

Article - Family Law

[Previous][Next][Another Article]

§12–204.

(a) (1) The basic child support obligation shall be determined in accordance with the schedule of basic child support obligations in subsection (e) of this section. The basic child support obligation shall be divided between the parents in proportion to their adjusted actual incomes.

(2) (i) If one or both parents have made a request for alimony or maintenance in the proceeding in which a child support award is sought, the court shall decide the issue and amount of alimony or maintenance before determining the child support obligation under these guidelines.

(ii) If the court awards alimony or maintenance, the amount of alimony or maintenance awarded shall be considered actual income for the recipient of the alimony or maintenance and shall be subtracted from the income of the payor of the alimony or maintenance under § 12–201(c)(2) of this subtitle before the court determines the amount of a child support award.

(b) (1) Except as provided in paragraph (2) of this subsection, if a parent is voluntarily impoverished, child support may be calculated based on a determination of potential income.

(2) A determination of potential income may not be made for a parent who:

(i) is unable to work because of a physical or mental disability; or

(ii) is caring for a child under the age of 2 years for whom the parents are jointly and severally responsible.

(c) If a combined adjusted actual income amount falls between amounts shown in the schedule, the basic child support amount shall be extrapolated to the next higher amount.

(d) If the combined adjusted actual income exceeds the highest level specified in the schedule in subsection (e) of this section, the court may use its discretion in setting the amount of child support.

(e) Schedule of basic child support obligations:

Combined Adjusted Actual Income	1 Child	2 Children	3 Children	4 Children	5 Children	6 or More Children
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0-850	\$20 – \$150 Per Month, Based On Resources And Living Expenses Of Obligor And Number Of Children Due Support						
900	184	273	276	279	282	285	
950	191	296	304	307	311	314	
1000	198	307	332	336	340	343	
1050	205	318	360	364	368	372	
1100	212	329	389	393	397	401	
1150	219	339	416	421	425	430	
1200	226	350	438	449	454	458	
1250	233	360	451	477	482	487	
1300	239	371	465	504	510	515	
1350	246	382	478	532	538	544	
1400	253	392	491	554	566	572	
1450	260	403	504	569	594	601	
1500	267	413	517	584	623	629	
1550	274	424	531	599	651	658	
1600	282	436	546	616	672	691	
1650	288	447	559	631	688	725	
1700	295	457	572	645	704	753	
1750	302	467	585	660	720	770	

1800	308	477	598	674	735	787
1850	315	488	611	689	751	804
1900	321	498	624	703	767	821
1950	327	506	634	715	780	835
2000	332	515	645	727	793	848
2050	338	523	655	739	806	862
2100	343	531	666	751	819	876
2150	349	540	677	763	832	890
2200	354	548	687	774	845	904
2250	359	557	698	786	858	918
2300	365	565	708	798	871	931
2350	370	573	719	810	884	945
2400	376	582	729	822	897	959
2450	381	590	740	833	909	973
2500	386	598	750	845	922	987
2550	392	607	761	857	935	1000
2600	397	615	771	869	948	1014
2650	403	624	782	881	961	1028
2700	408	632	793	893	974	1042
2750	413	640	803	904	987	1056
2800	419	649	814	916	1000	1070
2850	424	657	824	928	1013	1083
2900	429	666	835	940	1026	1097
2950	435	675	846	953	1039	1112
3000	441	684	857	965	1053	1126
3050	446	693	868	978	1067	1141
3100	452	702	879	990	1080	1156
3150	458	710	890	1003	1094	1170
3200	463	719	901	1015	1108	1185
3250	469	728	912	1028	1121	1199
3300	475	737	923	1040	1135	1214

3350	480	746	934	1053	1148	1228
3400	486	755	945	1065	1162	1243
3450	491	764	957	1078	1176	1258
3500	497	773	968	1090	1189	1272
3550	503	782	979	1103	1203	1287
3600	508	790	990	1115	1216	1301
3650	514	799	1001	1128	1230	1316
3700	520	808	1012	1140	1244	1330
3750	525	817	1023	1152	1257	1345
3800	532	827	1035	1166	1273	1361
3850	538	837	1048	1181	1288	1378
3900	544	847	1060	1195	1303	1394
3950	551	857	1073	1209	1319	1411
4000	557	867	1085	1223	1334	1427
4050	563	877	1097	1236	1349	1442
4100	569	886	1109	1249	1363	1458
4150	575	895	1120	1262	1377	1473
4200	581	905	1132	1275	1391	1488
4250	587	914	1143	1288	1405	1503
4300	593	923	1155	1301	1420	1518
4350	598	932	1166	1314	1434	1534
4400	604	942	1178	1327	1448	1549
4450	610	951	1189	1340	1462	1564
4500	616	960	1201	1353	1477	1579
4550	622	970	1212	1366	1491	1594
4600	628	979	1224	1379	1505	1610
4650	634	987	1234	1391	1518	1624
4700	639	995	1244	1403	1530	1637
4750	644	1003	1254	1414	1543	1650
4800	649	1011	1264	1425	1555	1663
4850	655	1019	1274	1437	1567	1676

