WEST virginia legislature

2023 regular session

Enrolled

Committee Substitute

for

Senate Bill 573

By Senator Maroney

[Passed March 11, 2023; in effect 90 days from passage]

A BILL to amend and reenact §48-1-205 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-13-202, §48-13-301, §48-13-302, §48-13-303, §48-13-403, §48-13-404, §48-13-501, and §48-13-502 of said code, all relating generally to the child support guidelines and the Support Enforcement Commission; allowing a deduction for student loan payments under specific circumstances, clarifying circumstances and factors for attributed income; updating monthly basic child support obligations to reflect 2022 financial data; updating income amount requiring manual calculation to determine basic child support obligation; updating amount for the ability to pay calculation and self-support reserve; and amending the multiplier for extended shared parenting adjustment.

Be it enacted by the Legislature of West Virginia:

Article 1. general provisions; definitions.

Part II. Definitions.

§48-1-205. Attributed income defined.

(a) "Attributed income" means income not actually earned by a parent, but which may be attributed to the parent because he or she is unemployed, is not working full time, or is working below full earning capacity, or has nonperforming or underperforming assets. Income may be attributed to a parent if the court evaluates the specific circumstances of the parent to the extent known, including such factors as the parent’s assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, physical and mental health, criminal record, and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. Income may also be attributed to a parent if the court finds that the obligor has nonperforming or underperforming assets.

(b) If an obligor: (1) Voluntarily leaves employment or voluntarily alters his or her pattern of employment so as to be unemployed, underemployed, or employed below full earning capacity; (2) is able to work and is available for full-time work for which he or she is fitted by prior training or experience; and (3) is not seeking employment in the manner that a reasonably prudent person in his or her circumstances would do, then an alternative method for the court to determine gross income is to attribute to the person an earning capacity based on his or her previous income. If the obligor's work history, qualifications, education, or physical or mental condition cannot be determined, or if there is an inadequate record of the obligor's previous income, the court may, as a minimum, base attributed income on full-time employment (at 40 hours per week) at the federal minimum wage in effect at the time the support obligation is established. In order for the court to consider attribution of income, it is not necessary for the court to find that the obligors termination or alteration of employment was for the purpose of evading a support obligation.

(c) Income shall not be attributed to an obligor who is unemployed, underemployed, or is otherwise working below full earning capacity if any of the following conditions exist:

(1) The parent is providing care required by the children to whom both of the parties owe a legal responsibility for support and the children are of preschool age, or are handicapped, or otherwise in a situation requiring particular care by the parent;

(2) The parent is pursuing a plan of economic self-improvement which will result, within a reasonable time, in an economic benefit to the children to whom the support obligation is owed, including, but not limited to, self-employment or education*: Provided,* That if the parent is involved in an educational program, the court shall ascertain that the person is making substantial progress toward completion of the program;

(3) The parent is, for valid medical reasons, earning an income in an amount less than previously earned; or

(4) The court makes a written finding that other circumstances exist which would make the attribution of income inequitable*: Provided,* That in the case the court may decrease the amount of attributed income to an extent required to remove inequity.

(d) The court may attribute income to a parent's nonperforming or underperforming assets, other than the parent's primary residence. Assets may be considered to be nonperforming or underperforming to the extent that they do not produce income at a rate equivalent to the current six-month certificate of deposit rate or any other rate that the court determines is reasonable.

(e) Income shall not be attributed to an obligor who is incarcerated. Incarceration shall not be treated as voluntary unemployment in establishing or modifying a support obligation.

Article 13. guidelines for child support awards.

§48-13-202. Application of expenses and credits in determining child support.

In determining the total child support obligation, the court shall:

(1) Add to the basic child support obligation any unreimbursed child health care expenses, work-related child care expenses and any other extraordinary expenses agreed to by the parents or ordered by the court; and

(2) Subtract any extraordinary credits agreed to by the parents or ordered by the court.

(3)  Deduct from a parent’s adjusted gross income the reasonable monthly amount of a student loan payment actually being paid to the lending institution that originally issued the loan by a parent for a student loan debt owed in his or her own name and for his or her own educational expenses; provided that the total amount of the student loan payment deducted may not exceed 25 percent of the parent’s total gross income determined before the deduction.   The family court shall have discretion to exclude all or a portion of the student loan deduction if the parent with the student loan debt is in child support arrears, if the parent is not current or is in arrears on the student loan payment, if the student loan is being paid by a third party and not the parent, or if the child is not receiving or expected to receive a financial benefit from the education associated with the student loan expenses incurred.   If the student loan deduction is awarded:

(a) The parent shall have a duty to immediately disclose to the court, the BCSE, and any other party any changes in the monthly amount of the student loan payment, including any payment deferrals or student loan forgiveness.

