

Child Support Guidelines Committee Report

The Child Support Advisory Committee has been meeting since November 5, 2018. In that time, the committee has focused on the low-income tables. Due to federal regulation changes effective December 20, 2016, Utah must address the low-income tables and comply with new requirements. Those requirements include, but are not limited to, that the non-custodial parent's subsistence needs to be addressed and considered before calculating child support.

The committee met regularly to thoughtfully consider the actual costs of sustaining a modest living arrangement for a non-custodial parent and the need to meet the definition of subsistence. The federal regulation does not define subsistence, leaving that to states to define. After multiple monthly meetings, the members determined that to provide the legislature, the public, and lawyers, with a degree of certainty, the income derived from federal minimum wage should be the base level for non-custodial parents' subsistence needs. The committee recognized that maintaining a household for a single individual with a gross monthly income of \$1,257 (minimum wage) would be a stretch, and compromises were necessary to strike a balance between the competing needs of the children and the non-custodial parent.

The current low-income table ranges from gross incomes of \$0 to \$1,050 based on the number of children. For one child, the low-income table's gross income ends at \$750 and for six children at \$1,050, with children two through five falling somewhere in between this range. The proposed low-income table range is expanded from \$0 to \$2,450. The one-child gross income ends at \$1,950 and six children at \$2,450.

The current low-income table support awards range from a low of \$30 to \$494. The proposed low-income table awards range from \$30 to \$1,008. The proposed low-income table has a gradual increasing slope that approaches the base table amounts. Once the amounts intersect, the base table takes over.

The methodology used to arrive at these numbers is as follows: Incomes starting at \$0 to \$1,256 are below the subsistence threshold as defined by the committee. The committee believed there should be a minimum level of support paid even when gross income failed to reach subsistence/minimum wage. This gross income range has the lowest support awards ranging from \$30 to \$211 based on the number of children and income. The awards increase as the gross income approaches \$1,257. The awards at \$1,257 then transition to a percentage of gross income to arrive at the support amount. This percentage begins with one child at .06 multiplied by 1,257 to arrive at a \$75 support award. The percentage increases as income does until it reaches a gross income of \$1,961, where it is .18 for a base support amount of \$351. This method is repeated for children two through six, increasing the percentage starting point for each child added. The additional children's increases are as follows: .11 for two children, .15 for three, .18 for four, .2 for five, and .21 for six. The percentage increases by a tenth of a percent as income rises at the following income points: \$1,351, \$1,411, \$1,461, \$1,511, \$1,561,

\$1,611, this pattern continues until the low income intersects with the regular table. This intersection occurs at higher income levels as the number of children increase. For example, the one-child amount intersects at 1,951 and the six children amount intersects at 2,451.

The committee had a unanimous vote in support of the above-stated proposal and agreed that, while it is not a perfect proposal, it attempts to strike a balance between the non-custodial parent's subsistence needs and the needs of the children they are obligated to support. It also meets new federal requirements implemented on December 20, 2016. The committee discussed at length the needs of the custodial parent and the children. The latter two groups' needs were at the forefront of the committee's discussions as their needs do not change just because the non-custodial parent has limited means.

The committee chairs and members wish to thank the legislative body for consideration of this report and welcome the opportunity to respond to any questions or concerns they might have with the proposal.

Sincerely,

Lori Nelson & Russell Minas
Child Support Guidelines Advisory Committee Chairs

Cc: Advisory Committee Members