
















Which of the below best describes you

Result	Responses Percentage		Graph
Custodial parent	21	7.2%	
Noncustodial parent	64	22.1%	
Judge	6	2.0%	
Attorney	164	56.7%	
Mediator	5	1.7%	
Custodial parent advocate	1	0.3%	
Noncustodial parent advocate	5	1.7%	
Educator	4	1.3%	
Student	1	0.3%	
Other	18	6.2%	

Total Number of Form Results: 289

Please choose the best answer.

1. The existing guidelines produce appropriate child support obligations for most cases.

Result	Responses Percentage		Graph
Strongly Agree	11	3.8%	
Agree	101	34.9%	
Neutral	30	10.3%	
Disagree	67	23.1%	
Strongly Disagree	79	27.3%	

Total Number of Form Results: 289

Comments (1):

With the rapid changes in the economy. I find myself unable to care for my daughter due to the burden of my son's child support. Living with family in a basement to avoid housing costs is not sustainable. I hope the agency can find ways to ensure all families, custodial and non-custodial, are provided for. Honestly as a father the tone/manner in which I've been treated seems very adversarial.

They clearly err for shared custody situations.

I think the underlying theory of the current guidelines is flawed. The guidelines are based on maintaining the same lifestyle for the children as they would have enjoyed if the parents had remained together. This doesn't work in the real world because expenses for both parents will, in most cases, shift considerably and almost certainly increase when the household splits. That is economic reality. Beyond a certain base financial level, children do not need to be shielded from it. Shielding them from it elevates material concerns over recognition of and adjustment to the new reality. It also gives the custodial parent a windfall, and it encourages the break-up of families.

Suspending a Drivers License has nothing to do with enforcement, or support. Hinders people from obtaining a job. It may substantially make matters worse. it is one standard and does not reward NCP or joint custody situations where there is involvement and gifts and paid medical etc. Also the medical recoup etc is not covered or enforced.

The existing guidelines are awful!

The shared guidelines pose significant problems. The primary custodial parents receives less support but in most cases the non primary custodial parents, who receive the benefit of the shared guidelines, won't share in providing clothing for the children in his/her homes instead expecting the primary custodial parent to continue to provide for the lion's share of the children's needs. This can often pose a hardship for the primary custodial parent. Activities fees, school lunches ect are also a source of conflict.

SUPPORT GUIDELINES ARE VERY HEAVILY WEIGHED IN FAVOR OF THE WOMAN WHO CLAIM WHATEVER THEY WANT WHENEVER THEY WANT. THE SUPPORT DOES NOT CARE IF THE NON-CUSTODIAL PARENT (MOST OF THE TIME MEN) ARE ABLE TO SUPPORT THEMSELF.

The reason I say this. Until the Bradley Amendment is thrown out. And Child support is based on actual tangible income not theorized (counterfeited by state agencies pipe dreams), in addition to a new way of conduct where payors are shown appreciation and needed. The Problem will not go away but in fact made worse. It is also my hope that when the kids grow up they are able to see the truth behind the corruption, and seek justice upon the public officials that destroyed their lives.

This not true my ex is living it up and my daughter dont even live with her so i pay they should take her income and subtract it form his income and then 17 percent of that cause it sounds like the men are stuck paying it all.And paying taxes on that money

Long before court systems got involved in the child support industry, children were taken better care of in economic conditions much worse then what we experience today. Government should support parents whether in a divorce situation or not, to work with families who develop their own plan how to handle the care of their children. No artificial formula is indicative of how much it costs to raise children. The cost to raise a child is dependent solely on the economics of each families resources.

Child Support Laws are unconstitutional; they Also violate our basic civil rights! I am not totally sure what the calculations are at this time. I was divorced over 15 years ago.

The guidelines grossly neglects to address the child rearing expenses in the so called noncustodial parents home. The so called custodial parent does not contribute any of thier income to support the childrens needs in the so called non custodial parent's home. To fail to co.cider the childrens needs in thier so called non custodial parents home, the child support guidelines deprives children of thier REAL needs In thier so called noncustodial parents home.

The current Virginia guidelines are based on a percentage of gross income. The guidelines presume, for example, that a one year old child needs a separate bedroom and eats like an adult. The VA guidelines use the HHS studies, which are not based on the actual costs of children. The HHS guidelines are based, believe it or not,on the propensity of people to purchase alcoholic drinks and cigarettes. In VA we had the creator of the HHS guidelines come to speak 20 years ago.

In my opinion every child should split time evenly between both parents thereby making financial support of the child split evenly between both parents with no further monetary support, or as I call it legalized extortion, necessary. The only time financial support should be paid from one parent to the other is when one refuses to honor their 50% custody agreement.

I don't know about most cases... I do know they aren't appropriate in my case! In cases where shared custody is agreed to by both parties, there should be no child support obligation...there should a proportional split of daycare costs, schooling cost, etc....But it should not be that the parent making the most money be penalized by having to pay their proportion and pay child support. In my case I have 50/50 shared physical custody...I have to pay 70% of everything associated with the children, and then on top of that I have to pay my soon to be ex \$800 a month in child spport

The majority of cases of child support are created after the custodial spouse, with no fault alleged, unilaterally and against the wishes of the non-custodial parent files a No Fault divorce. Then the innocent and faithful parent and the children are punished by the violator of the agreement being rewarded with care, custody, and control of the children which also entitles this abuser to property awards generally in excess of half of the common property and to the future income of the aggrieved and innocent parent. There is no cause for one parent, where there is no violence toward the children, to have a 'master' control or sole managing custody over the other loving and caring, innocent parent. Child support has little to do with children or there would be accountability in how the custodial parent spends the money. Child support is a tax on rejected parents. Child support is not readily adjustable in the most onerous of cases. Child support is a family matter and only where true violence or 'unforced' abandonment exists should the courts interfere. Child support is an admission that the custodial parent is incapable of mature self support and self determination. The list of objections continues well beyond the few sound bytes you wish to record.

The "guidelines" are fair. The Judges ignore them. Modification is impossible. Child support obligations are in most cases unjust and inappropriate. The enforcement of the obligation to support is gender biased, in favor of females. Men are not being treated equal to women. The guidelines are appropriate but they are not being upheld equally, gender is a factor and shouldn't be.

The existing guidelines produce too much income to the custodial parent, which is not obligated to pay for child care.

These levels are punitive and without any required accountability as to how the \$ is spent are seriously poor policy. Non custodial parents supply valuable time and nurturing to their children when allowed to do so. Impoverishing them to enrich the other parent is not in childrens' best interest.

The government involves themselves for personal gain!

Joint Physical custody would eliminate child support. a 50/50 arrangement would make each parent equally responsible. Lets stop the extortion and enslavement of Father's. Lets start enforcing the marriage contract and stop rewarding everyone in trying to enforce a divorce decree

Anyone who is honest can easily see that CS is set up to get Federal matching money and nothing more. You don't need to be a lawyer, judge, politician to know the fairest thing to do in regardd to children is to split them 50/50...no if, ands, or buts. Fair is fair. We wouldn't need ridiculous CS guidelines if we followed the 50/50 rule. Should CS guidelines be needed, they should be generated using existing data taken from the parents prior to divorce. You can't fairly punish one side because you get exactly what's going on now...you are empowering women to file for divorce because they know they will be taken care of. Why do you think the stats show that in 80% of the cases, women are the ones filing for divorce? Because they know they will be taken care of. This is corrupt and flawed law which encourages and promotes more of the same... divorce.

There should be Presumptive Equal Custody in all states. Then unequal financial responsibility would not be much of a problem. I was denied custody and ordered to pay \$2500 a month which I could not, while my then wife who was a medical doctor, hid her profession and income from the court.

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pay not to raise your childern CRAZY

It is wholly in an inappropriate ratio.

The guidelines don't take into account other children that need to be supported or if spouses remarry someone who makes a better income. I have 3 other children who need to be supported as well as a wife who has been injured and can't work, yet my ex-wife's new husband makes over \$100,000 a year (compared to my \$9,000 per year) and I can't get an adjustment in my child support so that I can support my other children.

When the parents are together there is no existing guideline that parent should appropriate fund for their child care but when they are separated, the state force man to start paying unreasonable amount not even considering the condition of his life, whether he has new family or not.

The guidelines need to take into the consideration that the non-custodial parent needs money to life on.

The crooks in the so-called "Family Court" system and the Division of Child Support intentionally and ILLEGALLY inflate the non-custodial parent's (NCP) income as high as possible so they can increase the amount collected through their Federal subsidy of \$3.88 for every dollar that is collected through their CORRUPT system. This is why the CORRUPT "Family Court" systems are so intent on NOT granting JOINT CUSTODY in cases of separation or divorce. This would obviously reduce the amount of Federal reimbursement they receive! What a bunch of CORRUPT BASTARDS these moronic "court personnel" are.

Current guidelines support bickering between parents, treating the child as an "income item". Support should be looked at being given willingly by each parent. Better support is having both parents involved with the child's progress in school, church, community. Best option is to look at custody on a 50/50 basis and only in cases where it can be proven that a parent is unfit, or unwilling to participate, should it be adjusted. Parenting classes should be mandatory at time of divorce. Child support should include more than money. It should include the presence of the noncustodial parent, if not an unfit parent, somewhere approaching 50% of the child's available time.

The guidelines are heavily skewed against a parent who has been hit hard by the economy. There are lower paying jobs and commission only jobs and those are not looked upon favorably by the courts.

A parent with 25% custody wrongly pays child support for 100% time to other parent, yet gets no support for the 25% of the time when child is not with the primary custody parent. Violates the equal protection provision of the US constitution.

It does in some cases.

Only when calculated PROPERLY AND ACCORDING to guidelines AND all factors are taken into consideration I FEEL ATTORNEYS REPRESENTING "THE DEPARTMENT" OVERSTEP THEIR BOUNDARIES LOOKING FOR ADDITIONAL CUSTODIAL PARENT EXPENSES THAT MAY BE ADDED TO BOTTOM LINE

There are no objective standards for "child support." If the child(ren) are wards of the state, receiving public assistance, then the state has the right to recover from both parents equally. If not, the state should be statutorily prohibited from interfering with the family unit, whether it is intact, separated, or, divorced.

My ex wife makes almost \$20,000 more a year than me but I still am forced to send her \$13,000/year!

First, most cases would only be known for a judge or someone who deals with these matters on a daily basis and is somewhat subjective in nature. Second, the existing guidelines provide an unbalanced final determination and do not include necessary sustenance for both parties who will be responsible for some part of the child's care and upbringing over a large period of years.

Judges have too much discretion and there is not enough flexibility. The guidelines assume that all fathers have no intention of paying child support and all women are victims.

MY EX-HUSBAND WAS COURT ORDERED TO PAY \$1300 A MONTH CHILD SUPPORT TO ME SINCE HE ASKED FOR A DIVORCE DUE TO HIS ADULTERY, BASED ON A \$200K yr income. COURT AGREED TO IT. MY MANNY, WHO WAS NEVER MARRIED, was "court" ordered to pay over \$850 a month for 2 kids born out of wedlock, with No DNA, No Acknowledgement of Paternity, No compliance with ANY VA Code based on his UNVERIFIED DCSE-worker AFFIDAVIT under Notary, submitted to the court of his \$6/hr Wage. (92% GROSS Income Wage Garnishment). Paternity was "adjudicated" by a DCSE employee Statement, not ANY Va Law, and based on an application for "medicaid only" - NO child support creation, modification, or enforcement".

I am a custodial parent but I recognize that the guideline is too high in many cases. Among other things, the custodial parent gets all the tax benefits of custody and tax free income. At lower income levels, the custodial parent also gets a wide range of social service program benefits that need to be considered in deciding how much to require from the non-custodial parent who is often reduced to a much lower standard of living than the custodial parent. It's crazy that the current guideline often reduces the worker to a standard of living below that of the beneficiaries and it should not be a matter of the custodial parent having to exhibit "MERCY" to prevent that from happening .

I have to pay \$750 out of my disability check! My roof is caving in and I can't afford a car to make a 120 mile round trip

The circumstances involving my case were around false allegations where the case was eventually dismissed. On top of custody, I also have to pay alimony where there never has been an incentive for her to work. 3 months later it was discovered I have cancer and facing foreclosure. The guidelines should not be card blanche

Many judges do not follow this guideline and in some cases they put the payer below the poverty line. Supporting one's child is a must but one parent should not be profiting from this payment.

The fact that those obligations can be spent without any limitations is absolutely unacceptable.

Since child support is not based on which parent is the responsible parent, i.e. the parent who wants to keep the marriage together and have the children in question both raised by their biological or married parents the child support is almost always unfair. Beyond this, the guidelines do not give enough leeway or the many unique situations that parents find themselves in when one parent refuses to live with the other and forces a destruction of the family in no-fault divorce. There are common options of affecting child support like which parent pays for the medical care of the children, but there needs to be many more available options or situations in which child support is affected more by the uniqueness of the parent's and children's situation. Examples are school expenses, special needs expenses, vacation expenses, travel expenses, housing expenses for the children on their weekend visitation with the non-custodial parent. Examples of these expenses by the non-custodial parent must be factored in when determining the child-support amount the non-custodial parent will have to pay.

The existing guidelines need to be modified to produce results that create a more balanced approach. All too often the custodial parent gains a "windfall" of income and the noncustodial parent is left almost homeless or possible on the edge of jail.

Working in this field I see such a great disparity in child support obligations.

The entire amount should go to the child, not to support a government program that "handles" getting the money to the child. If the state stayed out of parenting the citizen's children, this whole process would no longer be necessary to support. The government should be stricter on both parents; the welfare mother/father should not be less obligated than the working mother/father should. In the case of down turn in the economy child support judgments should not be written in the judge's discretion, and should not take a miracle to reverse, why a judge involved in a parents American right to raise his or her child without government interference. If the mother is lazy and refuses to get out and help support their child instead of expecting welfare and the father to do it for him, the father should NOT be punished for the laziness of that mother. This program is biased, usually the mother gets it all, and the father gets the punishment. It is a wonder fathers are not in their children's life, the state of Virginia has taken that right away from them. Of course, all the fatherless children the VA family courts have created or caused provide later prison occupants, and this means Federal income each years.

There is No provision for any of the following: (1) ensuring that the children ever receive ANY benefit, direct or indirect, from the monies paid by the noncustodial parent (2) taking into account that there are alternatives to cash payments plus interest that can be of much greater benefit, financially and personally, for the children I have seen this happen in my family case and have heard of it as well from other people with credibility.

IF the current support guidelines were followed correctly, they would provide adequate support in the majority of cases. As a former employee of VA DCSE, my experience was that they are rarely applied correctly, especially by judges. In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Most everyone I know that pays child support according to the guidelines has extreme trouble meeting the payments. My case is the perfect example in that I am having to pay a third party, who makes \$100,000 a year with little to no expenditures, over \$550 a month for my son. I do not have any source of income. This is typical of the child support system. How is this appropriate?

Wrong....the cost of living differs greatly throughout Virginia.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Child support guidelines generally produce excessive child support obligations, which become more and more excessive as the incomes of the parties move from lower middle class to upper middle class to the wealthy. These excessive child support awards create an incentive to divorce and a strong incentive to limit the custody share of the non-custodial parent, generally the father.

The numbers are far too low.

They do not represent a fraction of what it costs someone to raise a child.

Usually not enough support.

In most cases the amount of child support does not address the real costs of food, clothing, shelter and activities for children.

Although the guidelines are fair for most, the fact that they do not consider housing costs of the parties may result in an unfair outcome ... i.e. two sets of parties with the same incomes but with a much higher housing expense for one of the custodial parents, may result in insufficient support for that party.

they're inflexible and do not address many of the family 'configurations' we presently encounter; not always gender neutral

The mandate that the custodial parent has to pay \$250.00 of the unreimbursed medical expenses prior to the percentage obligation applying should be stricken. This over extends the custodial parent that also pays for 100% of the the over-the-counter expenses, time off work to care for the child, gas to doctor appointments and more.

They are way too low on the high end of the scale. Those making over 100,000 pay a less proportion of their income in child support then those making under \$100,000. This is completely illogical. Those struggling get hammered. Those who can afford to do more or let off easy.

The guidelines generally provide sufficient support when the payor makes less than \$50,000.00. However, as the payor's gross income increases the guidelines do not result in a proportionately higher child support amount. Children should benefit proportionately when a payor earns more money.

I am not fully cognizant of the algorithm used to calculate support so can not fully determine if the present guidelines are appropriate.

At the lower income levels, I agree. As to the high income levels, I have heard the complaint that the guideline amount is veiled spousal support.

The current laws allow the court to set an appropriate child support amount.

I believe the guidelines are manipulated too frequently in order to pay the minimum amount without regard to the needs of the child.

In high income cases, the guidelines do not support the standard of living children in which the children lived prior to divorce. Support for shared custody cases needs to allocate expenses between children for clothing, camps and other out-of-pocket direct expenses for the children.

I believe that the guidelines generally work but that the court should have discretionary review in the interests of justice for unusual cases

The current guiedline amounts are too low. In the Northern Virginia area, where parental income frequently exceeds \$10,000.00 per month, the guideline amount to the custodial parent is particularly unfairly low.

The costs of raising children seem to outweigh the allowances the guidelines consider.

I think the base guideline amounts for one child are too low across the board. (I think the added amount for 2nd, 3rd, etc. child fairly accurately represents additional costs for each additional child if the base amount is raised.) I especially think the guidelines do a poor job in meeting actual costs in places like northern Virginia. There must be some multiplier added to state-wide guidelines for areas where basic cost of living is higher. Link multiplier to the delta in average rent for 3 bedroom apartment in locality or some similar adjustment.

1) In high income non-custodial parent cases, the guidelines are often very low comparatively speaking. 2) The guidelines do not account for all the unpaid time the custodial parent spends caring for the children. Focus is too much on requiring custodial parent to contribute as much as possible financially. Custodial parents are forced into working full-time when it would be better for the children to have more time with the custodial parent. Children are often left alone at inappropriate times and ages because the parent is receiving inadequate child support and must work more hours. 3) In shared/split custody situations, income disparity between the parents and the resulting low support given to one parent may force lower income parent to live in another less expensive neighborhood resulting in lengthy commutes between residences with detriment to the children's interaction with both parents.

The guidelines are severely skewed. It punishes middle income parents. A person making 50K pays almost 20% of their income whereas a person making 150K pays approximately 7%. There is an obvious inequality there.

The guideline amounts seem low compared to other jurisdictions in which I have experience. This is particularly true when using the 9th District reductions for marital debt which often is then not paid by the obligor. It also creates a disparity among citizens living in various areas with no real basis. Two co-workers making the same pay for the same employer could be subject to substantially different support obligations under very similar circumstances simply because one lives in a county in a different district.

I think some additional work needs to be done with regard to the portions of the guidelines statute dealing with the inclusion of "additional children." As it stands now, I think the code ends up causing child support payors to subsidize the additional (non-related) children of payees by increasing the support based on said children's presence in the payee's home.

The burden is clearly heavier on the lower middle class payor.

the cost of raising a child in Northern Virginia is higher than reflected in the guidelines

For low to moderate income non-custodial parents the guidelines often seem burdensome and require the parent to take a second job. As the non-cust parent's income increases beginning around \$75,000, the child support payment is easier to make. The lower income payor may have the same rent/mortgage pmt, the same car pmt, and the same food and gas expense, but for the low income payor, there is not as much left from whence to budget the support pmt. amounts are too low.

The guidelines appear to fair at the lower end of the scale but with higher income parents (both custodial and non-custodial, the amount of the award does not really cover the lifestyle the children are used to.

I think the split of medicals based on income before child support is shifted can seriously burden the higher-income paying parent. If, for example, a mother makes 10% of the "income" she only has to pay 10% of uncovered medicals, even if Father is paying very high child support based on phantom income such as unvested stock options, etc.

For middle class incomes, they are more appropriate than not. This is sometimes not the case with higher incomes (\$200,000+), especially in high cost of living areas such as Northern Virginia

Due to odd quirks in some circumstances Child Support can seem excessive, but in most circumstances within a reasonable range. Primary difficulty seems to be the widely varying cost of day care. Day care can be an excessive expense when it is compared to the income of the parties.

The straight inclusion of work-related childcare, regardless of how much income that childcare allows the custodial parent to generate sometimes operates to raise support to an exorbitant level, especially where the custodial parent has few expenses or is receiving outside financial support (i.e. living with parents, has someone else paying many of her living expenses, etc.)

Too low. Based on 1970's data.

Although the relative simplicity of the guidelines helps courts determine appropriate amounts in many instances, the fact that the amounts have not been adjusted for inflation since, I believe, the mid-1980s can leave custodial parents, particularly those who appear pro se and do not argue the deviation factors, at a disadvantage.

The average household income in NOVA is much higher than the top of the guidelines and that is not taken into consideration.

Not nearly enough for Fairfax County lifestyle of most people.

The cost of living is skyrocketing and the guidelines are not keeping in line.

I find that the amount is rarely enough and does not take into consideration children's activities, which are huge cost to parents, but also extremely beneficial to children. However, it is rarely worth the cost to seek a deviation for activity expense due to the upfront cost, chances of success and return, if any. Allowing for a higher amount due to reasonable activities would benefit kids that may have been able to do more while their parents were married, but now can't because one parent won't pay and the other can't afford it on their own.

In the area where I practice, Northern Virginia, the guidelines are woefully insufficient based on cost of living.

It is usually not enough money for my clients to afford the basics and there aren't good tools to force the non custodial parent to actually provide his employment information.

The guideline table has not been adjusted for inflation EVER, and over 28 years has passed since its inception. The guideline table needs to be updated to adjust for 28 years of inflation.

As we all recognize, or should recognize, it is virtually impossible to create a "one size fits all" guideline that will be equitable in "most" cases.

Living expenses are extremely high in Fairfax County and the current guidelines do not take this into consideration. A custodial parent with two children can not live in a 1 bedroom apartment. Housing, utilities, food, etc.. are much higher with children. By the way, the first question, "which best describes you" is a very unfair question. I am family law attorney and I am a mother.

does not consider living expenses of all types

the kids need a raise. Guidelines have not been changed since their inception in 1980

When I became unemployed and waiting on (still waiting) disability we became homeless. The Virginia Division of Child Support did not do one thing. They said there would be no change in the child support amt. I requested an address for him they said no. I asked them if I gave them a letter w/stamp if they would put his address on it and stick it in the mailbox. That way I would not see the address. Their answer was of course no.

It seems like they are fairly low in most of the cases that I have done.

Generally, I agree with this statement, though have observed that the guideline amounts for lower income families often require a higher percentage of income to be paid in child support than for higher income level families.

They are better than nothing, but what it costs to raise a child varies greatly depending on what part of the state you live in. I do not know how you can account for this unless you do like the government does with its employees who get a wage differential if they are sent to high cost areas.

Particularly in high income cases, the guidelines produce results that are low, especially compared with neighboring jurisdictions such as Maryland and DC.






Many times the guidelines are not sufficient to account for the average extracurricular activities that children do; courts do not tend to deviate and therefore, children are not allowed to continue with activities that they may otherwise have participated in.

I am not sure how to address this but there is a concern about the amount of expense for a child depending on the child's age----e.g. as a child ages extra-curricular activities. These expenses generally are the responsibility of the custodial parent notwithstanding deviation per 108.1.

I find that they are disproportionate. Low income earners seem to get hit harder than upper income. The over 10,000 per month percentages are absurd the guideline amount for the persons with income over \$10,000 seems too low

Total Number of Form Results: 289

2. Noncustodial parents should have an obligation to pay at least a minimum amount of child support regardless of their income.

Result	Responses	Percentage	Graph
Strongly Agree	98	33.9%	
Agree	73	25.2%	
Neutral	25	8.6%	
Disagree	48	16.6%	
Strongly Disagree	42	14.5%	

Total Number of Form Results: 289

Comments (2):

Absolutely.

Destitute parents cannot pay. They need help from social services.

Why? What are we trying to achieve with child support? The support of the child? Or the mandatory financial detriment of the noncustodial parent? To illustrate the point, take it to its furthest extreme. The rich, trust-fund-supported professional custodial parent versus the noncustodial parent with no training or education, who just got laid off from Walmart. Should that noncustodial parent have to pay \$65 a month? Most of the time, the noncustodial parent will have to pay something. But leave it to the discretion of the judge to allow \$0 support in the appropriate case.

This should be based 100% off of their income. Many cases, the payer has "in home" children. Also in many cases, the supported child has 2 supporters in home. Taking away from kids in one home to give to another, is not a valid solution.

SHOULD BE BASED AS A PERCENTAGE OF INCOME WHICH INCLUDES THE WOMANS ABILITY TO WORK (MOST WILL NOT WORK AND LIVE OFF THE CHILD SUPPORT AND THEIR NEW BOYFRIEND/HUSBAND) AND THE ABILITY FOR THE MAN TO SURVIVE FAIRLY.

If the money is not there it isn't there. my case the ex has made more than I have for the past 8 years and I am still expected to pay more. Even now with one daughter left to turn 18 she still only has to pay \$40 and I \$180 That is wrong. If you people actually want to be fair is base support check to check with a divorce decree as a rough not ever set in stone guide line. And the main issue that cries foul about this is for example: if I were to tell you starting the next day the IRS had the power to dictate your tax bracket and the only way to modify is with a court order. So it wouldn't matter if you were unemployed or not living up to their assumed income levels per say your education or previous work, because they say it should be that much and jail you if you don't pay. Now I know if you think about it not even custodial parents or you would put up with that. But in fact it happens every day in the USA. So i a nut shell you should take what is really available and rational not what you want, and graciously accept what they have to offer!

There is no logic in the question. If someone doesn't have any income how can you make someone pay a debt beyond their means. Child support has become a tool to harass, threaten, and intimidate good citizens, with consequences outlawed in the US Constitution. If, both parents have a duty to provide food, shelter, clothing, and medial attention for their children, so long as one does, even if the other doesn't, there is no violation. Further, if the government has not paid any support to care for a families children, then the government should be barred and without jurisdiction to iniate any action against a family. And, if any action is ever initiated, is shall only be a civil matter with no criminal sanctions whatsoever, unless in direct conflict with the US Constitution.

Any child support "owed" needs to be properly justified... Otherwise you are assessing a debt, without them being properly represented, which is a violation of their rights!

Any parent has the obligation to support a child they produce. The parent could have taken steps to avoid an unwanted pregnancy.

So called custodial parents should have this same obligation of allocating a portion of thier income to the needs of the children in the so called non custodial parent's home.

Pay whom? The mother? Each parent should pay some amount for the benefit of the child, but current VA child support laws do not require "child support" paid to the mother be spent on or invested on the child. Most mothers receiving "child support" are really getting disguised alimony. Everyone who has seen this system knows this.

Although I strongly agree with this statement, the number of non-custodial parents in this country needs to be greatly reduced. Shared parenting is in the best interest of not only the children, but also the entire country since children that have both parents heavily involved in their lives have a much higher chance of leading a successful life.

Should be case by case.

This should be dependent upon circumstances such as health issues or exceptional medical costs, physical handicaps, etc.

Actually the uninterested non-custodial parent should have the right to 'abort' their interest in an unwanted child, just as mothers have the right to abort, adopt out, or to just abandon their children without accountability to hospitals, fire stations, etc....

I personally know many non-custodial parents who live well below the federal poverty income guidelines and cannot afford to pay any amount in child support without sacrificing their physical needs and/or the needs of subsequent children/family.

No parent custodial or non should have to live in poverty to pay a set amount of child support and not have their income taken into account. How would a mother/father be able to have their visitation if their child support obligation put them on the street?

This would totally discount the fact that many fathers can only find part time jobs that pay minimal. With a minimum you will constantly be putting them in jail. No flexibility.

Means testing is needed. Many custodial parents are not poor and as this program is organized under welfare, requiring payments from parents of limited means to those more well off is not appropriate or justifiable.

Eliminate noncustodial parents... Joint Physical Custody. In the event the other parent is prevented from involvement with his children. Then a basic small percentage of income. And lets pry into her finances and living arrangements. Again, joint physical custody would solve this

Stop making ambiguous statements like this. First thing is when a women or man files for divorce....there can be NO WINNER! Unless agreed upon otherwise, issues like the house being sold have to be dealt with. Everything has to be split including the children. Then, if the mother doesn't work...guess what? Well if she wants a divorce, she needs to get a job. If she can't afford the kids, then the kids can go with the father. But the courts don't like this because they'll get less federal matching money from a mother working at Wendy's. But honestly, what is best for the kids and what is fair to the parents...both mother AND FATHER.

What is the penalty for breaking the vow and contract of marriage? Most divorces are initiated by women.

What is the penalty for breaking the vow and contract of marriage? Most divorces are initiated by women.

Noncustodial keep own money. raise children simple

if the noncustodial parent cant afford to live off there wages how can they be expected to live off of less.

No one is denying that NCP ought to contribute, the bone of contention is the amount.

As a noncustodial parent I feel child support should be based on amount of income and the number of people living in the home. In my home there are 5 people, including me and my wife, and there's not enough money to barely support our children after I pay child support.

I believe in equal shared custody and this should be first thing the Court will set till the mother give reasons why the father should have "visitation". I actually hate the word visitation because it is not parenting. I agree in providing for the children. When shared custody is established, both parents will be able to provide for the children while in their custody. The case where the mother is seeing the father as the source of income must stop.

Jailing a non-custodial parent takes away employment in many cases. There should have to be a minimum threshold of income before child support payments are required. The non-custodial parent has to be able to put food in his/her mouth and a roof over his/her head in order to maintain employment to pay the child support.

Yes, as long as they are not legally destitute.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

NCP's still need to be able to support themselves so requiring a person to be in debt with the possibility of being imprisoned because they are poor is not just a travesty to our society but is immoral and should be illegal.

Custodial parents receive significant money from other government sources in addition to their earned income, if any. A "fit" non-custodial parent will provide monetary support generally along with any signifant time allowed to be spent with his child.

Rather divorce law should presume that joint custody exists (physical and legal) unless clear evidence exists (not mere allegations) of child neglect or abuse. Given that maxim, then support should be calculated according to a percentage of actual income rather than potential income, but fixed to a maximum benchmark that reflects actual cost-of-living.

I have been trying to do this and have been jailed twice because of it. I want to pay something but cannot afford the full amount because no one will allow the support to be modified.

Save when said parent is incapacitated or in jail and not working.

same as above

The answer to this question on the surface is obvious, but in cases of deceit, or demand of divorce on arbitrary grounds of unreconcilable differences, the reasoning in favor of this view should be rejected.

There should also be a maximum of no more than 40%. Fathers need to be able to afford to live.

BOTH Biological Parents (Voluntary Parenthood - not in cases of rape by either gender, nor when one TERMINATES or WAIVES all Parental Rights, or ASSIGNS all Parental Rights to the state, to adoptive, or Guardianship) should be EACH 50% LIABLE for the STANDARD Welfare Rate of COSTS for Food, Shelter, and Clothing for each VERIFIED child. If a Biological Parent is Denied 50% ACCESS/ Parenting Time to any child, their financial obligation is REDUCED ONLY IF the other parent requires PROVEN, VALIDATED Public Assistance, upon which the state may enter into a database for debt repayment TO THE STATE.

The guidelines should be based on income being earned and modified based on noncustodial parents income. Today's economic and job market conditions justify a need for modification

"regardless of income" ??? What a foolish and extreme question. Don't we have enough homeless people already? Do you really want to drive still more people underground???? For a non-custodial parent living in a homeless shelter and trying to become self-sufficient, you would slap them down and say, "Don't bother trying" ??? For a prisoner who obviously has no ability to pay, you would build up arrearages and, after their release from one prison, threaten them with debtor's prison ???

It should be the like the same minimal amount other poor parents have to pay rent, child care, etc...

Due to false allegations, my standard of living has been changed overnight. Children continue to stay with a mother that sleeps and drinks a lot. To put a minimum on someone when they can't pay for their own care and well-being is another slap in the face

Noncustodial are responsible to help raise their child, but not at living below the poverty level. Nor should the custodial parent use this support to better themselves and use the excuse of how it is to help the child.

I would consider supporting it but only if the receipt and the burden of proving that the amount is necessary for the child and the burden of proving by receipts that this is what the amount was spent on. Also, no taxation without representation. The paying parent has to be allowed visitations unless specifically forbidden by the judge specifically with the burden of clearly justifying any such decision was on the judge (rebuttable presumption that both parents have equal time with the child).

Are these parents supposed to be homeless?

As long as a basic structure is set up that creates a more balanced position for the child.

Support of a child comes in more than just monetary forms. The state should do more to ensure that every fit and loving parent has equal access to their child. Financial support is just one component, but the current child support system is throwing more NCPs into poverty, leaving many unable to retain adequate housing for themselves. How is it in the child's best interest to see their father throw into abject poverty? BOTH parents have an emotional, physical and financial responsibility to their child and the court should ensure that ALL 3 are being met. If an NCP wants nothing to do with the physical or emotional well being of their child then yes, they should be required to pay more in financial child support, but if a parent WANTS to be equally involved with their child emotionally and physically and the court "awards" the child (nice term by the way...the child becomes an "award"...) to one parent over the objections of the other parent, the other parent should not be penalized financially by being required to pay more in support.

WWJD

Equally, with the custodial parent right? The custodial parent should support their child equally. The mother/father should work to support just like the noncustodial parent. How many of these custodial parents have been handpicked as idiots raising children to become federally funded prisoners? The family court rulings are biased especially with those parents who cannot afford to pay a lawyer thousands of dollars, especially on the father's side of that battle. Has anyone ever officially watched our court system and how often the ruling is gendered biased, I have, and the numbers are higher with those mothers with multiple children on welfare, a group who seems to be blindly taking the system for a ride, and our children (or grandchildren) are suffering because of that process.

If someone can genuinely demonstrate that through illness, disability, or other factors, they are unable - in spite of clear evidence of willingness and efforts - to obtain work, they should absolutely not be forced to pay, or charged with paying, and threatened with contempt of court (etc.), amounts that are impossible for them to pay. Moreover, there should not be anything remotely close to "implied ability to earn comparable income levels" - e.g., as has been done at least by judges and DCSE in Henrico County, claiming that because a father was at one point earning sufficient income (ten years earlier, in a totally different age and economic era) to warrant \$X per month by the statutory payment guidelines, that he should be earning the same amount and thus paying the same \$X per month. This has happened to me, personally, and I believe also to others.

Those living below the poverty line should not be required to pay. In return, they can "support" their children through other means like keeping them.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Children have become a huge money maker for a great many people. How we, as a society, can say that a parent must pay money monthly for their child is silly. Parents who have their children are not required to pay money monthly for their children so why should parents who do not have custody of their children have to pay? It gives an incentive for people to get pregnant and for married people to get divorced so that they can collect a monthly paycheck.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

The default should be equal parenting time, unless the parents agree otherwise, not a minimum amount of child support. Parenting time is significantly more important to child development than child support payments that may or may not actually benefit the child. Overly burdensome child support drives a wedge between the child and the non-custodial parent and is the single most significant factor in non-payment of child support and non-participation by the non-custodial parent. With equal parenting, every parent, irrespective of income, can parent their own children using whatever income they have, without creating potentially crushing child support obligations and the unintended consequences thereof. Under an equal parenting scenario, child support would only be awarded to balance the child support funds available to the two parents.

Both parents should provide for the support of children even if the amount is "token."

Every parent should provide support no matter what.

A custodial parent never has this option. If they choose not to spend money on the child --the child starves to death, becomes ill or becomes homeless and the custodial parent is up for felony abuse. So if the custodial parent does not support it is criminal, if non-custodial parents do not pay it is OK? Treating non-custodial parent any different and allowing them to not pay any support is an equal protection problem. Parents would not be treated the same.

In the State of Washington, a parent who receives TANF can have a small part of his TANF grant attached to pay child support. Everyone regardless of their circumstances has a duty to support their children.

If this requirement were not in place, I believe that some parents would intentionally not work to avoid supporting their children

Each individual case is different, and the division of custody and the incomes of the parties is more important than the label of custodial and non-custodial. For instance, in a case where a "custodial" parent who makes three times as much as a "non-custodial" parent who exercises 1/3 of the custodial time, the "custodial" parent should not receive payments from the "non-custodial" parent. Such an order would not be in the children's best interest due to financial strain it would place on the "non-custodial" parent.

In today's economy the unemployed face criminal convictions due in part to circumstances beyond their control. However, we have already created a society of entitlements so this must be handled in relation to employability.

There is no provision for parents who have split custody of two or more children AND shared custody of one or more children.

Some judges seem too sympathetic to a non-custodial who take a pay cut , early retirement, unemployed & not looking, and don't impute income.

I am a noncustodial parent, but also a family law attorney for eleven years in Virginia Beach. I have defended cases in which the noncustodial parent loses his/her job. After the initial shock, a motion to decrease is filed. By the time the custodial parent is served, several months have passed. As the law stands now, those several months at the previous amount put the noncustodial parent in a huge bind. If child support is awarded from the date of filing, then a reduction should be awarded from the date of filing as well.

Anything else encourages unemployed noncustodial parents. \$65.00 per month is too low.

Often, unemployed or disabled noncustodial parents are completely without the means to pay support through no fault of their own. By imposing a minimum amount child support obligation on these parents, the state is exacerbating their financial hardships and insuring they will accrue additional debt.

i disagree b/c my case# 3462860,was unfairly adjusted b/c the non custodial got tired of paying \$422 he got his hours decreased at work so that his support would be lowered,then he got fired started collecting unemployment & the order got dropped to \$187/mth which he now acts as if it is too much & owes back pay in child support over \$10,000.How will he take care of back pay & he can't even pay the current support order plus arrears??

If the non-custodial parent is not voluntarily unemployed, and has no assets to draw from, he/she cannot pay. The only result to order support payments anyhow will be to drive that parent deeper into (non-dischargeable) debt. A parent who has a strong connection with a county other than the US may chose to just leave, leaving the child not only without support, but also without contact to that parent.

I prefer the amount to be specific to the financial ability to pay of the parent, cost of living, etc. If there is a minimum it should be based on minimum wage unless the parent has a documented disability.

Certainly not if the CP's income is much greater than the income of the NCP, and the NCP's income is at or near poverty level.

There needs to be some avenue to help parents when they are out of work, such as an abatement so long as certain conditions are met. For example, person is out of a job for 6 months. During the 6 months, no actual child support needs to be paid, but once the parent secures employment, they must pay an additional amount to fray the cost of the child support when they were unemployed.

Anyone can come up with \$65 a month-that's about \$2.16 a day. It is easy to pick up that amount of aluminum cans or other metal and get paid to recycle.

Yes, they should be made to pay something. It took both of them to have or adopt their children. It is not fair to put everything on the one person who actually love their children and stick with them.






I think that in some situations a noncustodial parent should not have to pay current support. For example, someone who has applied for SSI and has no income should not be required to pay support while the case is pending. At a minimum, the order should make clear that the non-custodial parent should not be charged interest and should not be allowed to be show caused while case is pending.

I agree, but believe that the guidelines should be modified to account for payments that benefit the children, but may not be payable directly as child support. Mortgage payments allowing the custodial parent to remain in the marital residence may be an example.

There are exceptions to every rule. Thus, it should be a presumption not an absolute mandate wherein a court has no discretion.

Total Number of Form Results: 289

3. At a specifically determined level of income, a noncustodial parent should not be required to pay any child support.

Result	Responses	Percentage	Graph
Strongly Agree	34	11.7%	
Agree	41	14.1%	
Neutral	24	8.3%	
Disagree	96	33.2%	
Strongly Disagree	90	31.1%	

Total Number of Form Results: 289

Comments (3):

Destitute is destitute.

See my comment to #2, above. What about the case where both parents are untrained and uneducated and both just got laid off from Walmart? In that case, I can see the noncustodial parent being expected to make some sort of contribution. Leave it to the discretion of the judge. That is what they are there for. If judgments were not necessary on these issues, then we wouldn't need judges. We could just put a black robe on a calculator and set it on the bench. Parents have an obligation to support their children.

SHOULD HAVE SOME RESPONSIBILITY, AGAIN IN FAIRNESS TO ALL PARTIES INVOLVED

I think it depends more on a persons disposable income, and other none money ways of support that are just as important and more beneficial in the long run.

A non custodial parent needs the ability to live at a proportionally equivalent standard of living to the custodial parent. Guidelines need to be based on economic data not arbitrary percentages.

There should be no requirement to pay support at any amount of income.

Child support should not be based on income, nor custody!

I don't think it is right for someone to become pregnant on perpose for the sole plan of collecting money. I feel that is a good reason for the other parent to have custody unless they don't want it. They should still pay an amount to help the child.

One must be left with enough money to support themselves before they should be asked to support anyone else.

As previously stated, parents that refuse to raise their children should pay their support no matter their income.

Depends on what the custodial parents income is.

If someone is making an income, they should be obligated by some amount to assist support their children

The needs of subsequent children should be a consideration as to the specific determined income level of non-custodial parents.

There should never be an excuse for not paying, you child is your responsibility and there is always a way to support them in every way even financially.

I do not agree with jail time if not paid though!

Joint physical custody

NO! YOu need to figure out per family what those children cost. You CANNOT Arbitrarily pre determine what those kids cost. When you do this, corrupt governments will set these standards high like they do so they can get the federal matching funds. The yard stick needs to be based family for family and not by some bean counter sitting at a desk in Washington or the state capital who sets the bar high so get those matching federal funds.

The word "custody" is outmoded and should be changed to "parenting."

Parenting and love are what's important, not money.

The word "custody" is outmoded and should be changed to "parenting."

Parenting and love are what's important, not money.

never child exstortion. keep wallet raise childern

If a noncustodial parent is allowed to include other people are in the house, specifically other children in need of support, and they do not have enough income to support their everyday family then they should not be forced to pay child support for children that are being supported by another person.

Specifically if the custodial parent has remarried and the new spouses income is greater than the custodial and noncustodial parents income.

Because just like it is when one is at specifically determined level of income, the person become entitled to welfare or government assistance. If the mother can receive assistance because of her low income, why is the father be asked to pay child support when he cannot even provide for himself. If there were to be together, the state government will be supporting them through welfare. Come on.

This is correct. If an executive happens to earn \$500,000 annually, why is it considered "below standard" if the custodial parent (NOT the child) doesn't receive more than a reasonable amount of "child support?" How much does it take to really "support" the child anyway? Is \$500 enough?, \$750? \$1,000? How much does it really take to provide food, clothing and shelter for a child assuming that the "custodial parent" is not a deadbeat, and is actually earning an income themselves?

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

There should be an established reasonable maximum based on actual income; NOT BASED ON WHAT A PERSON SHOULD BE CAPABLE OF MAKING. This maximum should take into consideration other children the noncustodial parent must support. No individual should be deprived of his personal capability to live and work just to satisfy child support requirements.

NCP's still have a responsibility to their children.