(b) The court may require a parent to annually disclose to the court, the BCSE, and any other party a statement showing a history of student loan payments for the prior year.

(c)  Failure to timely make the disclosures above may be a basis for the court to modify child support to exclude the student loan deduction, including retroactively to the first of the month following any unreported change.

Part III. Basic child support order.

§48-13-301. Determining the basic child support obligation.

The basic child support obligation is determined from the following table of monthly basic child support obligations:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **West Virginia**  **Monthly Basic Child Support Obligations**  (Adjusted for West Virginias Income Relative to U.S. Averages) | | | | | | |
| **COMBINED GROSS MONTHLY INCOME** | **ONE**  **CHILD** | **TWO CHILDREN** | **THREE CHILDREN** | **FOUR CHILDREN** | **FIVE CHILDREN** | **SIX CHILDREN** |
| 550 | 101 | 153 | 185 | 207 | 228 | 247 |
| 600 | 110 | 167 | 202 | 226 | 248 | 270 |
| 650 | 119 | 181 | 219 | 244 | 269 | 292 |
| 700 | 128 | 195 | 235 | 263 | 289 | 314 |
| 750 | 137 | 208 | 252 | 281 | 310 | 337 |
| 800 | 146 | 222 | 269 | 300 | 330 | 359 |
| 850 | 155 | 236 | 285 | 319 | 351 | 381 |
| 900 | 164 | 250 | 302 | 337 | 371 | 403 |
| 950 | 173 | 264 | 319 | 356 | 392 | 426 |
| 1000 | 182 | 277 | 335 | 375 | 412 | 448 |
| 1050 | 191 | 291 | 352 | 393 | 432 | 470 |
| 1100 | 200 | 304 | 368 | 411 | 452 | 491 |
| 1150 | 208 | 316 | 382 | 427 | 470 | 510 |
| 1200 | 216 | 328 | 397 | 443 | 488 | 530 |
| 1250 | 223 | 340 | 411 | 460 | 506 | 549 |
| 1300 | 231 | 352 | 426 | 476 | 523 | 569 |
| 1350 | 239 | 365 | 441 | 492 | 541 | 589 |
| 1400 | 247 | 377 | 455 | 509 | 563 | 608 |
| 1450 | 255 | 389 | 470 | 525 | 577 | 628 |
| 1500 | 263 | 401 | 485 | 541 | 595 | 647 |
| 1550 | 271 | 413 | 499 | 558 | 613 | 667 |
| 1600 | 279 | 425 | 514 | 574 | 631 | 686 |
| 1650 | 287 | 437 | 528 | 590 | 649 | 706 |
| 1700 | 295 | 449 | 543 | 607 | 667 | 725 |
| 1750 | 303 | 461 | 558 | 623 | 685 | 745 |
| 1800 | 311 | 473 | 572 | 639 | 703 | 764 |
| 1850 | 319 | 485 | 587 | 656 | 721 | 784 |
| 1900 | 327 | 498 | 602 | 672 | 739 | 803 |
| 1950 | 335 | 510 | 616 | 688 | 757 | 823 |
| 2000 | 342 | 521 | 630 | 704 | 774 | 842 |
| 2050 | 350 | 533 | 645 | 720 | 792 | 861 |
| 2100 | 358 | 545 | 659 | 736 | 809 | 880 |
| 2150 | 366 | 557 | 673 | 752 | 827 | 899 |
| 2200 | 373 | 569 | 687 | 768 | 844 | 918 |
| 2250 | 381 | 580 | 702 | 784 | 862 | 937 |
| 2300 | 389 | 592 | 716 | 799 | 879 | 956 |
| 2350 | 396 | 604 | 730 | 815 | 897 | 975 |
| 2400 | 404 | 615 | 744 | 831 | 914 | 994 |
| 2450 | 412 | 627 | 758 | 847 | 932 | 1013 |
| 2500 | 420 | 639 | 772 | 863 | 949 | 1031 |
| 2550 | 427 | 651 | 786 | 878 | 966 | 1050 |
