pay ongoing support.

Include a child who is 18 years old, attends high school, and lives with a parent, regardless of whether the child has qualified as a Child Attending School

Children Attending School, see <u>ORS 107.108</u> and <u>OAR 137-055-5110</u>), and stepchildren may be counted if the parent is ordered to pay ongoing support for that child. An obligation to pay outstanding support arrears is not sufficient.

The parent's income will be reduced to reflect the portion of income required to support the non-joint children.

Health Care Coverage (OAR 137-050-0750)

Parent's own health care coverage (OAR 137-050-0720(1)(d))

Enter the parent's cost to enroll him- or herself (or continue to be enrolled) in health insurance, whether or not the parent will enroll the child. This is usually the cost of self-only coverage under the insurance plan. This amount will be deducted from the parent's income in computing the support amount.

Enter the cost the parent pays for their **own** health care coverage. If not available, \$ 75.00 \$ 0.00 enter \$0. more

For an example of dividing a premium into the parent's and children's portion, see the instructions under **Premium cost for the children only**.

Is coverage for the children appropriate and available?

If a parent has appropriate and available private health insurance available for the child(ren), enter "yes." Otherwise leave as "no."

In addition to being reasonable in cost, ORS 25.323 requires that coverage be "accessible" and not impose unreasonable deductibles or copays. "Accessible" means that the coverage will be available for at least one year, based on the work history of the parent providing the coverage, and that the coverage either does not have service area limitations or the child lives within 30 miles or 30 minutes of a primary care provider who is eligible for payment under the coverage. Whether copays and deductibles are "unreasonable" is for the fact-finder to determine in light of the family's circumstances, such as the child's medical needs, the availability of alternate forms of coverage, and the sufficiency of cash medical support to meet the child's needs.

A parent with income at or below the state minimum wage for full-time employment \$1603.33 for 2015) may be ordered to provide private health care coverage whenever it is available at no cost, but will not be ordered to provide cash medical support. OAR 137-050-0750(1), Child Support Worksheet lines 7a and 7d.



Premium cost for children only

Enter the health insurance premium cost for only the child(ren) in this calculation. To determine the portion for the children, subtract the cost to cover the parent only from the total premium, divide the amount by the total number of additional family members covered, and multiply by the number of children to be covered in this calculation. OAR 137-050-0750(3) and Child Support Worksheet line 7c.

 Example: Ward has family coverage available at \$275 and self-only coverage available at \$75. Family coverage will cover the three children in this calculation and Ward's nonjoint child, Chester.

Ward's own portion of premium: \$75 (self-only coverage cost)

Children's portion: \$275 family - 75 self-only = \$200

\$200 divided by 4 covered family members = \$50 apiece

\$50 X 3 covered children in this calculation = \$150 premium cost



Choose which coverage to provide (OAR 137-050-0750)

The calculator will list the available coverage, and will pre-select a "best-guess" coverage option.

Health insurance is ordinarily reasonable in cost if the cost for the children's portion of the premium is equal to or less than 4% of the parents' combined adjusted income. Parents with income at or below the Oregon minimum wage are not counted towards the total.

- o If only one parent has coverage at a reasonable cost, that parent must provide it.
- If both parents have coverage at a reasonable cost, the parent with more parenting time overnights may select; otherwise the calculator defaults to the less-expensive coverage. The parents may also agree to dual coverage.

Health Care Coverage			
Based on the parents' incomes, it will be reasonable for the parents to pay up to \$ \$245.00 per month to provide insurance.			
Select insurance to be provided. more			
	Total Cost \$ \$125.00		

Is there a good reason to pay more for health insurance? (OAR 137-050-0750(7))

There may be a good reason to order health insurance at a higher cost, such as:

- A parent has been providing the coverage already and wants to continue providing it
- The cost only slightly exceeds the cap and the parent wants to provide the coverage
- The child has a medical condition that would be more costly than the premium

If you select a health insurance option that is more expensive than the reasonable in cost amount shown, the calculator will ask you whether there is a good reason to do so.



Cash Medical Support

When no appropriate private health insurance is available

The order must either require the obligated parent to pay cash medical support, or include findings specifying why cash medical support is not appropriate.

Cash medical support is required when health care coverage is not available unless there is a reason not to include it.

Is there a reason cash medical support should not be included? more

You can choose that the cash medical be paid only when the parent does not provide health insurance.

Do you want cash medical support to accrue whenever the obligor does not provide appropriate private health care coverage? more

When a parent has access to appropriate private health insurance

Cash medical support is not required. However, you can elect to order a parent who will be ordered to pay support to also pay cash medical in the future if s/he does not provide health insurance.



Exception to the minimum order?

In most cases, a parent is rebuttably presumed to be able to pay at least \$100 in child support, including medical support (health insurance or cash medical support). If the total support obligation is less than \$100, cash child support will be increased to bring the total to \$100. However, there are certain exceptions. Enter "yes" if the parent:

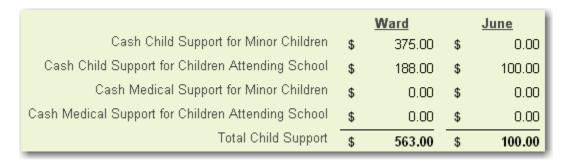
- receives income only from disability benefits
- is incarcerated and unable to pay per OAR 137-055-3300(4)
- receives public benefits as defined in <u>ORS 25.245</u>, such as TANF cash benefits, General Assistance, or Supplemental Security Income

Also, if each parent has exactly 50% parenting time, the calculator will not compute a minimum order. OAR 137-050-0755 and Child Support Worksheet line 8a.