SUPPORT IS IMPORTANT AND NECESSARY! THE SAD THING IS THE COURTS CAN BE SWAYED TO INCREASE SUPPORT WHEN INFLUENCED BY "THE DEPARTMENT" WHEN "THE DEPARTMENT" TAKES UP THE ROLE OF ACTING ON BEHALF OF THE CUSTODIAL PARENT

This question contains an assumption that the state has the right to determine these issues. If the state is supporting the child(ren), then it has an "interest" in recovering the support.

Again, I would reference my answer in question number 2. The assumption in this case/question is that a floor income level be set. It depends on the reasons for the divorce. Divorce for the sake of gaining income for the winning custodial party supports the defeat of the purpose of "the best interests of the child".

A child needs a parent more than they need their parents money. If a parent can no longer afford to live in the area based on their income, the children lose the income and the parent.

EACH Biological Parent must PAY 50% of COSTS of food, shelter, clothing. If one parent Assigns their Rights to the state, the child's custody must be transferred to other Parent immediately. If BOTH Parents Assign Rights to state, the child becomes Ward of State for Full Child Support, upon which each parent is on the hook for 50% each to REPAY THE STATE.

This is a badly written question. Whose income? What level? If you mean that there is some level of custodial parent income at which it becomes foolish to require any transfer payment from a lower earning non-custodian, I agree. If you mean that there is some level of "self-support reserve" for the non-custodian that ought to be exempt from being taken away, I also agree.

Unfortunately some have been incarcerated so the system doubles on itself when a license is revoked. Usually the custodial parent knows these troubles, yet has a child with the person anyway.

If a person cannot care for themselves, how can they be any good for the children. The courts are slanted to providing custody to a mother, irregardless of the care they receive from her. There are such minimum number of standards for a mother to receive custody regardless of how hard a father fights for the children. And fighting just adds more to the monetary amount paid to the lawyers. It depends on why they can not pay some support.

See above answer.

This allows this parent to put his limited income towards housing and transportation he needs for his job and picking up his children and housing them during his visitation weekends.

If both parents are making similar income, then no award of support should be paid from one parent to the other simply because EACH parent MUST maintain a household for themselves and the child. I do agree that the parents should split the costs for any medical insurance as well as co-payments and deductibles AND split the cost of any reasonable and necessary work related child care expenses. Child care should be utilized ONLY when neither parent is able to take care of the child. I can clearly show you using the guideline calculator the unfairness of the guidelines using the parents combined gross monthly income. Once the combined income is calculated the number that pops up is the "theoretical" amount it takes to raise this couples child based on their combined income alone. Heres the thing...if either parent loses their job, the combined income is lower which in turn means that the "theoretical" amount it takes to raise their child is lower too. Realistically it does not cost less to raise a child if there is less money coming in and it does not cost more money to raise a child if either parent gets a raise. But the current guidelines suggest this and it is wrong.

The poor should not be on the same slide as the rich but the poor see, to be the target of biased judgments; I have seen a judge refuse testimony because she did not like the father in the case. The same judge that refused to return a child to his homosexual mother in the 1980's or 1990's, she still has a job. The case I am involved in personally the father is working and going to school, and the mother is on welfare, never ever worked three kids (three dads), and the father is asked to get three jobs to pay the child support, but she is not asked the same. The gender bias proves the backwardness of this state, how it ignores the rights of those residing within her borders, and seems to be unimportant for any organization to look into. Those organizations will however step up and help some kid named Banana man, or African American workers who have been told that there will be an internal inventory and those who are not doing his or her job will be let go, hello if you are doing your job you have nothing to worry about! Most importantly, who decides the specific level of income, and how is it

legal for the poor to be asked to pay more than he or she can afford. Why is child support enforcement involved in the parenting of our children anyway? When did we sign over our American constitutional rights just to live in this state, I certainly do not recall doing so.

This is particularly the case, or should be, when the custodial parent has, for instance (in my case) a combined income with her husband of over \$200,000 per year, no extenuating or unusual expenses, and both "children" are Over the Age of Twenty-One (21) (mine are 22 and 26). She still has DCSE and Henrico JDR affirming, carte blanche, her demands for additional child support, without any objections.

See 2.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

The question is confusing in that it does not specify if that determined level of income is high or low.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See equal parenting discussion above. Under an equal parenting scenario, child support would rarely need to be awarded. Under equal parenting, child support would only be awarded to balance the child support funds available to the two parents up to a minimum level necessary to raise the child. If both parents earn similar incomes or both parents earn incomes at some level above the poverty level (such as 3x) then no child support would be needed or awarded, and each parent would support the child during their custody time using their own resources. Child support awards should not be used to balance incomes or lifestyles or to redistribute wealth beyond what is minimally required to raise the child considering the incomes of the parents.

This would encourage noncustodial parents to not work.

If they're going to breed, they need to be able to support the outcome

See above. At any income level a custodial parent still has to pay daily. I can not believe this is a serious question. Disabled custodial parents pay daily, unemployed custodial parents pay daily--they have to.

This may be a reason to not send someone to jail for not paying support, but the child still needs money. I beleive that such a move would harm children.

I think a parent should be financially responsible for child. But if the parent has a long term problem (has been unemployed for years, is living in a shelter), then I think the noncustodial parent should not be obligated. I think the level of income is important in this determination, but the length of time that the parent has had that level of income is important too, as well as the reasons why the income is so low.

I think a parent should always be required to support their child(ren) even if the amount they pay is small

By doing this you just create another incentive to be under-employed. Visit a low income J&DR courtroom and the case is made against this.

While I agree to this in principle, some safe guards must be in place to prevent those who work under the table or otherwise hide income from dodging their responsibility. They should be required to apply for a set number of jobs per week and take employment offered if it exceeds their current income. A simple form to file with the clerk or DSCE each week showing those efforts should be required.

SSI noncustodial parents only.

an unconscionable proposal

This depends on the disparity of income between the parties. It makes no sense to me to require a noncustodial parent to pay when the custodial parent makes \$250,000 a year and he/she makes \$20,000 a year.

Income level needs to be considered with other factors such as disability, etc. The current minimum of \$65 a month is so low that I cannot think of many circumstances under which a person should not pay at least that much.

There should be a self-support reserve built into the guidelines for both the custodial and the non-custodial parent.

it dont matter what the non custodial parents income look like,the child is with the custodial & with the way the economy is it is hard to take care of yourself & a child with out the full support of the non custodial parent

See my comment to #2, cutting off at the bottom for de minimis amounts of income, IF there are no significant assets to draw from.

Unless the parent is of not of sound mind and/or body and therefore has a potential to earn he or she should be required to pay support.

I think it is important for parents to take ownership of their actions in creating a child.

Such determination should be by comparison of the NCP and CPO incomes.

See comment above.

The children belong to both parents, regardless of the NCP's income. NCP's need to share the burden of the cost of raising children. Children are entitled to food clothing and shelter.

I believe that every noncustodial parent should have to pay child support. That person should be held responsible for providing for their children.

I agree with DCSE's approach not to go after people who receive SSI income.

See comment above

The exclusions currently set forth at sec. 20-108.2(B) are sufficient to provide an exception for noncustodial parents in truly necessitous circumstances. An income test is an invitation to work "under the table" and lie to the court about earnings. Such a test would surely be abused.

Total Number of Form Results: 289

4. The guidelines amount should leave low-income noncustodial parents with a self-support reserve - that is, sufficient income after paying the guidelines amount such that they can live at a subsistence level.

Result	Responses	Percentage	Graph
Strongly Agree	89	30.7%	<div></div>
Agree	100	34.6%	<div></div>
Neutral	43	14.8%	<div></div>
Disagree	33	11.4%	<div></div>
Strongly Disagree	21	7.2%	<div></div>

Total Number of Form Results: 289

Comments (4):

Of course. Reducing a parent to poverty to meet child support guidelines is shortsighted. Once impoverished is is much harder to better oneself than before. This is the proper approach.

I do agree with this. Over and over again, I have seen frantic, desperate noncustodial parents asking in bewilderment, "How am I supposed to eat? How can I pay my rent?" And judges responding, because they have to, "You don't eat until your child support is paid." Not very realistic. And the result of it is that many of these people just give up. At least if they are in jail, they will be fed. It seems to me to be better for the custodial parent to get something, rather than nothing. The negative aspect to a minimum self-support reserve is that there would be those who would earn up to that level & stop, to avoid paying support. To avoid that outcome to the extent possible, there would need to be a sliding scale of percentage payable to child support above the minimum self - support level, so there would be personal incentive for the noncustodial parent to make more money.

caveat - if being supported by a spouse or other family member - if decrease is allowed the child support should be paid - because the CP parent has to care for the child - with or without support from the NCP or goes on State funded programs - etc or the CP works so many hours to survive the child is not "parented" at all....

I agree that everyone needs to be able to live at least at a subsistence level. However, people who bring children into this world have an obligation to support them.

WITHIN REASON, SOMEONE CLAIMING A CERTAIN AMOUNT OF INCOME BUT IN REALITY HAVING MUCH HIGHER MIGHT BEAT THAT SYSTEM.

there are men out there sleeping in their cars and you wonder why there is so much abuse in relationships

A non custodial parent needs the ability to live at a proportionally equivalent standard of living to the custodial parent. Guidelines need to be based on economic data not arbitrary percentages.

All Child Support Guidelines should be abolished. Courts have long established the parents' rights to their children are paramount and sovereign, especially over any government involvement. So, start here to abolish guidelines, allow parents to make all decisions for their family, and concentrate on more severe matters facing our country today, like middle eastern foreign nationals taking over all our businesses in America. Parents should have complete control on how they spend their resources.

There is NO ethical reason to justify making a child support order that leaves a Parent "broke"; It is unethical, unjust, uncalled for, and flat out discriminatory!

I think that no matter if they are low-income or wealthy, no one should be forced into bankruptcy to support a child.

But added to this amount would be the necessities of the children while the children are in the so called non custodial parents care. Someone at this level of income may very well need the child support to flow from the so called custodial parent to the so called noncustodial parent in order to insure that the children's needs are met.

We are only contributing to the economic problems in this country by making one parent so poor that they cannot even live a productive life of their own and by handing down support orders that create this scenario we are basically stripping the child of one parent since that parent will not have the means to even have a consistent place of residence to help raise the child.

And this isn't common sense?

"Self-support reserve" is the key. States ignore the self-support reserve and most CSE agents NEVER use the term or even know what self-support reserve is. Federal guidelines for CS are ignored completely by states. States main objective is more federal incentive dollars. For each dollar a non-custodial pays in FL the state gets matching matching grants, dollar for dollar + 5% of total paid by non-custodial parent....Pretty good scam!

The needs of subsequent children should be a consideration as to the specific determined income level of non-custodial parents.

I agree with this as long at the support is something that will actually support your children.

How would you get CS from a guy that can't buy groceries.

joint physical custody

YOU SHOULDN'T, but if you are going continue these corrupt practices of abductnig children from their fathers, then charging them ridiculouse chid support to get the federal matching funds, then there should be a cut off point. A bar that you can't go below so that you are not harming the father because his wife cheated on him, filed for divorce, took the kids, and now the state can makes some money out of this deal with CS.

off my back no guidelines raise childern simple

Very bad phrasing of this question. Are you saying that the guideline does now, or the guideling should be made to leave...

The custodial parent shouldn't get to live the high life while the noncustodial parent is barely making rent and not able to afford grocery's

This ties into question 3, and as such my comment for question 3 is the same for this one.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

The term "subsistence" is unacceptable. It requires better definition. It leaves too much room for a judge to use his own judgment, which in the current age and with current precedents, leaves a noncustodial parent homeless, workless, without transportation and without a life.

The guidelines amount should leave low-income noncustodial parents with a self-support reserve - that is, sufficient income BEFORE paying the guidelines amount such that they can live at a REASONABLE level.

60% of my wages were garnished and I was not left with enough to pay my own bills, not including food. How is that helping?

Put should still pay something.

IT WOULD HURT THE CHILDREN IN SUCH CASES IF THE NON CUSTODIAL PARENT WERE REDUCED TO LIVING IN THEIR CAR (in extreme cases) Not taking this into consideration handicaps the non custodial parent. This is a no brainer

Both parties should be allowed to live in the ways in which they were accustomed before the marriage and/or before the divorce. One or other party should not be put into poverty for the benefit of the other party. The child suffers in this scenario seeing the punishment that one parent must go through for the benefit of and to the other parent, with slight benefit to the child, depending somewhat on the age of the child.

ABSOLUTELY. I am paying 65% of my income and can no longer afford to live in Fairfax County. As a result, I no longer see my children.

BOTH PARENTS MUST BE TREATED EQUALLY, WHICH IS CURRENTLY MISSING IN ALL NON-WED, UN-WED, NEVER CONTRACTUALLY OBLIGATED PARENTHOOD CASES.

Failure to allow a self-support reserve only drives people into the underground economy.

Thats why people dont' pay. Its too high in the beginning. Then, it adds up, plus interest... licenses are revoked, its hard to find anything at that point, and now the person is literally living in fear and paralyzed to do anything

Children will remember their parents at the time of divorce and leaving another destitute is simply not fair. I have a coworker who was living in the back of a pick-up truck after his divorce. What kind of impression is left with his children after that occurred. I also know of a ex-spouse that was granted all of the disability which left the father poverty stricken. And proof of a nice home is where she lived for years after the children were older, where she could work

Not just low income noncustodial, but what income the noncustodial parent truly has. This payment need to include all other payments the judge has ordered the noncustodial to pay as well. Far to many times the noncustodial parent ends up renting a room and live below the poverty level to pay everything ordered of them.

See above.

This question is stupid or non-nonsensical. Any payment for child support should be determined after the self-support reserve is determined and subtracted from the payment amount.

Currently the lowest amount a parent in Virginia is ordered to pay is \$65.00 per month...regardless of whether that person is incarcerated or homeless and jobless. This of course sets that parent up for failure. If an NCP cannot pay whatever amount is ordered, even if that amount is patently unfair to the NCP, then he (sometimes she...although women are treated much more gently when they are the NCP...proven fact) runs the very real risk of losing his license and/or going to jail. Somebody please explain how it is in the child's best interest to see ANY parent forced into poverty or going to jail over child support. Many of these parents are loving caring parents who simply are overstretched. Why not help these parents especially the ones who are clearly trying.

Every human being deserves more than subsistence.

I support my son, he works five days a week, goes to school, and takes care of household chores, and lives in my home because he cannot afford to live in his own place, and his son does not even get all the money they steal from him. He cannot see his child because his baby's mom does not like his grandparents, something she tells him while we listen on the phone, but seemingly the better parent according to the state and in the best interest of the child. As if he can afford to take her, back to court, so who suffers the child. This is something that seems to occur across the board regardless of income level, fathers paying child support at the rate before he lost his job. He is required to continue paying thousands in child support (or threatened with going to jail), and maintain two homes, while the mother does nothing, but take him back to court. Forget reversing a court ordered child support payment, the judge seems to be unable to do this, for whatever reason, has anyone done any research on this treatment? Why is the mother not threatened for not providing half the support?

Absolutely. What are persons supposed to do? Live in the street? I am essentially homeless and without ANY assets - my last paycheck which was for a temp job went 100% to pay "arrearage interest" which continues, in spite of uncredited payments made to my children's colleges for their tuition because there was at the time no way to transfer the funds in time via DCSE. But the main point is simple - people need to be able to at least have a roof over their heads and to eat and to be Able to go to Work!

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Is this a serious question? Do we really feel that a low-income noncustodial parent should not be able to survive in order to pay a monthly bill set by the state? Seriously? No person should be deprived of their ability to survive in order to pay a tax decided by the state.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default unless the parents agree otherwise. Under equal parenting, each parent's contribution to parenting the child is maximized, while preserving each parent's resources and eliminating potentially overly burdensome child support awards. Parenting would continue to the best of each parent's ability considering physical, emotional, and financial support.

When do the questions turn toward the best interest of the child and not how to baby and hand hold parents who bring kids into the world and do not support them? The emphasis is misplaced.

If the non-custodial parent is voluntarily under- or unemployed as definted by statutory and decisional law, a self-support reserve should not be a consideration.

Who is providing the reserve for the children? Even 25 cents can buy a pencil. People need to be responsible for the children they bring into the world. Children's needs should come first.

I believe that each parent should have some roll in supporting their child even if it is small, but the parent should also be able to have a living of their own. It need not be a lavish living.

But this is a pretty low reserve in my mind. While it may sound harsh, people that cannot afford to support their children should not have children. It should not be my responsibility as a tax payer, and if child support laws were stronger, enforced more widely, maybe people would think twice before carelessly having children. (I am not talking about parents or families that have temporarily suffered loss or tragedy that need assistance getting back on their/his/her feet, but rather the countless adults that do not think twice about preventing the conception/birth of children they do not want and have no intention of providing for.)

However, the needs of the children and the custodial parents' income should to be considered as well. What if the custodial parent has no income in such a situation? Then the non-custodial parent definitely should pay support.

I will rarely view subsistance to include \$100 shoes, large TV's, or expensive cars.

There is some merit here, but then a child suffers.

This factor was used in Connecticut child support guidelines in the 1980's and in practical application the amount of money the parent was left with really wasn't of a subsistence level. The focus in child support should be on the child not the obligor or parent.

Provided that the CP's income is sufficient.

If that means no child support then I disagree. The parent had a choice whether to engage in child producing behavior. The child had no choice but is here. There has to be some contribution to support, no matter what the parent's income or circumstances.

the lowest amount on the guidelines is \$65 a month. NCP's need to pay that amount

I believe they should be able to eat, and cloth themselves within reason. I think that the Child Support Division should be 100% positive on the income the noncustodial parent is making. Regarding my case, he has lied time and time again and nothing was done.

At low incomes, the current guidlines already leae a reserved in effect, as the child support is so low.

They had the child, it is their responsibility to support the child regardless of their situation.

The panel should consider basing the guidelines on take-home pay (i.e., after allowing reasonable and customary deductions for taxes and social security at various income levels). The panel should also consider regional differences in the cost of living, either by incorporating those differences in the guidelines, or by making such differences an explicit deviation factor.

Total Number of Form Results: 289

5. There should be an increase in the \$65 per month minimum child support obligation.

Result	Responses	Percentage	Graph
Strongly Agree	54	18.6%	<div></div>
Agree	68	23.5%	<div></div>
Neutral	54	18.6%	<div></div>
Disagree	52	17.9%	<div></div>
Strongly Disagree	58	20.0%	<div></div>

Total Number of Form Results: 289

Comments (5):

Situations are so varied that blanket type rules take away flexibility to properly address situations. DCSE's role should be to collect and distribute child support. Anything beyond the most basic guidelines are properly addressed by a court where all factors can be properly resolved DCSE does not have the means or abilities to substitute for a courtroom.

Destitute parents cannot pay the current amount.

\$65 per month barely provides for a pair of sneakers.

Where is that supposed to come from have you checked your ruling body at <http://www.acf.hhs.gov/> because if you haven't you will be in violation of federal mandate. Of course if states do that they should be liable for providing paid child support rebates on non custodial taxes.

Child Support needs to be based on a realistic ability to pay. Guidelines need to be based on economic data not arbitrary percentages.

Should not be any support obligation. Read above.

I don't know the current guidelines or the situation of either parent.

The childrens needs in the so called.noncustodial parents home are currently ignored. Increasing the minimum support level would only make a gross state of child neglect that the guidelines currently fosters even worse.

DCSE creates criminals out of poor fathers who are out of work, and who have no assets.

If support is awarded for whatever reason, this isn't even enough money to cover half of one child's food expense for the month.

Didn't know a floor existed.

Don't know what variables determine this

Is this a question for lazy baby mama or deadbroke dad?????

If there must be a minimum child support obligation, it should not exceed \$25.00.

The economy. Salaries are low jobs are hard to find.

joint physical custody

Where do you come up with these number? How can you arbitrarily throw a number out there like this? Obviously, some bean counter for the state already figured that if we raise CS by \$65 we'll make "X" amount in Federal matching funds. This is corruption, collusion of the court and states against the people and it is wrong.

Any child support should be negotiated between the parents, and if they can't agree, it should be mediated. There should be NO state laws about amount.

Any child support should be negotiated between the parents, and if they can't agree, it should be mediated. There should be NO state laws about amount.

NO

Poverty is poverty. The more impoverished you are, the harder it is to get and hold a decent job. There should be no minimum.

Depends on if the parent in question can support their own families as well as paying an additional amount in child support. Some families just can not afford an increase as they barely make ends meet with the child support that they have currently ordered.

When the income is not increased?

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Negative. A new minimum must be established and a new maximum. Judges and government agencies and custodial parents should be taken out of the decision-making process. A panel mix of experienced "fit" custodial and non-custodial parents should determine this.

I didn't know this was in place.

What part of no income don't you understand?

see #1 and #3 above.

I am not knowledgeable enough to debate this question.

The minimum should be tied to parenting involvement. A lower minimum should be tied to more involvement. Non-involved parents should pay more.

EACH PARENT MUST CONTRIBUTE 50% OF COSTS, USING SOCIAL SERVICES CURRENT PAYMENTS OF "HOUSING, FOOD, CLOTHING" COSTS. EACH PARENT IS 50% CONTRACTUALLY OBLIGATED TO STATE FOR STATE-SUPPLIED COSTS AS LONG AS EACH PARENT HAS ASSIGNED RIGHTS TO CHILD TO STATE.

At a certain income bracket, this amount can be a burden to someone who can't make it on their own.

It depends on a case by case to increase support. Also if the custodial parent income increases then the noncustodial parent input needs to decrease. The custodial parent should not profit from the noncustodial parent.

Not until the recipient has the burden of proving that entire \$65 was spent on the child and not on drugs which is not required now.

Want to make the father homeless or not a place for his children to stay with him during their visitation times.

Absolutely NOT. The Courts currently arent even using that in many cases where the NCP is already below poverty level to begin with. The Judges and even DCSE will still run the guidelines per usual and despite the fact that both parents might be below poverty level, they will still charge the NCP the guideline amount instead of the \$65.00.

Will this include an increase in what the custodial parent pays? Isn't it against the law to discriminate due to race, gender, or sexual orientations? This seems to be an ignored law in child support and family court in VA.

I agree, but given my statements above. A basic minimum, assuming that a person is earning at least minimum wage (@ \$8/hr) and fulltime (so, @ \$1550 gross per month) would be, I suggest, @ \$150 - or perhaps best to say, a maximum of 20% of income, or lower in the cases where persons are barely making enough to survive.

Currently individuals how are homeless with no source of income are ordered to pay at least \$65. You can't get blood from turnips. All you're doing is (1) creating the illusion that the children will receive support and (2) building a huge arrearage that will never be paid.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, parenting would continue to the best of each parent's ability considering physical, emotional, and financial support. Burdensome child support obligations for low income parents would be eliminated, unless the parents agree to an unequal parenting situation, with mutually agreed upon support to balance available parenting funds.

at least \$100/month

There should be a \$150.00 minimum support. You cannot buy a child enough to eat with \$65.00. A month's worth of diapers and wipes are \$150.00.

This is about 2 dollars a day. Let me repeat that--we are only asking minimum order parents to pay \$2 a day. That is the amount for the first 15 minutes of the work day at minimum wage. You work 15 minutes and your requirement is done. It is also maybe 10% of the amount made from cutting one lawn at \$20 a lawn.

I applaud North Carolina, by statute it is presumed that everyone can obtain a minimum wage job and pay support. The burden is on the parent to prove they cannot work. The last time I looked North Carolina had a minimum support of \$122.

There must be a higher obligation to support your child. There needs to be the incentive to not have children you cannot support. Even in cases of incarceration, there must be an appropriate obligation to support the child.

This is amount is a joke! Unless you have been determined completely disabled (under which scenario your child you be receiving support through SSI), then you should have to pay a minimum of \$433/month or \$100/week for the support of your child.

The answer must be taken in context with #2 above.

I haven't done the math on a "subsistence" level, but I do think that the minimum amount needs to be tied to it in some way.

Except in the case of incarceration or complete and total incapacity and absence of income for an extended period of time.

perhaps a slight increase for example to \$100/mo

I believe it should be at \$200 per month.

i agree b/c my son is only obligated the min b/c his father has 2 other cases 1 which recieves \$411/mth the other \$130. the highest paying order was when that custodial parent was paying daycare back in 2007 & now gets assistance for daycare thru the state,gets housing assistance,etc.,but the DCSE wont review the order sooner looking at all 3 cases arent fairly adjusted!

\$65 is arbitrary so an increase is arbitrary.

\$65.00 won't feed a teenager for a week, much less a month.

This is not enough to even feed a child.

The minimum should be based on the relative incomes of the parents.

But not necessarily a significant increase.

This should be case specific. \$65.00 a month does nothing to help a custodial parent. On the other hand, should be put someone in jail because he/she can not afford \$65.00 a month?






that amount is reasonable

Yes, there should be an increase in the child support obligation. Everything is more expensive to raise children, cloth children, feed children, educate children. By the time the children are in high school they are having to pay dues for every grade-freshman, sophomore, junior, senior. It's ridiculous.

Again, as a presumption

Total Number of Form Results: 289

6. There should be a decrease in the \$65 per month minimum child support obligation.

Result	Responses	Percentage	Graph
Strongly Agree	28	9.6%	
Agree	19	6.5%	
Neutral	61	21.1%	
Disagree	88	30.4%	
Strongly Disagree	89	30.7%	

Total Number of Form Results: 289

Comments (6):

Situations are so varied that blanket type rules take away flexibility to properly address situations. DCSE's role should be to collect and distribute child support. Anything beyond the most basic guidelines are properly addressed by a court where all factors can be properly resolved DCSE does not have the means or abilities to substitute for a courtroom.

Minimum should be \$0, in the extreme case.

People who have children need to understand their obligation to support their children.

I agree because most of child support orders are based on overly inflated numbers with no real base at all. I will give you an example I paid out \$!@ for 2 kids, One day I got custody and the amount used to support the 2 was wasn't even half that amount. That amount is enough to cover heating and food for 3 for one month plus some on house payment. You just have to know how to spend wisely.

There should be no minimum Child Support needs to be based on a realistic ability to pay.

The whole obligation and guideline system should be abolished. {One must ask themselves where child support originated, and learn that it comes from the Social Security Act of 1937, and that the whole system of child support enforcement in this country is in conflict of the provisions under the act. The only reason to have these guidelines, is to create a violation which then is misused against the citizens to enrich governmental bodies mainly, by incentives paid to them through grants from the federal government. One should also ask, why is the system that is asking these questions, afraid to abolish the child support system in it's state completely.....because of all the federal incentive money that would be lost for child support orders, failure to pay child support actions, imprisonment of those deemed violators, the taking of children and placing them in foster care and adoption, etc., etc.

Same as above.

An actual review of the child raising costs in the so called noncustodial parents home needs to be done.

Don't know what variables determine this

Definitely! Low-income noncustodial parents should not have to pay child support if they are living below the self-support reserve or the federal poverty income guideline.

This horrible economy. Usually it is the non custodial father who has job cutbacks.

There should be no minimum amount.

joint physical custody

Again, how can you come up with this number? This must be a test question and nothing else because it makes less sense then the previous question.

Same as above. Parents support their children in marriage, and if both remain parents, they will naturally support their children after divorce unless one party is stubborn and wants to fight, in which case there should be mediation

Same as above. Parents support their children in marriage, and if both remain parents, they will naturally support their children after divorce unless one party is stubborn and wants to fight, in which case there should be mediation

parent keep own money raise children

See comment for question 5.

There should be fairness to the mother as well. If the mother is receiving voucher for DayCare, the child are in school, etc she should be ticket to work herself and should report of her effort to find job, not just sit round relying on the child support and welfare.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Negative. A new minimum must be established and a new maximum. Judges and government agencies and custodial parents should be taken out of the decision-making process. A panel mix of experienced "fit" custodial and non-custodial parents should determine this.

When income reaches \$0, under circumstances as unemployment due to lay-off for example, Child Support should not be assessed.

When there is no money or income, there is no money or income. KEEP IN MIND SOME ENFORCEMENT MEASURES SUCH AS TAKING A PERSONS DRIVERS LICENCE CAN HANDICAPS SOMEONES ABILITY TO EARN ANY INCOME. THE MINIMUM SHOULD BE ELIMINATED FOR CHRISTS SAKE!

see #1 and #3 above. Automatic minimums by the state can rarely apply to all cases and needs.

Again, I am not knowledgeable enough to debate this question. Alternatively, what will two dollars a day buy?

The amount is arbitrary and does not need to be changed.

THERE SHOULD BE A MINIMUM AMOUNT OF FINANCIAL SUPPORT BY EACH BIOLOGICAL PARENT WHO IS RECEIVING STATE BENEFITS. IF ONE PARENT IS "INELIGIBLE" FOR STATE ASSISTANCE OR FEDERAL ASSISTANCE THAT PARENT IS DISQUALIFIED FOR ANY REASON, FROM PAYING ANY SUPPORT TO THE OTHER PARENT, GUARDIAN, OR STATE.

For the same reason in #5, \$65 can be a hardship for someone. It is easy for outsiders to look in and say this is not much, but walk in their shoes to the grocery store, doctors, and see if a different result is found.

sane answer as 5.

If his income so low that he is supposed to pay the \$65, you know this guy does not have enough money to even rent a one bed-room apartment.

I seriously believe that EVERY SINGLE CASE should be dealt with on an individual basis. I also believe that the Courts do not utilize the deviation form as often as they should. There are any number of reasons to deviate from a "guideline"...and thats all the number is supposed to be...a GUIDELINE...a starting point where a Judge or DCSE rep should begin and THEN take into account other factors in the couples lives,

The state has no right to be involved for support paid to a custodial parent. The problem with providing support when parents split up came around when the state courts got involved. Why is the government involved at all? If the courts did not create a win/lose battle for custody, how many parents would act like adults and handle his or her business? When each court ordered child support results in increased money for the state to "handle" the child support payments, is this not the fox watching the hen house?

There should be no obligation until the ncp is earning income and able to pay.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, parenting would continue to the best of each parent's ability considering physical, emotional, and financial support. Burdensome child support obligations for low income parents would be eliminated, unless the parents agree to an unequal parenting situation, with mutually agreed upon support to balance available parenting funds.

WHAT!!!!!!

The courts can deviate from the minimum presumptive amount. Why would it need to be changed to a lower amount?

See comments to Number 5 above.

It should be eliminated if the custodial parent makes more than 80% of the combined incomes.

That amount is already subject to deviation.

As noted above, noncustodial parents who have neither income nor resources through no fault of their own should not have their situation worsened by a child support order they cannot realistically pay. Obliging such parents to pay a minimum amount can lead to fruitless contempt hearings that take up the court's time and frustrate custodial and non-custodial parent alike.

See above comment 2, 3.

\$65 is arbitrary, and a decrease is arbitrary.

The minimum should be based on the relative incomes of the parents.

See my comment above.






that amount is reasonable-even in this economy

There should not be any decrease in child support. The cost of everything is going higher and higher for the custodial parent to give the children what is needed and it would be nice if we could give them something they would like to have once in awhile.

The Court retains the ability to deviate from the presumptive minimum obligation in appropriate circumstances.

Total Number of Form Results: 289

7. Currently, initial support obligations must be retroactive to the date the petition for support was filed. In cases where there is a change in custody, judges should have discretion to order a different effective date.

Result	Responses	Percentage	Graph
Strongly Agree	87	30.1%	
Agree	106	36.6%	
Neutral	34	11.7%	
Disagree	31	10.7%	
Strongly Disagree	25	8.6%	

Total Number of Form Results: 289

Comments (7):

With the length of time that support petitions take this rule is untenable and not practical. All rulings should apply going forward. Only a court should have the ability to make retroactive decisions.

Always give the judge more discretion, rather than less. Legislation cannot anticipate every eventuality.

As the payer, if I needed to change, and or amend my support amount, it would take nearly 2-6 months of paying child support to get the proper paperwork approved. In dire circumstances, this would be devastating financially. So If the payer has to pay until someone says "ok" lets amend it, then the payer shouldn't have to pay until signed documents from the payer are present. If the payer cannot be located, then from the date that they finalized a "failed to locate status".

Depends on the situation. IF hte date is moved in favor of the child - then Strongly agree....sometimes legal battles delay paper work being filed due to status... Filing takes time - child support should go back to when it was needed....from the time of separation....there may be extenuating circumstances and the good of the child should be the first priority....

I do think that Judges should ahev some discretion when looking at all teh facts in the case to make those types of determinations.

DISAGREE, SHOULD TAKE EFFECT FRO THE FILED DATE, WOMAN AND LAWYERS CAN MINUPULAE THE FINAL ORDER DATE BY PUTTING COURT DATES OFF DUE TO NUMEROUS REASONS WETHER TRUE OR NOT.

I say it has to be weighed with actual days not rounded to the whole month. Also if support reviews are not completed in a timely manner and proof of lower income existed before that the support must be credited and reduced to reflect that decrease. It has to swing both ways to be constitutionally legal. Or there are official that will be without a job and be a victim of their own Myopia.

Current support laws have been legislated contra to constitutional protections regarding equality and due process. Guidelines need to be based on economic data not arbitrary percentages.

Family matters should not be in a courtroom setting period, and not judge ought to have authority over sovereign family decisions.

The date paperwork was filed, should not effect decisions; inability to backdate orders, is unconstitutional, & violates a parents' civil rights.

There are many cases where one parent controls the finances. When it becomes apparent that a seperation is happening, they will cut off the parent without any funds.

Excessive "child-support" (largely, disguised tax-free alimony)is never paid back to a father. I have no problem with a judge going back to the date that the "petition for support" was filed, and I also think that "child-support" overpaid should be refundable (unlike now).

By making this legalized extortion retroactive, the system is putting parents that have to pay it in the hole before a court order is even issued.

If support obligations are retroactive. Then they need to retro when income levels change as well. One way with out the other isn't fair.

No child support should be awarded except in the extreme cases of real abuse or abandonment.

If its not the obligee's fault that the court date took 2 months to see a courtroom there should not be retroactiveity, that puts someone in debt right away that they can't get out of for years.

Judges won't be on the fathers side unless made to.

Only if the judge abides by the law.

they do want they want to anyways

Judges should not be able to use their discretion. That power could be abused.

Judges are the main perpetrators of this whole scam. Their power and discretion cannot be trusted especially when they make out on the federal matching money deals that go on. Retroactive issues are always a means to no end which I'm sure attorney's love...more time in court. If the mother or father made it through this far with no harmfull effects why would you open a wound? Well if you're an attorney, you get paid for doing so. But what is the right thing? Is the parent in debt because of this? If so then yes, that needs to be looked into. No parent, INCLUDING A FATHER BEING OVER CHARGED in CHILD SUPPORT should be put in debt. As a father or mother, you would do what you could to take care of the children....that's why 50/50 is the best solution. If one parent can't afford 50/50, then they have to claim bankruptcy and/or give up the children to the other parent. That's about as fair as it can get.

Should not be a matter of judges. Parents should agree or be helped to agree by mediation. Only rarest cases should go to court.

Should not be a matter of judges. Parents should agree or be helped to agree by mediation. Only rarest cases should go to court.

never child extortion do not pay to not raise your children CRAZY

everything should be the same for both if you back date for one as to when support should be started then it should be the same for the other

I believe that support obligations should take effect when the support is ordered. If there is a change in custody that should also be the case, with the judge to be able to order a back-pay in child support if the other parent violated custody orders in anyway during their time of having custody.

I believe the order should start effectively on the date ordered or fairly a month back before the order. This way the court will also speedy any child support case.

I'm not sure what the implications of this change would create. Unfortunately the so-called "Family Court" system as it stands today would probably twist this into some type of perverted way to extort more money out of parents.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

There should be no retroactive obligation.

Judges are biased and limited by precedent. Often their hands are tied regarding handling specific matters of individual cases. There are too many forces at play restricting judges from giving fair actions in the courtroom. For "fit" parents who have broken no laws, the judges or government offices establish policy, or make law as they go. This is not fair to the judge, the parents or the children; and certainly is NOT in the best interest of the children or the "family".

My ex-wife's attorney decided he could not make a court date in January and so it was rescheduled to March. The judge based the ruling on March's status, not January. So that rule is subjective now.

It seems this is being done

It may go against current case law, but if a pattern was in place but did not trigger a material change in circumstance, or did not pass the minimum statute for a review of child support, the judge should be able to grant retroactive support, retroactive calculation, and potentially repayment of overpayments to one of the parents. There are times a parent may hide income from another, or have income sheltered by other family members. These "shelters" would be grounds for retroactive adjustments. For example, working as self-employed on a cash basis may only be revealed through bank statement audits or other more subtle forensic means.

Judges are idiots and need to have the discretion taken out of their hands.

CURRENTLY NONE OF "THE SUPPORT obligations must be retroactive to the date the petition for support was filed" IS ACTUALLY ENFORCED BY A SINGLE JUDGE IN A SINGLE JDR COURT, EVEN WHEN DEMANDED BY THE FILING PARTY. Allowing judges "discretion" to IGNORE the Legislator's Intent, who REPRESENT the People, erases the line of Separation of Powers and INCREASES the Potential for judges to be sued INDIVIDUALLY for any Tortuous Activity such as this would create.

This is a matter of two fundamentally different questions blurred together. The current retroactive rule is unjust and throws many low-income obligors into a debt cycle from which they never recover. That rule should be changed. If it is not changed for intial support orders, it should also apply for changes of custody. There is a reason for a change in custody and the parent to that point received an amount accordingly. Retroactive is a huge burden that noone should have to pay. And how do you know the retroactive amount is going to the kids. If payment was current for those past years and the the custodial has it changed, then the change needs to start on the next payment after the judgment is final. No retroactive support should be payed for this is just profit for the custodial parent.

But only to the amount shown by receipts prudently spent on the child with the burden of proof being on the custodial parent.

I would only be for a judge having this option if the judge decides the effective date should be before the petition was filed.

Judges should always take other factors into account. Each child support case is individual and there are so many different aspects to each case. I dont believe the Judge should be allowed to order any support amount for a date that is before the the petition for support was filed but the Judge should be allowed to use their discretion on the effective date for support after the date of filing.

The judge has a hard time doing this, investigate the biased judges. Seriously, for the poor this retroactive obligations, and six month wait for the court date, the poor father (who has been ordered to stay away) starts out thousands of dollars behind. The mother however still gets the same amount of welfare without retroactive collection on the money that she received before child support funds replaced welfare money.

There MUST be a change in the provisions so that, as in my case, an ex-wife cannot go back later, after receiving child support, after putting in writing that payments to her and to places like university bursar and tuition offices, Will be credited, and then say, "Oh, I changed my mind, and that was a Gift... and besides, he was not sick, he was lying, and he should have been earning \$100K per year but was 'lazy' ". This is not made-up - it is documented, including by my ex-wife's own writing and statements. But DCSE in Virginia, and in Henrico County, simply stamps approval for whatever Jeanne Johnson (PR and media figure, well-known and "connected") asks for.

With the time it can take for a case to be heard, the judge should not only have the discretion, but also concrete instructions on how to use it.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

A person who has gained custody of their child should not have to pay the state for having custody of their child. This is a no-brainer.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds. The courts would only need to become involved if the parents could not agree, at which point the objective would be to balance available parenting funds up to a minimal level necessary to raise a child, not to a level to balance lifestyles.

Your question makes no sense.

I also think judges should be able to order a different effective date upon agreement of the parties or at the judges discretion.

In many cases the actual living arrangement is different and a judge should be able to decide different effective dates based on the facts in each case.

The Judge should have the power to change child support on the same date that child custody changes regardless whether a petition is filed. Further, lots of states allow child support to be retroactive to birth regardless whether a petition is filed.

This is fair. Non-custodial Parents who get custody and become the custodial parent are penalized by the current system.

I am not sure what this statement means. If you are suggesting a relaxation of the requirements of the Acree and the subsequent line of cases, then I agree.

We should back up to the date that the child needed support in initial petitions and should back up to the date that child support is not needed in motions to amend.

this could create a large arrearage from the beginning which could be hard for the payor to get out from under, which could discourage the payor from making any payments. Also, delays in a support hearing could be due to conditions at the court and not due to the fault of either parent. However, if a parent is delaying the appearance of the case in bad faith, I believe the payments should be retroactive.

I cannot answer this question as asked. It is poorly drafted.

The date should be when custody is actually changed - technically, this is when the cost associated with custody changes between parties.

Based on my experience, the "discretion" on modification petitions tends to favor the payee and disfavor the payor. In other words, I find that the tendency is to use discretionary retroactivity if the modification ordered is an increase in support, but to not use it if the modification ordered is a decrease in support. I think it should be consistent on initial petitions and modification petitions, and I think the date that notice was received by the respondent should be the "presumptively" correct effective date, with discretion to make the effective date less retroactive based on specific circumstances of each case (though, admittedly, I have no way of formulating a set of circumstances that I feel should be a sufficient basis for rebutting the presumption at this point.)

I don't think the date for retroactivity should be changed. I'm not exactly sure what this question means, but if you mean that the parent who filed for support no longer has custody, I don't think judges have authority to order support be paid to a parent with whom the children are not residing. What judges should have discretion to do is award a different amount of support back from the retroactive date when some of the current circumstances affecting the amount of support were not in effect during that period of retroactivity -- for example, there may be no day care cost now, but there was when the petition was filed, or the payor has had a significant change of income that was not in effect during the period of retroactivity. Many judges do make this calculation, but some do not believe they have that authority..

However, I would support an alternate provision stating that the obligations should be retroactive to the date of filing UNLESS for good cause shown the Court determines that a different date -- before OR after the filing date -- should be applied.

That may be supposed to happen, but does not always.

As a practical matter this is already frequently done. Initial petitions that are not served for a significant period of time also make for difficult scenarios for noncustodial parents that can border on the oppressive.

My answer would depend on whether change of custody was pursuant to an order of a court or whether the parties "agreed" to change custody, in the absence of or without actually going to court to change the existing order. If a court order mandated a change in custody as of a date certain, I think it would be fine to allow judges the discretion to utilize that date. Otherwise, I think it would be extremely difficult to ascertain and the clear-cut rule in place is beneficial to have.

There will be too much variation and discrepancy between parents as to when custody actually began. An option would be if both parents consent or agree to set date custody changed.

If the child has been living with the parent, then it should be based on the actual living situation of the child, not a court order that may or may not reflect reality.

Provided that the change in custody is pursuant to a court order, not just that the child went to live with someone else.

This seems appropriate where it takes 6 months or longer to even have a custody case heard for modification

Yes, the Court should have the ability to order the support change back to the date of the change in custody.

This is simply a common sense proposal.

I'm not sure how I feel about this one. Hypotheticals would probably help me solidify my answer. The most common hypotheticals are that (a) Parent 1/CS recipient files for a modification upwards or (b) Parent 2/Payor files for modification downwards. In either of those straightforward circumstances, the current rule with no discretion is best. Now let's say (a) happens and then Parent 2/Payor files for a modification in timesharing. That's more rare and it's pretty obvious why he/she has filed for that. But let's say he/she wins and gets more time. I still think the increase in cs should be retro to the date filed. But I'm okay with another adjustment (if applicable) as of the date of the increased time. I would not object to a clear rule that allows for that. But I do not like to give the Judge "discretion" in cs. If we do, we're back to the day of splitting the difference, taking pity on the payor by making the increase effective the date of the hearing, etc. No. No. No.

