CHILD SUPPORT

Packet # 8

These forms must not be used to engage in the unauthorized practice of law. The court is not responsible for (1) actions taken by the users of these forms or (2) the users' reliance upon the instructions or information provided.

Revised on 7/31/2020

GENERAL INFORMATION &
Frequently Asked Questions

What is Child Support?

Child Support is a monthly amount that the court orders one parent to pay to the other parent in order to help with the costs of supporting their child. Child Support is calculated from many factors. These factors include how much money each parent earns, the typical cost of raising a child, how much parenting time each parent has, who pays for medical insurance and childcare and how much, as well as several other factors.

As long as you know the information, or can estimate the information, the online Child Support Calculator will do the math for you.

Determining who should pay child support and how much is complicated, but these instructions should help guide you through the process.

This symbol is a warning. It can mean a few different things:

- The topic can be confusing and you may need to ask a lawyer for help
- You need to make sure that something is done

Whenever you see this symbol, ***make sure*** you read the information carefully and completely understand it.

Child Support Guidelines: These Guidelines establish a standard across the State of Arizona. The rules construct child support to reflect children's reasonable needs and parents' ability to pay. Under the Guidelines, the court must calculate child support for *each case* involving minor children. The court will ask for your relevant information even if both parents have agreed not to pay child support. This assures that the arrangement serves the children's best interests.
To see the full 2018 Guidelines for yourself, visit:
http://www.azcourts.gov/Portals/34/Forms/FamilyLaw/AOCDRS10H2018.pdf

When can I ask for Child Support?

This packet can be used to establish child support as part of a Dissolution (Divorce), or a Paternity case, or as a separate child support request.

You can also use this packet to modify existing child support after there has been a substantial and continuing change in the parent's circumstances. You must also complete Packet #24, *Modification of Child Support.*

How do I ask for Child Support?

Use the online Child Support Calculator and the instructions in this packet to calculate each parent's child support obligation (the monthly amount that he or she should pay). The 2018 calculator can be accessed at:
https://www.sc.pima.gov/Portals/0/Library/2018_ChildSupportCalculator.xlsm

If you do not have internet access or a printer, visit the Law Library and Resource Center located on the 2nd Floor, Arizona Superior Court in Pima County, 110 W. Congress, Tucson, AZ.

Do I need a lawyer's help?

Legal problems often seem complex and difficult to understand on your own. You may want to seek the advice of a lawyer. There are lawyers who will help you help yourself. This means that they will only charge you for giving you the help that you need: you may complete the court forms on your own or ask a lawyer for help.
For more information, call the Law Library and Resource Center at (520) 724-8456. Or visit https://www.sc.pima.gov/Default.aspx?tabid=60

Are there free Child Support Services I can request?

Yes. The Arizona DES Division of Child Support Services can help you with your child support case. This service is either free, or available for a small cost of $25.00 each year, depending upon how much child support you will receive. The fee is assigned for matters where a parent receives $500.00 or more in child support. Please note: the $25.00 annual fee is for each case. The child support services available include:

- Establishment of a child support order
- Enforcement of a child support order
- Modification of an existing child support order
- Enforcement of a court order for spousal maintenance, but ONLY when there is also a child support order

Child Support Services are for child support issues, not for Legal Decision Making and Parenting Time. If you have questions about these matters, please look at Packet #23, *Petition for Modification of Legal Decision-Making and Parenting Time*.

To contact the Child Support Services for assistance with your child support case, please call the Customer Service line at: 602-252-4045, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. You may also wish to visit a Division of Child Support Services Office location. There is one office location in Pima County:

DCSS Pima Tucson Office
1455 S. Alvernon Way
Tucson, AZ 85711
1-800-882-4151
Hours 8 a.m. - 5 p.m.

For complete information, as well as to obtain a copy of the "Request for Title IV-D Child Support Services" application, visit: https://des.az.gov/sites/default/files/dl/CSE-0167A.pdf?time=1596573339028

What information is needed for the Child Support Calculator?

