



## **CHILD SUPPORT**

Iowa, Nebraska, and South Dakota calculate child support by following State Supreme Court “Guidelines.” The Guidelines recognize the importance of both parents financially providing for their children, and as such, both parents’ incomes are used in calculating the child support amount. As a general rule, income does not include public assistance or step-parent income. After offsetting each parent’s gross income with applicable deductions, the Guidelines use the parents’ net monthly incomes to calculate the child support owed, based on the number of children and the custody arrangement. For example, if the parents have shared custody (e.g. 50/50 time), the child support is generally much lower than it would be if one of the parents had primary care. This is because shared (50/50) care requires the parents to provide homes, food and clothing for the children, share the children’s medical costs, extracurricular expenses, and so forth. Similarly, if one parent is deemed the “custodial” parent, but the other parent has “extraordinary visitation” (as defined by the State Guidelines), the non-custodial parent’s child support obligation is reduced in part because of the extra time – and hence financial expenses – the non-custodial parent will incur. There is a rebuttable presumption that the Guidelines amount is correct; but, there can be legitimate reasons for swaying from the Guidelines (e.g. an unequal property settlement in a divorce). Overall, the Guidelines provide a starting point for calculating child support. However, like any other area of family law, arguing over the child support amount is often more of an art than a science.