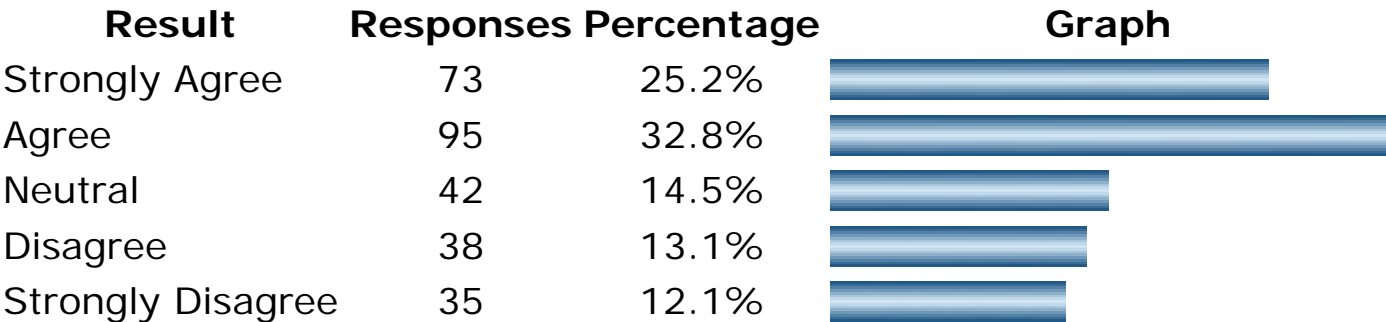
Support orders can be amended after the fact, so making the order retroactive while custody was with the custodial parent makes sense. The children still had to eat and have a place to live while waiting for a court date, paternity test etc. As long as it is fair for the custodial parent.

Allowing support to be retroactive to a date other than when the petition was filed does not provide parents with incentive to timely file petitions when custody changes. I have seen many cases where parents argue that custody changed many months prior to when the support petition was filed and I don't think it's fair or appropriate to penalize the non-custodial parent by creating a large arrearage based on a custody change situation. If the custodial parent chooses not to file for support based on the custody change, they should not be rewarded with a retroactive order beyond the petition date. A change like this could lead to parties finding themselves in "arrears" for large time periods during which there was no support order. If the case is administered by DCSE, this could be particularly problematic because this arrearage, in and of itself, will have detrimental effects on the non-custodial parent, whether or not they pay monthly toward reduction. For example, if a custodial parent does not file for support for two years after a custody change, and then is given a retroactive award for those two years, it may create an arrearage in excess of \$5000, which would entitle DCSE to take actions such as suspending the non-custodial parent's driver's license, reporting to credit bureaus, etc. This would not be fair if the non-custodial parent had no belief that he or she was required to pay support during this time frame. Custodial parents need to take some responsibility for things like filing support petitions.

Again, there are cases where an absolute mandate is unjustified. The court needs more discretion

Total Number of Form Results: 289

8. For child support modification proceedings, the judge should have the discretion to make modifications effective back to the date the motion was filed as opposed to the date of service on the non-moving party.



Total Number of Form Results: 289

Comments (8):

This is a clear double standard when contrasted with the rule that support is calculated based on filing date and not on ruling. Regulations should be consistent and clear for NCP and CP individuals.

I am concerned that allowing for retroactivity to date of filing an potentially cause a real hardship if there is a delay in service through no fault of the parent paying the supoport.

SEE COMMENTS #7, SAME

refer to comment 7

A Judge should have the ability to modify Child Support orders retroactively and proactively as justice requires.

Both parents shall have equal custody of their children at all times no matter what, and only upon clear and convincing proof that one parent or the other has some detrimental affect on the children, then and only then could a parent be prevented from having less then equal custody, control, and the care for thier children.

The date paperwork was filed, should not effect decisions; inability to backdate orders, is unconstitutional, & violates a parents' civil rights, and is unethical!

I don't know the circumstances for each issue.

This would only increase the balance arrears. Fair and balanced child support modified to informed/served parties is the just way it should be.

As with the original support order, these should go into effect the day they become a legal court order.

Modifications should be allowed back to the date of birth, especially in cases of fraud and paternity fraud.

Only if the judge abides by the law.

they do want they want to anyways

Judges should not be able to use their discretion. That power could be abused.

yes this retroactive stuff is a pain unless the opposing party can show they suffered detremental effects due to the delay in the judgement.

Same as above

Same as above

WHO ARE JUDGES TO SAY TO A PARENT THAT THEY CANNOT RAISE THERE CHILDERN CRAZY

Neither. This makes it too desirable to dump the father of the child. The final award should be the start date. Up to that date, both parents are full parents, up to the moment of change in legal custody decided by a judge or ageement of the parties.

This is almost like question 7.

It is still the same. Modify a month back. The court system should stop postponing the case on shadowy reasons.

I agree with caution because again, I'm not sure how the currently CORRUPT "Family Court" system judges will use this discretion.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Judges are biased and limited by precedent. Often their hands are tied regarding handling specific matters of individual cases. There are too many forces at play restricting judges from giving fair actions in the courtroom. For "fit" parents who have broken no laws, the judges or government offices establish policy, or make law as they go. This is not fair to the judge, the parents or the children; and certainly is NOT in the best interest of the children or the "family".

Support modifications here refer to upward modifications on behalf of the plaintiff/petitioner. Backward dated modifications should only be considered if downward modifications can be included in this process.

But will the judge do that is the question. There needs to be some consistency in the rulings.

As I understand this is already the case. The courts should be able to retroactively be able to adjust support when facts support doing so

This statement of retroactivity does not go far enough into the past behavior of the party in question. See my answer and example to question # 8.

Whatever the Va. Codes States, THAT is what the judge is OBLIGATED TO OBEY AND ENFORCE. Anything else would be Discriminatory and create a Due Process violation against one or both Parties In Interest to the case; notwithstanding matters whereby the children's rights have been assigned to the state by Both Parents.

There should be one rule for all proceedings. While there is a rationale for retroactive orders where a party hid from service of process, too often retroactive orders are a result of the court's failure to promptly handle a case. Few people are saving up to pay a big retroactive order and we create "deadbeats" by giving them impossible arrearages at the beginning of an order. Flexibility in the law is only fair

Not if this modification causes the noncustodial parent to be forced to live beyond their means. Causing the noncustodial parent to move farther down in poverty. The noncustodial parent should be granted time to put a list of their expenses so the judge knows where they stand.

Reasonable attempt of any such attempt.

The Judge should be allowed discretion based on each individual case.

Why is a judge handling parenting? The judge can do the above, but the result would be less income for the state or county in doing so. Why do we need surveys like this, the system seems to be untouchable by anyone.

The current system supports and aids people who want to not see a change made which can be a lifesaver for a parent who has lost a job or had a massive reduction in income.

I've seen numerous cases where the petitioning party intentionally gave incorrect addresses for the other party in the hope of not getting service and having a default judgement entered. This would only encourage that further.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Both parents would be confronted with their joint obligation to parent their child(ren) and would be required to mutually agree to a custody solution that maximizes each parent's parenting time in a move-away situation.

It could be date of filing as long as service made timely.

Federal law requires states cannot modify an order prior to notice to the responding party. We cannot enact a contrary statute.

this will help catch the ones dodging service

That would be better than the date of service since one need only avoid service to avoid the obligation.

This is fair. Because of delays and overwork attributed to a sheriffs office the motion may be filed 2 months or more before the court date but the sheriffs because of their case load may not even attempt to serve until a couple weeks before court. This penalizes the person requesting the motion.

Yes, assuming that good-faith attempt to serve was made and service is delayed because of non-moving party versus moving party letting request for modification sit.

Unless the party can be shown to be avoiding service and then I believe this would make sense

Notice to the non-moving party is only fair.

In limited circumstances only, such as when a noncustodial parent fails to notify of a change of address or avoids service so that they cannot be found or served.

The filing date should always be the bench mark. Obligors who resist service should not be rewarded for beating the system. The children should get what they deserve irrespective of the obligor's efforts to avoid service.

See comments to question No. 7 above. I think the date of service of process could be the effective date, but only if there is an exception for cases in which the Court finds that service of process was deliberately avoided, in which case, I think the date on which "notice" (as distinguished from statutory "service of process") was received should be the effective date. In any event, I don't think the date the petition was "filed" should ever be the effective date, as the mere "filing" of a petition does not necessary provide notice to the respondent that a change has been requested.

only because it takes so long to process and serve the motion. As long as there is actual notice, i.e. mailing to payor, it is fairer to have the option to relate it back to the time the payor knew of the motion.

It should at least be consistent with initial support orders.

only if there has been diligence in service of notice and motion.

this appears to be a violation of due process

See above.

Totally unfair. You should only be liable from the date you are aware of a request for an increase.

Many respondents avoid service on purpose and should not be rewarded for doing so. Also, petitions are often filed at the same time as a de facto change in custody. Allowing a de facto noncustodial or shared custody parent to continue to collect support in the meantime is usually not just.

With limitations. Such as a change in custody occurred in the past giving rise to the request.

Retroactive modification to date of filing should be used only if the defendant has evaded service and there was a diligent effort to serve.

Especially if non-moving party is given personal service and support amount is based on the ability to pay at time the motion filed as opposed to date of service.

The marker should be actual notice, not service.

Noncustodial parents should have as little incentive as possible to hedge being served and being responsible for payment at a fair rate.

Generally, prior to service on the Defendant party, there is no case on which to proceed. This should, in most situations, not be different for CS cases. Provided however, there could be a procedure in which the CP appears before a judge and if he/she can show all reasonable efforts have been made to locate the NCP and effect service, then the judge could decree a CS to begin, subject to retroactive modification as to accrued based on the actual facts produced at a trial. Also, there should not continue to be a difference between the law applicable in initial cases and in modification cases with respect to service (See 20-60.3.7). The law should be same for both situations.

This proposal could lead to some game-playing by custodial parents

I agree but only in limited circumstances - i.e. where there is clear evidence that the person who has to be served has avoided service. And, again, I do not like to give a Judge "discretion" in cs cases. We need clear rules. (BTW: As an exception to my general want of "no discretion," the more complex the circumstances, the more discretion has to play a part. Such as where a deviation is requested - there are further comments on this below.

modifications should always go back to the effective date. NCP's are sometimes hard to locate and serve.

I believe the judge should be able to make any changes deemed necessary as long as it is better for the children who is with the custodial parent.

Court should have discretion back to the date of Notice to the other party if the custodial parent can establish the non custodial parent had notice of custodial parent's intent to seek/modify support

I agree with this statement, especially that it should remain in the judge's discretion. It should not be a mandatory date.

I agree with this statement, although in practice, I find that most judges in NORthern Virginia jurisdictions will apply the modification retroactively to the date of filing.

Total Number of Form Results: 289

9. A modification should be allowed based upon a minimum percentage of change in either parent's income without any other proof or additional change in circumstances.

Result	Responses Percentage		Graph
Strongly Agree	35	12.1%	<div></div>
Agree	75	25.9%	<div></div>
Neutral	47	16.2%	<div></div>
Disagree	69	23.8%	<div></div>
Strongly Disagree	58	20.0%	<div></div>

Total Number of Form Results: 289

Comments (9):

Absolutely. In this economy bankrupting a parent to send suport to another is counter-productive to the State's goal for families.

It should also take into account other dependant children and if the NCP is in a dual income situation.

We need finality. People will be trying to get child support increased or decreased as teh ase may be on very little changes in circumstances. It will keep the disputes boiling in very acrimonius cases

THERE ARE A LOT OF CHANGES THAT CAN COME AND ALL SHOULD BE ADMITTED.

It would not be correct to nickel and dime someone to death. A signifigant change in income has to be the rule say \$500 because \$50 to \$300 or so is not worth crying over and chances are that will give the non custodial more money to enjoy spending time with their kids!

Modification should be allowed as justice requires.

Changes in families income have changed since time immemorial. Courts don't need to be involved or decide how families alter thier financial decisions because of monthly changes in circumstances.

Income can fluctuate without notice, and without the parents' intent; the parent can not control others (including employees, or the economy)!

I a parent has investments that don't pay dividends, will that show as income?

"Child-support" is a complex calculation, involving many factors. Changing "child-support" based merely on one party's change in income is inconsistent with the law. DCSE just doesn't want to do all of the work.

There should be no child support without proof one of the parents is truly unfit without gender bias.

It is too easy to get pulled into the court system and give attorneys your arm and legs. Don't pay an attorney thousands to save 50 bucks a month? Pointless they do want they want to anyways

There needs to be a better way to look at what a parent is making. TOO often because men are the payers most of the time, they look into the fathers earnings and NOT the mothers. A blind eye is turned towards the mother with the kids, so that they can charge the father more. Men are typically already paying too much in many cases, so first fairly determining how much should be paid is important.

Same as above

Same as above

PARENT RAISE CHILDREN NOT STATES

A modification should not cost a father more than a mother to file and fight for up or down.

A modification should only occur if either parent can prove that a modification is in order. Modifications should include if either parent has another child, gets remarried, loses or gains employment, and/or income of spouse if applicable.

A modification should be allowed without having to guess about anything. Currently the CORRUPT "Family Courts" IGNORE ALL income documentation and default to the HIGHEST amount of income they can assess REGARDLESS of how much proof is provided to the CORRUPT "Family Courts." Modifications should be allowed by simply providing income documentation and NOT having to incur the costs of going to the courts. Obviously the current system is designed to generate more revenues for the CORRUPT "Family Court" system.

This is "petty". Should a proper program of parental support for the "family", including both parents and the children, this would not even come into play.

Again this survey question presumes an upward modification, but doesn't recognize downward modifications

My income has dropped by 3/4 in the last 3 years and no one will modify. Something must be in place to allow the NCP to get some relief until they can recover financially.

It is my understanding that with the exception of the frequency of changes, this rule is currently in effect.

YES

common sense isn't it?

The State is failing to initiate downward modifications that it knows are needed while aggressively pursuing upward modifications.

Proof needs to be shown and non necessary items need to be removed.

This is needed when the father loses his job and he needs immediate change in child support obligation.

This is kind of a trick question, basically because the Courts will generally be quick to act on a petition to increase support but not so quick to act on a motion to decrease support. Courts and DCSE tend to frown on parents who are trying to reduce support regardless of whether that parent has the right to file or not. The Courts tend to look negatively at a parent who requests a reduction. I have actually heard Judges say \$xx.00 amount of money is "not enough to raise a child"! That's the problem! The ncp is not supposed to be providing all of the money to "raise the child". Both parents have a financial responsibility to the child.

Common sense

This seems to be impossible to do, from cost (fees and lawyers) to the likelihood of denial, many fathers believe it is a lost cause. Then they end up in jail for being behind.

Absolutely. In my case, her income has gone up and up and up and way up, and mine has been low, sporadic, Zero, or worse, after working for some small start-up technology and venture companies, left hanging, unpaid, holding only "paper."

Especially in times like this with so many people getting laid off, income changes should be sufficient to modify support. However, many judges continue to improperly impute income on people who have become involuntarily un- or underemployed. All this does is once again create the illusion that the child will receive all this support which soon turns into uncollectable arrearages.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

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See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds up to a minimal level necessary to raise a child, not to a level to balance lifestyles.

Is this to benefit lawyers?

If it is an income driven guideline, then other changes of circumstances seem moot.

minimum percentage change of \$500/month or 10%, whichever is greater
This would clog the Courts.

This would eliminate the need for the party to show their income is reduced because of their own action. Did they Quit? Did they punch their boss and get fired? This is too simplistic.

A few dollars increase can mean that the child can get new shoes or maybe a notebook.

However, I would put it another way - a change of income of either party may only be considered a material change of circumstance if the income increases or decreases 15% or greater, and neither party may file for a modification of support based upon a change of income for either party in such circumstance when that change is less than 15% more or less than the income upon which current support was calculated.

Since every case is different, setting a bright line as to what is "material" further restricts a the discretion of the court, which is already severely restricted by the presumption in favor of the guideline amount.

Unnecessarily clog the court system - this can penalize the party striving to advance. The minimum change would likely not afford any change to the receiving party.

I suppose that depends on what the "minimum percentage" is. If it is 1%, I would disagree with the statement; but if it is 8 or 10%, I agree with the statement.

If this were the case, how would you deal with circumstances in which either party has experienced a decrease in income due to voluntary under/unemployment? With that said, I think a legitimate, non-voluntary change in income, not caused through the fault of a party, should be able to stand alone as a material change in circumstances if it alone varies the proper amount called for by the guidelines.

The modification should not be automatic, but a minimum percentage should be sufficient in and of itself to give a court jurisdiction to modify if appropriate. Your question is somewhat ambiguous.

This is a slippery slope that could lead to parties changing their own support orders without coming to court. There are always small changes: cost of day care, cost of health insurance. And income consists of too many factors for this to work fairly. Suppose someone's salary changes enough to trigger this modification, but that same parent's bonuses have been cut or he/she no longer has the use of a company car. It is much more complicated than just a minimal increase in income. It ain't broke. Don't fix it.

However, I would support an alternate provision stating that upon a finding that a certain minimum percentage change in either parent's income had occurred, the court must consider that a change of circumstances has occurred, although it should also state that such a minimum percentage shall not be a requirement for a finding of a change of circumstances. From that point, however, the extent of the change and the adjustment to be made, if any, should remain dependent upon all the current factors. I would suggest further study to determine the optimal percentage minimum, and suggest that it should be 10 or 15%.

this is not in the child's best interests

Such as change in the law would inappropriately invite already litigious parties to file repeatedly motions to amend and clog the system.

Is this the Divorce Lawyers' Recession Relief Act? Seriously, minimal changes in income result in minimal changes in support which the attorneys fees outstrip. it invites going back to court too often.

If this statment is advocating elimination other factors such as daycare or other children, but soley on income change I disagree strongly.

I would agree with this so long as it was qualified as "not voluntary". Then a % threshold would make sense.

I believe this will give people more incentive to doctor their income and lead to increased litigation when the increase might only be neglible, thus clogging an already busy docket.

A significant (say 10%) change in income from the prior CS determination should be considered to be a PRESUMPTIVE "change-in-circumstances" but the Court should still make its decision based on all the statutory CS factors.

A totally formulaic approach like this will usually prove to be unfair in the majority of cases.

Most people aren't going to file for a change in cs if an increase in one party's income only gives them an additional \$10. If the increase is significant, then, in the only case I had like that, the Judge held that alone was a material change in circumstances. If overall, attorneys are experiencing otherwise, then, yes, I agree that we should make the rule clear that it is a material change.

Let me get this straight: A non-custodial parent quits his job to play in the sun and would automatically get his/her child support reduced? I don't think so. This would be VERY bad!

The change of circumstance should always be considered, along with financial changes.

No, there should not be a modification allowed in the noncustodial parents income without any other proof. Any decent person would only have their income change for an increase in pay-not a decrease. If they go for a lower paying job, they are only trying to hurt the custodial parent which in turn affects the children.

Changing the rules on modifications in this way would open the door to more and longer litigation concerning modifications. If all a parent had to prove was that their income was reduced, it would lead to additional filings of motions and would lead to these motions being granted in situations where they generally would not be now.

I think this would cause unnecessary increased litigation.

A comment to a statute (if not in the statute itself) about what this minimum percentage is would be helpful to clients, attorneys and would help us try to advise clients and keep the courts' dockets manageable based on appropriate cases to file or to have clients file.

This would certainly simply modification proceedings by creating a "bright line" test. However we would not want to overlook the causes of an income change. Voluntary reductions or termination for cause, for example, would have to be excluded. Also, the inverse should also be true: Parties not meeting the minimum change should not be allowed to proceed to trial.

Total Number of Form Results: 289

10. There should be a notice in all child support orders which states that the order remains in effect until modified or terminated by another order.

Result	Responses	Percentage	Graph
Strongly Agree	112	38.7%	<div></div>
Agree	90	31.1%	<div></div>
Neutral	41	14.1%	<div></div>
Disagree	21	7.2%	<div></div>
Strongly Disagree	22	7.6%	<div></div>

Total Number of Form Results: 289

Comments (10):

Disagree.

An order could contain a clause that the order could change in a specific way, at a specified future date.

Many noncustodial parents do not realize that they need to be proactive about changing a support order when, for example, a child ages out.

If there is one child remaining for whom support is being paid it is ridiculous for teh parties to haev to secure an order when teh order is clear as to when support terminates.

Courts should not involved in family matters period. When a divorce occurs, at most the parting family members might demonstrate to the court that the members have everything under control, so the court can concentrate on real matters instead of concerning themselves in something that was never intended to be court business in the first place.

Duh. Who has the right to changes orders without getting a modification. Possibly a written agreement signed by both parties and witnessed by a legal official.

The court order need not restate all of VA law.

Only in the extreme should any child support be awarded. It is a gender based award with little to do with the real interests of the child.

No.. There must be a date when the order ends. When the child(ren) reach age. would age 18 qualify??

NO WAY! If my kids move in with me...I am NOT paying CS to the mother until the courts decides to hear my case. Fair is fair and when the kids move in with me....the CS stops. it's call "CHILD" support...not SPOUSE support. Get a job... you wanted a divorce lady, now go to work.

Same as above

Same as above

JUDGE ORDER ME NOT RAISE MY CHILDERN. HE OR SHE ARE NOT THAT BIG. GOD IS BIGGER

Support orders should automatically stop or adjust as children reach milestones in age or emancipation, and should stop when the visitation portion of the court order stops without a court order. The emphasis should be to stay out of court and to force the visitation to be obeyed as well as the payment side for the best of the child's interest.

My father-in-law did not know he could request a modification of child support when he found out that his ex-wife had kicked his daughters out of the home at 16 and still collected child support until they were 18.

But if the noncustodial parent lost a job, they this cannot be fair.

Any documentable change in income should be allowed to change the child support amount. If both parents were still together, the ENTIRE FAMILY would have to modify its budget to the change in income. The "Family Courts" have overstepped their boundaries by ILLEGALLY inflating the income of NCP's in order to drive more revenue reimbursement to the State offices of DSHS/DCS. as long as the age requirements stay the same.

There should be a definition built within all child support orders that automatically terminates the order should the non-custodial parent become unable to provide support due to reasons not within the control of that parent. There must be protection build into this system for the "family". It must not be a program that automatically drives an individual into "contempt of court" or other legalities for matters beyond his control.

I agree to some extent. It needs to be easier to get another order. That would help.

Isn't this the case?

This seems reasonable. Some states require all statements like this that are "assumed" in Virginia to be written into all contracts and orders. The phrasing should also include the words "or until the child reaches the age of majority".

I dont see how that helps or hurts.

This is GOOD - Except - the NOTICE must also state that a CONTRACTUAL Agreement by, and Between Both Biological Parents executed by Notary, and Submitted to ANY Court for Publication has Precedence over any other action by any other party not in interest (aka: judge, lawyers, social workers, employers, IRS, etc)

The notice also needs to make clear that reaching the emancipation age and other forms of emanicipation end the order and that the state has an obligation to process a non-custodian's request for a modification.

Putting absolutes in a person's livelihood in these economic times is not prudent. I am one person who has lost a job, facing foreclosure, diagnosed with cancer all within 2 years. Orders should be flexible and not remain in effect.

The statement needs to include: When the child becomes of legal age or when the child switches custodial parent support will stop.

It should go without saying.

Why? This is how it works now.

I am not sure this would really make a difference because I think people already know this. I dont believe it would make a difference one way or the other if the statement was included. For some people it might end up confusing things.

Why is this such a difficult process? The state should not be involved...

I have been "screwed-over" by the deliberate withholding of that information by DCSE in Roanoke and Henrico, particularly during the years when I was working - and paying - from outside the USA, and being told that the ONLY way to make any change was to personally appear in Virginia when it was physically impossible to do so, by reason of being prevented from leaving the country I was due to multiple factors, not the least of which was inability to move, physically, due to illness, and beyond that, inability to exit the country (Russia) due to complications about which the US govt. including DHS is in full knowledge and in full support of my situation at the time.

Parents should be allowed to decide when they no longer need the state involved in their personal affairs. The CSE program is just another big government program trying to tell citizens that big brother knows better than they do how to raise their children.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

I understand this is currently the case. It may be helpful to make sure the parties to the custody and support order understand how to affect a change in the order, if it becomes necessary to do so.

Too many parents think that outside agreements are binding and when they find out they are not, there is much displeasure.

And the notice should be bold in extra-large print.

The notices should be in service papers so we don't have to put all that stuff in every order!

Very good idea.

With the acception of emancipation.

Only because self-executing orders do not work and result in fights way to far down the road. People that can and do actually agree about modifications are not going to start bringing each other to court because this notice is in an original order and they did not enter a new one upon an agreed change. Inclusion of this language would not increase the cases litigated.

Given the current state of the law and the controlling case law, I strongly agree. However, I think it is beneficial to all involved if the parties can modify or terminate support by written agreement, signed by both parties. Getting orders from the court, and paying attorney's fees to get orders is often too costly to the parties, and even formal agreements between the parties that are not memorialized in a court order are too often used against the party paying support, who usually has reduced child support in good faith, for instance, when the children no longer have any child care expenses, or when one of two children is emancipated, and the parties agree on a new amount.

I believe there is confusion on the part of payors and payees with regard to when support ends and if a court order is necessary (or not necessary) to end support upon a termination event, like reaching the age of 18.

It never hurts to reinforce and restate what we know to to be the case, but a fact which is often missed by the parties. However, I also think that during the pendency of a support modification petition, there should be a grace period such that the party seeking modification is not subject to a show cause for failing to pay during such period and that no negative inference can be made against the petitioning party for not paying during such time.

Since this is, for the most part, a statement of the law as it stands anyway, I would agree. However, I think some exception would need to be carved out for voluntary agreements by the parties (executed with requisite formalities), whether made as part of the initial order/agreement or subsequent to it, to afford parties an opportunity to avoid the need to reappear in court when they are able to reach an agreement on the matter themselves.

If the order is for one child, there already is a notice of termination.

The required notices are already so lengthy and legalistic that no one reads, much less understands or remembers them. The lawyers need seminars to even keep up with changes in what is required. They are probably harmless but -- like a homeowners insurance policy or the terms and conditions of an internet download -- rarely consulted until there is a problem. And, no, I do not advocate a statutory requirement that each parent must initial each paragraph of the notices.

I always caution my clients about this. But it seems like we are always adding more requirements of things to be in support orders. Before long 20-60.3 is going to be worse than a tax return. But if a requirement for this notice is added, you are going to have to dumb it down a bit. It should say: "DO NOT agree to change the amount of support being paid/received unless you also present an agreed order to the court. Without a court order you will be liable for back support in the amount currently ordered, whether the parent receiving support agrees to it or not."

I would support this if there were not already so very many mandatory notices that the less sophisticated parent already is unlikely to perceive and understand them all.

What does this mean? DCSE is now claiming that a parent has to get an order to end support for a child that is 18 and out of high school when the order says that is the end of the support.

This notice should be similar to the language in collection letters: in a type point of no less than 14 Point. So many people get caught in this net and it leads to such unfair results.

It corrects an important mis-impression that non-specialists have.

BUT I'M SO SICK OF THE CONSTANT CHANGES IN THE NOTICE LANGUAGE

Sounds redundant, since that has been the law as to orders being enforceable until changed or conditions are met.

There are many payor parents who have lost their jobs and do not understand this. It is an unfortunate fact, but the net result is that the Commonwealth is paying to have these people put into jail at times, just because they did not move for reduction. The payors can quickly accrue HUGE arrearages, despite their good faith desire to support their children.

Although too few litigants read their orders in any event. Too many notices are, however currently required.

The Notice should however, state that when the youngest child (only child) meets statutory termination for child support, support automatically terminates unless a motion for support is filed based on disability of child.

This has not worked in New Jersey. A self-terminating order is appropriate.

All child support orders should state in bold letters: 1. That the child support obligation remains in effect until modified or terminated by another court order AND 2. That either party can file a motion to modify based on a change of circumstances at any time.

The language employed in child support orders as to the termination of the support obligation, especially in cases of multiple children of different age, is difficult to understand for persons not trained in the profession, and lends itself to misunderstanding as to what happens at the time the oldest child becomes ineligible for support.

More information to the parties is a good thing.

I would add emancipation to this.

Unless it terminates per the statutory standards.

This really needs to be made clear to people at the time an order is entered.

There are too many "notices" now. Does not 20-60-3.7, .14 and .16 already cover this?

This proposal is unwise and unnecessary. This only states what the law is anyway. Most attorneys will so advise their clients of this. Also, it may well serve to discourage mutually acceptable modifications between parents, the vast majority of which do not result in court proceedings that necessarily place additional demands on our already overburdened court system.

I disagree because that would require a payor, all of whose children have emancipated, to obtain a court order to terminate the cs. I would be fine, however, with notice that child support continues as stated herein until all children (are emancipated as under the current statute) UNLESS modified or terminated by another Order of this or any other Court of competent jurisdiction.

This is unnecessary

I believe that is a fair statement for both parties concerned.

I find many parties who do not understand that orders continue unless they take additional action. Particularly when a case has been administered by DCSE, parties often believe that closing their DCSE case is sufficient to terminate a court order of support. If the case is reopened, the parties are often surprised when arrears are added back onto a case for times during which the case was closed.

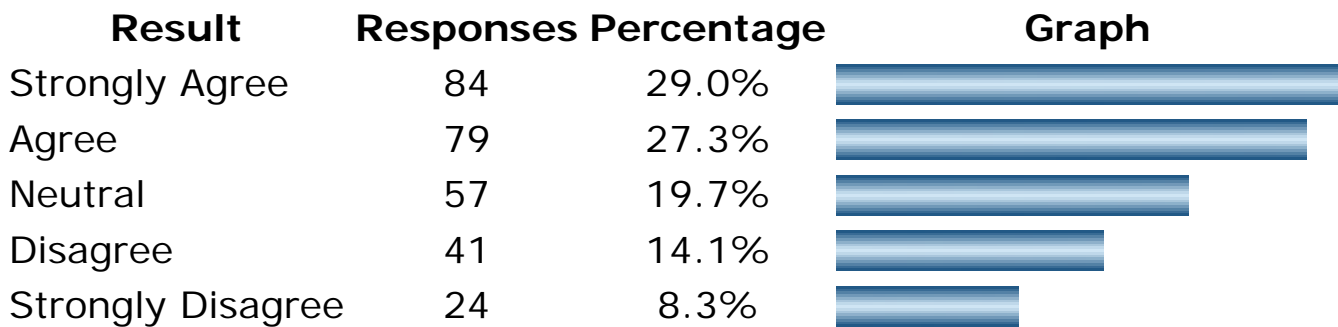
I agree that there should be a notice provision, but this does not address an underlying problem with the law as it stands, Parties should be able to adjust child support without having to modify orders. The law should be amended to provide that a written contractual modification operates to amend the court order. Too often, parties will make written modifications and not change the actual support order. The party not paying in accordance with the order, but in accordance with the contract, is unfairly penalized in these circumstances.

At the same time, there needs to provisions about what happens if the support is modified and it is reduced. How does the payor who has complied with an order and who wins on a modification get his/her money back?

in bold print!

Total Number of Form Results: 289

11. There should be a statutory requirement that the guideline worksheet be attached to all child support orders whether derived from litigation or agreement.



Total Number of Form Results: 289

Comments (11):

Yes. Clear information would be helpful during an emotional time for all parties. This not being supplied is close to negligent.

I think that this would be beneficial to the trier of fact in modification proceedings.

I would go one step further that is to allow for mediation if the judge and attorney are found to be biased and overly involved in the the support figure. I'm surprised that it's not and that explains a lot of the confusion, especially with my case.

A worksheet may be provided a family to help them figure out how to handle a family breakup and arm them with making comprehensive decisions about the family's business, but only in the assisting process, not in a law making/breaking environment where the family members will then be held accountable for breaking the guidelines, rules, or laws that they never made to begin with.

Proof as to how you calculated the child support, should always be included!! If you don't include it, what are you hiding??!!?!

Why put additional paperwork into the already overloaded court files?

If DCSE creates the "child support" order, then the guideline sheet should be part of the record. Currently, DCSE does not share its worksheets with fathers. Private financial information should not be in public orders. Are you serious?

There should be no support unless criminal convictions of abuse or violence toward the child exist.

The guidelines are created based on corrupt and flawed thinking and need to be recalculated, or the formula used to determine CS needs to be posted...not these "payment" schedules.

Yes, mediated agreements should be recorded. But it is better if parents agree informally and do not take it to mediation.

Yes, mediated agreements should be recorded. But it is better if parents agree informally and do not take it to mediation.

PARENTS RAISE CHILDERN

In an agreed upon lower support amount, this just serves as mommy bait to force a larger payment even if she does not need it. The states would love this to increase their matching federal funds through Title IV.

People should know how much money they would have to pay in child support so that they can determine whether or not they can afford to do other things such as move to a new home.

Yes!

Along with this, if the State has different guidelines for low-income parents then those low-income guidelines should be listed as well to ensure a fair support order.

Through out the guideline worksheet unless my prior comments are implemented as part of the guideline

Agreed. From both parties with an expiration date. If one party doesn't comply by the date, he or she doesn't get a say.

It seems both parties recieve copies when in court

see #1 and #3 above.

Agreed. In the order pertaining to my case, the judge not only did not include the worksheet, but provided no points of reference or explanations for future persons (attorneys and judges) to ascertain why the judge chose to deviate from the guidlines and make certain decisions.

There should ALWAYS be CERTIFIED ACCOUNTING submitted in matters involving funds transfers, and financial transactions between Parties in Interest and any Interlopers, Employers (extra fees for wage garnish orders), IRS Intercepts, Custodial Parent NON TITLE IV-D state administrative fees, Non-Attorney Administrative Fees, ect.

If the order is calculated by the court, the calculoation should be provided to the parties but should not be attached to the order for reasons of privacy. If the parties reach an agreement, the basis for their calculation is a private matter between them.

There is a reason court orders are legal. Guidelines worksheets should only be used if it will provide equitable treatment for both parents and not add another way for fathers not to see their children

Also if one of the parents is shown to be falsely stating information then a proof of the basic expense will be required and the value will be made from it.

Why?

I believe there is already a statute that requires this. I know as a mediator we are required to include the guideline worksheet and also a statement in any agreement that refers to any deviation from the guideline amount. My mediation clients are required to sign the bottom of the guideline worksheet so that the Court is clear that they were aware of how the guidelines were calculated, what the calculated amount was and that they did agree to a lower amount.

Again why are the courts and the child support company involved? Not every relationship with children is a burning bed, not every father refuses to support his child, and this mislabels fathers (lets face it statistically it is the father paying child support) as dead beats when they are not. Bias in every area of the process, and not important enough to get a ounce of notice.

The judge should also be required to explain any deviation.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See equal parenting discussion above. Under an equal parenting scenario, child support would rarely need to be awarded, and the administrative, and judicial workload associated with child support orders would be dramatically reduced. Under equal parenting, child support would only be awarded to balance the child support funds available to the two parents up to a minimum level necessary to raise the child. If both parents earn similar incomes or both parents earn incomes at some level above the poverty level (such as 3x) then no child support would be needed or awarded, and each parent would support the child during their custody time using their own resources. Child support awards should not be used to balance incomes or lifestyles or to redistribute wealth beyond what is minimally required to raise the child considering the incomes of the parents.

It is important that the parties understand what their support would have been were it not for their agreement.

It would be helpful to be able to ascertain the basis of calculations.

I think that a guideline worksheet should be attached to all support orders in litigation and agreement. But, there are times when people's income cannot be determined when parties reach an agreed child support amount and in that case there should be an exception allowed to not attach a worksheet.

this is a no brainer - it's important to be able to SEE the history of a case, particularly if you're a succeeding attorney

Yes, the presumptive guidelines worksheet should be attached even if there is a deviation.

I believe that 8.01-581.25 already requires this. It should be placed in 20-60.3.

This would save countless hours of court and attorney time down the road. If my agreement, you can always back into a the number you want and agree on those factors.

There are problems when mediated/negotiated agreements are incorporated and one party later requests a modification. I've seen a Judge exclude income information provided in mediation as "settlement negotiations". If the guideline worksheet is attached to an incorporated agreement or agreed order, then you know how to measure change of circumstances for a modification hearing.

However, a statutory requirement that a support order derived from guidelines should have the worksheet attached would be appropriate. In addition, in cases where the support is not based upon a guideline, the monthly incomes of the parties should be included in the order so that it is much easier for a judge to determine whether there has been a material change with regard to the incomes of the parties.

Unnecessary paper added to the system - we should be facilitating the overall process not just adding more administrative requirements.

This would assist in future modification cases in the same matter.

Either this provision or a statement in the order itself that states this order is based on obligor earning \$X and obligee earning \$X so that the court will have a defined starting point for determining whether a change has occurred to warrant modification. This would be easier than requiring the worksheet.

Even in cases where there is a litigated or agreed upon deviation, I see no reason why this shouldn't be required. Whether agreed or litigated, the Court is already required to review the guidelines calculations anyway, so why not attach them? Moreover, on modification cases, the presence of a guideline worksheet on which the prior order was based makes it easier for attorneys, judges, and parties to see the exact baseline for each factor that went into the prior order, thereby reducing the need to prove the baseline figures in addition to the changes to those figures.

I disagree with this requirement for cases where a child support amount is reached by negotiation. The parties may agree on a final number but not on the components and this requirement would discourage settlement.

This would assist in change of circumstances determinations

Litigation yes, agreement no

It's a good idea to do it, but we don't need any more statutory requirements.

The problem with this is that the guidelines do not always reflect the amount of support so it may be impossible.

Is this really a big enough problem that it requires legislation?

some require this now. If parties agree, it is an extra burden to attach the worksheet and the rationale is murky.

Parties should be free to agree to a number when the specific factors (i.e. income of a waitress, future elimination of daycare) are cloudy.

would not disagree if the guideline worksheet were protected as part of the privacy addendum.

People reach agreement on child support all the time as a practical amount where the guideline is irrelevant.

If the case is litigated, the guideline should be attached. If it is by agreement, attaching it can cause problems as the agreement sometimes has nothing to do with guideline amounts.

The court needs to copy more paper, why?

While it's a good idea from a practice standpoint, it is not always necessary and could hold up agreements if it is required.

This is helpful for future proceedings or actions to amend to have this guideline available to show a change.

But if guidelines not utilized, this could be problematic

Most often, in litigated cases, the parties do not agree as to just what is the "guideline" amount. Most frequently, because of a difference in each party's position as to Incomes. Hence, in most cases, two worksheets would have to be attached, and NEITHER would match the CS the court ruled in the case, because the Judge accepted each party's viewpoint on some issues but rejected others.

What purpose would this serve ? Just another bureacratic requirement that won't affect anything.

I routinely already do this. Where there is no worksheet attached, it makes modification considerations SO much harder.

This will create another host of problems especailly when the Court loses the guideline worksheet or an attorney forgets to attach it. This might suprise you but most of us are very capable of drafting child support orders stating how we derived the amount of child support.

this is not necessary. The guidelines can be calculated right online through DCSE's webpage. the guidelines are also available online and at DCSE offices.

I agree with this statement because both parties should have the same information given to them. That way, there is no way one party could say they received different guidelines.

Except there are cases in which the child support amount was a settlement off of the guidleines in which case the guidelines cannot be linked to the settlement amount. Requiring a guideline worksheet would have a chilling effect on some settlements.

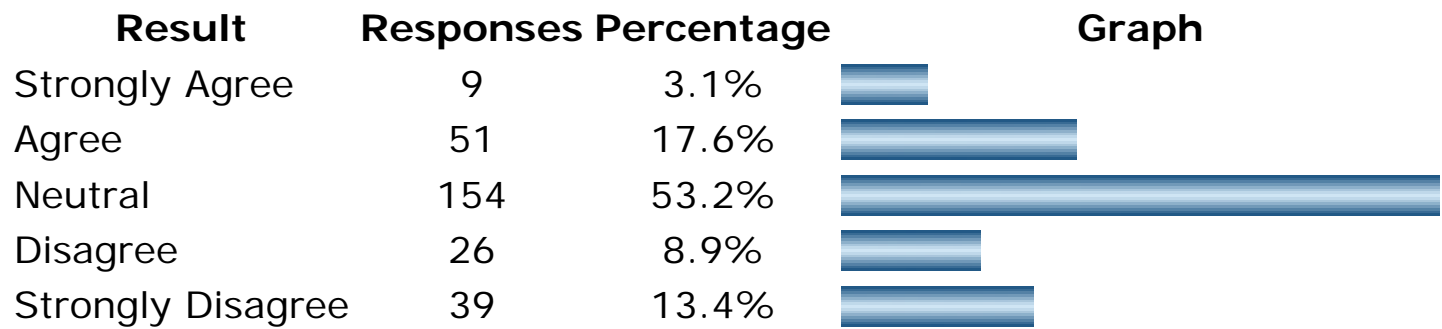
This would greatly assist in modification proceedings in determining whether a change has occurred. It would also be useful to DCSE in administering cases, as sometimes orders are provided without guidelines and it may be difficult for the Division to exercise its statutory review process.

Often times the reason that an agreement is reached on child support is because the parties know what is reasonable for children's expenses but they do not necessarily agree on what each other makes (especially in cases of business owners). If a guideline worksheet is required, and the parties cannot agree on income, then it forces an otherwise settled matter into court to determine income.

No absolutely not.

It is helpful to have the worksheet attached, but each time we add a mandatory requirement, we make the process more (and unnecessarily) complicated).

Total Number of Form Results: 289

12. The multiplier (1.4) for shared custody cases should remain the same.

Total Number of Form Results: 289

Comments (12):

The multiplier violates the basic precept of the Income Shares approach, which is that the child support order is set with the understanding that the divorced parents are expected to spend the same share of their combined income on the children as they did when they were married. The multiplier increases the expected expenditures of the divorced parents to 40% more than when they were married. In other words, if they spent \$1,000 per month when they were married, they are now expected to spend \$1,400 per month on the children. This is improper and violates the basic presumption of the Income Shares approach.

I think the entire shared support calculations need to be revamped. We need to be clear on what a parent who is paying shared support has to provide for the children. This is a constant problem with people who pay shared guideline support and benefit from a reduced amount of support being resentful that they still have to provide for clothing and other necessities for the children who are residing with them over 90 days a year.

DONT KNOW WHAT THAT IS/MEANS

I admit I have never been joint so I don't know. I will say one thing if joint is working it out the state butts out.

Discretion for particulars of the situation should apply.

Not familiar with what this means.

Shared Custody is worthless proposition. Equal Custody is the only lawful custody consideration and order period. Why is the government wanting to be in the middle of a family's business when they are working everything out on their own anyway?

Noncustodial parents should not be placed into financial hardship/duress due to any child support order!