In order to complete the Parent's Worksheet through the Child Support Calculator, you will need:

- Each parent's name
- Your case number
- Information on whether your case is IV-D (Remember this means that the Division of Child Support Services is involved in establishing or enforcing child support orders.)
- Your ATLAS number, *if you have one*
- The parenting time arrangement
- The children's names and dates of birth
- Each parent's income (hourly, monthly, or yearly), *before deductions*
- How much court-ordered spousal maintenance each party pays or receives
- How many other children each party has, *not as part of this case*
- How much child support each party pays, *for children from other relationships*
- How many children in this case are at least 12 years old
- How much each parent pays for:
    - Children's medical, dental, and vision insurance
    - Childcare
    - Children's extra educational expenses
    - Extraordinary expenses for a gifted or handicapped child

How Do I Complete This Packet?

1. Follow the link provided on page six (6) to an Excel Workbook. Use the instructions beginning also on page six (6). Print the completed form. Your printed sheet will include your information and read “Child Support Worksheet.”
2. Make two copies of the original Worksheet; one copy is for you, one copy will be served on the other party, and the original will be filed with the Court.
3. Using the Excel Workbook, print out the Child Support Order and, if applicable, the Income Withholding Order. There are instructions for completing these forms located in this packet starting on page thirteen (13). Make two copies of the original Child Support Order and Income Withholding Order; one copy is for you, one copy will be served on the other party, and the original will be filed with the Court.
4. Fulfill personal responsibilities to the Department of Child Support Services (DCSS) once DCSS takes legal action on your behalf. This is only necessary if you file the *Request for Title IV-D Child Support Services* application available at: https://des.az.gov/sites/default/files/dl/CSE-0167A.pdf?time=1596573339028

Instructions for Completing Parent Worksheet for Child Support Amount

(Child Support Calculator)

The Child Support Calculator is available online at https://www.sc.pima.gov/Portals/0/Library/2018_ChildSupportCalculator.xlsm
If you do not have internet access or a printer, you may complete the form at the Law Library and Resource Center 2nd Floor, Arizona Superior Court in Pima County, 110 W. Congress).

As you work through this online Excel form, information will be calculated for you.

Complete the Worksheet as Follows

On the first page of the Worksheet,

ENTER CASE DETAILS

- Case number (Line 10): Type your case number (found on the Petition)
  - If you have not yet filed a Petition, you can write in the number later, after a case number is assigned to you.
- IV-D case (Line 10): *If your case was filed as a IV-D case by the State of Arizona*, click the box to check it. If your case is not IV-D, do not click to check the box.
- Petitioner name (Line 12): Type Petitioner's full name
- Respondent name (Line 14): Type Respondent's full name
- Check the appropriate box for the role of each party (Line 12 or 14).
- Children's Names (Lines 18-23)
  Beginning with the oldest child, type each child's:
  - Last Name
  - First Name
  - Middle Initial (MI)
  - Date of Birth, two digits for month / two digits for day / four digits for year, for example, 02/14/2015

The children's ages will automatically be calculated and shown below.

ENTER CHILD DETAILS

Primary Residential Parent (Line 49):

- Select which parent is the primary residential parent, or equal time if the parents have essential equal parenting time.

ENTER FINANCIAL DETAILS

Gross Monthly Income (lines 51-52):

- In the **first** line, type that parent's gross hourly, monthly, or yearly income (*before* deductions)

The term "gross income" DOES NOT have the same meaning here as it does when used for tax purposes. Here, you need to enter the amount each person is paid before anything is subtracted. For example, if the Father makes minimum wage, the amount to enter would be $12.00 per hour.

- In the **second** line, type the other parent's gross hourly (hr), monthly (mn), or yearly (yr) income (*before* deductions)

NOTE: There is no option for gross income received *every two weeks*. "Every two weeks" is not the same as "monthly." If you are paid every two weeks, use the following calculation:

(1) Multiply the amount received every two weeks (*before deductions*) by 26 (to get a gross annual income)
(2) Divide that amount by 12 (to get a gross monthly income)
(3) Type in this amount and select (mn) from the box located below to show the amount typed in is earned monthly.

Gross Monthly Income (Line 52):

Based on the information you previously entered, these amounts will be calculated and shown for you.

