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## Understanding the Changes in Support Payments

Every four years the Pennsylvania Support Guidelines are subject to mandatory review to insure that they set the appropriate amount of child and spousal support. The following article outlines some of the pertinent adjustments made to the guidelines effective January 25, 2006.

### High Income Child Support Cases

For reasons of practicality, the guidelines cannot address every level of income and the corresponding amount of support owed. Previously, the guidelines provided a presumptive minimum amount of support for couples earning a \$15,000 combined net monthly income. If the parties combined net monthly income exceeded this amount, the court would apply the presumptive minimum amount corresponding with \$15,000 and then look at a set of factors set forth in the case law to determine how much more should be added on to this amount. There was no provision for couples making more than \$15,000 per month. The guidelines have been adjusted to provide a presumptive minimum amount of support for couples earning up to a \$20,000 combined monthly net income. If a couple's combined monthly net income exceeds \$20,000, the presumptive minimum amount corresponding to \$20,000 is applied. The court will then look to factors from case law to see if that presumptive minimum amount should be increased.

### Child Care Expenses

Another significant change to be aware of is the allocation of child care expenses. Until recently, reasonable child care expenses paid by the custodial parent, if necessary to maintain employment or appropriate education, in pursuit of income were the responsibility of both parents and were to be allocated between the parties in proportion to their net incomes. This amount would then be added on to the obligor or non-custodial parent's support obligation. The guidelines now maintain that reasonable child care expenses paid by either parent, both custodial and non-custodial, shall be allocated between the parties according to their net incomes and then added to their respective support obligations.

### Reduced or Fluctuating Income

The revised guidelines also have clarified the types of income reductions and fluctuations that may trigger adjust-

ments in support payments. Under these revisions, "when either party voluntarily assumes a lower paying job, quits a job, leaves employment, changes occupations or changes employment status to pursue an education, or is fired for cause, there generally will be no effect on the support obligation." Normal fluctuations in income will not trigger adjustments to support payments. However, "appropriate adjustments will be made for substantial continuing involuntary decreases in income, including, but not limited to the result of illness, lay-off, termination, job elimination or some other employment situation over which the party has no control."

### Self-Support Reserve for Low-Income Obligor

The guidelines contain a provision that allows low-income obligors to retain sufficient income to meet their basic needs. The purpose is to encourage these obligors to continue working so that support will continue to be paid. Under the old guidelines, this provision was called the Computed Allowance Minimum (CAM) and it prevented a low-income obligor's net income from falling below \$550 per month. The revised guidelines have renamed this provision the Self-Support Reserve (SSR) and have increased the amount to \$748 per month. As a result, where the SSR applies, an obligor's net income will not fall below \$748 per month. In other words, a very low-income obligor will have at least \$748 of their income remaining for basic needs, after paying his or her child support obligation. \*

### Worth Noting

The provisions summarized in this article represent only a sample of the 2006 guideline revisions, which can be found in the Pennsylvania Rules of Civil Procedure. The adjustments to the guidelines may result in an increased amount of support owed for some obligors while other obligors may see a reduction in their support obligation. Both obligors and obligees should examine the guidelines to determine if any adjustments to their support payment are in effect. Parents affected by the revised guidelines can file a petition to increase or decrease support payments.

For more information on these revised guidelines, contact Kim Oakes at MacDonald, Illig, Jones & Britton LLP at 814/870-7715 or koakes@mjib.com