Each case is different. I don't know what each case involves.

The current formula and so called shared custodial formula fall drastically short of holding BOTH parents responsible for providing for the childrens needs in the so called non custodial parents home. The current system of marginalizing the children's needs at thier so called custodial parents home and making it expotentially harder for the so called non custodial parent to provide a equal and livable home life for THIER children.

When both parents share child physical custody equally, there should be no "child support" payment from one parent to the other.

Shared parenting means both are paying for everything jointly, there should be NO SUPPORT ordered!

Not sure what this means...

There shouldn't be the multiplier at all...once shared custody has been agreed to by both parents or substantiated by a court order it is just that, shared custody. Both parties need to be financially responsible, and although it looks like it on paper they aren't....especially when each party has the children the exact same amount of time

There should be no payment with shared custody.

????????????????????????????????!!!!!!!

This is unanswerable, are you raising it or lowering it?

50/50

NO...stop these predetermined numbers. The guy in the state capital or in washington has NO idea what our standard of living is.

No

No

PARENTS KEEP MONEY RAISE CHILDERN

The entire worksheet sould be based on the state's payment for foster care, and then go down based on income levels.

I've never heard of this so I have no idea what it is.

Not sure...

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

I do not know what this means and need and explanation of what 1.4 means before I can decide whether I agree or disagree with this statement.

All custody cases for fit parents should assume "shared equal" custody. It is time for the government to stop breaking up families and encouraging battle over children as trophies.

The formula should be simple: 1. How much does it cost to raise one child in that house. 2. Multiply that amount by the number of children. 3. Determine what percentage each parent makes towards the total income of both parents. 4. Make each parent responsible for that percentage of the amount needed for the kids. Simple.

This quirky formula should be eliminated. A simpler formula based on the amount each parent could potentially provide in income, and previously and currently provides to the child's well being, compared to their own personal expenditures should be utilized. Showing a parent's propensity to spend money for personal pleasure that does not benefit the child should be a factor that is included to negate (or possibly increase) the amount that parent should provide for the benefit of the child.

Anything other than a 50/50 Custody case should require a jury panel review per the Va Constitution (3 persons) PRIOR TO ANY FINANCIAL DECISIONS regarding the children. Mediation between the 2 biological parents should be Mandatory prior to ANY HEARING BEFORE A COURT.

The multiplier is a fraud lacking economic justification and imposing a punitive tax upon the minority parent. Any parent with substantial parenting time either above or below the threshold has to provide housing, transportation, etc. The multiplier forces the minority parent to pay twice as a transfer to the majority parent and again to provide the same things in the minority parent's own home. The multiplier is an impediment to encouraging substantial relationships with both parents in the best interests of the child

The multiplier should be based on equitable treatment for custody purposes- standards of living are already devastated with divorce adding to these tough economic times.

Why should any multiplier be needed.

I am for whatever reduces the "cliff effect." Probably different multiplier should be used based on the number of days. One multiplier for say 91 to 100 days and another for 100 to 110 and so-forth.

I don't understand what this means

The multiplier should be reduced

I do not understand anything about the multiplier.

I am not sure why the multiplier is there to begin with. I understand that in a "shared custody" situation, each parent is required to maintain a certain household for themselves and the child...however, this is still true in the cases where the NCP is relegated by the Court as a "visitor" who is allowed to see his child only a few days per month. The "visitor parent" still has to maintain a bed and other things for the child, still has household bills etc. I am neutral on this item because I am really not sure what effect it has in reality.

Custody should not be determine, dictated by the court, who has absolutely no legal right to be involved in parenting, which is an America right. Shared custody is what is in the best interest of the child, but the court rules against it everyday numerous time. The court should not be involved in this.

In shared custody cases, there should be no support. Each parent should support the child while the child is with them.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

The 1.4 factor should be eliminated immediately! It is simply a "fudge factor" to maintain excessive child support awards under a minimally "shared" custody arrangement. The 1.4 factor should be replaced with a default of equal parenting time, unless the parents agree otherwise. Under an equal parenting scenario, child support would rarely need to be awarded, and the administrative, and judicial workload associated with child support orders would be dramatically reduced. Under equal parenting, child support would only be awarded to balance the child support funds available to the two parents up to a minimum level necessary to raise the child, not to a level to balance lifestyles. If both parents earn similar incomes or both parents earn incomes at some level above the poverty level (such as 3x) then no child support would be needed or awarded, and each parent would support the child during their custody time using their own resources. Child support awards should not be used to balance incomes or lifestyles or to redistribute wealth beyond what is minimally required to raise the child considering the incomes of the parents.

If 90 days is raised, the multiplier probably should go up

IN shared custody cases the actual needs of the children need to be considered and a determination of which parent will pay expenses needs to be established.

Assuming base is increased, multiplier seems about right.

I am not sure where that multiplier came from, and I do not believe there was any rigorous study of what multiplier would be appropriate. Such a study should be done not only for the multiplier, but for the guidelines as well. A "non-custodial" parent, whether in a technically shared custody situation or not still must, like the "custodial" parent, provide a suitable place in which to exercise periods of custody of the children, which often becomes very difficult for middle income and low income individuals given the current application of the guidelines.

Careful attention should be paid to whether the shared custody is actually realized or simply a way to minimize payments.

I do not know that basis by which that multiplier was created, so I am not sure if it should be modified.

I haven't looked hard at the math behind that multiplier, so I will reserve comment until I have done so.

I would like to see it be higher

This 1.4 multiplier, and the 90-day threshold, were carefully worked out when the Shared formula was modified in 1998 so as to eliminate the "Cliff-effect" that occurred in the older formula. Be verrrry careful in modifying this formula, because of unintended consequences. No threshold or multiplier can ever be "perfect" for all situations, or especially for all points of view. The current law is a good compromise.

I think this is reasonable

I believe that the children should receive more money. It is not their fault that the noncustodial parent walked out on them.

Shared custody guidelines do not work well in most cases. the multiplier should differ based on the amount of shared custody.

I willl show up at the General Assembly and strongly object to any change on this whastsover- the numbers work, it took 2 years to get the new stastute there has not beern 1 single appeal to the Court ofAppeals on this and as primary author of this statute, I am totally unpersuaded that this needs fixing. I %110 per cent wil personally appear to object to any change and ask the committee not to change the shared guidelines- they work great in every case I have used them and have helped settle cases. Don't mess this up!!!!!!!

Total Number of Form Results: 289

13. The number of days (more than 90) for shared custody cases should remain the same.

Result	Responses	Percentage	Graph
Strongly Agree	18	6.2%	<div></div>
Agree	86	29.7%	<div></div>
Neutral	76	26.2%	<div></div>
Disagree	47	16.2%	<div></div>
Strongly Disagree	55	19.0%	<div></div>

Total Number of Form Results: 289

Comments (13):

There should be no threshold for a shared-parenting adjustment. Adjustment of the child support order should start with day one of parenting by the second parent, as is done in the State of California. With the elimination of the threshold and multiplier, the State of Virginia could have one child support guideline that smoothly covers the entire range of shared parenting situations, from zero percent, to 10 percent, to 20 percent, to 30 percent, to 40 percent, to 50 percent (equal parenting), with no anomalies in the calculations.

I think as long as the statute provides what the other financial obligations are for a parent enjoying shared custody are that the number of days is not as critical. The present statute does not set forth the obligations incumbent on the non primary custodial parent as a result of getting the reduction in support.

NOT AWARE OF MEANING

I don't think that has anything to do with it, but it should be less. In the modern age a child does not have to physically live with you to provide support. Have you ever heard of communication. More time can be spent with someone with words than money!

Discretion for the particulars of the situation should prevail.

Whether a parent cares for their child(ren) (1) day a year or 182 1/2, under a Equal Custody Agreement between the parents, what's the difference? Why is the government concerned, let alone involved?

No matter the percentage of custody, non custodial parents whom actually take visitation with their children should receive recognition... Regardless of the length of time; basic math doesn't exclude any percent of anything, or the calculations would be inaccurate; "noncustodial parents" should not be discriminated against, due to having a smaller percentage of time with the children.

I don't know what this comment refers to.

The costs of meeting the children's needs to be shared equally 100% of the matter who roof they are under. Should we not bring someone up on child neglect charges if they do not feed their children for 89 days but starts feeding the child on the 90th day? That is precisely the neglect that the current guidelines manifest.

The 90-day issue is designed so that the mother can have "child physical custody" for the 9-month school year, with the father having 89 days of "visitation" in the summer, thereby giving the father no child-support for the days in which he cares for the child. This 90-day rule was created and sold to the DCSE by father-hating feminists.

All I know is if both parents are willing and deemed able to parent then it should be 50/50.

It is a family matter and there should be a guarantee of 50% of the year with each parent.

50/50 rotating 0 support

Primary/physical/residence custody should not be awarded to one parent in shared custody cases.

This is unanswerable, are you raising it or lowering it?

Shared custody should be equal.

Custody should be 50/50 by DEFAULT. Anything less is based on corrupt thinking. There is nothing you can say otherwise. it is what it is, or what's it's become. There are witnesses who worked in government Child services who have testified to the same. So don't ignore the real problem...corrupt thinking/laws lead to bad discriminatory treatment.

All children need both parents- Presumptive Equal Parenting, at least 35-40% of time with each parent- may be by days, weeks, or years.

All children need both parents- Presumptive Equal Parenting, at least 35-40% of time with each parent- may be by days, weeks, or years.

SHARED PARENTING THE ONLY WAY

The count only includes overnights, but if a child stays with a non custodial 30 days and 9 overnights, the custodial parent still gets a check as if they are providing every meal and every other expense, yet the non custodial parent is actually incurring more expense.

Shared custody should be equal. Both parents should have 182 days with their child and child support should not be ordered for shared/joint custody arrangements.

This really should be increased to 120 days minimum.

I somewhat disagree with this because I feel shared custody should be automatically given unless there is documented proof of abuse or neglect. I feel parents should get more than 90 days for shared custody.

For fit parents, there should be no limit on visitation or custody. The more time BOTH parents spend with the child, the better off the child will be.

"Noncustodial" is now considered as a negative thing and implies the "loser" in the family. This must change if we are concerned about our children. It is NOT in the best interest of any child to separate him/her from either fit parent.

AND NEEDS TO BE CONSIDERED WHEN "THE DEPARTMENT" CALCULATES THE GUIDELINES

shared custody should be the presumptive status regardless of the arbitrary number of days.

Again, this divisive tipping point should be eliminated. It will avoid and eliminate the contentious nature of attorneys and parents mounting attempts to exceed or deny the non-custodial parent's ability to equally meet the needs of the child by playing with the calendar day-by-day. Case after case has been documented to show that an inordinate amount of time is spent counting out potential days to exceed or deny this condition. Elimination of this rule should be the number one goal for the quadrennial review recommendations.

"shared" custody IMPLIES shared. Not "temporary". Anything other than 50/50 is NOT Shared Custody.

Get rid of the cliff. There is nothing difficult about calculating each parent's share of the time with the child. The state should determine a reasonable amount for a child's needs and then allocate that amount in proportion to each parent's time with the child.

It should increase, since there are 365 days in a year. Especially when fathers pay the custody, how is it that every other weekend and 2 weeks a year is average. The children are with the mother 22 days of every month- 90 should increase to 180 whenever applicable

If this number is changed then the orders will change to fall right under new guideline at which judges have to do the math. The real issue is that there must be a rebuttable presumption that each parent gets 182 days and 12 hours of custody with presumption that absence of clear and convincing rebuttal from the judge constitutes 182 days and 12 hours to each parent.

more time 50/50

This should be less than 90 days

I believe that if the guidelines are going to continue to utilize both parents gross monthly income, then the guidelines should also utilize the number of days each parent has the child ACROSS THE BOARD. Regardless of what the Courts say, ALL parents have shared custody of their child. The child is not an "award" and a father is not a "visitor"...these are dehumanizing terms and emotionally devastating to the parent who was demoted for no reason by the Court as well as to a child who now has to suffer the loss of a parent for no reason. Again, most of this could be simplified if the Courts would start ensuring that the child's EMOTIONAL support and physical involvement with each parent is EQUAL.

Less than 90

Shared custody should be determined by the parents not the court.

The threshold needs to be lowered. Attorneys push for and judges award the standard "every other weekend/couple overnights" custody orders solely for the purpose of keeping the time below the threshold and maximizing support orders. Lower (or eliminate) the threshold and make judges explain why they award anything other than shared physical custody.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Again, this question does not stipulate the number of days to change either upwards or down.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Custody sharing should be calculated on the actual custody share, with no adjustment factors (see #12), starting with a default of equal (50%:50%) parenting time, unless the parents agree otherwise. Under an equal parenting scenario, child support would rarely need to be awarded, and the administrative, and judicial workload associated with child support orders would be dramatically reduced. Under equal parenting, child support would only be awarded to balance the child support funds available to the two parents up to a minimum level necessary to raise the child. If both parents earn similar incomes or both parents earn incomes at some level above the poverty level (such as 3x) then no child support would be needed or awarded, and each parent would support the child during their custody time using their own resources. Child support awards should not be used to balance incomes or lifestyles or to redistribute wealth beyond what is minimally required to raise the child considering the incomes of the parents.

Should be higher -- 90 is too low. Should be no less than 110, or something like that.

The whole concept of a "magic" number of days resulting in downward modifications is the trigger for arguments over the custodial schedules that are drive by financial advantage and NOT what is best for children.

I think shared custody should be greater than 90 days-

this should go to 120 at a minimum-the antics about 'getting to 90' are a huge waste of time and resources - right now, every other weekend from Friday to Monday plus 3 weeks in the summer is enough to get there - and that's NOT 'shared' - you don't have to have a bigger place to accommodate that kind of parenting time!!!!

This number is way too low. It does not reward the Non-custodial parent it actually punishes the children At 90 days the noncustodial parent has the child 25% of the time but the calculation usually reduces the support for the child by more the 1/3. This is brutal on the children. The number should be 1/3 of the number of days in the year. This be fair more even handed.

I think the number should be higher - for instance 120 days. This would help prevent strategic behavior around visitation negotiations.

This number is very high. The label "shared custody" makes the noncustodial parent feel less involved with the child, as that parent does not "share" custody according to the language of the Code. This label should be changed.

Non custodial parents strongly demand additional days during summer and winter breaks to reach that magic 90 day shared guideline so as to alleviate the burden of child support. Unfortunately, the primary custodial parent is placed with the burden of adjusting their budget, although the children routinely do not visit their non-custodial parent for the entire 90 days. It seems to be used as a hard line bargaining tool in negotiating custody, when in reality the underlying reasoning is based upon child support obligations.

I think 90 days is probably a little low and 104 would be more appropriate (average 4 days every 2 weeks), but do not feel strongly about this.

90 days are too few to call "shared custody". One parent is not only working outside the home, but providing most of the child care.

The guidelines should take into account all number of days, whether 110, 90, 75 or 50.

Believe that it should be raised.

But partial days should be permitted to be counted towards such 90 day period. 25% percent of custodial time is still significant for most "non-custodial" parents. Furthermore, a common default for custody cases is the "every other weekend, plus one night a week, plus one week during the summer" arrangement for noncustodial parents, which often motivates(unfortunately) parties to disagree over only a handful of custody days for the sole purpose of effecting a change in child support. I don't think reducing the 90 day threshold will eliminate all such disagreements. However, assuming that courts will continue to regularly resort to that default custody arrangement, perhaps the day threshold between "sole" and "shared" guidelines should be reduced such that "non-custodial" parents aren't disproportionately burdened with a support amount that doesn't accurately reflect the percentage of time they have with the child/children.

Since the payor is usually the dad, I see increasing efforts by dads to achieve 90 + days to accomplish a reduction in support payable. I also have read that the custodial moms virtually always come out financially inferior to the dads. I thus suggest an increase of 10-20 days, to increase the moms' opportunity to keep support to the higher number.

should be 80.

It should be reduced to around 75. Since 52 days is every other weekend, 75 is significantly more than 52.

I think the threshold is too low. it doesnt take much to get to 90 days, but it sure seems all of the expenses of clothing, school, etc. falls on the primary custodial parent. i think shaerd custody guidelines should only apply when there are enough days that the non-primary parent acutally maintains a day in day out household for the child.

I'd like that to be higher too. I worry about us giving children to people whose primary reason for wanting them is financial AND I KNOW THIS HAPPENS ALL THE TIME

However, a major problem is attorneys who spend enormous amounts of time arguing whether the client has obtained the 90 day threshold. I think it should be something like 88-110 with discretion of the judge whether to award shared or sole guidelines.

The number of days should return to 120 days. Sometimes, noncustodial parents seek additional visitation time only to trigger the shared custody support amount. This leaves the burden on the custodial parent to seek a modification. The higher number of 120 days discourages this type of gamesmanship.

I think that there should be a recognition that the NC parent with the typical visitation schedule of "every other weekend plus one weeknight" incurs expenses far in excess of the NC parent who is mostly absent. These expenses are incurred for the benefit of the child (extra bedroom, food, clothing, entertainment costs, etc.), and the guideline calculation should reflect that.

I belive the amount of days should be increased. Perhaps make a percentage of the year as used by IRS for dependents allowance rather than number of days. In any case 90 days or approximately 25% of child's custody with a parent is barely weekend visits, amjor holdiays and a week in summer which is more indicative of visitation as opposed to custody.

I believe it should be 120. 90 days is easy to reach by getting creative with holidays and summer vacation, even though one parent is still caring for a child the majority of the time.

I think it should be higher

Same comments as in #12 above.

My only caveat is that I preferred saying to parents "Let the other parent have as much time as he/she wants. If they don't use it, they don't. But if they do, better for the child." Since the shared custody guidelines, I have to say "Wait, wait, wait. You can still give him/her the whole summer, but let's look first at what it is going to do to your cs." I do not like mixing those considerations. If anything, I would INCREASE the number of days to get to shared custody. I certainly would not decrease the 90.

this is reasonable and has worked in the past

I believe the children should have a say in this situation if they are old enough to make the decision. Plus it depends on the noncustodial parents situation.

The threshold for use of the shared custody guidelines should be 120 days.

90 days grossly reduces child support for the primary parent. The number of days should be increased to a minimum of 120 days if not 140 days to adequately establish support for the child.

It is too easy to trip over the 90 day s threshold and it causes problems in custody schedules as parties jockey for position about it. 90 days is too low for there be real shared custody. The prior threshold of 110 was too low as well, real shared custody in which both parties have to make living arrangement decisions would be 140 days. Shared custody is a major problem. It is unfair to the parties. Lowering the days from110 to 90 may have avoided the "cliff effect" but did so by cutting child support to a large number of children.

The issue I have with the 90 day provision is that any parent who has their child each weekend qualifies for shared custody support amounts. This may not be fair, as the other parent still has the child for 5 days a week and bears the greater burden of expenses. A parent who has children in a school system requiring uniforms, for example, is disadvantaged under the current system as they would be required to have two sets of clothing for these children for five days a week, while the other parent only needs to have sufficient clothing for two days per week (which is also frequently provided by the custodial parent). In my opinion, shared custody guidelines are more appropriate when custody is truly shared and not just on a weekend basis.

I would consider moving it to 100 days to try to avoid some manipulation by the non-custodial parent.


Should be 120 or more

See comment in 12 above.

Total Number of Form Results: 289

14. The guidelines should contain guidance for calculating support in complicated cases, such as where either parent has multiple families, one parent is the noncustodial parent in one case and the custodial parent in another case, or other situations involving blended and complex family structures.

Result	Responses Percentage		Graph
Strongly Agree	86	29.7%	<div></div>
Agree	120	41.5%	<div></div>
Neutral	29	10.0%	<div></div>
Disagree	38	13.1%	<div></div>

Strongly Disagree 12 4.1% 

Total Number of Form Results: 289

Comments (14):

Yes. We should acknowledge all complexities of all families - in a courtroom. But I would say instead, the guidelines should ALLOW FLEXIBILITY in dealing with such situations.

IF a special needs child - it also needs to be stated. ALso if the NCP is not takeing off work or causing hardship on the family of hte CP - that should also be taken into consideration. If NCP is not paying the medical portion ordered or any other "extra" support in order in addition to child support - that should be garnished as well.

I agree that we need significant guidance on this issue. We are often left to our own devices to try to work out complicated issues with multiple scenarios of custody

ALL INFORMATION SHOULD BE ADMITTED AND CALCULATED, EFFECTS ENTIRE FINANCIAL NEEDS OF EVERYONE INVOLVED.

I think it should. And as a rule of thumb all support should be equally shared among all children in any relationship status.

Reality dictates that guidelines are that not mandates discretion should take into account all relevant facts and issues.

There is nothing complicated about parents deciding how to divide and share in the care of thier children. It is the government that makes it complicated to justify being involved in the first place, and then to provide countless unnecessary jobs for many different professsions.

Also, child care costs, and associated travel fees should be adressed also; no parent should be placed Into unjust financial hardship, due to child support!

I agree that each parent is responsible for care of the children. Each family is differant. I think there should be suggestion and or examples of situations that have occured in the past.

There should be no support paid except in cases of proven criminal abuse of the child. It is not the government's business unless the child experiences criminal neglect and then the parent responsible for the neglect should be imprisoned and pay support after being released.

NO...the law should be 50/50 by default. If one parent can't do 50/50 then the negotiation begins. Can it be 60/40, 70/30/ 80/20. Once that is established, but if you are going to continue to discriminate against men for state profit then to determine CS you should take the difference from what the mother makes and what the father makes. So if the mother is making \$80k and the father is making \$100k that's a diff of \$20k. You cut that in half so it's \$10k The two parents are now making the same money. If the wife can't support the kids on that, then she should have thought about that before filing for divorce and hurting her husband and her kids. But this is the selfishness that is promoted by the government for profit.

There can be some guidelines in cases where mediation is necessary, where parents are subborn and there is no more or less equal parenting. There are no guidelines during marriage, so why afterwards

There can be some guidelines in cases where mediation is necessary, where parents are subborn and there is no more or less equal parenting. There are no guidelines during marriage, so why afterwards

PARENTS RAISE CHILDREN

See questions 1-5, and 9. This is very important in today's society where 50% of families are divorced and blended families.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

In those cases, I suggest a balanced panel of Custodial/Noncustodial parents work with the parents to establish what would work the best. The more that lawyers and the government gets into these matters, the worse they become. Again, I'm speaking of "fit" parents.

Absolutely! Or maybe assign a mathematician to help with the calculations. see #1 and #3 above. The state needs to stay out of families.

Correct. For example, the custodial parent remarries into a wealthy family where the child support payments will have little or no effect on the upbringing of the child and will not add to the child's best interests because the monies will not go to enhancing the upbringing of the child, specifically with regards to the education and training of the child. For example, in my case, I provide 100% of the summer camps for the child, many of which are educational and developmental. When the child is in the care of the other parent, the child is shipped off to the grandparents for the remainder of the summer with no purposful or planned activities or even friends to develop with and grow with. Guideline MUST be ENFORCED, root cause of extensive, damaging litigation is due to LACK OF ENFORCEMENT.

Currently, non-custodians are forced to short-change children in their second families and custodians get a windfall (keeping 100% of their own earnings plus a slice of another family's earnings), especially in cases with multiple support orders.

It is only fair to add more flexibility in complicated cases.

It should be important to consider other factors, for instance, if the custodial parent makes a considerable amount more than the non-custodial parent and does not bear the cost of actually sheltering the child, while the non-custodial parent, having the child for 90 days or more, does bear the cost of providing a home for the child, should be acknowledged and the support amount adjusted.

There is details in the code right now for alot of those situations but people (judges, DCSE agents, officers of the court) are allowed to pick and choose what child support statutes they say are the actual guidelines that they have to follow. It has to be more defined and varified/confirmed for accuracy.

The guidelines should be simply that...guidelines. What about the cases where each parent is making minimum wage but the custodial parent has gone on to marry someone who is well off? All of her needs are taken care of and she clearly is not in "need" of a great amount of money from the other parent, yet the other parent will be living in a completely different lifestyle. If the main objective of child support is to ensure the child maintains the same relative lifestyle with each parent doesnt this seem to fly in the face of that logic? The child will go from one parent with a nice home to the other parent who is living with a friend or family member and has no money to do anything with the child.

Why should a parents second child go without so the first child gets all support? This is all common sense stuff, as adults parents should handle this, without bitterness.

ABSOLUTELY !!!!!We live in a much different socio-economic world than in the 1950's and 1960's! There is NO consideration or even acknowledgement of individual and family variations by the nincompoops of Virginia DSS/DCSE.

Most of these cases have to go to court so there should be suggestions for the judges.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

The last thing we need is more complicated laws.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds up to a minimal level necessary to raise a child, not to a level to balance lifestyles.

The guidelines already take into consideration other biological children.

That is why judges have discretion

Yes, if they can do it fairly -- not sure how.

It is common to have children in one family who have different schedules, i.e., one child may live primarily with one parent and other children may be shared or split.

I think the guidelines absolutely need to address the situation where there is split custody and the parties have shared custody of some children and one parent has primary physical custody of another child. This issue comes up repeatedly and lawyers and judges are always struggling about how to handle.

Absolutely - altho not sure you can instruct for every possible situation. currently we're struggling with a case with an older child who lives primarily with Mom and two younger children who live primarily with dad but qualify under shared support guidelines - which one is figured first?

I don't think a parent should be able to avoid full support of his biological children by taking on the children of his or her new spouse. I also think the calculation that increases the custodial parent's child support because he or she has other biological children in his or her home that are not the non-custodial parent's children is wrong and should be removed. It usually changes it around \$50 but that is a lot to the person paying.

Please, Please, Please provide this. The purpose of the guidelines is for consistency through out the state. Right now there is no consistency in these complicated cases.

It would be helpful to have more guidance when a family with multiple children has different custody arrangements for each child. For instance, how do you calculate child support when the parents have sole custody of one child and shared custody of one child, or split custody of two children and then shared custody with one child.

Judges should be given discretion as to calculations of child support in such cases; provided, however, they should be required to give written findings in support of their method of calculating the support obligations and the factors considered regarding their decision.

Please look at the Fairfax formula.

Could never cover all the scenarios, so trying to include some would only make things worse.

Too complicated, and there is no way to address all situations.

Make the attorney's earn their pay - we do not need more regulations.

Agreed - the current guidelines really do not take account for today's blended families.

My initial reaction to this question is that the myriad of "complex" familial situations is far too varied to try to account for all such circumstances via statute. Nonetheless, if improvements in this area are possible, I would be all for it. My only concern would be that support should be tied specifically to the children the parties have in common, so as to avoid circumstances in which one party ends up providing financial subsidies for children or families for which he/she bore no responsibility in creating.

Such as where there is shared custody of one or more children and sole custody of another or others.

Too much.....room for manipulation.... the "other child" provision is sufficient

If enough 'guidance' is included in the guidelines, there will be no need for a parent to have an attorney. Then all of these unrepresented individuals can go to court and let the judge explain to them what the 'guidance' means and why they're not doing it right.

But I would support expressing more clearly that these can be considerations, not mandates, since mandates always apply poorly to someone somewhere, and thus do not achieve universal improvement above the court's exercise of discretion as is already permitted.

Guidance would be helpful but not a hard and fast rule.

good luck writing them! you're never going to cover every situation. Better to instruct judges to put down their computer programs and really think about deviations.

Given that the guideline support is not particularly high in Virginia compared to other states, no. In other states where it can be very high this would be more appropriate.

This may be very difficult to accomplish and may have to be left to the discretion of the judge on a case by case basis but some guidance would be helpful.

These statutory provisions are too difficult for the general public to understand as currently written. Further, I find that DCSE administrative calculations are frequently wrong because of a misunderstanding by division employees.

There will always be a scenario that will be missed. There are too many variations of family structures.

And for situations where there is shared custody of one child and sole custody of another.

The statute already gives guidance.

The beauty of the child support guidelines is their uniformity and relative simplicity. They are quite appropriately designed for the pro se litigant in district court. If additional guidance were imposed on complex cases, it would unduly burden the pro se litigant. Litigants who can afford attorneys for their child support cases will be able to address the complexities of their case through use of the existing deviation factors.

I believe giving credit for other children either parent is responsible for takes care of this.

This would be nice to have, but I warn you, the "correct" "formula" may not be easy to determine.

Keep it simple(r), stupid.

Complexity is appropriate for arguments on both sides. There are always going to be more complicated "what ifs" than we can imagine and put in the statute. And a series of "what ifs" can create unfairness where the actual circumstance contains exactly what is listed in the statute but is even more complicated. Dick Byrd, Larry Diehl and others are very good about giving us all guidance. And maybe they could create some "comments" to the statute. But I would not want a bunch of what ifs to be in the statute.

This needs to be done in court with the judge having discretion

I believe that the noncustodial parent should be responsible to pay each of the custodial parents the same amt approved by the guidelines of the the Division of Child Support and the judge. It is not the custodial parents fault that the custodial parent keeps have children with others.






The law already has such guidance in it.

Examples of such "complicated" cases are too varied to pin down. You cannot (in my opinion) legislate for every contingency. Better to leave the rules broad and simple, and allow judges to make the difficult decisions.

court's discretion to deviate adequately covers these situations.

Total Number of Form Results: 289

15. There should be a stand-alone order for child care expenses since they are more variable than other factors.

Result	Responses	Percentage	Graph
Strongly Agree	42	14.5%	
Agree	62	21.4%	
Neutral	50	17.3%	
Disagree	80	27.6%	
Strongly Disagree	51	17.6%	

Total Number of Form Results: 289

Comments (15):

Yes. Especially since current guidelines do not require verification.

Agree, but there should be a reduction in the base child support amount to avoid double counting of child care expenses.

I believe that this would be helpful in cutting down on modification proceedings.

That is the point variable. Just like daycare agencies are not really told you can only charge this or that. A person only earns so much and often isn't as flexible. And if a custodial suddenly decides to not use daycare they will try to pocket it anyway so it would just open the door for more abuse.

its funny the men get stuck paying the whole child care why the wife has fun

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Guidelines need to be based on economic data not arbitrary percentages.

Give me (3) distinct reasons in (3) complete sentences why this question is even being asked? You want to really improve life in Virginia? Take the court system completely out of all family matters.

Paying child support affects a parents ability to pay child support.

Only if the parents agree on this. This is built into the guidelines. This is like admitting the custodial parent does not spend the money on the children and needs extra money.

The extra money to mothers for child-care expense is just another way to take money from the father and give it to the mother. Why should the child-care numbers receive separate treatment from other expenses?

If the parent with custody truly is a capable parent and wants the child, and forces the other parent to have only a minimum of time with the child, the custodial parent should pay the aggrieved parent for the loss.

If the non-custodial parent is fit and willing to be the child's caregiver in lieu of non-parent child care and the custodial parent refuses the child care of the other parent(provided that the travel distance is reasonable), there should be no child care expenses ordered.

There should also be a monthly or quarterly statement of expenses by each parent filed with the court.

Too easy to pull the child out of child care and keep the fee that should be paid to the institution. Very common also.

Provided CS is fair, additional expenses should be split 50/50 as long as both parties agree. Proof of the agreement needs to be presented so either an email, or signed letter should be presented.

No such bureaucratic involvement in family matters- we want presumptive equal parenting

No such bureaucratic involvement in family matters- we want presumptive equal parenting

PARENTS KEEP MONEY RAISE CHILDREN

child care should only be a last resort if the non custodial parent cannot provide care or other provisions such as a trusted family member. Then there should be a guideline for maximum allowed charges rather than selections at the whim of one parent. If more is desired, the one willing to pay more should be responsible for the additional charges. Maximum charges should be based on a 20 mile average cost of all public and private providers.

Child care expenses should be the responsibility of the one who wants the child to be in a child care facility.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know schedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

Child care vs daycare vs AuPairs. What's the difference?

Disagree. Child care expenses may vary based on the ability to pay or accessibility, but the expenses can be averaged out based on locality and time in the care of another. Creating yet another reason to change an order only adds to one or another parent's desire for more litigation.

Judges are easily manipulated with the amounts represented.

Legislature must determine the Guidelines for a "child care expense" order. Child care expense orders must be applied EQUALLY to each verifiably EMPLOYED Parent who has assigned their Rights to the state. Immediate Family child care expenses should be EXCLUDED from any guidelines, as "Support" of any child is a BASIC FAMILY RIGHT.

If the custodian is not working, there is no need for child care. If the custodian is working, there is more money in the custodial house to pay for child care. The non-custodian should not have to pay extra for "child care" since the whole point of the basic support order is to pay someone else for taking care of the child.

It maybe variable, but it accounts for the largest percentage of monthly pay.

Agreeable only if the non-custodial parent can provide child-care when the custodial parent can not. This means if the non-custodial parent can have other persons in his family take care of the child so there is no or little additional expense to him then he should be allowed to present this as an alternative to a separate child care expense being added to his child support payments. This is another example of an inherently unfair part of child support when the father did not want the destruction of his family, now the mother who decides to destroy the family then gets to have her child-care expenses paid for by the father who did not want out.

Financial documentation and verification beyond a phone call to a person who simply says "yes I provide care for that amount" should be mandatory. If the non-custodial parent offers to care for the child and the custodial parent refuses, the non-custodial parent should not be responsible for any of the expense.

This completely depends on what support guideline model is going to be utilized. for the most part I believe that the child care should be separate from the "child support" and there must be proof of child care from the parent who is claiming it. Again, this is something that should be taken into consideration on its own merit but it also has to play a part in the "child support amount" once the child care is factored. Another important factor is the "need" for child care. Many parents are learning they can "make more money from the NCP if they get a low paying job and a high cost babysitter. If the cost of daycare is disproportionate to the custodial parents income, then the custodial parents income should be imputed as ZERO and the cost for daycare should be ZERO.

Again why is this a court issue, when did the state of VA become parent to all children of divorce?

Child care expenses should not be included at all because they are too variable. They change when summer starts and then again when school starts again. They change every year the child gets older. Modifying for these would keep the case in court several times each year.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced since each parent is responsible for child care costs during their custody time if required, or 50% of child care costs if child care services are shared by both parents.

This would be extremely difficult to collect by DCSE.

Unless you have a way to get paid in advance.

If there were, there would need to be a percentage change in cost that constituted change in circumstance. I am concerned that otherwise the court would constantly be dealing with MTAs.

If child care costs are handled separately, then they are paid as they are incurred. The payment share of each parent is more fair. It would result in less litigation about child support every time there is a change in day care costs. Costs also fluctuate a lot from the school year to the summer.

SO difficult to combine school year expenses and more expensive summer expenses for kids who still require supervision! Also provides fertile territory for SAYING you're incurring them while getting 'aunt minnie' to do it for free! Parent incurring daycare expenses should pay them, and other should reimburse fair share, or just alternate responsibility from week to week.

Usually this is not a variable number for working parents of children under school age.

This idea has merit.

This would help reduce motions to modify.

A stand alone order should be permitted but not required.

I believe that the guidelines handle this problem.

Parents that want to do this can agree to do so. Too complicated (think about federal tax implications) for our court to do anything else than way it is done now. Big changes only occur a few times during child's life. Parents should be discouraged from coming back to court with ever minor bump up or down in cost, not encouraged to do so.

Child support orders are already WAY too complicated. If it's a stand alone order, you'll give contentious parties something more to fight over every time child care changes.

These expensed should never be part of the guideline support, since it forces people to have to go to court each time these expenses are reduced as children get older. However, a stand alone order is probably unnecessary, since a separate provision in the same support order, which provides that the parties shall share such expenses in proportion to their incomes, with reimbursement language similar to that for health care expenses would be sufficient.

MOre administrative requirements are not the solution.

It would be helpful if there was a way to allow parents to more easily update the calculations when changes occur that are expected, like decreases in child care costs as the children get older. Taking child care out of the guidelines may be the way, but my concern would be that removed from the support calculation, child care payments might appear to be "optional" to the payor and there might be more difficulty getting these costs paid.

I think the inclusion of these expenses in a guideline calculation is appropriate. However, with that said, child care expenses are extremely variable from case to case, and are as difficult to prove as they are easy to manipulate and misrepresent. Perhaps there should be a maximum amount for child care expenses that can be included? I'm not sure how to fix this peice.

This is often done in the cases I am involved in but it is not appropriate for every case

No, people come in for child care, but usually other factors have also changed and the order is properly updated for all factors.

I am not sure if it should be a stand-alone order but it would cut down on litigation if a provision addressed how a change to child care expenses would be handled.

What in the world would this 'fix'?

Any need for separate consideration thereof can be stated in the overall child support order. We do NOT need more segmented orders!

Separate order is unnecessary and is likely to cause confusion for folks who are already overly emotionally engaged in the situation.

I've been wanting this for donkey's years.

It would be great to have this. I have seen cases where the payee stops sending the child to expensive daycare, and the payor still has to pay for it for quite some time. They shouldn't have to come to court and show a material change of circumstance just because the child now goes to Kindergarten or the daycare provider increased their rates if a proscriptive formula could be used instead.

I would suspect that the cost of administering a fair outcome in that case would cause either party to incur more in attorney fees and costs than either party saves.

This should be variable and based on actual expenses because it is an accurate reflection of a cost in the area the child lives.

Litigants try to take advantage of this when they can and creates uncertainty for custodial parents paying childcare putting them in vulnerable positions. Will also create problems with DCSE and calculating arrearages, interest, etc.

Not a separate "stand-alone" order, but it is appropriate to include such direct-pay expenses as a separate item in a CS order. For example: " CS of \$500, plus Father to pay 62% of all child care costs."

How many orders are we going to have in these cases ? At this point, there are frequently three, prior to the final decree in divorce proceedings.

In the vast majority of cases, child care is not variable except at certain known points of time (when the child starts school, when the child reaches the age where after school care is not needed, etc). If you have a stand-alone order that says each parent is to pay for work-related child care in proportion to their incomes, for example, that is still going to be variable because people get raises, demotions etc. So you haven't solved the variable problem, only complicated it. Also if you have a stand-alone that each party pays his or her share directly, you have the issue of one person not doing that. And that interferes with the child's care. I think we should leave this issue alone.

It is not work related day care that is the problem, it is summer camps and other extra-curricular activities. I do think that extra-curricular activities should be part of the guidelines or a shared expense.

there does not need to be a stand alone order.

No, because some custodial parents may be out to get the noncustodial parent and would take the children to the most expensive child care that can find.

This is not accurate. It is not difficult to determine day care expenses and multiple orders means multiple costs and multiple arguments.

Also, child care expenses need to address both pre-school time frame, and then when the children enter school, the child care expenses need to address academic year and summer. Many parents use summer camp as their child care and this can cause great dispute as to whether that should be included in any factor as it is not the standard "child care".

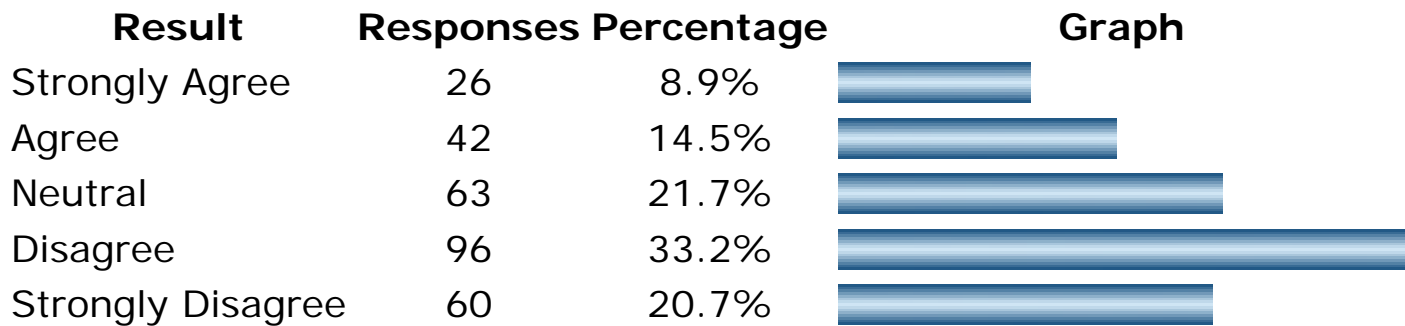
Not a bad idea because they do change from time to time.

Or, in the alternative, provide that a change in this cost is not a basis for recalculating the base support, but only a basis for adjusting the cost component of the obligation. This would simplify trials by eliminating the current system whereby a change in any one component opens every other guideline component to re-litigation.

The Court should avoid "micromanagement" of parental budgets.

Total Number of Form Results: 289

16. There should be a stand-alone order for health insurance costs.



Total Number of Form Results: 289

Comments (16):

Again there should be a reduction in the base child support amount in order to avoid double counting of health care expenses.

The ealth isnurance costs do not fluctuate as much as the child care costs and the differences from one year to antoher are usually not that significant.

In many cases Non custodials don't even have money to insure themselves. So requiring an extra amount is not in any way fair. It should be completely voluntary.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration.

Parents don't need to be told to put their children on their insurance policies where they work, or told if on government assistance that their children need medical care. So, whatever medical care is available to every family, leave it to them to handle it on their own. If, they should be unable to do so on their own, then send someone to educate and asssit them on the options available and to select the option that would best fit the family's needs.

All costs should be factored into the guidelines. the more paperwork you create the more litigation it creates. Great for liars (whoops lawyers) bad for children.

Why make multiple "child-support" orders, one for insurance, one for child-care, etc.?

If the general public is not required to buy health insurance, no one should be forced to buy any at all.

This order should spell out the responsibility to adhere to the health insurance policy owner parent. At present a parent does not have to go to the provider list in the policy. Thus, adding unnecessary costs and problems.

Health insurance should come off the CS total because it is a huge expense

Same as above

Same as above

PARENTS KEEP OWN MONEY RAISE CHILDREN

This should only be if the parents have private insurance.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know schedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

Again I disagree. I pay for a stand-alone policy for my child and it does not vary. See my answer to #15.

health insurance is an expense similar to that of private school tuition. One parent may want it but can not afford it.

60% of U.S. Citizens have MORAL and RELIGIOUS OBJECTIONS to "insurance" of any kind. If one parent chooses to have "insurance" that is their decision as an Individual and no other person legally/lawfully should EVER be required to be FORCED to PAY for a lack of faith/healthcare or other "INSURANCE".

The guideline already includes healthcare as part of the base amount. If one of the parents can put the child on employer provided health insurance, the cost of any additional "family" coverage should be a credit against that parent's share of the child support obligation.

As my ex-spouse had no incentive to work and health insurance is tied to an employer, stand alone health insurance costs would incentivize people like her less to work. What about the health insurance costs for the person paying the support?

If this means the child support payments in the guidelines are not reduced then I am against this proposal. It should be part of the deviation from the guidelines.

The cost of health care today is outrageous. That cost can break a family's finances very quickly and it would be too dangerous of a weapon to be placed into the hands of a stranger in a black robe (a judge).

Possibly. again...I feel that the court should first and foremost factor in the costs of work related daycare AND health insurance because these are the TRUE and REAL costs that parents pay. These costs for each parent should be based on the percentage of the combined gross monthly income each parent makes.

