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Vermont Bar Association
Family Law Webinar Series 1
January 29, 2021
9am - 11am

Child Support Scenarios and Calculations

Our deepest learning comes not from merely taking in information, but in doing the action ourselves. In this seminar, we will learn by doing, and learn from our mistakes.

So instead of the facilitators telling you how to do the calculation, you'll be calculating each scenario yourself. You'll have 5 minutes to work through the calculation in the Child Support Calculator.

The facilitators will then show the child support calculator as they enter the values, and explain each value and how it was determined. We will discuss each scenario and answer questions for about 15 minutes per scenario.

Agenda

- Introduction
- Child support scenarios:
 - You'll have 5 minutes to complete the calculation on your own in the Child Support Calculator.
 - The facilitators will then:
 - Walk through the reasoning for each number entered.
 - Show the calculator screen with the correct values entered.
- Question and answer period after each scenario
- General questions
- Wrap up

Important notes

- Be sure to **refresh the page** on the calculator between each scenario to prevent calculation errors.
- Although the calculator has fields for the child's date of birth, to save time during this seminar, we will not specify the date of birth of each child.
- All income specified is **gross** wages or salary.
- You may refer to [Taxable vs Non-Taxable Income](#)
- All scenarios are for newly-filed cases which do not yet have a child support order.

Scenario 1

- Matt and Lisa have two young children, Emily and Abigail.
- Matt's parent-child contact time is 6 out of 14 days.
- Matt works at the UVM Medical Center and earns \$17.50 per hour and works 40 hours a week. He often works overtime, and his average overtime pay is \$1,200 per month.
- Lisa works at Ben & Jerry's and earns \$38,000 per year.
- Neither parent pays spousal support.
- The children are in day care, which costs \$250 per week and is shared equally between them.
- The children are on Matt's health insurance plan. The Medical Center's health insurance plan costs are as follows for a two-week pay period:
 - Family: \$186.10
 - 2-person: \$140.46
 - Single: \$70.21

Concepts:

- Shared custody
- Health insurance cost
- Overtime pay
- Child care expenses

Scenario 2

- Zaid and Karimah have two children, Amari (age 10) and Makena (age 12).
- Their parent-child contact schedule is week on, week off.
- Zaid is a software developer and earns \$87,000 per year. His company consistently pays an annual bonus of \$2,000 at the end of every year.
- Karimah has been at home full time with the children since their oldest was born, and just recently started a job as an administrative assistant, earning \$28,000 per year.
- Zaid has agreed to pay \$1,000 in spousal support per month.

- Zaid's paycheck shows a deposit of \$1,000 to the company's SIMPLE IRA every month (which is a \$500 contribution by Zaid, and a \$500 match by the employer).
- The children are on Zaid's insurance plan, which has the following monthly costs:
 - Employee and Family: \$580.20
 - Employee and Spouse: \$407.15
 - Employee and Child(ren): \$325.72
 - Employee: \$203.57
- Amari and Makena attend private school, and tuition for the academic year for both of them is \$11,800. Zaid emphasizes that this is a significant cost for their family, and needs to be factored into the child support calculation.

Concepts:

- Spousal support
- Shared custody
- Extraordinary expenses

Scenario 3

- Paul and Lisa have three young boys: Liam, Michael and Aiden.
- The PCC schedule is week-on, week-off.
- Paul has been a product manager at Burton for 3 years, and earns \$105,000 per year.
- Paul receives a profit-share bonus from his company, which varies from year to year. Last year the company had substantial growth and he received a \$5,000 bonus. The prior two years he received \$1,000 and \$2,000, respectively.
- The children are on Paul's health insurance plan, which has the following monthly costs:
 - Employee and Family: \$535.98
 - Employee and Spouse: \$376.12
 - Employee and Child(ren): \$300.90
 - Employee: \$188.06
- Lisa is not employed, but she volunteers 20 hours a week at a local charity.
- Lisa receives \$2,500 per month in spousal support.
- The kids attend daycare at a cost of \$500 per week, which the parents share.

Concepts:

- Child care expenses
- Spousal support

Scenario 4

- Bao and Minh have two children, Quan (15) and Linh (12).
- Minh's parent-child contact time is the following:

- Friday and Saturday overnights every other weekend; and Saturday overnight the other weekends.
- 7 overnights during spring school break
- 7 overnights in the summer
- Bao has an autoimmune disorder and receives Supplemental Security Income, which is \$783 per month.
- Minh's last 4 bi-weekly paychecks show gross income of \$1,400 each.
- Minh has a side business selling skin care products and nets \$500 per month, which amount is not disputed by Bao.
- Minh has spent \$2,200 on orthodontics for Linh, and anticipates spending about \$800 more per year in the coming years.

Concepts:

- Sole custody
- Self-employment income
- SSI

Scenario 5

- Mark and Deb have one child and share time, 40% with Mark.
- Deb has gross W-2 income of \$2,000/mo.
- Mark receives SSDI of \$3,000 per month and Deb receives a derivative benefit for the child of \$750/mo.
- They do not have day care costs.
- The children have health insurance through Dr. Dynasaur.

Concepts:

- SSDI
- Derivative benefit analysis

Glossary

Sole custody: When one parent has physical custody (determined by the number of nights the child spends with the parent) of the child(ren) for over 75% of the time, they exercise sole custody. 15 V.S.A. § 657 (a), (d).

Split custody: If each parent has physical custody of at least one of the children, it is considered split custody, and a theoretical support payment must be determined for each parent for the children in the custody of the other. The obligation must be prorated

among all the children in the household. The parent with the larger obligation is required to pay the difference between the two amounts to the other parent. 15 V.S.A. § 657 (e).

Citations

[Tetreault v. Coon](#), 167 Vt. 396, 708 A.2d 571 (Vt. 1998)

“In establishing the amount of child support, fundamental fairness requires that any income imputed to a stay-at-home parent for work that could be performed consistent with caring for the children, must reflect the expenses that would be incurred in actually producing that income.”

[McCormick v. McCormick](#), 159 Vt. 472, 621 A.2d 238 (Vt. 1993)

“In determining child support, lifestyle and personal expenses may serve as basis for imputing income where conventional methods for determining income are inadequate.”