

# Lesson 6

## Child Support: How Much Should a Spouse Pay?

High School Level

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### **BACKGROUND**

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One of the major issues couples face during their divorce process is the amount of child support. The parent that does not have physical custody of the children is usually the one who pays child support.

### **PURPOSE**

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The purpose of this lesson is to understand why Child Support Guidelines were established, and examine the impact of divorce on children.

### **PROCEDURE**

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Briefly review the function of District Court, Superior Court, Probate Court and Supreme Court, with respect to domestic relations issues. Discuss the guidelines listed below prior to applying the formula in cases 1–3.

Designate students as a father, mother and two children. The remainder of the class will be appointed as judges or marital masters. Each parent will stand on the opposite side of the classroom, with the children standing in the center of the room.

## THE LAW

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Child Support Guidelines were established in 1988 to assist the court in establishing support orders in an equitable manner. A child support award is calculated from a formula derived from the total earnings of both parents. The formula is based on the assumption that on average, a family spends approximately 25% of their earnings on one child per week, 35% of their earnings on two children per week, 40% of their earnings on three children per week, and 45% for four or more children per week. (You may want to write these figures on the board.)

### Case 1

There are two children in this family, and total income of \$2,500 per month. The father's income is \$1,200 each month, and the mother's income is \$1,300 per month. The mother has physical custody. How much child support will the father pay?

### Case 2

There are two children in this family, and total income of \$2,500 per month. The father's income is \$1,200 each month, and the mother's income is \$1,300 per month. The father has physical custody. How much child support will the mother pay?

### Case 3

There are two children in this family, and total income of \$2,500 per month. The father's income is \$2,250 each month, and the mother's income is \$250 per month. The mother has physical custody. How much child support will the father pay?

Answer to Case 1: \$420/month

Answer to Case 2: \$455/month

Answer to Case 3: \$787.50/month

## FOLLOW-UP DISCUSSION

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1. Should there be any adjustments to the formula if one parent has special needs which may consume a lot of their income, such as a disability or an illness? How would you adjust the formula?
2. Should there be adjustments for temporary needs of a parent such as injury resulting from an accident? How would you adjust the formula?
3. How should the formula change if each parent has the children 50% of the time?
4. Do you think that the formula established by the court minimizes the impact of divorce on the children? Why or why not?
5. When one household splits into two what are some of the added expenses and demands on parental income? How does this impact the issue of child support?