Why does there have to be an order at all? Can anyone truly afford health care, certainly not a parent supporting two household.

Possibly, but most people's health plans change each year also-once again requiring repeated trips back to court.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced since each parent is responsible for health insurance costs during their custody time if required, or 50% of health insurance costs if health insurance services are shared by both parents.

If there were, there would need to be a percentage change in cost that constituted change in circumstance. I am concerned that otherwise the court would constantly be dealing with MTAs.

Not necessary

These costs usually do not change.

There would be no need for this....the current order is sufficient. The health insurance costs are not as variable as the child care cost. They change at most once a year if that. Too many order make enforceability a nightmare.

See above

For same reason as above. While not the question asked, I absolutely think the committee/legislature needs to address the issue of employer paid health benefits. Traditionally, these payments by employers were considered benefits of employment, not listed on employee's regular pay statements, and not included as income for purposes of calculating support. More and more employers (especially non-government employers) are now listing these "payments" on regularly pay stubs. And, understandably, people are arguing that thus, these "payments" should be included in that parent's income. However, it is unfair to include these benefits in one person's income and not the other simply because the employer's policy may differ on whether to list this benefit regularly on pay statements. There needs to be a decision that this "benefit" is or is not income for the purposes of calculating support. I do not think it matters which way the benefit is treated, it simply should not be treated differently because it is printed on regular pay statements in one instance and not in the other (may only be printed or discussed at offer letter or end of year review detailing that person's "total compensation package").

See comments for #15

But see above.

No, see above..... however there should be a mandate that if one parent loses the ordered insurance that the other parent must provide it (if it is available to them) so that the child is not uncovered while waiting to get to court. Judge would then have discretion to modify payment to compensate.

ditto

See comment to #15.

Separate order is unnecessary and is likely to cause confusion for folks who are already overly emotionally engaged in the situation.

Once again, as costs fluctuate there is no need to do a whole new child support calculation. Capital idea!

I did not experience that as an issue that needs fixing, but contrary to the child care issue, the health insurance issue lends itself very well to a one-page form order, which would cost very little to generate. Additionally, if health insurance fraud/identity theft for health insurance claims is an issue, this would make it very easy to extend the protection of the VS-4 form etc. to the health insurance Group/ID numbers etc.

Health insurance is more standard because the insurance company sets the rates but prefer to keep this as a part of child support. If only health insurance is needed such as if medicaid benefits are paid by government, then a stand alone health insurance is acceptable.

Same comment as with childcare

Include everything in one order. Keep it simple. Multiple orders causes multiple problems! Remember, if it is a stand alone order, it must contain 5 pages of Notice stuff!

This would get us up to 5 or 6 separate orders in a divorce case, potentially. How much is enough ?!!!

Again, why a stand-alone? We know health insurance is a part of the care of the child. It should be included in cs and just the way it is. The only change I'd like to see is to make ALL unreimbursed meds payable by the parties pro-rata.

What does need to be done is to take out the first \$250.00 for the custodial parent. Normally we reach an agreement to take it out for shared custody cases. Having the custodial parent pay the first \$250.00 for each child each calendar year is stupid!

Again, a stand alone order is not necessary. Everything needs to be in one order. The custodial parent has no say in how much they are charged for health insurance for the children. I believe that the order should be based on the cost of health insurance alone and documented separately and if there is a change made by the insurance company that the amt the noncustodial parent is paying should be changed without changing other parts of the child support order. disagree for same reasons as above.

Please consider addressing what happens if parents each carry insurance for dual coverage.

Or, in the alternative, provide that a change in this cost is not a basis for recalculating the base support, but only a basis for adjusting the cost component of the obligation. This would simplify trials by eliminating the current system whereby a change in any one component opens every other guideline component to re-litigation.

Total Number of Form Results: 289

17. If the noncustodial parent receives credit for paying health insurance costs but does not actually pay those costs, that amount should be added back into his/her child support obligation.

Result	Responses Percentage		Graph
Strongly Agree	55	19.0%	<div></div>
Agree	103	35.6%	<div></div>
Neutral	42	14.5%	<div></div>
Disagree	41	14.1%	<div></div>
Strongly Disagree	43	14.8%	<div></div>

Total Number of Form Results: 289

Comments (17):

Health insurance is way to complex an issue for DCSE to handle and should be a separate support order if either parent choose to make it so.

And similarly, if the custodial parent gets credit for such cost but does not pay it, then an adjustment should be made.

If the NCP doesn't pay the percentage of medical owed - that should be added into obligation and garnished. IF NCP isn't taking off work or driving the child to medical - that should also be taken into account and added to the percentage to be paid/owed to CP and should be garnished if not reimbursed in 90 days or so....

I am presuming that it is the spouse of the non custodial parent who is providing the health insurance for the spouse's children. If that is the case it is household money providing the benefit and the non custodial parent who is the source of the benefit should be able to have that credit.

Medical insurance costs have nothing to do with child support. All things must be kept separate and they must not be considered equal. Example A non custodial is charged for medical insurance but then stops providing it themselves. It would not be correct to bill a NCP for what isn't being paid for. Plus Socialized medicine is supposed to do away with insurance.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration.

These questions are absurd. The only obligations shall be those decided upon by each parent without court system intervention.

Not paying something when a credit was given, is Fraud!

As long as the children are supplied with health care what is the problem? The noncustodial parent is already paying according to their payroll per the guidelines. This will be adding an additional fee for no reason other than getting more money.

Both parties should be order to provide health insurance not only one.

Nonsense. There are thousands of VA fathers who have no court-ordered "child-physical-custody" but who take care of their kids, while paying child-support in full to mothers who want to date. The far bigger abuse of "child support" is that mothers receive money that is never spent or invested for the child. In no field of law, except "child support," is the fiduciary forgiven for not accounting for the funds (e.g., trust law, estate law, fiduciary law, social security law).

Thats a little broad

It is not the governments business except in the extreme.

If the child is covered under health insurance it should not make a difference who actually pays those costs.

If health insurance price is negotiated as part of salary or marriage; it does not matter who actually pays.

There is no CREDIT given for paying for Health care so stop the spin doctoring lingo. CS is miscalculated to begin with.

Same as above. If a parent loves his child and can express it by parenting, there are seldom such problems

Same as above. If a parent loves his child and can express it by parenting, there are seldom such problems

PARENTS Choice

Child support should not be a penalty for being a parent. If the health expense is covered free or at a lesser cost, the savings should benefit the wage earner exclusively.

If the parents have private insurance and one does not pay then the one who doesn't pay their part of insurance costs should have that amount added to the child support order so that the other parent does not have to cover the full cost.

Yes, otherwise it's the same as "Double Taxation" to the NCP ACTUALLY paying for these costs.

If the child is getting the health insurance costs met by a parent, then why punish that parent just because his employer, friend, etc. is the one paying for the insurance. This parent is already making the effort to support the child.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know schedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

Certainly one could weigh in on both sides of this argument with good reasoning. But with some thought, I had a position years ago with a company that paid 100% of health care costs. But that was balanced by other benefits the company provided for a total benefits package.

non custodial parents should not be "auto" paying for INSURANCE at all. SEE Above statement. "Insurance" of all forms is a racket for profit based on a persons' assumed IRRESPONSIBILITY, thus only if a Person CHOOSES to carry any "insurance" of any kind should this even be a variable.

needs to be based on income and the ability to sustain living conditions for the payer

Does this ever happen? If the non-custodian isn't paying, the child isn't insured and somebody will notice.

The health insurance is contingent on an employer usually, and both parents should have insurance. Incenting a party not to work means not getting health insurance.

If their job or they pay, it does not matter for the child has health insurance. Now with the present economy fewer jobs are paying for this or it is being reduced greatly.

I am assuming that the insurance is still being provided and is not becoming a cost to the custodial parent and is being paid for by someone?.... If health insurance is not being provided and has been cancelled then that is a problem.

This should be balanced. The custodial parent should have the same principle applied to them as well. This principle of balance should be in other areas of child support like, considering "payment in kind", if the custodial parent is living rent free and/or is receiving free health care for the child, that should be taken into account as well.

If a parent is not paying for health care then they should not get credit for it.

The state has no right to be involved for support paid to a custodial parent. The problem with providing support when parents split up came around when the state courts got involved. Why is the government involved at all? If the courts did not create a win/lose battle for custody, how many parents would act like adults and handle his or her business? When each court ordered child support results in increased money for the state to "handle" the child support payments, is this not the fox watching the hen house?

Would the support be automatically reduced if the custodial parent had been getting credit but stopped paying for the coverage?

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced since each parent is responsible for health insurance costs during their custody time if required, or 50% of health insurance costs if health insurance services are shared by both parents.

don't get this - why would they get credit if they're not paying them

This is the great con used all the time in Virginia. Have support reduce then eliminate the HCC or switch jobs and do not re-enroll under new policy and reap the benefits of the lower support.

I do not understand this question

The noncustodial parent's spouse may be the one providing insurance for the new blended family. As this is a household expense of the noncustodial parent's family, he or she should get the credit, regardless of whether said parent pays or that parent's spouse pays.

are you talking about where the step-parent is actually paying the added cost? If so, the non-custodial parent should receive the credit. If it is not an expense at all, then it should be added back in, per the statute.

This question makes no sense to me. Why would they get credit for paying for something they do not pay for? I do think a parent should get credit for paying health insurance if their spouse, the step parent, provides the insurance. It is still coming from the family coffers.

A court should have discretion. We don't need courts or DCSE auditing every order or requiring periodic production of receipts.

This should be automatic

Are we just looking for problems here? Why in the world would someone get credit for paying something he/she doesn't pay? I can only imagine a scenario where the non-custodial parent has remarried and the new spouse has the children on his/her policy. A more helpful inquiry would be whether or not the cost of insurance should be included in the guidelines if the payor has other children on the same policy, and the cost doesn't increase when the subject child (ren) are added because it's family coverage. Should it be averaged among the children? or should the payor not get any credit at all since other children benefit from the coverage, and it doesn't increase to add one or two more children (even though this same parent will be managing claims, etc.?)

Not sure I understand the question. Wouldn't such an ordered nonpayment be grounds for contempt, and if pursued by the other parent the court would order it paid anyway?

A nonsutodial parent whose spouse covers the family should benefit from that in furtherance of this country's promotion of marriage.

Agree, unless that parent's spouse pays it from his/her income. If it comes out of the non-custodial parent's family income "pot" then it should be credited to him/her.

Agree with the idea but how would it be implemented?

In effect that often happens because there is some reconciliation of non-covered expenses that result from not obeying the court order. A bright line rule would be difficult however, since there are many reasons beyond the control of the parent why this may happen.

How - would there be another hearing resulting in the entry of an order - how would that be cost effective? As is, a Court could deviate based upon that.

How? At a modification proceeding? Of course the lack of insurance would likely be a material change in circumstances warranting a new calculation.

There should be no credit for something NOT actually paid.

If the parent's spouse [ays for the health care costs, he or she should receive credit.

Someone has to pay for the health insurance provided, and is usually provided as an employment benefit, or some other benefit conferred for some other service provided. The insured may not pay directly for it, but most likely provides some other service to be eligible for the coverage. That service is not free, even if it is not outright billed in dollars.

If a spouse of the non-custodial parent is charged cost to add this child the non-custodial parent should continue to receive credit.

Yes, BUT -- It is not a dollar-for-dollar add-in to CS, because of the allocation by income shares.

Then, isn't the parent who is required to pay the health insurance already in breach of the Court Order? And would it not be appropriate for a Judge considering a Motion or Rule to Show Cause to order the non-paying parent to pay the other parent back for all the costs of the health insurance?

If the noncustodial parent is not paying health insurance costs he/she does not get a credit. Why don't we just eliminate the first \$250.00 for the custodial parent to pay and it resolves this problem.

No, this is the cost of being a parent. The employer pays the premium, so there is no out of pocket expense to the NCP

The noncustodial parent should not be receiving any credit for something they are not paying in the first place. It should be added back on to the child support obligation.

Either the parent incurs the expense or does not incur it. There should be no windfall.

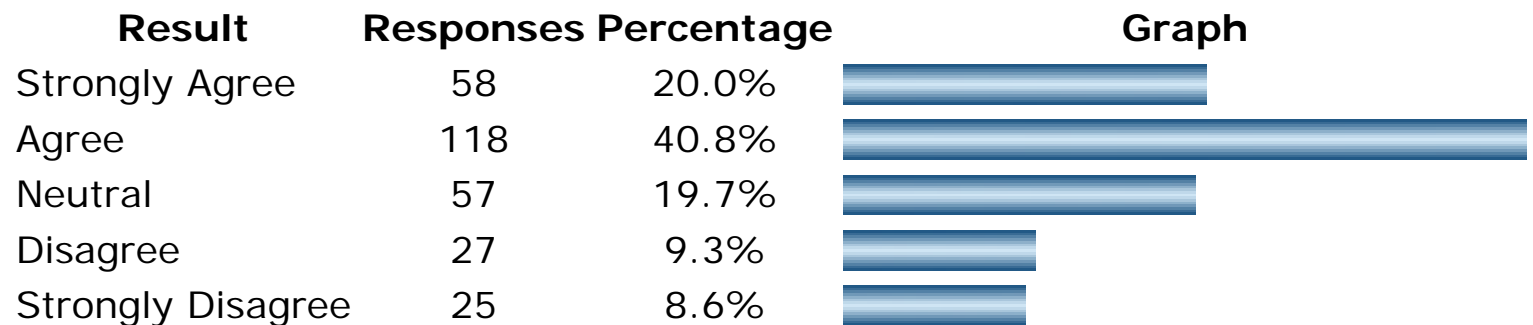
And the obligor should be made to pay all medical expenses incurred by the child without contribution as further sanction for not maintaining coverage.

the matter should be brought back to court

Question does not indicate what entity (agency, court, etc...) would be responsible for adding this cost.

Total Number of Form Results: 289

18. The guidelines should provide guidance regarding payment of the first \$250 in unreimbursed medical expenses, particularly in shared custody cases.



Total Number of Form Results: 289

Comments (18):

This needs to be scrapped and the parents pay their pro rata share of all unreimbursed medical expenses.

Anything to educate is better than nothing. especially ways to prosecute child support agencies.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Guidelines need to be based on economic data not arbitrary percentages.

This is absolutely unnecessary. Let the parent's decide.

Proper Medical care/coverage is essential, and a basic need/right.

I am not sure I understand this.

The guidelines should provide guidance for all cases.

Why make an exception for that \$250? My ex-wife received half of a \$700,000 house from her new husband and DCSE imputed no income to that. Her father had a \$2 million trust for her, and DCSE wouldn't even consider that. What's the big deal about \$250?

There is only a problem because the government created the problem. Good parents should never be assessed any fee for their parenthood barring extremes. Less court interference makes for fewer disputes and happier children.

Whom ever accrues the cost should be responsible for payment.

This is just more of the same flawed legal manipulation which leads to misinterpretation and victimization of payors of CS.

See above

See above

share for there care

Neither me nor my ex-wife have private insurance and I am not sure how this works enough to be able to answer this question.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50. Payments of itemized and agreed expenses should be made within 10 days.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know shedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

There is no consistancy. Some Judges ignor these provisions.

I see no point in this issue. It should be dropped or clarified. Why stop at \$250? What happens if amounts above \$250 are incurred?

"The guidelines should provide guidance " What's the question?

In the typical order of "Parent A" pays "Parent B", this is an obligation of the recipient, not a proper add-on for the obligor. In shared custody, a proportional split of the \$250 makes sense but only after you get rid of the 1.4 multiplier cliff.

The unreimbursed medical expenses should be the reason custody is paid in the first place. I am facing a \$1000 deductible on an operation where cancer was also found. Adding to half of my net pay gone to my ex spouse, what is left? Unreimbursed medical expenses are not easy for anyone, but requiring guidelines in share custody is not fair- shared custody really doesn't mean 50/50 since more time is actually spent with one parent

The custodial should pay the same as the noncustodial pay towards health care. If the noncustodial parent takes their child for treatment then the custodial has to repay the noncustodial parent. For again here the custodial profits off the noncustodial parent.

Excessive and unnecessary use of this provision needs to be monitored and examined.

I agree with this. I am happy that the state made that change in regards to the custodial parent paying the first \$250 per child per calendar year because it eliminated the "nickel and diming" of the other parent. In cases of shared custody, the amount should be shared based on each parents percentage of their combined gross monthly income immediately.

The state should not be involved in any of this, parents are adults, let them be so.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced since each parent is responsible for health insurance costs during their custody time if required, or 50% of health insurance costs if health insurance services are shared by both parents. Co-pays or deductibles would be handled in the same manner.

the statute is clear.

Usually the \$250 is paid by the primary parent. The issue is more, who pays if parents have shared custody or 50/50?

I think the guidelines should specify how unreimbursed medical expenses will be handled in shared custody cases.

this provision should be eliminated, with prorata share the standard and a provision that reimbursement requests MUST be made within 45 days of incurring the expense and accompanied by a PAID receipt. the receiving party should then be required to reimburse within 45 days. If the request for reimbursement is not made timely with a paid receipt, then the request cannot be enforced. this will eliminate problem of folks 'saving up' months of receipts and 'springing' them on unsuspecting non custodial parent. No reimbursement would be required if the costs are paid via a credit card whose balance is discharged in bankruptcy.

Actually, the first \$250.00 exemption should be removed from the guidelines. This is such an unfair burden on the custodial parent as previously mentioned. The custodial parent takes the time of work and buys all of the over the counter meds and special juice and other expenses.

I am not sure what guidance is needed. But if it clarifies things for the parties then it could be a good thing.

This provivion has proven more problematic than helpful

I believe that the form court order already provides the correct guidance. Unfortunately, some judges will sign anything place in front of them and many of the non-form orders do not contain the appropriate language. Perhaps the form child support order should be required in all cases.

Yes, or do away with language for shared custody cases.

However, I think the \$250 threshold should be deleted in shared custoday cases.

For shared cases, there should not be a \$250 threshold. All unreimbursed medical expenses should be paid by each party pro rata.

This provision should be eliminated entirely. If we give credit to the obligor for paying health insurance premiums, why penalize the custodial parent by requiring him/her to pay the first \$250 in cost. Either eliminate the insurance credit or make all expenses subject to being shared by the parties.

usually what happens in my cases is that we make a determination of the level of sharing, ie equal then there is no 250, just prorata sharing of all the cost.

Especially in shared custody, it's very confusing

But this is not critical. I've often been asked about this in client discussions and negotiations, but never had it come up as a matter of alleged noncompliance.

I think this should be eliminated- unfair to the custodial parent and complex to calculate.

Guidance should take into account the ability of each parent to pay those costs as well as the history of the parties in cooperating and paying their share of the costs insurance does not pay.

Most of my clients do not understand this provision.

Absolutely. We all sort of "know" that the parent receiving support is supposed to pay it, but nowhere does it say that and I've gotten into ridiculous arguments about it.

We usually just omit that in shared custody cases

Actually, this should requirement should be abolished. It is hard enough for parents to divide uninsured medical bills without adding the complication of the first \$250 per child per year into the mix. The division of uninsured medical bills should begin with the first dollar.

In shared custody I think they should share any unreimbursed expenses pro rata I don't think it's that hard to figure out, and the parties are always free to agree to other apportionment.

I do not understand the question.

I think the current system works well, any additional rules might well increase litigation.

The first \$250 is the responsibility of the CP because such "ordinary" expenses are part of what the CS is to cover. In Shared cases, essentially each parent is covering \$250 of medical expenses in what that parent provides in direct care. The CS order should NOT specify just what this \$250 is supposed to cover. To try to include this in the order would lead to constant bickering!

In my experience, (34 years of domestic relations practice) unnecessary. As stated above, I'd like all unreimbursed meds to be paid pro-rata, in all timesharing arrangements, from sole to 50/50. This is patently unfair to the custodial parent. All (not after \$250/per child/per year) should be divided in proportion to income. I suspect you now know my position on this issue. this is not necessary. it is spelled out in the child support order. The \$250/year/child threshold should be eliminated since it is an arbitrary amount(my recollection was that the amount was negotiated with DCSE but not based on any objective data). This is especially important in shared custody cases where it is happenchance when and in whose custody a child will get sick and need medical care. And the \$250 threshhold should be eliminated. There is not enough money in the child support guidelines now to have the custodial parent pay the first \$250. medical expenses should be split from the first dollar. It is a lot simpler. The guidelines have not been increased in decades and are very out of date for living expenses, especially in northern Virginia. Agree for shared custody cases; it seems straightforward for primary physical custody cases We cannot do everything for the parties. At some point, they need to communicate with each other and work some details out for themselves. Total Number of Form Results: 289

19. As with child care and health insurance costs, the guidelines should factor visitation expenses, such as travel costs, as opposed to addressing those expenses as a deviation factor.

Result	Responses	Percentage	Graph
Strongly Agree	57	19.7%	<div></div>
Agree	54	18.6%	<div></div>
Neutral	32	11.0%	<div></div>
Disagree	93	32.1%	<div></div>
Strongly Disagree	45	15.5%	<div></div>

Total Number of Form Results: 289

Comments (19):

Yes since the it places a double burden on NCP otherwise. If the aim of support is to encourage healthy children then clearly factoring visitation costs is the right decision.

The parties have more control over visitation expenses than over child care and insurance costs. Who will bear the cost of long-distance visitation has frequently been a negotiating point for me in custody agreements. I would not want the guidelines to remove those negotiations from me.

IF NCP doesn't see child and take on care and responsibility that should increase support as CP is carrying the entire burden of parenting and needs help/ respite - etc.... If NCP decides to move to another state they should pay all travel and not expect the CP to pay half of travel when the NCP only sees child/children once or twice a year. halfway rule should not apply...CP is taking child to all the other activities and didn't chose location of NCP so should not be expected to pay for travel at all...

I see this creating a can of worms. If travel costs etc are significant the court can deviate.

Support is bigger than money it is a big picture and credit should be given for everything.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Although visitation expenses must be Factored into any support payment as any ancillary add on on subtraction.

Money spent for a child regardless as to who has custody should be factored in.

Let parent's decide all decisions affecting them. No family decision should rest with the court system or the legislature. Each parent should care for their children when the children are with them. And, if the other parent cannot afford to take care of the children when with them, then, decisions as to what to do, should rest with the parents. { Since the court systems insist to stick their nose into family business, this is an instance where the court system in the past should reconsidered that the children might need to live with parent most able to support the children, and not punish the other parent because of their inability.

No parent should be placed into financial hardship due to travel expenses, especially when they are Paying child support.

This is an issue that should be decided when the agreement is written. If is automatically given an amount each year and then doesn't take the vacation the money will be kept and the children will suffer.

The travel expenses while great are meager compared to all the other true and real costs of so called "visitation" with a parents own children. The use of the term visitation marginalizes the role of the so called.visiting parent in the children's eyes, the worth of the parent in society's (assembly's) eyes and in correctly defines the role of the parent sentenced with the title non.custodial parent.

If you make the guidelines too complicated, then they stop being guidelines and start being picayune.

However, the government should never be allowed to be involved short of malnutrition and exposure. The government's involvement damages and kills more than the very few very disturbed individuals who harm fewer children each year than our own government.

In my experience courts rarely consider visitation expenses.

Agree with this because if you are going to victimize fathers by abducting their children from them and forcing them to pick up the children all the time, then they should be reimbursed. For instance, due to the illegal descretion given to judges, the judge in our case pass a decsions where if I am more than 5 minutes late, I have to pay my X \$50 each time I am late. Why would she do this you ask since I cannot predict traffic, I cannot foresee an accident that would make me late? The judge did it because they are vindictive towards men, because working in collusion with attorney's...the judge will abuse me (a hard working,loving father)to empower my vindictive X wife who will then go to court more often. The judge also hopes that I will hire an attorney to correct this improper decision. Do NOT kid yourself, this goes on ALL THE TIME...collusion amoung judges and attorneys. You pass discriminating laws judge, and their buddies the attorneys get to "defend" a father victimized by such decsions.

See above

See above

talk it out

A custodial parent moving should not generate additional child support payments.

A parent who wants to make things difficult for another parent can choose child care or living locations that make it very difficult for the visiting parent to see their child. Travel costs should be included so that those who have to visit their children can afford to do so.

Especially if the custodial parent moved out of the immediate area, further physically distancing the children from the NCP.

Strictly split visitation costs on a 50/50 basis unless other agreements are made between parties. If one parent must travel to visit their children and the other parent does not then that visitation cost should be split, within reason, you can't visit every weekend to visit your children in France and expect reimbursement. Specific limits agreed to in settlement agreement.

Feeding the child should also be factored in this because many support orders are so high as where an NCP can sometimes barely afford to feed themselves.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know schedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

Interstate travel should definitely be addressed.

First the child was moved from Virginia to DC; then to Pennsylvania; then to Texas. The custodial arrangements remained the same, but the non-custodial costs each time went up by a factor of 10 for travel and were not adjusted by the court in each case.

When one parents employment dictates an Interstate or International matter, the jurisdiction of any child support case should be automatically transferred to FEDERAL JURISDICTION.

Most states, including Virginia, use the Robert Williams methodology. Williams is on record as admitting that his model assumes zero for non-custodial parent expenses. Everyone knows that this is a false assumption that contributes to the unfairness of the guideline.

Travel costs should factor into visitation since the price of gas is so expensive.

Visitation expenses: clothing, food, and shelter for 90+ days a year.

They are actually SUPPOSED to be used by the Courts and DCSE as a deviating factor but since it is far easier to simply run guidelines and order the number that computes, most Courts do not address deviating factors. Also, the Custodial parent is the one who receives the tax benefits which are by law supposed to be calculated as INCOME TO THE RECEIVING PARENT. The child tax credit and other tax credits are supposed to be used as income and there are very few (if any) Courts and/or DCSE workers who follow this law. Why? In some cases parents are getting credits from the government that are in fact INCOME to the parent. These amounts can reach into the thousands. \$6000.00 in credit for a year equals \$500.00 per month toward that parents income. That is money the NCP pays to the government in taxes before child support is taken out and the mother does not have to claim the support as income on her income tax (the father cannot claim it) and yet the mother gets the financial boost from it in the form of tax credit (income) and yet even though its a law, no one is using it as income...why?

The state should not be involved in any of this, parents are adults, let them be so.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds considering all costs, including but not limited to visitation costs.

They should stay a deviation factor.

This is a complication best dealt through 20-108.1.

This seems like a knee-jerk to high gas prices to me. Also, this seems more like a custody issue than a support issue- i.e. travel- which parent moved away, etc. The Court can also order a split of transportation- so this issue can be handled in other ways than through support.

this is a no brainer. so many parents are saddled with unbelievable travel costs, often when the distance factor has been created by the parent receiving the support.

For parties living more than 100 miles apart.

This is too variable. Unless the visitation expenses are unusually high and the parties have to travel overnight there should be not credit....this should be included as the average expenses of raising a child and support should not be deviated. HCC and DC are set monthly bills. Visitation is not. it is like any other normal cost for raising a child and should like all other normal expenses not effect the child support unless it is unusual. If the visitation expenses are higher then normal then it they can be considered. This just opens more avenues of argument and court hearings-- if the visiting party decides not to exercise visitation but was given credit what happens? LITIGATION. CONSTANT LITIGATION.

I strongly disagree with this concept. Visitation expenses are variable and somewhat discretionary, in that the person incurring the expense might drive to keep costs low or buy a ticket at the last minute to incur greater costs.

Travel costs are variable. Some parents don't use all their visitation. (This is where keeping both parents in the area makes sense.) A parent who voluntarily re-locates should not be able to factor in visitation costs. This could be a reason to ask for a deviation. The statute and guidelines are already very complicated

The child's support should not be subject to diminution because one of the parents chooses to live elsewhere.

Only if the party raising that as an issue is not the one who moved and created the cost burden.

If one parent voluntarily relocates, he or she should bear the cost of the visitation. Should remain a deviation factor

Judge can deviate for this if it is appropriate. I can see people submitting mileage logs for going to the zoo and the mall.... receipts for MacDonald's, percentages of their utility bills, a disaster.

this issue is fairly limited so I think it unnecessarily complicates most cases. Leave it to the judge. This doesn't fit into a formula.

Where the parents reside more than X miles apart, such as 50 or 100.

would become too complex- e.g. was relocation voluntary or involuntary, should one take the bus or fly, etc.

Over the past several years, the Courts have been hamstrung in dealing with the explosion of travel costs, etc., as these expenses relate to child support, resulting in inequitable treatment of the party who has the responsibility of providing such traveling. However, with this said, provision should be made to allow trial court discretion to disregard such expenses where the "traveling" parent is engaged in such travel because that parent made the voluntary decision to move further away from their residence existing as of the last Order, etc., regardless of the reason for their decision to make such a move.

those expenses are too variable and easily manipulated by the noncustodial parent.

i think it is too speculative to calculate in. what if NCP gets the credit and then never visits. i think it should be a deviation factor if CP wants to move or if NCP shows a pattern of actually traveling to visit.

Travel is too subjective a cost to be included in the guidelines. What is considered a travel expense? Hotel? Meals? Rental car? Airfare? etc, etc.

Appropriate costs are case specific.

Transportation costs are too variable, and are often a tool for manipulation of the other party.

Judges should have discretion to deal with this issue based upon the unique circumstances of each case. id the non-custodial parent move to Texas? Why should the Child and the custodial parent suffer a change?

Agree if the custodial parent moved from the jurisdiction creating extraordinary travel costs.

This should remain discretionary to the court.

Unless there is some limit on distance of travel. Meaning only if one parent resides outside the Commonwealth.

Yes, where appropriate, the allocation of the responsibility for visitation expenses should be specifically addressed in the CS Order. Shifting these costs is especially appropriate where the CP moves far away with the child, thereby greatly increasing the visitation travel expense costs. However, I believe the current statute allows for just such an order. The visitation expense is a deviation, but it can be specifically set forth in the Order.

This issue should be addressed on a case-by-case basis. It's not appropriate for a guideline "solution."

Absolutely not. These are enormously variable and individualized. The traveling parent may always fly first class, or always drive. Are hotels included? There is no way the statute can deal with all of the permutations. Again, this level of complexity is for negotiation and, failing that, for argument. It is the only way the specifics of one case can be properly taken into consideration.

Sounds like you are trying to change happy to glad.

these expenses should always be a deviation factor.

The noncustodial parent is the one who left. If they want to see the children they should be responsible for whatever costs they endure to see them. In my case, the noncustodial parent has went all the way to Alaska when the children are in the state of VA. The custodial parent should not be held responsible for any costs of travel or anything else related to visitation expenses.

Visitation costs should only be considered for out of state travel and these costs vary a lot.

Child care and health insurance expenses are easily proved with a minimum amount of paperwork. Most employers can provide employees with a single sheet showing breakdown on insurance costs for various situations and day care providers can provide a letter detailing monthly or annual costs. Travel expenses, however, are much harder to prove and will require far more time in court calculating what percentage of expenses can actually be attributed to visitation for the children. Additionally, more parties will begin arguing that they should receive credits for gas for travel, etc, that may be variable month to month and not always appropriate to calculate in to guideline support amounts.

108.1 should be enough to handle this.

Visitation travel expenses are not as fixed and demonstrable as day care and health care costs. You don't pay a monthly bill for visitation travel. In order to plug this into a guideline calculation, you would need a consistent, provable, monthly amount. Not likely to happen.

This should be left to the court per the current deviation factors which already permit a court to consider this, but there are so many variables that a case by case determination should be used rather than a blanket method.

Total Number of Form Results: 289

20. As with child care and health insurance costs, the guidelines should factor private school costs as opposed to addressing those costs as a deviation factor.

Result	Responses	Percentage	Graph
Strongly Agree	20	6.9%	<div></div>
Agree	38	13.1%	<div></div>
Neutral	35	12.1%	<div></div>
Disagree	97	33.5%	<div></div>
Strongly Disagree	94	32.5%	<div></div>

Total Number of Form Results: 289

Comments (20):

Only if both parents agree.

Private school is a choice, not a mandate.

I would agree that they should if that was the standard of living expected before the separation - unless a significant change of total income for the combined parent amount does not support it due to some major change in income or expense....

Again, often the issue of private shcool attendance is a very contested matter. If both parents agree that the children should go to private school then they should be able to agree on how it is paid for. The judge should have discretion if the parties don't agree and teh Judge thinks it is in teh best interest of teh children to atttend private school although in my experiene this is very rare.

comment 19

Private school cost are discretionary and should never be factored into guidelines. Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration.

Parents should decide all matters concerning their children and the government should stay out of it.

Just because one parent wants the children to go to a private school doesn't mean that the other parent can afford it. This is an issue that should be decided by the parents.

Same answer as for #19. A mother shouldn't be able to send the child to private school and then just bill the father. Prep school should not be in guidelines.

Never should any parent have forced on them, unilaterally imposed costs by the other parent in divorce.

When it was decided that both parents should pay for education and the custodial mother doesn't pay for education after her daughter moves in with her father, the mother should have to pay for half that education either by deducting it from CS or as a reimbursement. The court being corrupt told me "Your daughter can go to public school." when I told them in the pretrial that my oldest daughter moved in with me. If that isn't corruption I don't know what is. The courts are given too much freedom which they purposefully abuse to enforce the use of attorneys. This is wrong and subversive.

See above

See above

share costs talk it over

The parent who wants to increase the living standard should volunteer to pay those cost directly.

if the parents both dont agree then the parent that insists that the child be in a private school should have to pay for all of the costs for the school

I believe in public schools and disagree with private schools. If a parent wants to enroll their child in private school the other parent should also be allowed to say if they want their child in private school. Some parents would choose a private school just to make the other parent pay out more money if they feel that the child support order wasn't enough money.

private school, unless agreeded to, should be borne by the parent making the request.

If the NCP cannot afford for their child to go to a private school yet the CP is demanding it then the CP should assume full financial responsibility. It is not a crime to be poor.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know shedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family".

Private school should be a mutual decision. If the NCP doesn't want the kid to go to private school, he/she shouldn't have to pay for it.

Education, particularly a college education is not a right, but needs to be earned. Both parents must agree voluntarily to fund a child(ren)'s education. If they choose not to, the young adult can proceed on his/her own to work their way through school.

Although my case included private school costs, those should be a deviation, as it depends on the circumstances for the reasons for the private school. And private school is a far more rare occurrence than typical health care (which should be required in all cases) and child care and visitation costs.

Education is a Choice. Just like "insurance".

Private school should be relevant only if both parents agree to private schooling and the means of paying for it. The guideline should assume public schools.

Private school should be non-negotiable since public system is available.

Private school tuition can be in excess of 20,000.00 a year. It is not appropriate to force this cost upon a person who can not afford it, especially when public school is available. Deviation factors need to have tighter guidelines so that they are not used simply to increase support, but are truly used due to an emergency.

Private school is a privilege. The state guidelines should be kept at the state/public level. All children can receive a very good education at public school and any deviation from that should be totally separate from basic balanced child support guidelines.

ABSOLUTELY NOT. Private school is an option and let's face it, when a two income family with one home splits into a two income family with TWO homes, then some things have to be cut and usually if private school was a factor, it must be eliminated because the parents simply cannot afford it. That is the problem with the guideline...it only ensures that ONE PARENT remain in the same lifestyle during the marriage...while it creates a life of poverty for the other. Again, child support is supposed to be in the best interest of the child allowing the child to live the same lifestyle he or she is use to. That is a virtual impossibility, especially now in this fast changing depleting economy. The only time private school should be included is when BOTH parents agree...but the NCPs amount for private school should not be calculated into the guideline amount...rather it should be DEDUCTED from the calculated amount. If the deduction creates a positive number for the support guideline, the CP will get that amount. If it creates a negative number, the CP will get zero child support unless the parents agree otherwise.

What? Seriously is this any of the states business, private school really. The state should not be involved in any of this, parents are adults, let them be so.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Costs for private schooling and other optional expenses, such as summer camps, vacations, college, etc. are discretionary and must be agreed to by the parties. The courts should not get involved in these decisions! Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support, allowing both parents to focus on how to be the best parent they can be to their child(ren).

Should be deviation factor.

As long as these costs are agreed upon, yes. The problem arises when they are not agreed upon expenses.

Private school is NOT a necessity. If a family has had its children in private school and want them to continue there, that should not be a decision second-guessed by the court. Families often cannot afford to continue their previous lifestyle when a divorce occurs. Quite frankly, the children probably will benefit from public school

No one should be forced to pay for private school.

Private School cost should only be added to the non-custodial parents calculation if the parties had previously agreed to put child in private school or, if previously married, the child was in private school before separation of the parties. This would be grossly unfair to the Non-custodial parent for the custodial parent to decide to refuse a free public education on their own and spend a ton on a private school and wallop the other party with the bill.;

The guidelines are working. This is not a problem.

I think this should be dealt with in a separate order or separate provision in the child support order.

I guess it depends on if one party or if both parties want the child(ren) in private school)

See #19

If it is undisputed that the parents previously agreed to private school.

especially with divorcing parents, the private school costs are usually very burdensome.

Judge already has the authority to do so under Solomon v. Ball. In a divorce/separation situation the parents may not be able to afford the private school they had when they were an intact two income family. It should not be automatic or presumed that private school is to continue.

Only if the parties have agreed upon the private school

I do not think that is appropriate because it provides the appearance that private school can be required. The case law is clear on the issue so if that becomes a dispute the first step is proving that the court should order private school care costs.

Not a bad idea, but not essential.

I assume this is a private school which is not for medical reasons. For non-medical this is a choice of the parent{s}

Only exception is if the parents, either at the time of separation (original Order) or during the pendency since the last Order, are determined, in discretion of the trial court, to have established an environment where they formerly/presently agreed for the child to attend private school. Essentially and so long as it is not unduly, financially detrimental to a party, the child should be allowed to enjoy the standard of living, etc., to which it became accustomed prior to the hearing.

i don't think this should be a "should" what if Mom receives the \$\$ then doesn't pay the school? Should be a separate item based on family's history.

The problem now is that private school is very arbitrary: some judges are hostile to it and others will order it. Sometimes judges are hostile to it even when the kids have a long history of attending and the payor has a lot of income. If the kids have a history of private school and the payor hasn't suffered a decrease in income, we should try to keep the status quo on the private school. On the other hand, when someone does pay for very expensive private school, they should get some credit and this change would not provide for that.

It would be very useful if the Code contained some guidance for the exercise of the court's discretion on this issue. I do not think it should automatically be factored into guideline.

I disagree, but I think the burden for getting private school costs covered is too high.

If the child was in private school by mutual agreement prior to separation and the tuition will not create a financial hardship. Too often, they were scraping money to pay the tuition before separation and cannot afford the expense once there are two households. Tuition should not be included if one parent decided unilaterally to place the child in private school, either pre or post separation.

School systems across Virginia differ in their capacity to deal with students with atypical needs. As a deviation factor, the judge can assess whether it should be factored into the calculation as a true need of the child, or whether it is mere vanity on the part of one parent, especially in sole legal custody cases.

Private education is an option or Privilege and non-custodial parent should not be obligated to provide via guidelines.

Private school is voluntary. It is not an appropriate consideration for the basic guidelines.

Such costs are, and should be, a deviation factor. BUT that does not mean that the allocation of such cost is inappropriate in any specific case. These expenses may be very appropriate when private schooling was the standard set by the parties. It is good to keep such expenses as a deviation, so that they MUST be set forth and explained in the Order. This simplifies the problem of modifying such orders in the future when circumstances change.

They ARE a deviation factor.

Again, there are too many variables. If the children have always been in private school, and the parents have always paid the tuition from current income, at least in our area, the Court is going to order continued payment of the tuition as a deviation. But if one parent has lost their job entirely and through no fault of his or her own, then maybe not. And if a grandparent has always paid the tuition, probably not. These are the individualized circumstances that no list of "what ifs" could or should include; that the deviation language was specifically designed to address; and that I think adequately allows appropriate argument and good decisions.

This could create some problems when one parent wants the child to attend private school and other parent does not.

these costs should always be a deviation factor

I believe this should be based on individual cases. Some children might need to go to a private school. On the other hand, the custodial parent could just be trying to make the noncustodial parent more because they are the ones who left.

The current case law authorizing a Court to order private school only in limited circumstances is good law.

Private school is an expensive option that should not be considered a standard cost item, but rather a deviation.

Adding expenses into the guidelines creates a sense that the requesting party is entitled to a credit for those expenses. I have a problem with adding private school expenses into the guidelines because I feel those expenses would be treated by more judges as reimbursable. In keeping private school expenses as a deviation factor, the requesting party has a higher burden of proving that they should receive reimbursement of those expenses. Private school may be a necessity in some circumstances, but those circumstances are generally in the minority of cases.

It depends.... if the child is already in private school, then yes. If the child is not already in private school, then no.

Too many variables. 108.1 should be sufficient to deal with this.

Only if both parties agree to pay for private school. We shouldn't force private school on anyone, when we have excellent public schools.

Same comment as 19- our current case law is well developed on this. The Colmmittee should not put in any presumptions on this item.

Total Number of Form Results: 289

21. The parties should share in the child's extraordinary extracurricular expenses, such as horseback riding lessons or music camps, relative to their incomes.

Result	Responses Percentage		Graph
Strongly Agree	42	14.5%	<div></div>
Agree	66	22.8%	<div></div>
Neutral	29	10.0%	<div></div>
Disagree	73	25.2%	<div></div>
Strongly Disagree	77	26.6%	<div></div>

Total Number of Form Results: 289

Comments (21):

DCSE would be way out of bounds in attempting to determine support guidelines that included "horseback riding lessons".

The purpose of child support is to provide basic support, not to maintain a lifestyle. Leave those decisions in the parents' hands.

it should also account for time and expense of participation and supporting the child....if not shared or already compensated with out a child support order....

I find it very obtrusive that a custodial parent can decide to enroll a child in extraordinarily expensive extracurricular activities. And the non-custodial parent has no say in the matter but has to pay 1/2 of the cost.

I agree if there are activities that he children were involved in historically and if the resources of the parties are such that it would not be an undo burden.

I PERSONALLY HAVE TO CONSTANTLY ARGUE WITH MY EX IN THIS AREA. SHE PUTS MY KIDS IN AN EXORBATANT AMOUT OF EXTRA CURRICULAR ACTIVITIES WETHER I AGRE OR NOT, CAN AFFOR IT OR NOT, AND THESE ACTIVITIES CUT INTO MY VISITATION TIME OF EVERY OTHER WEEKEND (WE LIVE 2 HOURS APART). SHE IS ABLE TO JUST DO WHAT SHE WANTS WITHOUT MY INPUT

This is something that again should be completely voluntary. Because it does not apply to everyone.

Extra curricular expense should be never be factored into support orders they are discretionary expenses.

These are decisions that should be entirely left up to the parents.

It is a parents right to supplement a child's education, however it is not a constitutional requirement, and it would be unethical to require someone to pay for something if it were to cause undue finical hardship.

Just because one parent wants the children to go to horseback riding class, doesn't mean that the other parent can afford it. This is an issue that should be decided by the parents.