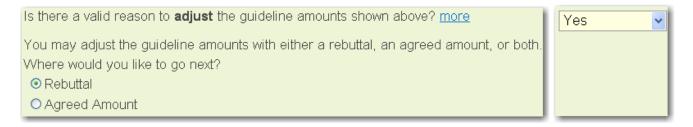
Guideline Support Amounts

This table shows the guideline correct support amounts for each parent. This amount is presumed to be correct and is ordered in most cases.



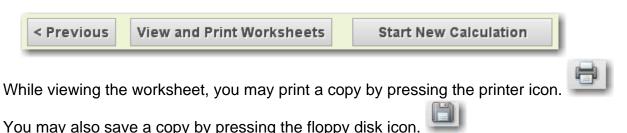
You may choose to adjust the guideline support amount in one of two ways:

- If the guideline support amount is unjust or inappropriate because of specific economic factors, the presumption that it is the correct amount to order may be rebutted. This requires a finding by the court, administrator, or administrative law judge.
- The parents may agree to an increase or decrease of up to 15% in the support amount without providing a reason.



View and print calculations

Click the "view and print worksheets" button to open a new window with a completed Child Support Worksheet. If you applied any rebuttals, a rebuttal worksheet will be included in the document. To use this feature, you need Adobe Acrobat Reader or similar software.



Rebuttal (OAR 137-050-0760)

On this page, you may (but are not required to) compute a support obligation based on the guidelines, while also considering factors outside the guidelines. You may (but are not required to) use this calculation to support your request to order child support at other than the guideline obligation.

When you select a rebuttal factor on this page, the calculator will prepare a Rebuttal Worksheet. The Rebuttal Worksheet is a separate child support calculation, applying rebuttal factors to income, for costs, and to the final cash child support or cash medical amount, based on the information you enter.



Apply to parent

Select the parent to whom you will apply the rebuttal factor. Rebuttals to income and to final support can only be applied to parents.

If a caretaker pays costs that are not addressed in the guideline support amount, you may select the caretaker here.

Rebuttal type

Select how the calculator should apply the rebuttal factor. You may apply the rebuttal factor to a parent's income, for costs paid by a parent or caretaker, or to a parent's final cash child support or cash medical support amount.

When adjusting **income**, the amount you enter will be added to the parent's income. To reduce the parent's income, use the minus sign.

• For example, if a parent has special hardships that make \$200 of the parent's income unavailable for support, you could enter "-200."

Adjustments to income affect the support amount least.

When adjusting **costs**, the amount you enter will be added to the support obligation and divided between the parents in proportion to their incomes. The amount the parent is paying will be subtracted from that parent's obligation.

• For example, if a parent has an added \$200 expense and the parents have equal incomes, each parent's obligation will be increased by \$100. The paying parent's

obligation will then be decreased by \$200 in recognition of the amount that parent is already paying

Adjustments to costs have a greater impact than adjustments to income, because the amount added or subtracted is a direct change to the support amount. Each parent shares in the cost.

When adjusting **cash child support** or **cash medical support**, the amount you enter will directly increase (or decrease, if negative) the parent's support obligation.

Adjustments to cash child support or cash medical have the greatest impact: a direct, dollar-for-dollar effect on the support obligation.

Available rebuttal factors

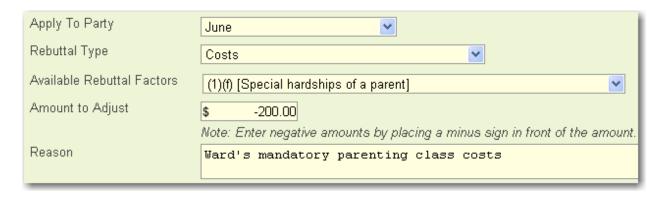
Select the factor that best matches the basis for the rebuttal. If no particular factor matches well, select "other."

Amount to adjust

Enter the amount by which you wish to adjust the selected factor.

Reason

Specify the particular reason.



Then click "Add" to include the reason on the rebuttal factors list.

Rebuttal factors list

When you add a rebuttal factor, it will be shown in the table. You can edit or remove rebuttal factors from the table.

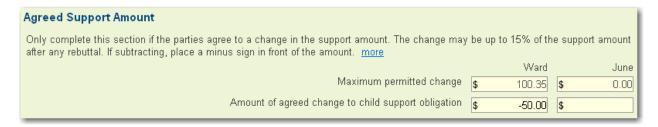


Click "Continue" to proceed with your calculation. You may be asked to review certain choices, such as health care coverage. The calculator will display the support obligation before and after addition of your rebuttal factors. Then you will choose whether to also adjust the calculation with the agreed amount.

Do you want to make more adjustments with an Agreed Amount?

Agreed Amount (OAR 137-050-0765)

The parties may consent in writing to a change of up to 15% in the support amount by agreeing to waive any rights to hearing and appeal. This is not a rebuttal and no reason is required. This step is optional and does not restrict the ability of the parties and the court to rebut the presumption in favor of the guideline support amount (with or without consent).



Enter the amount of the change to the support obligation in the appropriate field. To increase the amount, enter the amount of the increase. To decrease the amount, start with the minus sign ("-").

The agreed change may be up to 15% of the support obligation. It is automatically applied proportionally to cash child support and cash medical support

Example: Ward's guideline support obligation includes cash child support of \$300 and cash medical support of \$100 for a total of \$400. The parties may agree to increase or decrease the support amount by up to \$60, with a result between \$340 and \$460.

- At \$340, cash child support would be \$255. Cash medical support would be \$85.
- At \$460, cash child support would be \$345. Cash medical support would be \$115.

If there are both minor children and Children Attending School, the change is also applied proportionally between them.