Court-ordered spousal maintenance (paid) (Line 53):

- In the **first** column, type how much **Father** *pays monthly* in court-ordered spousal maintenance (if any). Enter the number as a negative number.

- In the **second** column, type how much **Mother** *pays monthly* in court-ordered spousal maintenance (if any). Enter the number as a negative number.

NOTE: This refers to spousal maintenance from previous relationships as well as spousal maintenance that may already be ordered in the current case.

Court-ordered spousal maintenance (received) (Line 53):

- In the **first** column, type how much **Father** *receives monthly* in court-ordered spousal maintenance (if any).
- In the **second** column, type how much **Mother** *receives monthly* in court-ordered spousal maintenance (if any).

NOTE: This refers to spousal maintenance from previous relationships as well as spousal maintenance that may already be ordered in the current case.

Other children:

This section refers to minor children from *other relationships* that *live with the party* and **ARE** covered by other court orders (such as parenting time or child support).

- Under "Court Ordered Child Support of Other Relationships (Paid)" (Line 54), insert the amount actually paid.
- Under "Custodian of other child(ren) subject of court order(s)" (Line 55), enter the number of children that fall in this category for each parent.
- Under "Support of Other Natural or Adopted Children Not Ordered" (Lines 56-58), enter the number of children that fall in this category for each parent.

Adjusted Gross Monthly Income (Line 59):

Beneath each column, the website will calculate and show each parent's Adjusted Gross Monthly Income.

Combined Adjusted Gross Monthly Income (Line 60):

The website will add the parents' Adjusted Gross Monthly Income and show the amount on the line.

Basic Child Support Obligation (Line 61):

Based on the number of minor children in this case, the website will calculate the parents' Basic Support Obligation based on the parents' combined incomes and outside spousal and child obligations.

ADDITIONS – This section only refers to minor children *of this relationship*

The next section of the form will adjust the Basic Child Support Obligation by adjusting for the increased costs for teenaged children, children's insurance, childcare, and other extraordinary expenses.

Adjustment for children over the age of 12 (line 64):

Typically, it costs more to raise teenaged children. Arizona Child Support Guidelines allow for an increase in the Basic Child Support Obligation for each minor child of the relationship who is 12 and older. The website automatically fills this portion out based on the dates of birth typed in for each child at the top of the worksheet.

- The **first** box shows the number of children age 12 and older.
- The **second** box shows the maximum percentage that will be added to the Basic Child Support Obligation. Leave the amount at 10%.

The website will calculate and show the adjustment on the line.

Medical, dental, and vision insurance paid (Line 65): This refers to the insurance premiums paid for *only the children's* insurance.

If you have combined family coverage, you must find out how much of the premium covers the children's portion of the insurance. If you receive insurance through an employer, the Human Resources department will be able to provide you this information. You can also contact your insurance provider to get the information.

- Enter the amount each parent *pays monthly* for the children's medical, dental, and vision insurance (if any)

Monthly childcare costs paid (Line 66-68):

If there are younger children of this relationship who attend childcare

- On Line 66, there is a small blue box, enter the number of children in childcare
- On Line 67, enter the amount each parent *pays monthly* for childcare (if any)

Less federal tax credit (Line 68):

The Excel program will calculate these amounts automatically based on the parents' gross monthly incomes, the parenting time schedule, and how much each parent pays for insurance

and childcare. The lines may remain at “0.”

Extra education expenses paid (Line 69):

This refers to expenses for the children to attend a private or special school and other expenses to meet the child’s particular education needs. The parents **must** agree to these extra expenses.

- Enter the amount each parent *pays monthly* for the children’s extra education expenses (if any)

Extraordinary (Gifted or Handicapped) Child Expenses Paid (Line 70):

This refers to expenses for the special needs of gifted or handicapped children.

- Enter the amount each parent *pays monthly* for the children’s extraordinary expenses (if any)

Total Child Support Obligation (Line 71):

This amount will be calculated for you based on the information you previously entered.