These expenses are already included in the studies of child raising expenses from which the guides are derived. To include these items as add ons would be double dipping.

Horseback riding is a luxury that the mother should have to pay for if it is so important to her. It should not be in guidelines.

split 50/50. If one parent can't pay, they need to get a better paying job

Whomever is the "breadwinner" would get screwed over again...how many times is this person having to bear the load. They already have to pay the majority of daycare - in my case 70% (roughly \$1000) to her 30% (roughly 400), then child support (\$800)to her NOTHING, and now you want to add in proportional activity expenditures??? Its not fair...

Only if they wish. If the custodial parent is so incapable or incompetent as to not be able to be responsible for their unilateral wishes for the child, then a change of custody or limitation of access is in line.

The "parties" should keep the state out of their lives as much as possible!

The parties must agree on them out of the courts.

Up to a certain amount. Because fathers are already abused by high CS amounts, you can't make this open ended.

See above

See above

talk it over

The parent who wants to increase the living standard should volunteer to pay those cost directly. Child support has no tracking function to ensure that any of the money actually is used on the child at any particular time. These charges should be 100% agreed upon by both parties.

both parents should be in agreement on the activities also

My ex-wife makes more money than I do, yet I have had to pay for extracurricular activities for my children without aid from their mother. And in the times that I could not afford those expenses I relied on my wife and her family to aid me in financing so that my children could attend their extracurricular activities.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50. frivolous expenses disallowed.

Too much requires judges and orders and delays and lawyers. Where possible, this should be handled by balanced panels as referenced above. Lawyers only know litigation and delays. Judges only know schedules and precedence. Few government functions really work to get families together in the true "what's in the best interest of the child and family". ----- Here, the key word is "extraordinary". Any support by the noncustodial parent should be voluntary, if any.

Definitely as long as each can afford it.

THE COURTS SHOULD STAY OUT OF THIS KIND OF ISSUE

Parenting is not slavery.

Agree, as long as the activities are limited to benefit the educational needs of the child. One hardly sees the educational benefit of horseback riding, or golf lessons.

It's called "extra" curricular for a reason. COSTS to bear a child, feed a child, shelter a child, clothe a child is "all" that should be involved here. These are FAMILY PRIVATE BUSINESS matters, not "government" issues.

No...this would allow the non or lower income producing party to drain more of the income for non essentials These items can be mutually agreed upon by the two parties involed, otherwose they are eliminated.

Do you have any idea how arrogant, elitist and disconnected from reality this sounds? Child support is supposed to cover a child's needs, not either parent's wish list of luxuries for the budding young prince or princess. If parents agree to something beyond the guideline amount, fine, but the guideline should never go beyond the child's core needs. The State has no legitimate role in mandating luxuries for a privileged subset of children.

No, I envision these expenses as a way that one parent would get back at another by signing them up. That is what happened to me when Tae Kwon Do was signed up without my approval. Also, these expenses take away from quality time you can have with your children. Would the one advocating parent just want babysitting?

Only if noncustodial parent has the means to pay this and does not cause hardship on them.

Richer parent who can afford to bankrupt the other parent by purchahsing luxury lessons should not be allowed to do that.

These expenses need to be agreed upon by the parents, not the courts forcing it down the non-custodial parent's throat. Since in most cases it is the mother who decides to destroy the family in a no-fault divorce, then it would be very unfair to expect the father to be forced to pay for these expenses.

A provision such as this will invite a lot of misuse and forged documents.

Any activity that is above the basic level, the parents should have to pay for themselves or co-parent the child which means discuss and make appropriate decisions based on the best interst of the child and the realities of their means.

ABSOLUTELY NOT!!!!!! Not the way the guidelines are currently calculated. The ncp is already in many cases being shackled with an amount of support they cannot afford. Throw in the fact that many of these ncp's are not allowed regular access to their child and are left out of many decisions including extracurricular activities, this would leave an open door for a hostile combative CP to bleed the other parent dry and file needless show cause motions against him for failure to comply with paying for the childs dance, piano, softball, camp etc... These things are not requirements for children although it is great when kids can take part in these things. The state is not forcing poor parents who live together to enroll their children in these things if they cannot afford it, therefore the state should not force divorced or separated parents to enroll the children when they cannot afford it either.

Custodial parents have far too much power to determine the childs extracurricular activities

Do you think that all people are in this category? The people suffering are at the other end of the financial pyramid. Seriously, this is an actual problem?

The state has no place requiring a parent to pay for anything beyond a child's essential needs. If a parent voluntarily chooses to pay for these, that's their option. Big Brother does NOT know best how to raise our children.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Costs for extraordinary extracurricular activities, such as horseback riding lessons, music camps, sports activities, etc. are discretionary and must be agreed to by the parties. The courts should not get involved in these decisions! Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support, allowing both parents to focus on how to be the best parent they can be to their child (ren).

It would be fabulous for a court to have the power to order the sharing of such expenses, especially if they are normal and usual and reasonable. These are NOT covered by routine child support and the parent who pays often does so at his/her personal sacrifice.

Conceptually I agree with this statement, particularly in cases where there is shared custody and nobody is paying support. BUT, I think if we try to legislate the issue, we would be opening "pandora's box" and be flooded with litigation. For example, people would constantly bicker about whether they agree to the activit. Also, as the activities are constantly changing there would be an increase in pleadings/motions to amend. I think not having the issue addressed, forces the parties to talk or agree sometimes.

THIS is more important that private school, in MY opinion, but the activities post sep need to parallel those incurred pre sep in nature, cost, etc..

Although these should be limited to school sponsered extracurricular activities because these expenses can be so extraordinary and one parent may be able to afford summer camp in Italy but the other cannot.

This is what monthly guidelines are for to cover the cost. If the guidelines were higher and more realistic to the needs of children instead of being artificially low there would be no need for this kind of order.

This can be problematic, as both parents may seek to schedule the children for activities during the other parent's time. This should be a deviation or worked out between the parties.

But if the custodial parent has more disposable income, then that parent could cause hardship for the other parent by enrolling the child in such classes. There needs to be some sort of oversight by the courts, not just some language in the Code that sets a rule.

If both parents want the child in said activities then the cost should be shared. If it is the desire of only one party that the child participate, then that parent should bear the cost.

If there is joint decision-making authority on extracurricular activities, the court should be authorized to allocate such expenses between the parties.

If the parties agree, fine. Otherwise, you've given them one more thing to fight over.

The party's do not share in the decision making so the costs should not be shared beyond the decision maker.

But only if both parents consent to the activity.

This can create serious issues if one parent continually enrolls the child in programs he/she can afford but knows will cause a burden on the other parent. These should be limited to school extracurricular expenses, those agreed on in advance by the parties, or which existed at the time of separation.

I would agree, but only in cases in which there is absolutely no disagreement by the parties as to what activities of this nature the child/children participate in.

The guidelines should stay out of the extracurricular business altogether

Parents who agree to these high, elective expenses will automatically agree to them. To have one parent dictate the activities that the other parent may not agree to, or may not afford, is wrong.

I think all extracurricular expenses should be agreed upon in advance and paid relative to income shares.

There should not be a requirement that these costs are shared. I have had one case where the parties agreed to this, and it was a complete nightmare. The custodial parent enrolled the child in several activities, whether he wanted to go or not, he had many absences, and my client got served with Rules to Show Cause if he failed to pay the amount required. Of course, you could always limit the activities to only one a semester, and an unreasonable number of absences means no contribution is required. But the entire 'theme' of this questionnaire is wrong. I thought courts did not want to micro-manage. We should be thinking of current requirements that could be eliminated. Parents who have a successful joint custody relationship are going to take care of these things, and parents who are not as successful with doing anything jointly with the other parent would just have one more weapon to use--and this time the child would have to be involved in the disputes, because it's his activity. This is a very bad idea.

This obviously occurs usually by agreement. If in court, I would support a statute change that allowed the judge to order such expenses proportionately or as the court otherwise determines to be most fair. This is because one parent should not be able to "drive the bus" to require the other to pay for things without their discussing it or getting court approval if they don't agree.

Only exception is if the parents, either at the time of separation (original Order) or during the pendency since the last Order, are determined, in discretion of the trial court, to have established an environment where they formerly/presently agreed to undergo such expenses. Essentially and so long as it is not unduly, financially detrimental to a party, the child should be allowed to enjoy the standard of living, etc., to which it became accustomed prior to the hearing.

Guidance could be provided but no hard and fast rule - many parents are not in agreement about extracurricular expenses and where there is a sizable discrepancy in incomes, there is a potential for gross abuse.

If this doesn't put an unfair burden on a noncustodial parent with limited income. Parent with money signs child up for horseback riding lessons that are more than the child support or close should not place a burden on noncustodial parent but yes on the opposite situation.

Not unless the guidelines are revised downward as i understand some of these items are assumed in the amount. And again, what if CP has no "income" (remarried a rich dude) but signs Johnny up for a zillion activities to stick it to NCP.

This would complicate child support cases and invite parents to fight over enrollment in such activities. The virtue of a child support order is that it is a simple dollar amount paid each month and the custodial parent can do what he/she wants with it towards his/her overall budget while being otherwise responsible for the children's expenses.

ONLY if the parties mutually select the activity.

Not unless the non-custodial parent also has a determination in whether those extracurricular activities are in the best interests of the child and broken family. But the wording has to be careful!

Isn't this what child support is supposed to, in part, be for?

But can one party unilaterally sign the child up for activities. Does this include uniforms and equipment, tutoring, art classes travel. What about the parent who tries to bankrupt the other parent.

My opinion depends on the income level of the parties and whether the parties agree about participation in those extracurriculars.

The parties should share these expenses only if they agree that the activity is appropriate and payment will not create a financial hardship. (sometimes a horse is a casualty of the divorce - there is no longer money to pay those expenses)

One parent should not be "on the hook" for payment of expenses that he/she has no say in as to whether or not they are prudent/reasonable. Especially in cases with lopsided decisionmaking authority, this will regularly lead to the parent with the small income making the decisions and the parent with the bigger income paying for it.

Extracurricular expense is an option or privilege and should not be legislated.

I disagree insofar as the way this is stated in the question. It should not be "automatic" that the parties share in such expenses. The court must consider all of the factors. For example, the parties had a horse when they were together and the child rode every day. Now the Mom has the child and she moved 50 miles away and now wants the Dad to share in renting a horse every day for the child. None of these such things should ever be automatic. The Court must be able to review all of the circumstances.

This proposal will create more problems than it will solve. Anyone not recognizing that should not be responding to this questionnaire.

I say strongly disagree only because this will be a very hard one to write in a fair way. Horseback riding lessons no - unless the child is on track for the olympics and has always had such lesson with the parent's paying out of income. And even then, under the current Guidelines, it can be a deviation request. Ordinary extracurriculars such as continued soccer, continued violin lessons, and agreed further extracurriculars "such agreement not to be unreasonably withheld" - Sure, I'd be all for that. But how far do we go? School lunches - that's more expensive for a parent who has the kids all week than feeding the kids on the weekend for a parent who can cook. Discretionary field trips? Birthday presents for other kids - in this area, there can be 8 a month and it's pricey for a primary custodian? School photos?

YES!!!!!!!!!!!!

I agree, as long as the custodial parent does not overdo the activities, or choose the most expensive activities

I believe that the custodial parent should be responsible for this expense. They should base their children's extra activities on what money they have left to take care of their children's needs. There are a lot of activities that children can do for free and have fun.

But this needs to remain in the discretion of the court. For example the obligation should be for ongoing extracurricular expenses.

There is so much fighting over this issue. There should be a provision for the parties to share the costs of at least one activity per school semester and summer in proportion to incomes.

While I generally feel that parents should work together to provide their children with as many opportunities as they can reasonably afford, I don't think that one parent should be forced to pay for extracurricular activities. Particularly since the non-custodial parent frequently has less say in whether the child participates in those activities. If children have parents that are married, it would be a family decision what was affordable for the child to attend. I have a problem with one parent making those decisions then requiring the other parent share the costs.

Such discretionary expenses should be considered by the court, but I feel it would be a mistake to include them in the guidelines. The reality is that many of these past expenses are no longer sustainable and they should not be treated as mandatory.

Although I agree, the disputes always come down to who decides the activity; if the custodial parent gets to choose but then the non-custodial parent has to pay that creates huge problems.






Provided there is some restraint and reasonableness. I would add it as a factor in 108.1.

Provided both parties have agreed to those expenses.

Only if both parties agree to incur the expenses.

Total Number of Form Results: 289

22. In the majority of cases, orders are based on the guidelines without deviation.

Result	Responses	Percentage	Graph
Strongly Agree	93	32.1%	
Agree	110	38.0%	
Neutral	37	12.8%	
Disagree	21	7.2%	
Strongly Disagree	26	8.9%	

Total Number of Form Results: 289

Comments (22):

DCSE should release this information.

EVERYONES FINANCES AND REQUIREMENTS WILL BE DIFFERENT, EVERYTHING SHOULD BE ACCOUNTED.

I know for a fact most orders are pandered by overly zealous attorneys and judges. And I can't forget Axe grinding Ex's. Oh and child support agency personel that have been proven not to know anything about the federal rules.

Guideline amounts are ordered without explanation where, deviations need to be explained, how is justice served when one out come can not be questioned and the other will. Guidelines need to be based on economic data not arbitrary percentages.

It is my belief that all orders are based UnConstitutionally and based on junk science that was manipulated by some special interest group or person.

Most situations are similar but many have a several factors that need to be resolved.

The very nature of giving over custody is biased, subjective, and readily acknowledged to be so abusive as to challenge the very viability of our current court system.

States totally ignore guideline determinations in violation of Fed law. see: <http://youtu.be/MMySqWItgeM>

Court orders rarely deviate from the guideline amount.

There seems to be a deviation when it comes to gender in Minnesota.

Which is wrong.

Judges are given too much discretion. if you go in Pro Se the judge will take advantage of you. This is to encourage the use of an attorney in the future. Judges should be making fair decisions...but we all know the basis for divorce and CS is based on corrupt laws/fundamentals to begin with so judges are just following suit.

Guidelines should be only in cases where mediation is needed.

Guidelines should be only in cases where mediation is needed.

The more the states can charge a father, the more they get in matching Title IV money. This is a conflict of interest to get as high a deviation as possible.

There is no account for other children, remarriage, or spousal income. In the majority of cases the spouse aides in providing support for these children as well as care and these step-parents get nothing in return but grief from parents who feel that the biological parent should support the children they are ordered to support and the step-parents should support only the children that are born to the step-parent.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Is this a question? I beleive this statement is true and should be illegal.

Yes, guidelines and precedent. Remember that we are dealing with lawyers and judges and government offices. They are forced toward consistency in judgment. Deviations to that cause complications in their lives.

In the majority of cases, orders are based on bias against non-custodial parents That's unfair. Everyone's situation is different.

"THE DEPARTMENT" SEEMS TO OR TRIES TO INFLUENCE THE COURT IN A WAY THAT BENEFITS THE CUSTODIAL PARENT

I have no knowledge of the validity of this statement. Please provide a factual background for making this statement.

Judges want to treat all cases the same, but the family dynamics are very different and must be properly considered.

177,000 parents being jailed based on UNVERIFIED, alleged or manufactured "debt" obviously isn't enough EVIDENCE that orders are based on guidelines, nor in compliance with Va. Code or Federal Title IV D law.

1) Judges are too lazy to evaluate deviations 2)The guidelines are too opaque in their failure to reveal the assumptions in the standard so how can a party properly argue for a "deviation" from an undisclosed set of assumptions?

Changes in income and jobs being so tenuous should make approaching this subject with prudence. Deviation should err on the side of the person burdening with the payment, considering my ex-spouse has not worked for nearly 4 years. Guidelines should be adjusted when alimony is being paid.

The guidelines are deviated from when the judge feels like it.

Insufficient data.

Do you mean, should these court orders be based on guidelines without deviation? If you mean this by this question, then I strongly disagree.

Deviations are generally misused to increase the amount of support beyond what a person can actually afford.

My case in particular had a deviation for travel expenses set forth in the divorce decree because my 7yr old was unfortunately allowed to move out of state because the judge totally disregarded the notarized statements from DCSE showing my account as paid in full with no arrearages. DCSE was not in the court room that day and was not their to do their job.

I strongly agree that this is taking place but I strong disagree that it should be taking place. Personally I say this with as much respect as I can, but I think that support orders are just handed down without much thought because the Courts and DCSE rely too heavily on their belief that the guideline amount is the correct amount. There are reasons that there ARE deviations that are allowed. For instance, cost of travel for the ncp to see a child that has been moved out of state over his objections are supposed to be considered. It is a rare Judge that takes this into account.

What majority? Deviation occurs according to the judges preference, does anyone ever actually govern the judge, oh that is right in this state he or she is above the law.

There is total blindness and inconsideration of persons, and families, and Other Children, by Virginia DSS/DCSE and in particular Henrico DCSE and the Henrico JDR, especially figures like Richard Wallerstein. They are worse than robots, and they act toward mangy, including myself, like Nazis. If you think /I am making this up, ask my present wife, who has been told flat out to "go get an abortion if you get pregnant" Remember, my ex-wife, Jeanne Johnson, has an income of over \$200K, two big houses, one income property, three cars, a great job, and my two sons are ages 22 and 26, and she wants MORE \$ and has it approved carte blanche by Henrico DCSe and JDR's Richard Wallerstein.

In most of the cases I've seen, judges have improperly imputed income on the ncp. In several cases, judge have inexplicably added an additional 25% to the ncp's income used to calculate support. In one case, the income for the entire church--not the pastor's salary--was used to calculate his. In several cases, judges imputed income on people who had involuntarily lost their jobs through layoffs--including plant closures. In another case, the judge wrote down the wrong figure--the cp's monthly car payment--and used that asthe ncp's income. I have heard of numerous other cases of improper orders being done.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

While the orders may be based on the guidelines, the amount is inflated because of "imputed income", excessive daycare expenses, medical expenses, and everything else that the custodial parent and the DCSE can think of to inflate the numbers. It is rarely a case where the actual income is what is used to calculate the payment for the order.

I must comment on This. The judge seems to decide the outcome within the first 5 minutes of the case based on how he feels about an individual instead of following the law. The guidelines, law means nothing. This state has ruined countless lives.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

From my 12 years of involvement in this issue, my perception is that the majority of cases favor the mother (or in some cases the lower income earner) in terms of custody, completely rejecting equal parenting and shared parenting (>90 days/yr) unless agreed to independently by the parties. Further, my perception is that child support awards generally follow the guidelines with preference to maximizing support payments to the custodial parent. This typically involves considering the maximum potential income to the non-custodial parent, while ignoring or minimizing consideration of the custodial parent's income. This rejection of equal parenting or maximum shared parenting prolongs the conflict and heightens hostilities between the parties. By rejecting the obviously fair equal parenting solution, in favor of an "appropriate" guideline-based support solution, the courts actually create the high conflict situation used as the rationale for denying equal parenting, thus alienating the parents and children, and significantly adding to the emotional distress of the parties, especially the children!

rigidly applied - cause more turmoil and estrangement

although I feel that the court should have the discretion to review the guidelines and make adjustments in the interests of justice

Almost without exception.

And there's the rub. Those factors are there but good luck getting any judge to deviate.

That has been my experience in Child Support Enforcement - DCSE.

True for the majority of cases because the majority are Settled. The statement is NOT true for the majority of litigated cases.

At least in the localities in which I practice.

This is the way it should be.

I do not know about any other case except for my family. I can not make judgement on other people's cases.

The guidelines are followed in the majority of cases but frequently parties add another provision that provides for sharing of extracurricular activities mutually agreed to by the parties.

Orders reached by agreement generally do not adhere to a guideline strictly.

Total Number of Form Results: 289

23. Most deviations from the guideline amount are appropriate.

Result	Responses	Percentage	Graph
Strongly Agree	21	7.2%	<div></div>
Agree	109	37.7%	<div></div>
Neutral	86	29.7%	<div></div>
Disagree	23	7.9%	<div></div>
Strongly Disagree	47	16.2%	<div></div>

Total Number of Form Results: 289

Comments (23):

Impossible to say without any information.

Most non-custodial parents pay child support based in an unfair amount of imputed income.

if this were true there would be less disputes over wallet rape.

Guideline amounts are ordered without explanation where, deviations need to be explained, how is justice served when one out come can not be questioned and the other will.

The only deviation from the guidelines should be a complete deviation and scrapping of the guidelines altogether.

All cases should receive regular (bi-annual) updates, in an effort to remain ethical, and maintain judicial integrity.

I don't know each case.

Most deviations address items which are included in the studies of child rearing expenses used to create the guidelines, but due to the ignorance of the parties and attorneys to this fact these double dipping deviations have become common place.

The courts do not like to deviate from the guidelines, since if there is a deviation, the judge has to make an explanation. Courts and DCSE do not allow as many deviations as they should, in a just world.

It is readily documented that the complete lack of a defined Best Interest of the Child Standard encourages the courts to abuse children and fathers since fathers lose custody in feminist courts up to 95% of the time or more. The very basis of support is arbitrary at best and in reality is a studied effort to destroy men and their children.

States totally ignore Fed guidelines.

Court orders rarely deviate from the guideline amount.

question is too vague

There is no way to generally say this is true or not...but in the majority of cases, men or non custodial parents are victimized and over charged CS so that the state gets more federal matching money.

Deviations are arbitrary based on the greed of one parent and the conflict of interest of the state towards higher Title IV payments.

There are no deviations unless it is proven that the parents do not require expenses to be added for child care, insurance, or private school tuition.

The majority of the judges and "commissioners" (really inept attorneys) are just CORRUPT BASTARDS in the system looking to screw over NCP's, and do so without any consequences for their CORRUPT actions!

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

I somewhat agree with this but believe many NCP guidelines aren't being lowered accordingly.

This is a loaded comment. How can anybody determine "appropriate" without reviewing the particular situation. It sounds like the developer of this package is working to skew answers to support what now exists.

Most are inappropriate.

Again, I have no knowledge of the validity of this statement. Please provide a factual background for making this statement.

Unless a Party In Interest PROVES they have MORE THAN just a purely financial interest in a child support matter, "deviations" are never Appropriate.

I don't have enough information to say.

No, many deviation is just making profit for the custodial parent.

See above

Don't know. Need more information by what is appropriate. Do not understand your question.

My case again, in reviewing my support case, the new judge removed the deviation for travel expenses, for no reason.

absolutely! When a Judge does deviate from the guideline it is because he/she knows that each case is individual and all circumstances must be evaluated. The amount of child support that is "awarded" is a huge factor in both parents lives. If the amount ordered exceeds what a paying parent can feasibly pay while still maintaining basic life necessities, then the Court is setting that parent up for failure. If he loses his license (which DCSE can suspend without a court order) then he runs the risk of losing his job which then puts him in danger of being unable to pay the amount of support ordered...which of course sets him up to be in contempt of court in regards to non payment of support. He will ultimately land in jail. During this time the father is jailed, the mother is still not getting any money, so how in the world is this in the best interest of the CHILD???? I know a man who brings home \$400.00 bi-weekly after paying his support. How can anyone be expected to live on less than a thousand dollars per month. Fortunately he is married, so he has a home to live in but if he had not married he would most definitely be in jail because he simply cannot afford the amount of support ordered.

Not for the people receiving the deviations.

I have no knowledge of any deviations!

See 22.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See 22 above.

never see any

Most deviations that I have seen are appropriate. I do not think deviations should be the norm.

It happens so rarely, that it invariable happens when a judge has given a great deal of thought to the circumstances of the case. Probably the most prevelant deviation is one for voluntary unemployment or underemployment.

As noted in response to question 22 above, I don't often come across court-ordered deviations that were not agreed to by the parties.

I have no knowledge of this- rarely see judges deviate

In my experience, this is true but I can envision many cases where it would not be and would be dependent on who had the money for the best lawyer.

Agree. Whether by agreement or trial, usually such deviations are appropriate. Some are and some aren't.

In my experience, yes. If the attorneys are good and so is the Judge, absolutely. Depends on who you represent.

We have to trust the judges decrction-and proof

Again, I only know the case that we have.

There are very few deviations from the courts. Parties agree to deviations more commonly.

It depends on whether you are on the receiving or giving side of the equation.

Total Number of Form Results: 289

24. The higher cost of living in different parts of the state should be considered either as an adjustment to the guideline amount or as a deviation factor.

Result	Responses	Percentage	Graph
Strongly Agree	50	17.3%	<div></div>
Agree	95	32.8%	<div></div>
Neutral	40	13.8%	<div></div>
Disagree	50	17.3%	<div></div>
Strongly Disagree	49	16.9%	<div></div>

Total Number of Form Results: 289

Comments (24):

This is common sense that higher cost of living and wage mobility affect us all. By and large the incomes of the parties are reflective of the area of teh state where the parties live and so the guidelien amount is reflective of the cost of living in that area where the parties live.

WHERE I LIVE HAS A MUCH HIGHER COST OF LIVING FROM WHERE MY KIDS AND EX WIFE LIVE, THAT SHOULD BE A FACTOR BY PERCENTAGE.

it should be neither. A person may not live there for long term. And if housing is high if anything the state should drive housing costs down.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Guidelines need to be based on economic data not arbitrary percentages.

There is no way to massage the issue of child support from any angle that will make it appropriate or lawful in my opinion.

The guidelines for each state vary. Once the custodial parent moves they file for a change of venue and file in that state.

The variations in cost of living at various locations around the state is also reflected in the incomes earned in those locations. The problem comes when one of the parties attempts to exploit the child support system by moving the children from an area where the parents made high income due to the high cost of living to a low cost of living area so that the exploiter can use the funds meant for the children to support their own needs.

If DCSE wants to have separate set of guidelines for each VA county, then DCSE should go ahead. However, if one of the parents moves between counties, then DCSE should be ready to re-calculate "child support" within one month.

Move

There should be no support with extreme abuse. There is not equal distribution of custody where both parents are willing and capable.

<http://youtu.be/MMySqWItgeM>

I agree with this but it needs to go across the board, men and women should get the same respect.

question is vague

Absolutely, fathers are generally persecuted enough so when other factors like the cost of living are not taken into effect you have more abuses going on by the courts.

No cause for bureaucratic involvement- see above

No cause for bureaucratic involvement- see above

When parents break up, they need to consider staying together. This should not be a guarantee of success that encourages fatherless children.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Each family case should be considered on its own merit. Once again, use the "panel".

It shouldn't matter because income is relative to the area people live in.

Agree to the point that the move is not made to a higher cost area of the state solely for the benefit of the parent (i.e. another job). The child may have actually benefitted from remaining in the educational institution, friends, and surroundings in the previous living area and its settings.

"costs" of living are an Individual Parent's choice; Unless their EMPLOYMENT Commitment dictates otherwise.

1) There is insufficient visibility into the assumptions being used state-wide for anyone to reliably say whether it is based on high cost or low cost areas. 2) What about downward adjustments for lower cost areas in the State? Why am I seeing such a strong bias toward upward adjustments in your questions? From Question 15 forward, I've seen only one question (#19) that addresses non-custodial parent concerns.

Northern VA where I live is much higher than points South, adjustments should be in favor of the one paying the largest percentage with a requirement the other spouse works

This will cause noncustodial parents in low wage earning areas to be forced deeper into poverty.

Cost of living affects both children and parents. As incomes are generally higher in higher cost of living areas and child support is percentage based, this is already accounted for. Also, this might result in custodial parents moving to higher cost of living areas just to increase child support payments.

The factors in each case should be based on the parents situations and the ability of the ncp to pay any ordered amount.

Really, all this goes on in the best interest of the child? Seriously.

Support is already based on both parents' income which should already reflect the COL in their area. And when parents live in different areas, whose area would you use? It would be unfair to an ncp living in an area where the COL is lower to base his support on an area where the COL is higher--and vice versa.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

The last thing we need is more wiggle room in the laws for people to try and get more money.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds up to a minimal level necessary to raise a child, not to a level to balance lifestyles.

But maybe okay as deviation factor.

perhaps link them to median income of the varying metropolitan statistical areas
If this went into place you might as well throw out the guidelines. In every jurisdiction on every case someone is going to argue that the cost of living is higher or lower than the average and an adjustment will be made. If the purpose of the guidelines is consistency around the state then this will totally destroy that idea and each jurisdiction will be their own island doing what they want in regards to support.

See above answers.

Trying to do this creates too much opportunity for policy errors and an extraordinary amount of complication.

Or a deviation downwards for less expensive parts of the state.

My impression is that, generally speaking, the areas of the state in which the costs of living are inflated are also the areas of the state in which incomes are inflated to accommodate. Obviously, there are exceptions.

I cannot imagine this working successfully, but simply complicating calculation of the guidelines.

As a deviation factor, but not as an automatic adjustment to the guideline amount.

And in other areas, too, if/where either parent resides outside Virginia altogether.
Way too difficult to equitably implement from jurisdiction to jurisdiction.

I feel that this would be too much work on our legislature and change too often.

Agree, but goodness gracious how on earth would you implement this?

That would be absolutely impossible to enforce/address in our mobile society

Many parents would find a higher standard of living than they may otherwise be able to enjoy, if these factors were somehow to be legalized.

Deviation factor only as to both higher & significantly lower.

Yes, as a deviation factor. There should not be any such "automatic" regional adjustment.

As a practical matter, how would this be accomplished ? It might prove to be extremely unjust in certain "borderline" areas of the state.

That would take us right back to total discretion in cs!

Absolutely!

We do not want to create child support zones-enforcement of orders is hard enough now

I would say yes to this statement. The custodial and noncustodial parent are the ones who make the decision on where they live. The children should not be punished if the noncustodial parent wants to live in a higher cost of living area and pay more for their style of living.

we need more research to determine the relationship of the cost of living versus incomes in the different parts of the state. The current guidelines are based upon the assumption that the child support amount based upon higher incomes reflects the higher Cost of Living.

The guidelines overall should be increased.






I am in one of the parts of the state with a lower cost of living, so have no opinion on this.

I agree, but what standard of proof would apply here? What sort of evidence would be used to show a higher cost of living? What objective indicia would be used to show a higher cost of living? Typical rents? Cost of goods and services? Everyone states that northern Virginia has a higher cost of living, but what empirical evidence is that opinion based upon?

At a minimum, it should be a deviation factor that is spelled out. In consideration of that, what if the custodial parent is moving to California or another state? How do you then factor in an adjustment based on cost of living in other states? Who's cost of living would you use? The parties often do not live in the same or comparable areas. Is the custodian's high cost a living a basis to adjust upwards? Is non-custodian's high cost of living a basis to adjust downwards? Parties choose to live where they live. We should not reward the party who chooses to live closer to the city, and punish the thrifty party who reduces living expenses by living in the country.

Total Number of Form Results: 289

25. The guidelines should take into consideration the disparity in the cost of raising children of different ages.

Result	Responses	Percentage	Graph
Strongly Agree	36	12.4%	
Agree	74	25.6%	
Neutral	36	12.4%	
Disagree	87	30.1%	
Strongly Disagree	49	16.9%	

Total Number of Form Results: 289

Comments (25):

It costs far less to care fo 15 year old then it does a 2 year old. Yes.

If they do, then it is also only right and just to consider all of the payers children involved (in home children as well).

and costs and burdens (time, expense, energy and work to advocate and be at numerous meetins etc and life style or even having a life) when caring for) of a special needs child....

Absent day care costs it is more expensive to raise teenagers. Perhaps some accommodation for the greater costs of clothing and activities can be bilt into the guidelines for teens.

SOMEWHAT AGREE, COST WOULD NEED TO BE STUDIED TO KNOW THE DIFFERENCE EXACTLY.

I agree with this to the point that for most it is not any different. But in cases where a child starts work of there own the support should be more voluntary at that point.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Guidelines need to be based on economic data not arbitrary percentages.

What expert studies are you relying upon that make you think there is a disparity in raising different ages of children? Scrap the guidelines and allow parents to assume their inalienable rights.

I think that there are enough statistics on the cost of raiseing children availabe to create a sliding scale of some sort.

The studies of child raising expenses accounts for the expenses of raising children of all ages, the high cost years as well as the low cost years. The parent receiving the support must save the excesses received during the low cost ages so that it is available for the high cost years. Failing to do so is a neglect of their fiduciary responsibilities.

It is not the governments business except in extreme and proven criminal abuse of the child

<http://youtu.be/MMySqWltgeM>

People should learn to live within their means.

NO....you're getting ridiculous and this isn't that complicated. When I made \$75k and my now X didn't work, we lived at that level. She filed for divorce and now she makes \$80k...so why can't she continue to live at that level? Why? because then the state doesn't get federal matching money that's why. I give her \$20/year so she is making \$100k while after that CS is taken out I am only making \$70k. How is that fair? It creates a government sanctioned rift where now the difference between our salaries makes me on a lower income scale...but can I claim that on taxes? No I can't because WE ALL KNOW CS IS NOT TAX DEDUCTABLE...more corruption.

See above

See above

The visitation should be adjusted at the age and phases of child growth. If this affects the living arrangements of visitation, then it can be considered.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Each family case should be considered on it's own merit. Once again, use the "panel".

I agree. That's why it should be recalculated every 1-2 years.

DON'T THEY?

Initially I would have agreed, but upon thought and discussion, the guideline amount should be balanced across the years of youth. Varying the amount year-to-year would make for a nightmare of calculations, financial adjustments, and trips to the court and DCSE.

It COSTS Less to raise a child after they reach Public school Age. The first five years are most costly and thus MOST financial support orders should TARGET these highly important developmental years.

- 1) You don't have a valid methodology for measuring age based cost differences.
- 2) Any effort to create age ranges requires periodic modifications and gets too complicated when there are multiple children. With three or four kids, you could end up being required to litigate a modification every year.

Costs of children stay constant just paying for different things at different times. For example, diapers and formula are expensive early on, but displaced by sports and other activities.

This should only include the true cost of raising the child, extras should not be added into this equation.

I think this is unnecessary due to the fact that this is not necessarily true in each family. Younger children might not care about designer clothing but when they become teenagers, they might want it. Does it mean they should have it? No. We all have to live within our means. If these parents were living together and their income didn't increase over the years, would they be penalized for not providing their children with all of their wants? No. When parents are living apart it's even more difficult to keep up with these costs. Also, another disturbing aspect would be in regards to what ages would be appropriate to come back and get more money from the ncp? How many times over the course of 18 years could the CP come back and say "it's costing more for my kids this year than it did last year". What 'costs' would be taken into consideration?

The state should not be involved in any of this, parents are adults, let them be so.

Especially if the children are earning individually much more than their noncustodial father!!!

But for existing orders once again, unless the order had a graduated support amount, this would require going back to court every few years for adjustment.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

The last thing we need is more wiggle room in the laws for people to try and get more money.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

See discussions above regarding equal parenting as the default. Under an equal parenting scenario, this issue and associated court case loads are eliminated or dramatically reduced. Parenting continues to the best of each parent's ability considering physical, emotional, and financial support. Child support burdens and adjustments cease to be a consuming issue, freeing both parents to focus on how to be the best parent they can be to their child(ren). If the parents agree to an unequal parenting situation, they would also be required to mutually agree to a level of support to balance available parenting funds up to a minimal level necessary to raise a child, not to a level to balance lifestyles.

But any age adjustment should be based on some hard research.

It is a great idea. How could it be done?

Little kids cost a lot in day care; teenagers cost a lot in clothing, activities, etc. I think they do take into consideration these costs. Daycare is more expensive the younger the child is. However, custodial parents should get something extra to help with all the initial costs that go into buying all new beds, strollers, car seats, diapers, clothes, mobiles, bounces, pack-n-plays, and more.

Yes, Yes, Yes

There should be a slight percentage increase in calculation for children over the age of 12.

I've raised children from diapers to high school. I have not found a cheap age. How can this practicably be done? It assumes that one can generalize that children of different ages might have different expenses, but is that accurate. Not all sixteen year olds drive, not all ten year olds are in little league.

Do not think this is really an issue.

BUT only if this can be done without making the calculations overly complicated. This creates a morass for the courts to wade through. The disparity between formula and diapers vs. make up and clothing for teens is almost impossible to quantify.

If possible to quantify and make consistent to all effected.

I think the guidelines do this with the daycare costs line item.

I understand that some states do this, and that several studies support that costs to raise children escalate with their increased age.

Way too difficult to equitably implement from jurisdiction to jurisdiction.

Agree. Don't know why day care counts but car insurance for a teenage boy doesn't.

I think this would get too complicated. The biggest cost for very young children is infant child care which is dealt with separately. Otherwise, there are expenses for kids of all ages.

Not certain there is an equitable means of doing this.

This should be taken into account only if there is reliable data on which to base the different child support amounts AND if the only trigger for the different amount is the age of the child. This change would do a disservice to children if it complicates the guidelines and increases litigation.

Essentially the child is entitled to the style of living his or her parents have the ability to provide regardless of the child's age.

Such a factor is not consistent enough in all situations to be a CS adjustment based solely on age. Some young children are more expensive to maintain than are some older children.

This might prove to be difficult to determine equitably, and would probably result in more litigation.

Again, that would take us right back to total discretion in cs. And most of the parents I deal with argue that whatever age their child is, is the most expensive age there is. Even that whatever gender they have is more expensive than the opposite. No.

Deviation factor only.

Children are expensive whether they are 2 years old, 12 years old, or 20 years old.

It is not necessary. All children need food, clothing and shelter, regardless of age. The older the children get, the more expensive things are to raise them. For example, you pay more for clothing, shoes, food, school dues, school supplies, etc.

Adding the extracurricular activities provision would address this.

I think that adding age ranges into the considerations would make the guidelines unwieldy and would add to the difficulty of calculating appropriate support amounts. Additionally, parties frequently have children in a wide variety of age groups and, if age had to be taken into consideration, could make running guidelines a nightmare.

However, not every 16 year old needs a car.

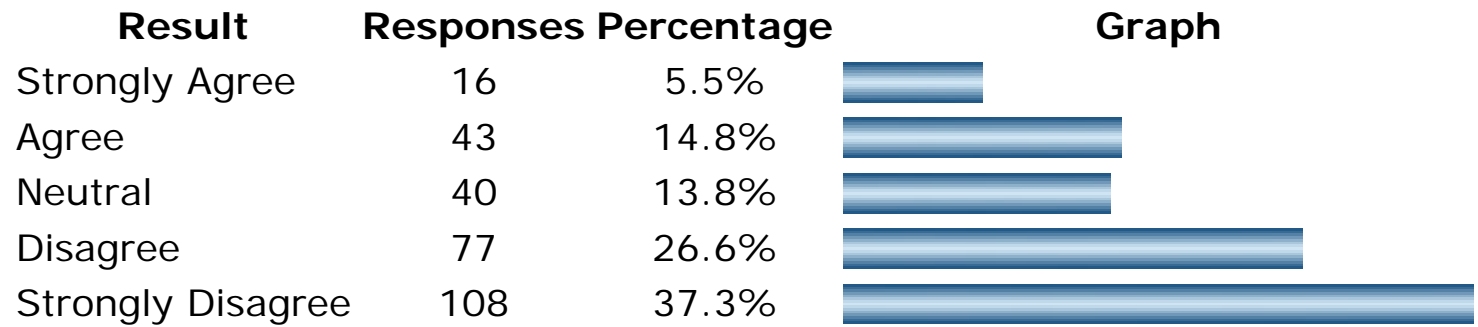
I do not see how that could be quantified

Too much complexity, too many opportunities for disagreement and subsequent litigation.

Need more data on this.

Total Number of Form Results: 289

26. It would be appropriate to incorporate an automatic annual cost of living increase into child support orders.



Total Number of Form Results: 289

Comments (26):

It would be way beyond that capability of DCSE to attempt to make and then measure a true and honest economic indicator that is appropriate to all families. The normal remedy for cost of living issues should be handled by the court.

Such cost of living adjustments rarely track actual circumstances accurately.

Not in these economic times, when most people are not getting cost-of-living increases in pay. The harder it is for people to make their child support payments, the less support is paid.

If they do, then it is also only right and just to consider all of the payers children involved (in home children as well).

I think that the exonomic issues are too comples to just have a built in increase. For example in the past year or two many companies and teh government are not giving increases to employees.

THE COST OF LIVING ADJUSTMENT IS OUT OF CONTROL, IN NY THEY HAVE HIT ME WITH 12 PERCENT COST OF LIVING INCREASE IN A 2 YEAR PERIOD. WHAT IF MY INCOME HAS NOT INCREASED BY 12 PERCENT, MY LIVING COST IS 12 PERCENT HIGHER, AND IN MY CASE SINCE MY LAZY ASS WIFE DOES NOT WORK EVEN THOUGH FULLY CAPABLE SHE SHOULD GET A JOB IF NEEDS MORE MONEY. HOW IS IT THAT SHE IS RESPONSIBLE FOR 1/2 OF RAISING MY KIDS AND SHE HAS NO JOB. SO IT IS OK TO HAVE HER EXPENSES PAID BY HER NEW HUSBAND AND MY CHILD SUPPORT. TOTALLY BS. WHEN WE DIVORCED HER INCOME WAS EQUAL TO MINE, IF SHE CHOOSES NOT TO WORK THEN HER ABILITY OF INCOME EQUAL TO MINE SHOULD BE EQUATED INTO ALL FORMULAS. IT IS TOO EASY IN SO MANY CASES I SEE FOR THE WOMAN TO HAVE ENOUGH CHILD SUPPOT TO NOT WORK, MEANWHILE THE MAN HAS TO WORK MULTIPLE JOBS AND MAYBE DO SOME ILLEGAL THINGS TO RAISE MONEY JUST TO SURVIVE, THE SCALE IS TOTALLY WEIGHED TO ONE SIDE HERE.

Computers know nothing about reality except what a few people tell them. So Making things automatic is just a dumb Idea. And further you will be in violation of federal mandate again. Cost of living is not equally distributed either for some it is higher and others lower. And that says nothing about a persons real life situation.

Reality dictates that discretion needs to be afforded, when percentage based support amounts exceed basic needs, that the ability of the payer to sustain a comparable standard of living be a driving consideration. Guidelines need to be based on economic data not arbitrary percentages.

Families have the ability to alter how they care for their family to offset increases in economic factors. Make clothes instead of purchasing them. Purchase them at thrift stores. Stretch food by adding fillers. Etc. Did the government have to dictate how families survived the Depression?

If the custodial parent isn't getting cost of living raises I only see an increase of jail time.

The costs of the childrens needs in the so called no. Custodial parents home are so grossly neglected any cost of living increases in income that these parents may see needs to be left to address the childrens needs in the so called non custodial parent's home.

The "child support" guidelines are based on a % of gross income, so "child support" increases as income goes up and as circumstances change. DCSE should focus of decreasing child-support for men out of work or in jail, rather then increasing it by an arbitrary amount if the father does not get richer.

All factors need to be considered on both sides of the house

The assessment of custody is too arbitrary.

<http://youtu.be/MMySqWItgeM>

Absolutely not! Why should a parent's obligation increase when his or her income does not?

