

Child Support

Discussion Problem #2

Family Law for Judges Session 2

Calculate Child Support

Two minor children; ages 8 and 10

Mom is Plaintiff

Mom's gross monthly income is \$8,500

Mom has not remarried

Dad is Defendant

Dad's gross monthly income is \$6,300

Dad's new wife's gross monthly income is \$6,000

Paternal grandparents set up a trust with dad as trustee and the children as beneficiaries. The trust can pay up to \$2,00 per month for the benefit of the children, at the discretion of dad.

Custody order gives mom primary physical custody and dad visitation. However, the order also gives both parents up to 5 consecutive weeks each summer for travel. Dad had children 124 nights last year and 129 nights the year before because he traveled with the children for 5 weeks each summer.

Dad has two minor children living in his home with his new wife. Both children are dad's biological children. One was born while dad was still living with mom (the cause of the separation).

Mom pays the cost of medical and dental insurance for the two minor children at a cost of \$300 per month. Dad's new wife is in the military and can cover all four of dad's children for \$200 per month.

Mom pays \$400 per month during the school year for after school care for the two children (9 months of the year). She pays \$600 per summer for day care and camps during the summer when the children are not traveling.

Mom also pays an average of \$300 per month for the extracurricular activities of both children throughout the year. They both play sports and take music lessons.

Enter Child Support Order

Mom filed the complaint for child support 12 months ago. While the case was pending, dad sent mom \$5,000 from the children's trust fund but did not make any other support payments.