4900	660	1027	1284	1448	1580	1689
4950	665	1035	1294	1459	1592	1703
5000	670	1043	1304	1470	1604	1716
5050	676	1051	1314	1482	1617	1729
5100	681	1059	1324	1493	1629	1742
5150	686	1067	1334	1504	1641	1755
5200	691	1075	1344	1515	1654	1768
5250	696	1083	1354	1527	1666	1781
5300	702	1091	1364	1538	1678	1794
5350	707	1099	1374	1549	1691	1807
5400	712	1107	1384	1561	1703	1821
5450	717	1115	1394	1572	1715	1834
5500	722	1123	1404	1583	1728	1847
5550	728	1131	1414	1594	1740	1860
5600	733	1139	1424	1606	1752	1873
5650	738	1147	1434	1617	1765	1886
5700	743	1155	1444	1628	1777	1899
5750	748	1163	1454	1639	1789	1912
5800	754	1171	1464	1651	1801	1926
5850	759	1179	1474	1662	1814	1939
5900	764	1187	1484	1673	1826	1952
5950	769	1195	1494	1685	1838	1965
6000	774	1203	1504	1696	1851	1978
6050	780	1211	1513	1707	1863	1991
6100	785	1219	1523	1718	1875	2004
6150	790	1227	1533	1730	1888	2017
6200	795	1235	1543	1741	1900	2030
6250	800	1243	1553	1752	1912	2044
6300	806	1251	1563	1763	1925	2057
6350	811	1259	1573	1775	1937	2070
6400	815	1266	1582	1785	1947	2081

6450	819	1271	1589	1793	1956	2091
6500	823	1277	1597	1801	1965	2100
6550	827	1283	1604	1809	1974	2110
6600	831	1289	1611	1817	1983	2119
6650	834	1294	1618	1826	1992	2129
6700	838	1300	1626	1834	2001	2138
6750	842	1306	1633	1842	2010	2148
6800	846	1311	1640	1850	2019	2157
6850	850	1317	1647	1858	2028	2167
6900	854	1323	1654	1866	2037	2176
6950	857	1329	1662	1874	2045	2186
7000	861	1334	1669	1882	2054	2195
7050	865	1340	1676	1891	2063	2205
7100	869	1346	1683	1899	2072	2214
7150	873	1351	1691	1907	2081	2224
7200	876	1357	1698	1915	2090	2233
7250	880	1363	1705	1923	2099	2243
7300	884	1369	1712	1931	2108	2253
7350	888	1374	1720	1939	2117	2262
7400	892	1380	1727	1947	2126	2272
7450	895	1386	1734	1956	2135	2281
7500	899	1391	1741	1964	2144	2291
7550	903	1397	1748	1972	2153	2300
7600	906	1402	1755	1979	2161	2309
7650	909	1407	1761	1986	2168	2317
7700	912	1412	1768	1993	2175	2325
7750	915	1417	1774	1999	2182	2333
7800	918	1422	1780	2006	2190	2340
7850	921	1427	1786	2012	2197	2348
7900	923	1431	1792	2019	2204	2356
7950	926	1436	1798	2026	2211	2364

8000	929	1441	1804	2032	2219	2372
8050	932	1446	1810	2039	2226	2380
8100	935	1451	1817	2045	2233	2388
8150	938	1456	1823	2052	2240	2396
8200	941	1461	1829	2059	2248	2404
8250	944	1465	1835	2065	2255	2412
8300	947	1470	1841	2072	2262	2420
8350	949	1475	1847	2078	2270	2428
8400	952	1480	1853	2085	2277	2436
8450	955	1485	1860	2092	2284	2444
8500	958	1490	1866	2098	2291	2452
8550	961	1494	1872	2105	2299	2460
8600	964	1499	1878	2111	2306	2468
8650	967	1504	1884	2118	2313	2476
8700	970	1509	1890	2125	2320	2484
8750	973	1514	1896	2131	2328	2492
8800	975	1518	1901	2137	2334	2498
8850	978	1521	1906	2142	2340	2504
8900	980	1525	1910	2147	2345	2510
8950	982	1528	1915	2152	2351	2516
9000	989	1539	1928	2168	2367	2534
9050	992	1543	1933	2173	2373	2540
9100	994	1547	1938	2179	2379	2546
9150	997	1551	1943	2184	2385	2552
9200	999	1554	1948	2190	2391	2559
9250	1002	1558	1953	2195	2397	2565
9300	1004	1562	1958	2201	2403	2571
9350	1007	1566	1963	2206	2409	2578
9400	1009	1570	1967	2212	2415	2584
9450	1012	1574	1972	2217	2421	2590
9500	1014	1577	1977	2223	2427	2596

9550	1017	1581	1982	2228	2433	2603
9600	1020	1585	1987	2234	2439	2609
9650	1022	1589	1992	2239	2445	2615
9700	1025	1593	1997	2245	2451	2622
9750	1027	1597	2001	2250	2457	2628
9800	1030	1601	2006	2256	2463	2634
9850	1032	1604	2011	2261	2469	2640
9900	1035	1608	2016	2267	2475	2647
9950	1037	1612	2021	2272	2481	2653
10000	1040	1616	2026	2278	2487	2659

(f) The adjusted basic child support obligation shall be determined by multiplying the basic child support obligation by one and one-half.