What if the parents don't receive a cost of living increase? This would change the guideline indicated amounts.

NO, because what is this calculation based on? When changes occur, they should be brought before the court. If something isn't broken, then leave it alone. If the CS is working and both parties feel it is, then they will leave it alone.

See above

See above

The guidelines are based on bad data to begin with. There is no tracking method to ensure 100% of both parents are paying the ordered amount's share of each income. There is no method to charge the taxes to the recipient to the receiver rather than the earner. It should not be a decided way of a lifestyle: having children to have two decades of after tax checks should be discouraged.

base support on what the "norm" was prior to the divorce, all other expenses itemized and split 50/50.

Petty.

Only if the parents get a cost of living raise.

Most jobs do not do this, so it would be unfair to impose this on a support-paying parent, when their income may not go up as well. That would only make the percentage of their income that they are paying increase.

Again, changes, year-to-year only complicate an already contentious and adversarial relationship. Taking the financial benefit out of "parental child support" will only reduce the adversarial relationship and will benefit the relationship the child has with both parents. Without trying to sound too extreme, removing this welfare system for one parent, actually benefits the child through their youth. My case is a prime, yet extreme, example of the use of the system to benefit one parent over another, with little regard to the best interests of the child.

Nothing should be "automatic". Each CASE is as Individual as each Child and Each Parent Involved.

Back to the upward modification bias again. Wages are not growing. Workers are losing jobs, losing over-time, suffering wage cuts and facing a system that already makes it too hard to get a downward modification but you can only think of more ways to take more from them and you want to automate it ????

Shameful !!!

Most people aren't getting cost of living raises. Stop making child support a lottery ticket for an irresponsible adult.

This makes no sense, especially in the economic times we are in. I lost a job 2 years ago and have gone through 4 more reductions in headcount. Is anyone going to supplement my income automatically if I lose my job or cannot work because of recently diagnosed cancer.

Only if both parents got a cost of living raise. Then the amount should be compared by how the noncustodial living level is. If the noncustodial is living below the poverty level (including all payments to the court and other court related bills).

Inflation will take care of that as the non-custodial father gets pay raises. If he does not get pay raise or increase and there is inflation, then this will just make this guy homeless or just give up and drop out of sight. What that be a help to his children.

Incomes do not have an automatic cost of living increase.

Given the current financial state of our country this would be devastating to those already struggling to first pay their child support and then hang on to their home.

Look at our economy... this should not be considered at all. Let it be based on wages. From an economic standpoint, incomes will increase as the economy moves forward and the adjustments based on income will reflect the cost of living changes.

NO NO AND NO....besides, who gets these anymore?

Most companies do not give cost of living raises, so if the paying parent does not get one, why should the custodial parent get one. How about the custodial parent pay half his or her child's support? Bias every where.

Too problematic because of changes or no changes in parents' incomes and in the expenses.

The COL doesn't always go up. Incomes don't always go up. See 25. As a child gets older, the costs often go down.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

The last thing we need is more wiggle room in the laws for people to try and get more money.

Stop trying to find reasons to increase the funding to the state, while destroying the lives of good men, all in the name of children!

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

The cost of raising a child does not increase in parallel to the calculated annual cost of living! Home mortgage or rental costs do not increase annually for most people, while food and energy costs can fluctuate monthly. Over the past 20 years, costs of items included in the support guidelines (food, housing, transportation, clothing, recreation, communication, personal care, and laundry) have increased at less than the calculated annual cost of living, while other costs outside the guidelines (child care, medical, tobacco, and professional services) have increased significantly faster than the calculated annual cost of living. The only fair solution is a default of equal parenting time, unless the parents agree otherwise. Under an equal parenting scenario, child support would rarely need to be awarded, and the administrative, and judicial workload associated with child support orders would be dramatically reduced. Under equal parenting, child support would only be awarded to balance the child support funds available to the two parents up to a minimum level necessary to raise the child. If both parents earn similar incomes or both parents earn incomes at some level above the poverty level (such as 3x) then no child support would be needed or awarded, and each parent would support the child during their custody time using their own resources. Child support awards should not be used to balance incomes or lifestyles or to redistribute wealth beyond what is minimally required to raise the child considering the incomes of the parents.

The Guidelines are income driven, how can one force a cost of living increase if there is no INCOME increase to support it?

Nothing should be automatic - an auto cost of living increase when some poor schmuck is laid off is doing no one any good

Most people do not make any additional income to supplement these increases. It seems to work in other states.

Oh lord, this would cause chaos!

This sounds good but will create problems in economic downturns in which people are not getting a 3% or whatever number increase would be chosen.

Such a concept is predicated on a stable economy--something which Virginia lacks now and has lacked for several years.

Dependent on the state or federal COLA as a guideline

That is usually taken care of when the parties get raises. When the raise passes the 5% mark, one party seeks an amendment.

Again, this hurts the paying parent only as it applies whether or not the paying parent has had an increase in income but does not prevent the receiving parent from asking for more if the increase was bigger than a COLA.

Cost of living is too variable in actuality to put in automatically and this would invite confusion.

Not without an accompanying COLA in income.

People's incomes also change incrementally.

This would depend on how the cost of living is determined. In years of no inflation, a cost of living increase seems unwarranted and a potential undue burden on the noncustodial parent.

This is an accounting and calculating nightmare for agencies, parents, etc leaves too much to interpretation as what GNP percentage and when to use it.

This creates more problems than it solves.

NO. How unfair to put in an automatic CS increase, when a parent's wages may not have been increased or may have actually fallen! The circumstances of the parties and child is what should be considered.

How would this be determined ? It would make all separated parents into accountants.

In the good old, economically booming times, that was a great idea. BUT! These days, people are having their salaries cut, and foregoing any regular COLA, year after year. Maybe something to the effect that "provided the payor parent has received at least a corresponding increase in earned income, a regular COLA for cs"?

This would be good, as long as the raise was within the federal annual cost of living report

The government usually gives a cost of living raise and so should the Division of Child Support. Every year prices get higher and the children should not be punished by not receiving an increase.

This will cause enormous complications and litigation when it is not followed and argued about.

I think this would reduce litigation.

Only if it is tied to a reliable index.

If based on a standard index, such as the Consumer Price Index.

Total Number of Form Results: 289

What do you most like about the Virginia Child Support Guidelines?

They attempt to take into account both parents incomes and the time each parent spends caring for their children.

At least its a start, but VCS has a LONG way to go!

that the pay is garnished if NCP doesn't pay...

aThe guidelines take the uncertainty out of the issue of child support. It acuts down on litigation and can help parites resolve the issue amicably. For the most part the guideline amount is fair. I rarely have a client complain about the amount being paid or being received.

i AM IN NY, BUT HOPEFULLY ACROSS THE NATION SOMETING CAN BE DONE SO THERE IS FAIRNESS TO ALL. THE IDEA STARTED AS A GOOD ONE, BUT LIKE SO MANY GOVENMENT ORGANIZATIONS HAS TURNED INTO A CIRCUS WHERE THE MAN PAYS IN A MONITARY WAY, JAIL, LAWYERS, DRIVERS LICENSE SUSPENSIONS, AX INTERCEPT AND EVERYTHING ELSE THE GUSTOPO'S CAN DO. THE MOBS ORGANIZED CRIME WAS CONSIDERED ILLEGAL BUT SIMILAR PARACTICES ARE OK FOR GOVERNMENT ORGANIZATIONS.

Its only merit is it tries to solve disputes between parents.

Nothing, they are capricious and arbitrary.

I'm not liking much of how child support is set up currently. I think the guidelines allow the courts to be bias.

Nothing.

I try to believe most of us have the best interest of the children in our hearts but some have made this system into a money making endeavor.

Nothing

Not much.

I have meet some good administrators at the Richmond level and in Arlington who are trying hard to work with them. Otherwise, I do not believe in the "child support" guidelines, since they are not based on the cost of a child or of children. They are just numbers pushed by HHS onto Virginia.

They are available

The same standards, deviations and considerations apply to all.

The extreme gender bias and the rewarding of the least emotionally stable, most incompetent, and least capable parent, the single mothers, nearly 100% of the time in Va. courts.

<http://youtu.be/MMySqWItgeM>

I don't like child support guidelines, period.

Nothing

They are set so it isn't discretionary.

I don't know anything about Virginia CS. I live in the "CommonWealth" of MA. The word "CommonWealth" should give you an idea as to why MA is one of the worst, unfair states when it comes to CS....my money is their money and they will take it from me for their own benefit.

nothing

I'm not familiar with Virginia Guidelines, but most states are similar. If you have Guidelines, that is fine, but in the absense of a reasonable panel to consider those Guidelines, they are worthless. Judges and Lawyers and Government agencies are not qualified to handle it. Their objectives ARE NOT in the best interest of the child, the parents or the family.

I'm understanding that they are biased and don't protect or serve shared parenting towards the fathers of children..

Nothing yet.

there is nothing I like about virginia child support guidelines.

GUIDELINES SEEM TO BE OK. PROBLEM IS WITH THE COURTS AND AGGRESSIVE SELF SERVING PRACTICES OF 'THE DEPARTMENT'

Nothing. This is not a flippant answer.

N/A

Nothing!

Nothing. They give to much discretion to Judges

"like" - they are consistantly ignored and thus make it easy to target Individuals who commit criminal acts that have proven to sometimes Fatally Injure Virginia's Families and Children.

Nothing.

I have heard there maybe some some fairness relative to other states.

Nothing, for in fact their is no set guidelines. They are change to the judges wishes when ever they wish. Also which guideline are we talking about, the Richmond guideline, the Fairfax guideline, the Virginia guideline? Have one set that every ones fallows.

They provide extra income intended for the child.

Please read the book, "Child Support's Wacky Math: How Errors in Math and Logic Used in Determining Shared-Custody Child Support Creates Unfairness and Discord in the Commonwealth of Virginia," by Robert Ingalls, I would appreciate feedback from the panel of what they think about this book.

That there is a guideline

Shared custody guidelines

Standardized guidelines do provide a guide when two parents cannot reach an agreement.

Not a lot!

That they make orders less arbitrary.

Nothing at all.....I would like it much if it ceased to exist.

The basic concept is right, that both parents should provide support for their children.

Generally the guidelines produce fair obligations IF they are followed.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Its predictable.

N/A

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Virginia has wisely resisted temptations to raise child support in recent cycles, acknowledging the lack of a real need to do so. I trust Virginia will move along the path of a default for equal parenting and greater use of shared parenting solutions as many other states are doing, and will continue to resist the bureaucratic and political temptation to raise child support guidelines, especially during a recession, which would only result in higher delinquency rates and increased alienation between non-custodial parents and their children.

Simplicity.

You can settle the case without going to court if both parties are w-2 employees

Clarity, ease of application.

One can tell a client with some degree of certainty what the number will be.

Even if parents decide upon another amount, they provide a baseline for what is appropriate in most circumstances.

Formulaic nature helps create predictability and defuse the animosity the concept of 'child support' creates

Easy to use

Consistency. The parties now know how the numbers are calculated and why. They know it is not an arbitrary decision and they are being treated like everyone else in the state.

VADIR and other programs make the calculations relatively painless to perform nothing

I believe that the guidelines are working. We should not allow the soft bigotry of low expectations to creep into the guidelines. Even in the poorest countries of the world, hard work and education allows people to move to middle class and above. And without a doubt it is possible to do this in American, Virginia, the streets of Richmond and Southwest Virginia. If we look at our community we see people who move from poverty to wealth. Age is not a factor in this move, I had a classmate who graduated from law school at the age of 65. She went on to have a successful legal career with legal aid. I know of a poor boy who in the evening after working and begging for money went to the airport in Nigeria to read and do his homework. He is now a successful preacher of a large church in Nigeria. At present the soft bigotry is NOT in the guideline and should not be allowed to enter the guidelines.

predictability

I like that there is a baseline which helps attorneys settle most child support cases.

I like the idea that there is a set formula. The more you move to deviations or not including things like extracurricular activities the less certainty there is and the more difficulty there is in reaching an agreement.

Certainty -- the parties know what to expect generally, and a judge adjust the situation as equity might dictate.

The guidelines create certainty and allow parties to settle the support issue without the expense of a trial.

The fact that they are based upon gross income.

Encourages settlement

That for most cases it is straight forward.

With the certainty, there is less to fight about as long as both parents have wages. If they are self-employed or want a deviation, the situation is muddy. Self-employed people require more discovery, CPA's, etc. to determine what income is.

They provide a relatively fair result, and because the judges rarely deviate, it encourages settlement of the child support issue.

It is a universal system applicable to all cases.

The certainty of the data point it provides for helping the parties reach agreements and avoid the costs of litigating the issue.

Easy to understand, easy to explain to parents.

There is a definitive frame of reference upon which parties may rely.

They ease settlement of cases

Predictability

Predictability of outcomes makes for better planning and less litigation.

They make settlement of support cases easier and thus lower litigation costs for clients.

Significantly cuts down on litigation.

They provide guidance for all parties.

I know how to use them.

it is in writing

Dependability. Reliability.

Predictability in figuring support

It provides basis for resolution without litigation.

It takes out the disparity in child support orders and makes it easier to settle child support issues.

It makes it easier for competent, professional attorneys to reach an agreement and limit the court's docket.

It provides an objective amount to consider and upon which the parties can negotiate.

Relative certainty

in run of the mill cases they provide certainty, thereby lowering litigation costs and, to some extent, resentment. It's easy to say to the CP or the NCP "it is what is, it's nothing your ex is doing to you."

The calculations are online and thereby very accessible to the general public. Having the calculations available takes a lot of the mystery out of it which helps people feel as if they have more control, allows them to see the law is the same for everyone, helps them to understand the process and the results.

They are predictable.

they give precise and predictable answers

Provides some certainty for negotiated settlements.

Clearness and predictability

Fairly easy to use.

That they are easily applied and that courts do have the ability to deviate for good cause

predictability for parties

They make for uniform decisions. There is room for deviating but only for good cause.

Straightforward and easy to calculate.

Uniform application.

they reduce litigation and related costs for parents.

They help lawyers resolve cases without litigation

It provides a standard set amount and it is fairly easy to calculate, except for the issue of counting days. There are often arguments about the number of days each party has.

That they take both parties' incomes into account. Some states do not. That the shared guidelines are in place at the 90 day mark, and there is no "cliff effect" thereby giving non-custodial parents a large incentive to hit that mark. I think they are generally reasonable in amount.

Their uniformity and simplicity make them accessible for pro se litigants.
so far over the past two years nothing

As a clear basis for the determination of support, they allow each side in most cases to be pretty certain about the prospective award, and thus reach an agreement without having to go to court.

I like that the parents voice is heard, it makes a big difference to know that what you are going through is actually taken into consideration, not just ignored as if it has no bearing what so ever.

That both parents income is considered not just the obligor, factoring in daycare cost and health insurance premium is realistic.

Uniform and do not allow for much litigation over an issue regarding the children. Good.

That they are predictable and do not provide a lot of room for litigation.

Ease of calculating

The relative certainty of the outcome

I can send clients without an attorney and they will know a very reasonable estimate of what the outcome will be. They can be pro se and still get a fair result.

Virginia is very comprehensive in taking into account almost every factor in supporting children and in how children's costs can be allocated between the parents for different situations. Very few states provide for such extensive variation. E.G. shared and split custody; support of other children; child care costs; health insurance costs, etc.

They are relatively user-friendly.

predictability

Certainty prevents litigation in most cases.

They are easy to understand and calculate. Virginia falls into the middle of the road as far as the other state guidelines go.

Their uniformity.

predictability. In most cases, the guideline amounts are fairly close to income and expense worksheets (when done objectively!)

It is good that we have guidelines that are not simply a flat percentage of the non-custodial parents income as they have in many other states.

I think that, as they stand, the formula is relatively easy to use and, in the absence of deviation factors, guidelines can generally be run quickly.

Certainty

Predictability. The courts do a very good job of consistently applying the guidelines, such that the vast majority of cases do not become contested based on application of the guidelines. Rather, litigation tends to be centered on calculating the guidelines variables, such as income.

Promote settlement of cases.

Consistency and predictability.

Provides general clarity in result.

They encourage settlement.

predictability in initial calculations and ease of use in "standard" cases

Knowing that there is a legislated, presumptively correct answer aids settlement negotiations and shortens trial time by narrowing the issues.

They help to promote uniformity and predictability.

They contain an appropriate amount of simplicity. They are formulaic enough to efficiently move these cases along the JDR Courts' busy dockets.

Shared custody method works- but clarification of how that impacts on activities, clothes, etc shared by the parents needs to be added- not the formula, but the extras.

Total Number of Form Results: 289

What do you least like about the Virginia Child Support Guidelines?

The 90-day threshold and the 1.4 multiplier are major flaws.

The fact that the entire program has turned into a business. Rather than taking the time to help "all" parties involved, they will only help the mother... ultimately for the child. This doesn't solve anything, and I believe if the VCS would pay more attention (in a good way) to the father or non custodial parent, they would get much BETTER results. Treating us like criminals, or not taking the time to get individual circumstances is not the way to go.

they seem to only address a typical situation where there is shared or joint custody and involvement of parent and do not address NCP's situations that are difficult. Also they do not penalize for late payments (if CP can't pay a bill because full amount is not paid on 1st of month - they incur a late fee - if full amount is not paid on "due date" penalties should be paid) Penalties and court costs should be enforced by VCEA by garnishment. CP probably can't take off work or hire an attorney if they already can't get the NCP to pay a medical bill..... they should also be able to query law enforcement for information on vehicle tagging and licensing in VA and pass to CP - also to put hold on state tags etc - like other states. Also they should have a reciprocal agreements with all states concerning those things.

The shared calculations are not always fair as mentioned above when the party paying less refuses to provide financial support the the children when they are with him/her except for food and shelter. We need to build in expenses to be paid by the non custodial parent who enjoys the benefits of the shared custody guidelines.

I think it needs to be redone with a abolishment of the Bradley amendment.

They are capricious and arbitrary, they ignore economic data in favor of arbitrary percentages, largely at the expense of the non-custodial parent.

No strong legal focus on shared joint custody, which greatly reduces the need for sole custody & child support issues. Joint Shared custody should be presumed, with a "rebut-able presumption" that only in documented cases of extreme need for sole custody is sole custody awarded.

Lack of concern for the non custodial parent. It is too general and not case specific.

The fact that you think you need guidelines to begin with, and the fact that you have some. Further, that the only reason you have them is so that Virginia can collect the federal government incentive dollars...like prostituting itself to the federal government in the name of children.

Mandatory Child support is unethical, and a violation of a parents rights, especially when their drivers licenses are taken, or they are thrown in jail... None of those efforts are in a child's best interest.

I try to believe most of us have the best interest of the children in our hearts but some have made this system into a money making endeavor.

It has no way of confirming the money is actually spent on the kids; mom can spend money on plastic surgery with no checks and balances

The neglect of the needs of children, by the assembly, by marginalizing the childrens REAL needs in the so called non custodial parents home. The failure by the assembly to require the so called custodial parent to provide an equal portion of their income to the childrens needs in the other parents home 100% of the childrens time. With the current guidelines the assembly condones 50% of all parents affected by the guidelines to not provide for the childrens needs for 24% of the children's life. This amounts to government sponsored child neglect. The cost of raising children i two homes is the case in every out of wedlock birth or divorce is much greater than in the case of a single home married couple. The current guidelines lie to the children in the vast majority of cases by telling the children the only have needs in one of thier two homes leaving one of the parents to support two of the childrens homes and the other parent only supporting one of the childrens homes.

The main problem with the VA "child support" guidelines is that 95% of it is paid by fathers to mothers. My research showed that this is largely because almost all "child physical custody" in contested cases is adjudicated to mothers, in all but the most unusual situations. I feel that the guidelines are arbitrary and not based on actual incremental costs of a child. For instance, a mother does not need to move from a two-bedroom apartment to a three-bedroom apartment just because she gets physical custody of one baby. Most child-support "deadbeats" are fathers out of work, in jail, or with unrealistic CS orders. The CS system basically benefits middle class mothers with "disguised alimony."

to hard to digest in some cases, and the deviations from the Child Support Guidelines are not broad enough

The inability to cover all individual circumstances.

See the above response

<http://youtu.be/MMySqWItgeM>

The minimum amount of child support obligation is unjust and inappropriate.

To easy for the judges to abuse their discretion and deviate into excessive support obligations.

Abuse

I don't like the fact that someone can stay willfully underemployed or work under the table to lower their child support.

N/A

They are not premised on the assumption that two loving parents will, or will be held to, agree on parenting time, in which each parent will support the child as before divorce. Virginia must legislate PRESUMPTIVE EQUAL PARENTING

They are not premised on the assumption that two loving parents will, or will be held to, agree on parenting time, in which each parent will support the child as before divorce. Virginia must legislate PRESUMPTIVE EQUAL PARENTING

na

That Virginia is fast to jail non-custodial parents who are trying to pay child support but due to circumstances beyond their control they are unable to pay the full amount or even any of the amount.

See above.

There are unfair modification rules. "Incarceration in the State of Virginia is considered a form of voluntary unemployment." Really?

Judges still ignor it.

They are abusive and ignore the economic impact on parents.

MINIMUM OF \$65

Everything. Nor is this one.

That the DCSE has too much power in order to raise child support, however they are completely helpless when it comes to lowering or terminating child support when the child has finished high school and is at least 18 years old.

The 90 day rule.

I do not like the fact that they use Administrative Orders to cease bank accounts and take drivers licenses. I do not like that a parent can be a custodian and non-custodian parent. There shoud be an offset. There should only be one case per child. DCSE should not be allowed to open a case for a child if the child is not receiving public assistance.

they give too much discretion to Judges

They create paper-pusing work for state employees, and create YEARS of Damage to Families who NEVER even requested any "government assistance" nor 3rd Party Intervention.

It is not based at all on the best interest of the child; it is solely about money. Why aren't more people given joint custody, or ordered more visitation instead of money. Debtors prisons are created and this paralysis all but destroys second families with additional children involved. This law unfairly demonizes and punishes men when they are the only parties with NO rights when it comes to birthing a child. A mom can even drop the kid off at the hospital or give it up for adoption with no child support obligation. A man can't get out of child support by giving up his rights. Is should also be considered when a custodial parent is living with another adult.

The custodial parent still is referenced more by mothers, irregardless if they sleep all the time and drink too much.

That their are no real support guidelines and many of the guidelines make profit for the custodial parent.

That the receiving parent does not have document that that at leaast majority of the amount was spent on the child.

The rigidity of the courts in applying them.

That they do not provide for a calculator online that takes onto account blended families.

The lack of acknowledgment and consideration for non-custodial parents and their costs of living (mortgage/rent), providing for family (even if not children) etc..

The thing that I like least would be that false arrearages can never be fixed. There is no process in place to correct false arrearages and there is no incentive for DCSE to create and enforce a process that makes those corrections and take action against those that knowingly create the false arrearages.

The disparity, the unfairness, the inequality, the bias...the fact that deviations are rarely used when they should be at least considered in every case.

Unfairness. I do not think the VCSG are fair to the non custodial parent. The non custodial parent has living expenses for the child & should be considered also.

It's just not right

That it is a biased institute that takes money for children to support their cost, where is that right.

The total inflexible and cruelty, the abuse wielded by employees of DCSE and the JDR court, for their own purposes and certainly, as in my case, with NO - zero - nada - regard for my children.

The guidelines are rarely followed. Judges almost always deviate inappropriately. DCSE employees calculate obligations using incorrect figures. Because there is no requirement to verify the cp's financial statements, they know they can under-report their income to get higher orders and there will be no repercussions.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society.

Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Its predictably unfair.

The guidelines exceed what it costs to raise children and fail to take into account the cost of living of the NCP to buy "seconds" of most everything for his child (ren).

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

Virginia Child Support Guidelines generally result in excessive child support awards and overly burdensome obligations that tend to exacerbate the conflict and drive a wedge between non-custodial parents and their children.

Judges are afraid to deviate

They are a little low given the actual cost of raising a child.

They contain an automatic financial incentive, i.e., less child support when a parent has more than 90 days. This leads to lots of difficulty in negotiating visitation schedules as parents seek overnights and blocks of time to hit the 90 days.

Obtaining deviations from the guidelines often result in litigation. Additional factors to include in guideline calculations might avoid having to litigate.

Applied in wildly divergent ways in various courts, aided and abetted by lawyers who only look at the money and not on the impact on relationships - undercutting the predictability feature

The \$250.00 medical expenses the custodial parent has to pay before the non-custodial parent has to pay his or her percentage.

The rich non-custodial parents are given a pass and the lower income non-custodial parents are nailed as to percentage of income

Lack of use in complicated cases with appropriate deviations

Rigid application of same thereby eliminating judges discretion.

Under the current guidelines, the first child to receive court ordered support gets the larger support amount. This is not fair. I still support the first child rule or some process to even out the award amount.

full overtime pay has to be included in calculations, which forces payor to make difficult decisions if overtime is voluntary.

I dislike that there is gamesmanship with regard to visitation requested in order to seek the shared custody guidelines, which is encouraged by the current guidelines. I truly dislike that the tax exemption deduction is made part of the child support guidelines with no consideration that guidelines are based on federal analysis which pre-supposes that the custodial parent will receive the deduction. Custodial parents receive less in child support because they will "make it up" in taxes at the end of the year. North Carolina EXPLICITLY explains that the income shares model presupposes that the custodial parent will get the deduction but that it can be granted to the noncustodial parent with a deviation being granted to the other parent. <http://www.nccourts.org/Forms/Documents/1226.pdf> (bottom of page 2)

I hate the shared custody guidelines. It is a motivating factor in determining custodial schedules and then parents are focused either on getting over or staying under 90 days and they do not consider what schedule is best for the children. The payor spouse wants to have the children for more days to lower the child support regardless of whether the schedule benefits the children. Because of this, child support ends up being litigated, adding to the legal costs. Judges generally are unwilling to deviate from the guidelines because they supposedly already take everything into account.

Often the guidelines do not support children in the standard of living established during the marriage.

The scheduled amount of support table has not been changed in many years and is therefore too low and unfair to the custodial parent.

Base too low; no multiplier for locality.

There is a severe inequity as discussed above. Middle income parents pay a far higher percentage of their income to child support than lower or upper income parents.

They seem so arbitrary, lacking any basis in the actual costs of raising children. They also tend to be prejudicially slanted in favor of the "custodial" parent. Due to the perception of bias in favor of the "custodial" parent, the presence of the guidelines often leads to custodial disputes in cases where there really should not have been a dispute.

At the upper levels of income, the guideline amount often seems too low to support the children in a way that would allow them the same level of care/activities, etc. as before their parents separated/support became payable.

I think instead of using gross income, they should be based upon net income, with net being defined as gross income minus state and federal payroll taxes. To avoid the possibility of parents taking too many exemptions on their withholdings for the purpose of reducing their net income, the tax rates would be capped at a certain percentage.

The percentage of income paid and received is not consistent the higher you go up in income

That the courts are without authority to modify orders retroactively to avoid inequitable or fraudulent conduct, e.g., a spoken agreement that if the NCP makes the CP's car or mortgage payments the child support may be reduced in a corresponding amount.

They do not provide for post secondary education support of children. This should be subject to court order at the very least where one or more parent has a college degree.

The lack of guidance on the cost of the activities for the kids. I think the guidelines are low taking into the cost of raising kids in Fairfax County and Northern Virginia.

I don't know

too low for the custodial parent, the \$250.00 deductible on medical, too much judicial discretion to deny deviation.

Assumes and encourages a lack of cooperation between parents, where the child support drives the parents fight for time with the child. Judges too prone to avoid taking the time to determine appropriate deviations. Night shift workers are penalized even though they may spend more time with and expense on the child.

Lack of discretion allowed to the trial court. That is, there appears to be a significant amount of downward pressure on trial courts to follow the Guidelines, such that the trial courts are quite concerned if they should desire to deviate below the Guidelines.

the fact that income is often difficult to prove - self employed individuals rarely if ever report a true income.

In many cases, you see mothers collecting child support as if it were their income. In some cases, it appears that child support promotes pregnancy because mothers, usually indigent, just continue to get pregnant by different fathers and collect more child support. So, if a single woman has four (4) or more toddlers running around, there is no incentive to work, contribute to society, but just live off the system.

They are too high for the respective incomes at this time and favor the custodial parent.

Nothing is perfect; so I can't think of anything.

i think middle earning NCP's get hit the hardest. I have guys making 65k per year paying a far higher percentage of their income than guys making 250k per year.

The \$250.00 per child health care deduction in cases where the custodial parent has very little money, seems too high.

See below.

nothing

Do not accurately represent the cost to raise children today, especially in certain areas of the state!

Manipulation by self-employed individuals.

They do not adequately address very high income cases.

Difficulty of use in complex family situations - sole and shared in the same family.

They do not account for children's extracurricular activities, which ends up being a source of contention during negotiations or when the child gets older and parent's find out about the cost of travel soccer, music lessons, horseback riding lessons, etc.

That work-related childcare is factored in as a straight line item. Several items: 1) it could be handled separately, like unreimbursed medical expenses; 2) it could be included, but only up to a certain percentage of the custodial parent's income. I have had cases where a custodial parent lived with her parents, had virtually no expenses, and paid as much or more in work related child care than she actually received from employment and straight guidelines were applied. This was horribly unfair to the non-custodial parent; 3) Non-custodial parents' work-related child care must also be included in, for example, school year/summer split cases. The court should be able to take judicial notice of tax credits, etc., that affect things like health insurance and work-related child care. Obviously if one receives some or all of these items back in a tax credit, the non-custodial parent shouldn't be paying for them. Currently judges generally require expert testimony on things like the extent to which a tax credit offsets work-related child care. Generally these issues only arise in lower income cases where parties can't afford to hire experts to testify.

I believe the shared custody guidelines use of 90 rather than 120 days as a trigger number allows for too much abuse by unscrupulous noncustodial parents. the fact that the customer service on the phone is the worse, the reps talk over you are nasty with you such unprofessional personnel over the phone. I work for customer service & they have taught us that when the customer is speaking that you should stop what you are saying and allow the customer to talk. The case workers are allowing too much time for payments to be received, if the custodial parent is working there should not be a lapse in payment where for example I received my last payment 7/5/11 & the non custodial has 30 days before any action is taking...that is ridiculous?? what is the point of the 30 days you know he is working take action. Or how about a non custodial has 3 cases but 1 hasn't had a review or been in place since 2007 & when a review was asked the case isn't referred to court until almost a year out however the case is obligated \$411, the next case \$130, my case \$65...do you see the discrepancy...it is ridiculous how the system when the money is dispersed it is not done fair but I guess that is the DCSE and how they operate

Shared custody guidelines kick in only at 90+ days, arbitrarily count overnights as 1/2 days, but 12 hours during the daytime counts not at all, and even at a zero income a minimum support payment is due.

I think I like it all, it provides real life solutions to real life problems for people who struggle with the obtaining and modification of child support amounts and modifications.

Allowing credit for amount of child support being paid. I prefer set amount from the guidelines regardless to the amount of support especially if the support is based on the guidelines of another state which may use entirely different factors. They do not begin to cover the costs for raising children in Northern Virginia for middle to high income families.

That they are predictable and do not provide a lot of room for litigation.

How low they are, no guidance as to unreimbursed medical expenses in shared custody arrangements, no guidance as to extracurricular expenses

Doesn't provide for the inclusion of travel costs in the calculations of child support

The calculation is too complicated for people to understand pro se.

The Guideline table is OLD and OUTDATED. It has not been adjusted for inflation for 28 years. This must be done to be fair to parents and to children.

In many cases, particularly those in which parents are at the high or low end of the income spectrum, the results are inequitable.

the impact of shared custody on timesharing considerations

High income cases do not reflect parental generosity rule. \$500,000+ per year incomes should require considerably more support.

They are too low, and the kids need a raise.

That they do not enforce the obligations as ordered. My x-husband is ordered to pay an amt each month. Some months he does, other times he will only pay half. I have also had months when he paid nothing.

The fact that they seem too low.

Having child care, health insurance and uninsured medical expenses lumped in with the basic amount. This requires parties to spend money and legal services to recalculate everytime child care or health insurance premiums change (which is frequently!!) also not like the \$250/year/child threshold for sharing costs of uninsured medical costs--it's arbitrary.

Shared custody guidelines drastically reducing custodial parent's support and allowing for an unnecessary custody fight so the noncustodial parent manipulates the day count to reduce his/her support

The shared custody guidelines days are too low and are harming families both for the costs and the strange custody schedules that ensure as parties jockey for position around 90 days.

I think the \$65 minimum order is far too low.

IN high income cases, they result in figures that are too low.

There are fact specific situations where the guidelines are either excess or inadequate.

They fail to address situations where there is shared custody of a child and sole custody of a child in the same family and little guidance on how to handle matters which are not the most common.

They tabled off too severely for high income payors.

unreimbursed medical/ dental expenses

Lack of finality. It is too easy for overly litigious parties to abuse the system by relitigating child support every time that have (or create) a minimal change in circumstances.

The lack of guidance in complex situations.

No calculation based on cost of living in a particular area of the State.

Total Number of Form Results: 289

What specific statutory changes would you recommend for calculating, establishing or modifying child support obligations in Virginia?

Remove the 90-day threshold and multiplier and adjust the awards from day one of shared parenting.

I would be in favor of the minimum self-support reserve for noncustodial parents. It is not in the best interests of children to financially destroy and/or beggar their noncustodial parent.

No suspension of a drivers license. This is the most ridiculous enforcement tool. Prevented me from obtaining a job!

NCP parents should get credit for buying clothes, paying fees for activites, keeping the children for weekends and breaks - taking them to the doctor and taking off work when sick etc. Those who don't and are not involved should pay a higher fee to cover that time, lost wages and fees ets including additional for caring for a child with disabilities and IEPs- (even if it is court ordered that they can't have visitation- because there is a valid reason or ther would not be an order in VA as fathers have huge rights above children and women in VA)

I have outlined above specific changes I would like to see made. I believe taht with teh exception of teh shared guidelines teh present guidelines work pretty well and the provisions for modification work very well.

Make obligations equally due to all children. Don't try to collect fictitious unearned income. A Custodial parents new spouses income should be taken into account children on kind or not. Support should never exceed a ceiling amount that is realistic. (no attorneys or jugdes involved in making that calculation.)

Make it acceptable for a cosigner for support funds like a trusted person to disperse funds like a child to sign with the parent to witness receipt especially in cases of support or misuse.

Base them on economic data, consider the proportional standard of living the Non-custodial parent is entitled to.

I would like the whole system changed.

The rate at which changes such as reviews go into effect.

All family matters are to be decided by parents. Any parent needing assistance with making decisions for their family will be assisted for free, without consequence, by their state or county offices trained and provided for that purpose.

I would make 50/50 parenting the standard recommendation for the courts. This gives the parents a better way to communicate and feel like they have an equal part of their children's lives. Take the he said she said testimony out if no witnesses are available.

Money should be spent only on kids. Beneficiary should be required to provide an accounting of such.

A cost shares guideline model which holds both parents responsible for allocating a portion of their income to the children's needs in both the CHILDREN'S homes.

I would base child-support guidelines on the actual incremental costs of a child, not on the VA formula, which is 2-3% of aggregate gross income.

There should be no support at all unless one parent refuses to actively participate in raising the child

If you have 50/50 shared physical custody of your children there should be NO child support money exchanged. Basically both parties in that situation have already agreed that they will take care of the children during their timeframe with them. Again, and I am just one of many, I have my children 50% of the time (one week at my house/one week at her house) and I have to pay her \$800 a month child support, on top of paying 70% of everything else in comparison.... that's just not right!!!!

More consideration for the custodial parent who handles the day-to-day financial needs of the child(ren).

Eliminate child support in the absence of criminal abuse or neglect of the child with an automatic presumption in the absence of convictions of equal custody with the state losing all involvement outside of property division with the No Fault filer for divorce to lose at least 25% of the value of common property. Courts and attorneys are to be publically accountable and assigned fiduciary responsibility of the children over the parents. Statistical evidence of gender bias greater than 60% in a court shall be prosecutable in both civil and criminal courts by the offended litigants. All judicial review and finding should be public.

<http://youtu.be/MMySqWItgeM>

Shared custody = no child support obligation, each parent supports the child (ren) when in his/her care. If the noncustodial parent's income is less than the self support reserve or federal poverty income guidelines, child support obligation should be zero

Make it easier and less expensive for parents to receive modifications after loosing jobs.

Start with presumed shared parenting for all divorcing families.

I would limit the number of allowed modifications in a calendar year.

I think custody should be 50/50...that's the ONLY right solution. Anything else has a corrupt basis.

Non. But there can be some guidelines in cases where mediation is necessary, or in rare cases of abandonment or when one parent absolutely refuses to fulfil his agreement and moral obligations

Non. But there can be some guidelines in cases where mediation is necessary, or in rare cases of abandonment or when one parent absolutely refuses to fulfil his agreement and moral obligations

Make the visitation a seperate order and buld the violations of visitation as automatic and easy as the cash parts of the order. Children need both parents to stop all of the teen pregnancy, teen frug use, suicide attempts,,,,on and on and on in federal statistice. Track the child support money to ensure that both parents put up their share into an account for the child. Then set guidlines and track the use. Support portions not needed directly for children should be a fund for the use on the child, not mom's new nails and hair care for herself. If not used accordign to the guideline the Preamble to the US Constitution should require the return of the money to the payor. There is a right to live liberty and a persuit of happiness. If mom wanted to enjoy my provisions, she should have stayed in the family. Unitl the money is tracked, it should be paid pre taxed, and treated as income to the mother.

na

Shared parenting with equily shared expences should be applied when ever possible.

I beleive that the low-income requirement that most States have had for years and years should be raised to reflect the higher cost of living. For example, California's low-income level has been an income of \$1,000.00 a month, but that should be raised since the cost of living has greatly increased since this Statute was first put into place.

See above.

Rather divorce law should presume that joint custody exists (physical and legal) unless clear evidence exists (not mere allegations) of child neglect or abuse. Given that maxim, then support should be calculated according to a percentage of actual income rather than potential income, but fixed to a maximum benchmark that reflects actual cost-of-living.

The formula should be simple: 1. How much does it cost to raise one child in that house. 2. Multiply that amount by the number of children. 3. Determine what percentage each parent makes towards the total income of both parents. 4. Make each parent responsible for that percentage of the amount needed for the kids.

See my comments to first question.

1 the CP needs to produce actual receipts for the payments made each month. 2 the child support needs to be based on ability to pay and not maximised in 80% of the cases for the states title iv revenues. 3. there needs to be a rebuttable presumption of shared parenting.

KEEP "THE DEPARTMENT" OUT OF COURT OTHER THAN MAYBE ENFORCMENT ACTIONS

The state should be statutorily barred from interfering with the parent's right to raise their child(ren), unless the child(ren) is on public assistance.

It should be based on the overall financial abilities of each parent, and the maintenance and providing of benefits to the child by each parent. This second part is one area that is not measured in the child support guideline evaluations, and is found mostly if not solely in the child custody evaluations and decisions of the courts.

Each Biological Parent should be obligated to meet for Mediation twice a year to analyze EACH Parent's access to/involvement with their Child and their Financial Ability to effectively participate in their own child's life. Basic Contract Law, Mediation, and minimal Juries of 3 to be Instituted to Review EACH CASE Brought before a COURT OF LAW ONCE a Year. Administrative actions by any party NOT a Biological Party, must be done in compliance with Statutory Code under AFFIDAVIT with Personal Testimony and Certified Accounting. If the Codes were OBEYED and ENFORCED as is, No Statutory Changes would be required. Any current Va Code in violation of the UCC's or Va. or U.S. Constitution should be stricken from Va.'s books.

It should be mandatory that both parents work, not just one. Child support should be paid by both parents, in equal amounts, into a pool in which specific child expenses are paid by direct funds from the account and receipts are maintained. At the end of 18 years, both parents should split the funds if any are left.

Any loss of job should automatically carry the flexibility in changing obligations without repercussion. Each time you pay a lawyer, it is even more money and these economic times are challenging, compounded by recently diagnosed cancer. Make it so the true cost of the child is used and the custodial does not profit nor will it cause the noncustodial parent to live far below the poverty levels. Nor should the noncustodial be forced to decide between paying the court or support.

see above: no taxation without representation: if parent provides parent has rebuttable presumptive right to precisely equal visitation with the child, if the judge neglects to rebut the presumption then it stands at precisely equal visitation; parent paying his/her mandated share of cost must have equal access to child account - the fact that School Age Child Care (SACC) forbids full access to child account by the noncustodial parent is shameful for the government SACC is a part of

One, see the book above for changes. Second, make it possible for the moving party to just send a letter, fax, or email to the court asking for a change. The court replying with a court date in five days with 3 dates that are not more than 30 calendar days from the date of the request for not more than 2 hours of the court time. If parents must respond within 5 days of receipt from the court of dates offered of dates they can attend. If the non-moving parent does not respond or can not agree on a date then the latest date will be automatic. If there are lawyers representing the parents can not be present, then on the date of a 2 hour trial, the parents will present their case of why there should be a change in child support, and the judge will make a 30 day temporary decision with a court date not more than 30 days from the trial for another 2 hours.

Inclusion of blended family guidance.

Shared Custody Guidelines should include guidance regarding parents who share an equal amount of days caring for the child. If parents share the amount of days equally then there should be no cost in child support to either party, with the exception of health insurance and child care (shared cost 50/50).

adding a payment in kind for rent, housing etc. travel expenses A review should be done of the figures for accountability standpoint.

I would like to see the state enforce some of the statutes that exist in regards to using tax benefits (credits) to custodial parents as income. Also requiring Judges to treat each and every child support case that comes in front of them

INDIVIDUALLY, taking into account some of the allowable deviations the law says they can utilize. Courts should ensure that all fit and willing parents be allowed to continue to physically share in the parenting of the child they brought into this world, which would eliminate the need for excessive monetary amounts to exchange hands. Parents at that point could share in the REAL costs of necessary work related daycare and necessary medical expenses.

Custodial parents should have to account to the noncustodial parent (and perhaps to the state) for how all child support money is spent.

The living expenses that is incurred by the non custodial parent...

Having a judge involved who is not the child's parent.

A fix so that situations like mine which have dragged on for over ten (10) years, and which threaten me with jail over "contempt of court" because of inability to pay claimed extra child support and interest for Adult Children (who are not disabled, working, fine, both with degrees from excellent universities, etc.) - so that such situations cannot happen and so that people like me can be Allowed to work (I have been turned down for jobs because of the DCSE stuff. And just so you know that I am not some ne'er do well without even a high school education, here is my CV, my resume, but useless now to find a paying job: <http://martin.instinovstudy.org> and also <http://martinjd.tetradyn.com>

First and foremost, the state shouldn't even open a case if the ncp provide proof at establishment that he is already supporting the child(ren). Many of the cases I handled were opened for reasons other than the needs of the child--often it was anger or jealousy after a relationship ended.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Reduce the complexity. The obligations should be calculated on the income of the parents at that time and not all the other factors that are thrown in like child care expenses, medical, etc. that lawyers and custodial parents use to get as much money as they can.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

I strongly recommend a default of equal shared parenting in all custody cases between fit and willing parents. I highly recommend mandatory counseling including at least 4 sessions prior to any court action. Temporary custody awards should be equal shared parenting for all children over 12-18 months for fit and willing parents.