COMPLETING THE REST OF THIS FORM WILL DEPEND ON THE TYPE OF PARENTING TIME SCHEDULE YOU PLAN TO FOLLOW. At the top of the form you either selected “Essentially Equal,” “Mostly with Father,” or “Mostly with Mother.” Each designation effects the total child support obligation.

If you selected “Essentially Equal” parenting time:

- There are no other parts of the form for you to complete. The amounts in this section will be calculated and shown for you based on the information you previously entered.
- If there is a Child Support Obligation to be paid by either parent, it will be shown on the last line of the worksheet.

If you selected either Mother or Father as the primary residential parent for parenting time (Line 76):

- Because the children reside mostly with one parent, the other parent will receive a child support adjustment for her parenting time. This is done by adding up the total number of

days each year that the other parent will have parenting time to include holidays and vacations.

- Using the Parenting Plan, count how many parenting time days the other non-primary residential parent has in a year.
    - 12 hours or more is counted as one full day
    - 6-11 hours is counted as one half of a day
    - 3-5 hours is counted as a quarter of a day
    - If less than 3 hours, it may count as a quarter of a day if the parent pays for a meal such as lunch or dinner.
- Enter the number of annual parenting time days in the first box.
- The worksheet will automatically calculate the percent adjustment in the second box and fill in the amounts on the lines.

PRELIMINARY CHILD SUPPORT OBLIGATION

Each parent's proportionate share of total support obligation (Line 78)

This section of the form shows how much of the total Child Support Obligation each parent is responsible for. The amount is calculated based on each parent's share of the Combined Adjusted Gross Monthly Income.

The Self-Support Reserve Test (Lines 80-83) will generate automatically, but whether to apply that test will be in the judge's discretion.

The calculator is just a tool and the amount it gives is only a guideline. The amount determined by the calculator for "child support obligation" is at Line 84. You should write this amount in the appropriate sections of your Petition, Response, Motion, or Default Decree. During the hearing, **the judge may increase or decrease the calculated child support obligation** for either or both parents in order to serve the children's best interests.

If there is a Child Support Obligation for the other non-primary residential parent to pay, it will be shown on the last line of the worksheet (Line 84).

You have completed the worksheet and it is time to print it. Before printing, put an X in the box on Line 88 after the phrase "Remove all remaining blue shading in above worksheet for printing"

Then print the worksheet by clicking on “File” in the upper left corner and selecting “Print”. Save the Worksheet to your personal computer or a memory stick and leave it open. **Closing the window without saving the worksheet will erase all the data you have entered.**

DO NOT close the Child Support Worksheet until you have completed the Child Support Order, the instructions for which are on the next page.

INSTRUCTIONS FOR COMPLETING CHILD SUPPORT ORDER & INCOME WITHHOLDING ORDER

(To be completed after using the Child Support Worksheet.)

The Child Support Order and Income Withholding forms are available online at https://www.sc.pima.gov/Portals/0/Library/2018_ChildSupportCalculator.xlsm under the second tab (Child Support Order) and fourth tab (Income Withholding Order ("IWO")) of the Excel Workbook. Tabs are located at the bottom on your screen in Excel.
If you do not have internet access or a printer, you may complete the forms at the Law Library and Resource Center (2nd Floor, Arizona Superior Court in Pima County, 110 W. Congress).

How do I complete the forms?

- The Child Support Order's blank spaces will automatically be filled for both the Child Support Order and the Income Withholding Order sections based upon information you provided on the Worksheet (the first tab of the Excel Workbook). If you need to make any changes, please go back to the Worksheet (first tab, lines 90-169) and make the changes there, and then go back to the second tab. You will also need to print the Child Support Order. **Closing the window without saving the Excel Workbook will erase all the data you have entered.**
- The Income Withholding Order (IWO) also will self-generate based upon information you provided on the Worksheet (the first tab of the Excel Workbook). If you know the payor's employer, you can enter that information on lines 237-240 of the Worksheet (first tab). You will also need to print the IWO. **Closing the window without saving the Excel Workbook will erase all the data you have entered.**

After completing the Parent Worksheet for Child Support, the Child Support Order, and, if applicable, the Income Withholding Order, bring three copies of these documents with you

to court: one for the judge, one for the other parent, and one for yourself.