(g) (1) Subject to paragraphs (2) and (3) of this subsection, actual child care expenses incurred on behalf of a child due to employment or job search of either parent shall be added to the basic obligation and shall be divided between the parents in proportion to their adjusted actual incomes.

(2) Child care expenses shall be:

(i) determined by actual family experience, unless the court determines that the actual family experience is not in the best interest of the child; or

(ii) if there is no actual family experience or if the court determines that actual family experience is not in the best interest of the child:

1. the level required to provide quality care from a licensed source; or

2. if the custodial parent chooses quality child care with an actual cost of an amount less than the level required to provide quality care from a licensed source, the actual cost of the child care expense.

(3) Additional child care expenses may be considered if a child has special needs.

(h) (1) Any actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible shall be added to the basic child support obligation and shall be divided by the parents in proportion to their adjusted actual incomes.

(2) Any extraordinary medical expenses incurred on behalf of a child shall

be added to the basic child support obligation and shall be divided between the parents in proportion to their adjusted actual incomes.

(i) By agreement of the parties or by order of court, the following expenses incurred on behalf of a child may be divided between the parents in proportion to their adjusted actual incomes:

(1) any expenses for attending a special or private elementary or secondary school to meet the particular educational needs of the child; or

(2) any expenses for transportation of the child between the homes of the parents.

(j) (1) Except as provided in paragraph (2) of this subsection, when a disability dependency benefit, a retirement dependency benefit, or other third party dependency benefit is paid to or for a child of an obligor who is disabled, retired, or is receiving benefits from any source as a result of a compensable claim, the amount of the compensation shall be set off against the child support obligation calculated using the guidelines.

(2) (i) If the amount paid to or for a child exceeds the current child support obligation calculated using the guidelines, the excess payment shall be credited to any existing child support arrearage that accrued after the effective date the benefits were awarded.

(ii) The excess payment may not be credited to any future child support obligation.

(k) (1) Upon the expiration of a use and possession order or the expiration of the right to occupy the family home under a separation or property settlement agreement and upon motion of either party, the court shall review the child support award.

(2) If the allocation of financial responsibility for the family home was a factor in departing from the guidelines under subsection (a) of this section, the court may modify the child support, if appropriate in all the circumstances, upon the expiration of the use and possession order or the expiration of the right to occupy the family home under a separation or property settlement agreement.

(l) (1) Except in cases of shared physical custody, each parent's child support obligation shall be determined by adding each parent's respective share of the basic child support obligation, work-related child care expenses, health insurance expenses, extraordinary medical expenses, and additional expenses under subsection (i) of this section.

(2) The custodial parent shall be presumed to spend that parent's total child support obligation directly on the child or children.

(3) The noncustodial parent shall owe that parent's total child support obligation as child support to the custodial parent minus any ordered payments included in the calculations made directly by the noncustodial parent on behalf of the child or children for work-related child care expenses, health insurance expenses, extraordinary medical expenses, or additional expenses under subsection (i) of this section.

(m) (1) In cases of shared physical custody, the adjusted basic child support obligation shall first be divided between the parents in proportion to their respective adjusted actual incomes.

(2) Each parent's share of the adjusted basic child support obligation shall then be multiplied by the percentage of time the child or children spend with the other parent to determine the theoretical basic child support obligation owed to the other parent.

(3) Subject to the provisions of paragraphs (4) and (5) of this subsection, the parent owing the greater amount under paragraph (2) of this subsection shall owe the difference in the 2 amounts as child support.

(4) In addition to the amount of the child support owed under paragraph (3) of this subsection, if either parent incurs child care expenses under subsection (g) of this section, health insurance expenses under subsection (h)(1) of this section, extraordinary medical expenses under subsection (h)(2) of this section, or additional expenses under subsection (i) of this section, the expense shall be divided between the parents in proportion to their respective adjusted actual incomes. The parent not incurring the expense shall pay that parent's proportionate share to:

(i) the parent making direct payments to the provider of the service;
or

(ii) the provider directly, if a court order requires direct payments to the provider.

(5) The amount owed under paragraph (3) of this subsection may not exceed the amount that would be owed under subsection (l) of this section if the obligor parent were a noncustodial parent.

[Previous][Next][Another Article]