None.

You should require the noncustodial parent to pay for tutors and extracurricular activities.

Raise the 90 day minimum for shared custody to something closer to 110 (more than 2 days a week).

1) Either eliminate 90 days and make it ALL shared or eliminate SHARED. 2) If different children in a family visit on different schedules, calculate the exact number of days with each parent for all children, average, and then run the calculation. 3) Please give a court power to require parents share costs of extracurricular activities, i.e., music lessons, sports, travel sports, etc., especially if these are already the lifestyle of the child.

No child support payable to the other parent; deposit into 'trust fund' depository for which debit cards are issued to receiving parent. Annual reports based on use of those debit cards provided to paying parent and court annually. ts could help eliminate the pervasive impression of paying parents that receiving parents use the support for luxuries for the receiving parent, like ski trips, fancy clothes, etc. Abuse of child support funds detected in such reports could be grounds for change of custody, criminal prosecution, mandatory budget counseling, etc.

Remove the The \$250.00 medical expenses the custodial parent has to pay before the non-custodial parent has to pay his or her percentage. Make a statutory requirement that a parent must provide actual receipts and proof of payment of daycare expenses to use them in child support calculations. Remove the credit the custodial parent gets for having other children in a child support caclulation.

Increase minimum child support to \$100 a month. Drastically increase the amounts those making over \$100,000 pay toward support--it is criminally low what the guidelines require them to pay

See above answers, but I would like to see in increase in the minimum for NCP and some statutory allowance for appropriate deviations from the guidelines.

no comment

The Circuit Courts should be required to remand all cases to the the Juvenile Court. I believe that some divorce attorneys do not request the remand inorder to get future attorney fees. This borders on being unethical and the courts should not be a party to this. Virginia is well recognized for having cheap and fair legal justice in the Juvenile and General District Courts. The failure to remand is costly to children and delays this cheap effective justice.

See above re. the tax exemption. If the noncustodial parent wants the tax deduction, it should result in an upward deviation in support for the custodial parent. Most parents who agree or are pressured by their attorneys to share or alternate the tax deduction probably do not understand that the tax deduction was already considered in setting the amount of child support in the guidelines.

I would do away completely with multiple guidelines. If the amount needs to be adjusted for number off days then it should be done in all cases. The guidelines should factor into the base amount a reasonable amount for extracurricular activities so that this does not have to be added as a deviation. More guidance on how to share the unreimbursed medical expenses and doing away with the First \$250 per year would be great.

Use some words other than "sole custody" in the guidelines, as this term suggests to parents that one person is entirely in charge of the child. Use of this word creates problems where none need to exist.

1) Revise the scheduled amount of support table, including the calculations for combined incomes over \$10K. 2) Get rid of the \$250 per child per annum "exclusion" for unreimbursed medical expenses and just state that all unreimbursed medical expenses are to be divided pro-rata. People waste a lot of time and money fighting over this \$250/annum amount, which is de minimus in the great scheme of things. 3) In cases where individuals are self-employed, provide that the Court may consider the expenses of the payor in arriving at a figure of the payor's actual income. The folks that operate on a "cash basis" (eg: taxi cab drivers), claim that they only make \$12K per annum (and use they're tax returns to justify this figure) and then have apartment rents of \$1,400 per month, for example, are scamming the system, making the judges and the law appear to be non-sensical and generally eroding the public confidence in the judicial system.

Increase in overall base guideline amounts

See all above answers.

See my responses above.

There should be a statutory mandate that support modifications are given priority on the docket. In many jurisdictions, the first hearing date available is six months or later after the filing of the petition. This imposes too much of a financial burden on the parties.

The delay in getting support when custody has not been established breeds litigation as obligors will contest custody to delay support creating economic hardship on the custodial parent. A temporary custody AND support order should be entered at all initial custody hearings for the benefit of the children and to ensure ongoing contacts with both parents. An alternative would be to have all support matters go to DCSE which could then set dates for the parties to meet at its office with all of their income information, set an order which would take effect immediately subject to the right of the parties to appeal within a set time. These would be the only cases required to be heard by the JDR judge which would open a great deal of court time. The order should include an administrative fee (annually) to be paid by the obligor to cover these costs. All orders should be by wage withholding and collected by DCSE. This will

dramatically decrease the number of children going without support and avoid the games often associated with paying support directly.

Simply cleaning up some of the loose ends noted above. Discretion needs to be left to the court to deal with out of the ordinary issues.

We need statute for split and shared custody

Post secondary education support of children. This should be subject to court order at the very least where one or more parent has a college degree

Previously agreed upon extracurricular activities will be split in accordance with income shares. I also think that the cost of automobile insurance if a teenager is driving should be a factor considered (in proportion to income).

This is not really about the guidelines, but as far as enforcement is concerned, isn't it kind of crazy to revoke someone's driver's license because he/she is not current in support. That makes about as much sense as debtor's prison.

Someone is not paying child support, so we take away the most important thing that is required to have a job. This actually happens: someone can't pay child support because he has been laid off. He doesn't ask that his support be lowered because he hopes to have a new job soon, and he doesn't want his children to think he doesn't want to support them, which is exactly what the mother will tell the children if he makes such a motion. So he loses his license. Even if he does get a job, he now has no way to get to work. He also is unable to see his children as often because he has to arrange for transportation with someone else. This consequence is nonsensical, and a misplaced effort to punish the 'payor,' but not only does it not help solve the problem--it creates even more problems.

The change of circumstances standard should be more definitive

See answers above.

I would increase the number of days to 180 necessary to qualify for "shared support guidelines". I would make the payment of the first \$250 of unreimbursed health care costs dependent on the relative incomes of the parties - possibly at a certain income level. I would provide for increases in support adjusted by COLA without returning to Court. I would provide a way to get DCSE to move on collection of unpaid health care costs without the necessity of returning to Court and getting an order - an administrative hearing with proof of costs and demanding proof of payment - just like with child support itself.

Make it a disincentive if mothers do not take into account parental planning. I think that the Child Support guidelines should be shared with high school students so that young men will know that if they get a woman pregnant how much of their income is going toward raising a child. Teach them that the child support that they will owe would be like having a car payment, but when you look out the window at your new car, it is not there, but you still have to pay for it.

More instructions on health insurance costs. Family plan with 5 children and 2 adults for instance. How long must nonpayment of uninsured costs be tolerated before a rule is proper. How long should uninsured health care bills be held without presenting them for payment?

See above.

Perhaps the shared custody calculation with respect to the 1.4 multiplier. Also, the minimum amount of \$65.00 for the non custodial amount.

make work-related child care a separate figure so it can fluctuate as the costs fluctuate without the whole rigmarole of a new child support calculation.

Something needs to be done about the definition of income. I have a client who is paying child support based on retirement payments his company is making on his behalf. Given his age and the age of his children, he will also be paying child support from the self-same retirement when he begins to draw on it.

Address extracurricular expenses in the guidelines. There are more fights about that than anything. Also, consider giving one parent final say-so on medical expenses as there are many fights about "reasonable" care.

Rescind the aspect of prior non payments being a judgment against the non payor IF the non payor ACUTALLY became custodial parent. The current lack of ability to address such a change of circumstance produces an inqutiable windfall to a person who didn't bother changing a prior court order, sits on their right to collect support for years without ever enforcing it, then gets to collect thousands of past support years later. Undo the default judgment and give retroactive credit to new custodial parent back to point they can prove they became custodial parent.

What to do when there are more than 6 children.

I would add a statute making a certain, set percentage of any income earned from overtime, second jobs, or other income sources. I believe it is unfair to calculate child support by adding overtime that the payor earns at that moment to the payor's income, which makes a "slave" out of the payor- the payor MUST continue working overtime or more than one job in order to meet the required amount, simply because he or she was working extra hours at one time.

make sure the guidelines reflect true cost of living for children

See responses above.

The amount of child support needs to be increased, and/or other expenses need to be addressed separately.

Reforming work-related childcare as I have set forth herein.

Return the trigger number for the use of the shared custody guideline to 120 days.

including the cost of living(rent,mortgage,etc) if any extracurricular activities are involved like football baseball basketball cheerleading dance

Addressing the issues laid out above. I would especially support lowering the shared guidelines to the point that they include the typical "every other weekend plus a weeknight" visitation constellation.

I would recommend there being a standard for the amount that children receive monthly based on the child's age and how much day care will be needed so that the custodial parent can work and also contribute to the well being of the child. I would also recommend that the courts give the non-custodial parent a real life view of what the custodial parent has to pay for in order to supply the child with a good standard of living.

Allow modification to support retroactive to date the non-requesting party is served notice of Proposed or Intent to modify the order rather than date of court filing, court notice of hearing date or prospective only. Also, for children who have documented long term or life long disability extend support to 21 years. Define the exact disability in statute and accepted authority to diagnose disability.

Guidance on unreimbursed medical expenses for shared custody and inclusion of activity costs

Should be subject to recalculation every 4 years without showing of material change in circumstances.

I would factor in the relative travel cost for the visitation by the non-custodial parent.

1. Update the Guideline Table to account for inflation. 2. Allow a primary custody change to be used as the date for adjustment of support, even though this adjusts support that presumably has already accrued under the order. 3. Specifically allow the Court to be able to specify specific amounts, or percentages each parent pays, for child care, health insurance or some specific child need. However, these expenses do still all need to be considered as to whether they constitute a deviation from the guideline.

see above comments

I have to leave for Court!

None

It shouldn't be so hard to get someone to look at the paperwork and discuss a change or not to change the obligation. I can make several calls and show up in the local office and get no help whatsoever.

I would like to see specific authorization or encouragement for judges to enter temporary child support orders at the first hearing date. Often times clients will have to wait six months or more to get a child support order because judges are reluctant to enter temporary support orders. This leaves my clients often times with no financial resources for a very long time.

Separate out child care, health insurance and uninsured medical expenses requiring each parent to pay a percentage of the expense versus a specific sum. Deletion of the \$250/child/year threshold for uninsured medical expenses. A number of attorneys have raised the need to address the specific costs being addressed by each parent in a shared custody arrangement. Just relying on the guidelines can be unfair to a parent who pays all the costs of clothes, etc.

Increase the number of days for shared custody to 140, which is just slightly over 1/3.

Increase the shared custody days to at least 120, if not 140; add cost sharing for one activity, reduce the impact of afterborn children on the previous children's child support by capping the credit in half.

The statute should permit parties to contractually modify child support obligations without having to submit the contract and amend court orders. The statute should also permit parties to defend against charges of non-payment by permitting evidence of oral amendment. I believe the statute should allow parties to make payments that benefit the children in lieu of direct payments, and/or permit parties to contract around the direct payment obligation in cases where doing so would benefit the children. For example, parties should be able to state that no child support will be payable in exchange for the payor's agreement to make mortgage payments and stay liable on a mortgage for a residence in which the children reside.

See comments above.

I believe that some provision needs to be made to sharing of actual expenses in shared custody situations.

There should be no requirement that a change in support is in the child's best interest.

Calculating and collection of unreimbursed medical/ dental expenses is a nightmare. Make it in excess of \$500 per child, per year, that is, for significant out of pocket expenses.

Add a rebuttable presumption that any adult is capable of earning at least the federal minimum wage. Add a requirement that a change in the result of less than 15% is insufficient to warrant a new order.

See comments, above.

See: above

Numbers that reflect current economics which was being studied before I was removed from the committee- higher amounts are needed at higher incomes for sure. (Over \$10,000 combined gross)

Total Number of Form Results: 289

Are there any other factors that should be considered in calculating child support obligations?

The base child cost schedule should be reduced to take into consideration the tax benefits related to the children that are received by the custodial parent.

Most certainly if the payer has other children in home. If the custodial parent remarries or has a significant other.

see above.

Many of the payors feel that every dime of child support should be spent on the children forgetting that shelter, food, transportation etc are part of the child support relied on by the custodial parent. It would be helpful if there was a way that the parents could understand this concept.

Make your rules more interchangeable if someone moves out of the state. The one rule for all fits better than the many can't agree on anything.

Custody orders

No.

Jailing someone, or taking/suspending their drivers license DOES NOT help them to pay child support, it only causes further hardship, and is unethical & unjust.

I haven't been involved with the guidelines in some time and I am not sure of changes which may need to be made.

Don't consider more factors than DCSE can handle within a few weeks. If DCSE considers more factors, then it has to make more changes, as changes occur.

Yes, a person is never going to live up to their responsibility unless forced to do so. Both parents have an obligation to raise a child, but the antiquated child support laws of the land only truly hold one person financially accountable. In cases of shared physical custody, there shouldn't be child support exchanged. As well, when one person prospers and the other sits on their tush, the lazy person shouldn't be monetarily rewarded for hiding behind the children's child support. Finally, child support needs to be based off salaries at the time of the split. What is done after that shouldn't factor into child support. Example: I get a raise, and my wife gets more child support?? That's not right. Another example when a household splits up, one parent may want to work a part time job when they don't have the children... That income should not be factored into child support... people can't even try to get ahead when rules are imposed on them like this, and at the end of the day, the child is the only one going to suffer as a result. Ex: instead of a mother/father taking up a part time job to alleviate marital debt after the divorce, they abstain, because they know that money will be thrown into the equation for child support... it's a game!!! So now instead of people taking care of business and putting themselves in better position to take care of the child they don't do it cause they feel like they are being penalized.

N/A

That custody should never be allowed to the parent most willing to abandon the home in the absence of abuse proven beyond a shadow of a doubt.

<http://youtu.be/MMySqWltgeM>

If a custodial parent chooses private school versus public school for the education of the child. the custodial parent should bear the cost. Actual Health insurance coverage cost if provided by or through a parent and unreimbursed medical costs such as deductibles,co-pays should be percentage-split between the parents based on the income of each parent. Visitation expenses such as travel costs, food and shelter costs, clothing costs, entertainment costs, etc. Whether or not the custodial parent has remarried and incurred additional expenses because of a subsequent children/family or has added household income as a result of spouse's income.

Yes, the ability to pay and the current (not imputed) income.

Tracking how child support payments are used.

Reality based on history...not some calculation.

na

The non-custodial parent's payment should not include imputed income.

Yes, the REAL cost of raising a child and the REAL income of the Non-Custodial Parent. However, in every case where JOINT custody is desired, this should be the FIRST CHOICE and OPTION!

See above.

Rather divorce law should presume that joint custody exists (physical and legal) unless clear evidence exists (not mere allegations) of child neglect or abuse.

Given that maxim, then support should be calculated according to a percentage of actual income rather than potential income, but fixed to a maximum benchmark that reflects actual cost-of-living.

Commission-only income should not be impuded. Ever. Check it every 6 months if you want, but how can the courts determine who is worth what?

child support needs to be based on ability to pay and not maximised in 80% of the cases for the states title iv revenues.

THAT "THE DEPARTMENT" WHEN INVOLVED STRIVES FOR THE MOST SUPPORT FROM NONCUSTODIAL PARENT. THIS BEHAVIOR WHEN SUCCESFUL REDUCES THE AMOUNT OF MONIES THAT A NONCUSTODIAL PARENT MAY HAVE AVAILABLE TO PARENT CHILDREN

Yes, one, whether the child(ren) are on public assistance.

Hidden or sheltered income or assests that would otherwise benefit the parent and child.

the animosity of the ongoing relationship.

Effect on EACH PARENT failure of state or any other 3rd party interloper's actions have on the ABILITY to comply with any Judicial order. EACH Courthouse should have a COPY of the PRINTED VA CODE BOOK or a pc terminal with it online or via CD available for a \$1 to the General Public to SEE what the law says about their own issue. This prevents clerks from practicing law without a license and ensuring ALL matters handled within the courts is supported by statutory authority. Each courthouse should have a list of local attorneys and their area of practice and success/fail rates for those matters within that courthouse POSTED in a CENTRAL LOCATION of each courthouse.

Child support should not be determined based on someone's income. Often these people were not even responsible enough to get married, and women need to take responsibility for preying on rich men.

A parent should be given custody on a more equal basis and much more where 90 days is viewed as shared. Failure to pay should not automatically cause a loss in license, jail time, public notices, etc. Each case should be defined on its merit. Have both side give prof of income. Subtract all court cost as to who pays what and visitation fees (if any) from the noncustodial. Have one set of guidelines for the state.

see above: no taxation without representation: if parent provides parent has rebuttable presumpting right to precisely equal visitation with the child, if the judge neglects to rebutt the presumption then it stands at precisely equal visitation; parent paying his/her mandated share of cost must have equal access to child account - the fact that School Age Child Care (SACC) forbids full access to child' account by the noncustodial parent is shameful for the government SACC is a part of

Living expenses of the non-custodial parent, if this parent is trying to go to school to further his education so that he can get a better paying job, the cost of spending more time with his children that do not constitute a day.

The guidelines should not assume that the custodial parent actually bears the cost of shelter, food, and clothing for the child. There are many cases where the non-custodial parent bears the financial burden of not only providing child support, but is also the only parent to bear the costs of shelter (mortgage/rent, water, power, gas etc.) while making a lesser salary than the custodial parent.

Every relevant factor should be allowed to be considered when calculating support....including ensuring that the child is not going to have his/her standard of living decreased dramatically from one parent to the other. This will instill negative feelings towards the ncp for not having all of the advantages that the other parent has.

If the noncustodial parent did not initiate or agree with the divorce, they should pay less support. Otherwise you are providing financial incentives for people to break up families.

A parent should not be getting a credit for extra children when the husband/wife is living in the same home or if they are receiving support from the non custodial parent for those children... The 2nd and/or 3rd job of non custodial parent should not be factored in the guidelines...

That parents should act as adults and raise their children to be happy healthy, paying equally to support.

Justice. Fairness. REASON. LOGIC. Common Sense. and of, the interests of the children, and the unborn children that my ex-wife and DCSE think should be ABORTED so that my rich ex-wife can have more vacations and plastic surgery and sports cars.

Judges need more accountability to follow the guidelines and explain any deviations. Even if a parent doesn't have a child 90 days each year, he still needs to maintain a room, clothes and other things for the child when the child visits so orders should allow for that.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

The child support costs of the non-custodial parent! For example, housing costs are currently considered only for the custodial parent. The equivalent non-custodial parent's housing costs must also be considered since these costs cannot be pro-rated based on custody time. Actually, to be fair, housing costs should eliminated altogether from the calculation of child support, since both parties incur equivalent costs regardless of custody share.

No.

Some sort of allowance or alternative guideline for children who are disabled.

Not that I can think of

NO

None more that I've mentioned.

Yes. Take into consideration the contributions or lack of contributions to the household by persons who are not related by blood or adoption to the child/ren or recipient of support.

Maybe an upward deviation for parents who have 24/7 care of a child due to neglect, abuse or disinterest of a parent?

Nope.

There could be a little more guidance in determining the income of the self employed. What to use, the gross income, the adjusted gross income, the gross receipts less actual expenses (not depreciation), gross income less self-employment tax...it goes on and on. A presumptive definition would help as long as the court is given discretion to make the final determination in each particular case.

Responsibility for marital debt should be recognized as a deviation factor.

It may be appropriate to outline factors which the court should consider if a deviation is requested. For example a parent that never exercises overnight visitation should pay more because the presumption really is that both parents are incurring some costs. Private school, as addressed above, may also an issue which could be addressed. Tutoring costs are also fairly common and cause a problem. Of course the catch all, any other factors the court deems relevant, should also be included.

A non- custodial who never/rarely visits should pay more, since there is an assumption that expenses are shared. Special needs children should receive a higher amount since expenses are higher- courts rarely allow this deviation. It could be defined as those on SSI or an IEP.

Private school is a very difficult issue - to be considered as a deviation factor, I think the lower income party should have a certain amount of income before the support level was allowed as a deviation - too many stay at home Moms have their support cut by Dad's deviation factors and can not provide adequately for the children.

I think some how there should be built in some kind of incentives to work for those who are unemployed and living off the system.

Perhaps seasonal employment considerations for variations and permission to pay up front to cover certain time periods.

The medical provision. It's better than it was, but still if you have a parent with no income (remarried a rich dude) and receiving child support, the medical bills could take all of the NCP's disposable pay.

no

Yes, as contained in the question above, I think the complexity of blended families needs to be more carefully accounted for, in addition to extracurricular activity expenses.

Not that I can think of.

clothes.food.housing (utilities)

The take home pay should be considered, the gross pay is not the actual money that the parent is pocketing. The average amount of day care in the area that the non custodial parent lives The average amount of health care in the area that the non custodial parent lives The average amount of the school year expenses The average amount of the extra curricular activities And an increase by 60.00 on the month of the childs birthday

no.

Anything that will promote the best interests of the child.

No

I think that the Division of Child Support should look deeper than what they do when it comes to checking out what other states pay to people just for living there. Such as Alaska-the Alaska Pipeline, the major oil spill. Both of these payout money to the people who live in Alaska. Child support has done nothing to get the money owed from the noncustodial parent to the custodial parent.

Higher income child support needs to be increased as they pay a disproportionately small amount of income for child support vs. lowere income parties and vs. their incomes as a whole.

See comments above.

Perhaps direct payments that the payor makes for the benefit of the child.

See comments, above.

Total Number of Form Results: 289

General Comments

DCSE customer service is atrocious. Painful to deal with and adversarial advice given to parents is detrimental to uniting parents and helping raise the best children we can.

I am an expert on child support guidelines, and have testified before previous Virginia Child Support Review Panels. My written testimony from 1999, as requested by Chairman Crane, can be found at the following link: http://www.guidelineeconomics.com/files/VA_Bieniewicz1999.pdf Thank you for your consideration of my comments.

To Whom It May Concern, My name is Keith Anderson, and I'm writing in hopes to get some understanding, and some help regarding Child Support enforcement tools. Specifically the suspension of a drivers license. Though this may seem like a valid tool, in my case it hinders me from obtaining a job to better provide the obligated amount. I've spoke with 7 Child Support Enforcement personnel, ranging from case worker to regional managers. They have been unhelpful in regards to helping me re-instate my drivers license so that I may have the opportunity to be employed. I've explained my circumstances. In recap, my daughter is 15 years old. I've paid child support until she was 13 (2009). During the time frame of Oct 2009 until June of 2010, I was unemployed and unable to work do to conditional circumstances. During the time period of June 2010 until present, I have been actively seeking employment. On October 21 2011, I finally received a call about an opportunity for employment. Unfortunately, they required a valid drivers license, as to my surprise, they explained was suspended. Since that time, I have been trying to get this resolved so that I may obtain this job opportunity (before the job opportunity is invalid) and in turn be able to help my daughter. Not only my daughter but all of my children. This was explained to each employee at the agency. Their response is for me to pay a lump sum of cash in order for this to be reversed (per policy). Obviously this is not something that I am able to do, otherwise I would have been making my original payments. Since this is their demand, this is obviously an unfair judgement, as they are also assuming that, I withheld support willingly and have money somewhere to pay this. Its disturbing to know that the Child Support Enforcement agency would be "the obstacle" in obtaining employment, as their entire function as an agency is to ensure the collection money. I've been working with the Child Support Enforcement agency for the past 15 years. I've seen many changes. The main changes that I've seen is that the agency went from, (through tone and verbiage) helping the mother, to helping the child, to a thriving business. Thus leaving one important factor that remained constant. "We don't care about the Obligatory party (father)" attitude. Unfortunately this attitude, and this logic in the Child Enforcement Arena makes matters worse for all parties involved, especially the children. Perhaps this change can be implemented or enforced by this panel, perhaps not, but It would certainly benefit everyone if the agency was taking the time to help all parties involved, rather than taking an accusatory or judgmental approach to the supporter or payer. In conclusion, I have missed the opportunity to secure this employment due to a suspended drivers license. Thus delaying any income for all of my children for an additional undetermined amount of time. While the enforcement by means of suspending a drivers licenses may work for extreme circumstances, I believe my letter should provide you with enough basic information, concluding that, not all of us are criminals, not all of us are wrong, just average citizens with different circumstances. With that said, I would like to propose the implementation of suspending a drivers license be removed as an "enforcement

tool". As this may delay, restrict or have an adverse affect on obtaining employment for payers. In addition, the Child Support Enforcement Agency has the ability to "intercept" paychecks, again providing valuable information that, we "want" Supporters to have a job. If this is not possible, then an amendment allowing that the Child Support Enforcement Agency to reverse the suspension without a lump sum payment, and or raise the minimum arrears before the child support enforcement agency may utilize this "enforcement tool". This would closely follows the concept of helping all parties involved, rather than making the situation worse and or the arrears dangerously high. Lastly, I would like my drivers license returned to active status. This is a fair request for poorly treated supporter. Sincerely, Keith Anderson

Medical payments are in the admin order so should be enforced by the same office issuing order. CP should not have to pay an attorney \$350 an hr to get a \$200 or \$10,000 bill of non payment of medical - it should be garnished. Also if a NCP violates order by putting children on insurance against the order - and doesn't notify the CP for years and causes a huge mess - the costs and expense should be billed and garnished as well as a contempt of court order issued with fines and punishment. It is a court order and should be handled as one.

THE UNFAIRNESS I SEE I THE CHILD SUPPORT EFFECTS SOO MANY OTHER ASPECTS OF A PERSONS LIFE (MOSTLY MEN). FROM TALKING WITH FRIENDS AND OTHER RESEARCH THERE ARE VERY SIMILAR OUTCOMES TO THE MAN, BANCROPTCIES, NEEDING TO RELY ON FAMILY MEMBERS FOR SUPPORT AS FAR AS RESIDENCE, FOOD, TRANSPORTATION, ALL DEMORILIZING CAUSING DEPRESSION, DEATH, LOSS OF ABILITY TO FUNCTION IN SOCIETY AND SOOO MUCH MORE. LOSS OF BEING A FAMILY UNIT WITH THEIR KIDS, SEEING THEM GROW UP, BEING ABLE TO TEACH THEM TO SWIM, BIKE RIDE, PLAY SPORTS. SOOO MANY TIMES THESE ARE RESULTS OF THE OUTRAGIOUS UNFAIRNESS, AND AGAIN I STRESS IT IS TO THE MALE. THE WOMAN AND THE KIDS CAN LIVE THE SAME LIFESTYLE AND OFTEN A BETTER ONE WHILE THE MALES LIFESTYLE DROPS DRAMATICALLY. CHILD SUPPORT SHOULD BE TAX DEDUCTIBLE SINCE THE MALE IS NOW FORCED TO PAY 2 HOUSEHOLDS. AS TIME GOES ON THE EFFECTS WILL WORSEN AS RETIREMENT FUNDING IS NOT AVAILABLE DUE TO THE COST PUT ON CHILD SUPPORT, SO AS WE GET OLDER EITHER GOVERNMENT ORGANIZATION WILL NEED TO BE TAKING CARE OF US WHEN WE GET OLDER, OR SUICIDE WOULD BE ONLY OPTION, OR JUST SIT ON THE STREET AND ROT. SOMEONE NEEDS TO REALIZE THE OUTCOME OF WHAT IS GOING ON.

Before I die I hope to see people are required to get premarital counseling. And are educated in schools as children to treat and expose alienating parents. Until it is no longer an issue.

come to New york and see how bias they are toward men

Please send me results of the survey, and legislative proposals and laws enacted resulting therefrom to me EMail addres, Please! balangiga@aol.com

My experience has been that the courts are bias and that the current system needs to change. Currently millions of people are out of work and some are put in jail because they can not pay support. I was to that it did not matter if I was working I needed to find the money. Half of my unemployment has been taken, which is illegal and I can't do anything about it. Since 2007 I have a custody order that I can not get the courts to make retro in regards to support. The system needs to be changed.

Provided above.

Mandatory, court ordered, child support is a violation of a parents' rights, and is unethical.

God bless America!!!!!! World Peace Begins at Home

Shared parenting needs to become the norm and child support needs to be abolished in most cases.

1. There should be NO DISABILITY check included in child support calculations. The disability check is soley for the individual that has been diagnosed with the ailment!!! That is offensive!!! 2. A parent receiving child support should be held accountable to setting money aside for the children's post-high school education 3. In the calculation of child support, the very 1st step of the process is flawed. When you add both incomes together and call that the standard of living for the child, that is wrong. Both parents standard of living is going to go down, because now instead of living off two incomes, you are both only living off one, and there is a dramatic difference in expendable income within each household. So to use that as the basis for establishing child support is a flawed concept.

No Fault divorce and financial incentive for single mother hood should be eliminated. Why pay single mothers to raise the next generation of drug addicts, prostitutes, criminals, and mentally unstable who are dependent on our government for their survival

For a REAL look at CSE corruption and child support enforcement kangaroo courts in Florida watch: <http://youtu.be/MMySqWltgeM>

Shared custody should be the preferred outcome when both parents are fit rather than custodial and noncustodial parent designations and support payments.

Quit rewarding custodial parent for alienating the non custodial parent from their children.

Joint physical custody would end this illegal quick sand

The legal system...specifically Family court is ripe with corrupt legal practices. You have judges making decisions to promote the use of lawyers. You have lawyers backing judges when a client doesn't want to spend 10's of thousands of dollars. So there are two paths. If you pay an attorney say \$60k to "defend" you (where this isn't often about "defense") then you won't be abused as much by the judges decisions...but you will still be abused. If you try to not spend a lot because you don't have it, or you would rather "defend" your right to have YOUR children at least 50% of the time, then the court and your own attorney will throw you under the bus and you will have to pay high CS. This is the game that is played and it's clear as to why it is played this way. if you try to "cheap out" and not pay your attorney a lot, then the judge will abuse you, your attorney will write up a decree that will screw you. But what the attorney hopes is that after you've been screwed, somehow you'll come back later with that 10's of thousands of dollars to try and correct the abuses that were placed upon you. the solution is simple and the corruption in place keeps it from happening. That solution is, 50/50 custody...no child support. THAT SHOULD BE THE DEFAULT LAW...less attorney time needed cause then it's just about splitting the assets. But that's why it's not done that way..."The less attorney time needed". Attorneys want you to fight. The more you fight, the more they make. Laws that limit this fighting would stop some of that fighting so that truly, what's best for the kids is what is done...but we all know, it's not about the kids. It's about attorneys (politicians) making money and states getting federal matching funds....point blank. Tell me I am wrong and I'll tell you that you are a liar. I am a victim of this so I know what goes on. Are you? Or are you perpetrator, and agent who makes this scam happen?

Legislate presumptive equal parenting. That solves most of the problem. Then legislate counseling requirement where necessary, and some guidelines for mediation where that is necessary. That will eliminate most of cases coming to court. Love and parenting time are far more important than money.

Legislate presumptive equal parenting. That solves most of the problem. Then legislate counseling requirement where necessary, and some guidelines for mediation where that is necessary. That will eliminate most of cases coming to court. Love and parenting time are far more important than money.

The child support system has given too many misguided teens the impression that having a child is two wins: 1. a beautiful child, and 2. two decades of untraced monthly after tax income for each child that she can have. My ex day care provider was actually teaching my young daughters this. The daycare provider told my girls that she married the first two girl's two fathers, but realized that she did not need to get married to get the check, so she had two more children with two other guys, to increase her income. Luckily I was asked the question by my three girls, but who knows how much damage this lady has caused a fact that cannot be untaught. Having out of wedlock children is against what thousands of years, thousands of societies have concluded: Whole Families are best for children. The state needs to stop encouraging single parent households. It should not be easier to not have a whole family, with automatic mom custody, a free income, and rampant visitations violations that cost fathers big money to fight.

Fathers and some mother are not cash cow sadly the system is broken and feel the treatment towards noncustodial parent doesn't create a health family.

The formula should be as simple as possible. Deviations should be prohibited. Health Insurance should be the only required medical expense.

Bottom line is this - Until state governments stop trying to destroy families, there will be no progress in keeping families together. Currently, there are Federal rewards to the states for taking children from families, Federal rewards for keeping children away from families, and certainly general rewards to judges, lawyers and state agencies to discourage any family staying together. There is no incentive to the states to decrease the workload in the family courts, to decrease the size of Family Service organizations or to decrease the number of Family Courts. Mothers are encouraged to leave their husbands and strip their husbands of everything. They are being told that they don't need a husband; only his money. Our Federal and State Governments are doing almost nothing to encourage keeping families together. Rather, they are doing just the opposite - working and encouraging single-parenthood. Then the noncustodial parent is being blamed for all the family failures, in effect if not in words. It looks like somebody or some group is working in our country toward the objective of destroying this country from within. If they can destroy the family, this Country is finished. I hope you all "wake-up" soon.

If a NCP is trying to pay something, staying in touch with the kids and doing everything possible, they should NEVER be jailed. It's unfair and doesn't help the kids. After all, isn't this CHILD support? It's not "get your nails done every week" or "let's take a vacation" support. Most men just want something fair and reasonable.

A major rewrite is necessary. The current system is not just.

Denying basic due process to parents in this system is a myopic approach and detrimental to the parents, children and state. Ignoring and failing to prosecute equally the order violations is disgusting and fits with the states growing sexual discrimination.

KEEP "THE DEPARTMENT" OUT OF COURT OTHER THAN MAYBE ENFORCMENT ACTIONS

As a libertarian and originalist in Constitutional interpretation, my views are that the state should be completely limited from entering the individual's family and it's pursuit of happiness. I am a strong advocate of contract marriage, or, in lieu of that paradigm, ante-nuptial, or per-nuptial agreements, which carefully set out the terms and conditions of any future separation.

There should be some statistical statements as to who this survey was released to and what percentages the categories of the respondents fell into, and why any deviations in this pattern occured. I found no initial criteria announcement or publication for this survey which brings into question the resultant population of respondents.

There is a lot of GOOD that comes from Code Compliance and alot of BAD that comes from NONCompliance of Va. Code, SSA/US Code compliance. Education of any party involved regarding PLAIN READING of the Codes is imperative. If any party is not on welfare, that party MUST file a Petition themselves, or hire their own attorney. FEES to have the state do a persons Parenting Job FOR them, should be MUCH HIGHER. Since court's are funded by Annual Budget, only parties who require "court" to resolve their family matters should PAY. Each Parent is responsible for their own actions, procreation, and consequences thereof.

Make it easier for fathers not to be victimized by false allegations. I know of at least 3 people excluding myself where perjury occurred. The courts are so slanted to mothers, that fathers who were falsely occussed never gets air time. Yes, I agree it is horrible about what you here in the paper, but I firmly believe there is a lot more false allegations that are occurring. And the false allegations quickly throw custody arrangements against the father. When you even begin to fight these charges, additional money is paid to lawyers when you come to find out that you also have cancer and your job has never been secure. Give men the same voice and fairness that is currently manifested in the courts with mothers.

To remember that both parents are the BEST PARENTS, regardless of how much each earn. No parent should be forced to decide on visiting their child, paying the court or support. Nor should any one be force to live in poverty. Set up a lawyers fee guideline base so it is based on a client take home pay.

I have a dream that both parents are created equal.

With fathers only getting custody of their children 5% in almost always no-fault divorce, it is obvious that child support is almost always unfair because the responsible parent, the one who wanted to keep the family together and have their children raised by both parents gets the same deal as the irresponsible parent. The responsible mother gets the same deal as the irresponsible mother and the responsible father gets the same deal as the irresponsible father.

Please take into consideration that while there are child support clients who do truly need your assistance, at the same time child support services is abused and more steps need to be taken to ensure that all information obtained in the process of calculating an amount is thoroughly documented and verified. It is very unfortunate that child support has become an incentive for keeping children away from their loving and nurturing parents. Non-custodial parents are not criminals or deviants and should not be treated as such. Thank You.

The state should understand that if there are a number of hard working ncp's who are losing their license and/or sitting in jail, its not because they are all "Deadbeats"...some of them are actually "Beat Dead"...ripped from their childs life, labeled as a visitor instead, not allowed to have any real say in the childs upbringing. Even those who have joint legal custody are still left out of major decisions in the childs life but there is no "Division of Custody Enforcement" or "Division of Visitation enforcement" to ensure that the CP complies. The courts do not suspend the license of a CP who violates custody or visitation orders, and they rarely if ever jail a CP who is violating a custody or visitation order.

Custody, Visitation AND Support are ALL court orders and violation of ANY court order is a potentially jailable offense, yet it is only the financial aspect that Courts seem concerned with. Why not treat all Court Orders the same when it comes to Juvenile and Domestic Court? Kids dont just need financial support, they also need physical interaction and emotional support from BOTH PARENTS. Ripping a parent out of a childs life, labeling them a visitor and then charging them an amount of money they cannot afford to pay while maintaining their own basic needs is completely counterproductive and is not helping children at all. There is a facebook site called "Save the Turnips" that is dedicated to dealing with the unfair child support issues across the nation. The reason it is titled "Save the Turnips" is because one particular state held a conference for their child support enforcement officers titled "How to Get Blood from a Turnip" in regards to squeezing more money out of ncp's. Is this really what we have come to as a nation?? Ripping parents out of their childs life and forcing them to pay money they cant afford to the other parent and then labeling them "deadbeats" and "turnips" when they fall behind? Taking their license and jailing them because they simply cant afford an arbitrary amount a stranger has ordered them to pay? This is most definitely a form of debtors prison and that is not supposed to be legal in this country. Losing a license or going to jail should be the very LAST resort for those parents who ARE trying...or those who have lost

their job through no fault of their own. Here is another observation: if a ncp loses his job and cant afford to pay support he runs the risk of losing his license and/or going to jail...but if the CP loses her job she is not in danger of either of these things happening despite the fact that BOTH parents have a financial obligation of support to their child. Why is the CP not held to the same standards as the NCP if both are obligated by law? If she loses her job, she simply files for an increase in support and will most likely get it. Its a completely biased system in this regard as well.

This system is so messed up, from the untouchable judges to the biased parenting the court has taken on, it is not the courts place to parent children. Why are they doing so.

I feel that some employees of DSS and DCSE and the Henrico JDR Court should most definitely, and as soon as possible, be investigated for malicious and criminal activity and for clear, deliberate intent to malign, defame, abuse, and harm People. Here I most definitely don't mean only myself but also my wife and others. It has been nothing other than a pogrom of the most diabolical sort, reminiscent of the behavior of the Nazis and the worst perpetrators of repression in other totalitarian societies, against a normal man, his wife, his adult children, and his unborn child.

Establishing excessive orders may look good on paper, but in reality all they do is drive the ncp away from the children when he can't pay. You create a huge arrearage that will never be paid unless it's well after the child is grown. The CS system in fact negatively impacts our whole society because it provides a financial reward for irresponsible behavior. Most of the cp's I helped had not 1 or 2, but after 3 or more children. We have to stop rewarding this behavior or our communities will continue to get worse.

In this day and age, women constitute about 90% of all custodial parents. At the same time, women and men have equal opportunities to work in society. Similarly, men today perform far more child rearing responsibilities than ever before. Because both parents have equal opportunities to work and because the stereotype that "women are better than men at child rearing" has been shattered, child support should be completely abolished. Instead, joint physical custody should be mandated for all divorced parents.

Nick Young and Craig Burshem are thieves and should be sitting on their assets in a 5x7 federal prison cell and being repeatedly gang-raped by Bubba and his buddies.

Too much corruption within DCSE starting with the lawyers, to judges, to the women who work for DCSE. I hate you all for destroying my family.

A default of equal shared parenting for fit and willing parents would alleviate most of the challenges surrounding the issue of child custody and support. Studies have shown that a default of equal parenting tends to reduce the incidence of divorce and separation involving children. Equal parenting also dramatically reduces the level of conflict in these cases because it eliminates the children as a weapon and forces the parties to work together for the benefit of their mutual children. Overall, the establishment of a firm default of equal shared parenting would reduce associated administrative, educational, judicial and law enforcement burdens across the Commonwealth, resulting in a significant cost savings or cost avoidances. Furthermore, there will be significantly more happy children of divorce and separation, who will grow up with less emotional baggage because they did not lose one of their parents in the process.

... hope this is not too late ... had trial on 9/9/11

Educate paying parents on actual cost of raising children; I find it quixotic that paying parents resist 'child support' when they RARELY pay anywhere NEAR what the kids would cost them if the kids lived under their OWN roof. With a better recognition of what funds are used for, I believe there would be far higher compliance.

This needs to be done very soon and reviewed every three years to take into account the changing financial picture of most people.

I think the guidelines are generally very helpful.

I think there should be accommodations made for the disparity of housing and transportation costs throughout the state.

Overall I think the guidelines are an extremely useful tool which substantially cuts down on the amount of litigation. Extracurricular fees, automobile insurance, and tutoring costs are all issues which create common problems. Having four kids and raising them in Northern Virginia it appears that the amount awarded in cases does not realistically cover the costs. It may in other parts of Virginia but not here.

DCSE needs to be more aggressive with non-DSS case collections.

DCSE should be prohibited from exercising their "policies" where it actually conflicts with the intent of a support order. They are causing unnecessary court time and expense.

I represent both men and women and both Moms with custody and Dads with custody. I think the basic support amounts aren't that terrible. But everything that is added on based on income shares can really kill the NCP and judges never, never, never deviate.

I think it is a shame that the Child Guidelines Review Panel (I was a former member) works so hard and their recommendations are not given appropriate weight by the General Assembly.

To some extent, child support is what it is. It's money to go towards the care and raising of a child, not necessarily every extracurricular activity, etc.

The only comments I have are those of thanks and gratitude. I have a 9 year old daughter who recieved a child support check in the mail for the amount of 17.35 this past week. We have never recieved a child state issued support check and when it came in the mail I was thrilled because I actually did a people search for the non custodial parent for 60.00 and sent the information to my local CSE office and I have actually had the case open for 9 years and in 9 years we recieved 17.35. It is refreshing to be able to air my grievances about the issues I have with Child Support with and organizaion who will actually listen and respond. Thank you so much Respectfully, Felicia Walker

The guidelines must be review at least every ten years to coincide with the federal census.

When I was on the CS REview Committee in (about) 2002, we proposed a revised guideline table accounting for inflation since 1982. It was well received and passed one house of the G/A, but got stuck in the other and never got pushed forward. This really needs to be done.

The above survey did not address this but I want to say I favor 18 (or beyond if.. as under the current statute) as the termination point. And I favor leaving college out of it.

I suggest a 10% raise across the board. The average order is only \$350 per child per month. you can't even feed a child for that. Because of the economy, a modest 10% increase is doable

I appreciate the fact that the Child Support people in Va do at least try and get financial support from the noncustodial parent. I do not think it should be left up to the custodial parent to find out where the other lives and works. Some people, like me, do not have the funds to hire people in another state to locate people and get information.

PLease have a publci forum or other mechanism to address the child support issues and please increase the basic guideline amount. thank you.

Courts need more discretion, not less

Total Number of Form Results: 289