| 2600 | 435 | 662 | 801 | 894 | 984 | 1069 |
| 2650 | 443 | 674 | 815 | 910 | 1001 | 1088 |
| 2700 | 450 | 686 | 829 | 923 | 1018 | 1107 |
| 2750 | 458 | 697 | 843 | 942 | 1036 | 1126 |
| 2800 | 466 | 709 | 857 | 958 | 1053 | 1145 |
| 2850 | 473 | 721 | 871 | 973 | 1071 | 1164 |
| 2900 | 481 | 733 | 886 | 989 | 1088 | 1183 |
| 2950 | 489 | 744 | 900 | 1005 | 1105 | 1202 |
| 3000 | 496 | 756 | 914 | 1021 | 1123 | 1221 |
| 3050 | 504 | 768 | 928 | 1037 | 1140 | 1239 |
| 3100 | 512 | 779 | 942 | 1052 | 1158 | 1258 |
| 3150 | 520 | 791 | 956 | 1068 | 1175 | 1277 |
| 3200 | 527 | 803 | 970 | 1084 | 1192 | 1296 |
| 3250 | 535 | 814 | 985 | 1100 | 1210 | 1315 |
| 3300 | 543 | 826 | 999 | 1116 | 1227 | 1334 |
| 3350 | 550 | 838 | 1013 | 1131 | 1245 | 1353 |
| 3400 | 558 | 850 | 1027 | 1147 | 1262 | 1372 |
| 3450 | 566 | 861 | 1041 | 1163 | 1279 | 1391 |
| 3500 | 573 | 873 | 1055 | 1179 | 1297 | 1410 |
| 3550 | 581 | 885 | 1069 | 1194 | 1314 | 1428 |
| 3600 | 588 | 896 | 1083 | 1210 | 1331 | 1447 |
| 3650 | 596 | 907 | 1097 | 1225 | 1348 | 1465 |
| 3700 | 603 | 919 | 1111 | 1241 | 1365 | 1484 |
| 3750 | 611 | 930 | 1124 | 1255 | 1381 | 1501 |
| 3800 | 619 | 940 | 1135 | 1268 | 1395 | 1516 |
| 3850 | 626 | 950 | 1146 | 1281 | 1409 | 1531 |
| 3900 | 634 | 960 | 1158 | 1293 | 1423 | 1546 |
| 3950 | 641 | 970 | 1169 | 1306 | 1437 | 1562 |
| 4000 | 649 | 979 | 1181 | 1319 | 1451 | 1577 |
| 4050 | 656 | 989 | 1192 | 1331 | 1465 | 1592 |
| 4100 | 664 | 999 | 1203 | 1344 | 1479 | 1607 |
| 4150 | 671 | 1009 | 1215 | 1357 | 1493 | 1622 |
| 4200 | 679 | 1019 | 1226 | 1370 | 1507 | 1638 |
| 4250 | 686 | 1029 | 1238 | 1382 | 1521 | 1653 |
| 4300 | 694 | 1039 | 1249 | 1395 | 1535 | 1668 |
| 4350 | 701 | 1049 | 1260 | 1408 | 1549 | 1683 |
| 4400 | 708 | 1060 | 1274 | 1423 | 1565 | 1701 |
| 4450 | 715 | 1071 | 1287 | 1437 | 1581 | 1719 |
| 4500 | 722 | 1083 | 1300 | 1452 | 1597 | 1736 |
| 4550 | 729 | 1094 | 1313 | 1467 | 1613 | 1754 |
| 4600 | 735 | 1104 | 1325 | 1480 | 1628 | 1769 |
| 4650 | 741 | 1113 | 1336 | 1492 | 1642 | 1785 |
| 4700 | 747 | 1123 | 1348 | 1505 | 1656 | 1800 |
| 4750 | 752 | 1132 | 1359 | 1518 | 1670 | 1815 |
| 4800 | 758 | 1142 | 1370 | 1531 | 1684 | 1830 |
| 4850 | 764 | 1152 | 1382 | 1543 | 1698 | 1845 |
| 4900 | 770 | 1161 | 1393 | 1556 | 1712 | 1861 |
| 4950 | 776 | 1171 | 1404 | 1569 | 1726 | 1876 |
| 5000 | 782 | 1181 | 1416 | 1581 | 1740 | 1891 |
| 5050 | 787 | 1189 | 1426 | 1593 | 1752 | 1905 |
| 5100 | 792 | 1197 | 1435 | 1602 | 1763 | 1916 |
| 5150 | 797 | 1204 | 1443 | 1612 | 1773 | 1927 |
| 5200 | 802 | 1211 | 1452 | 1621 | 1784 | 1939 |
| 5250 | 807 | 1218 | 1460 | 1631 | 1794 | 1950 |
| 5300 | 811 | 1225 | 1468 | 1640 | 1804 | 1961 |
| 5350 | 816 | 1232 | 1477 | 1650 | 1815 | 1973 |
| 5400 | 821 | 1239 | 1485 | 1659 | 1825 | 1984 |
| 5450 | 826 | 1246 | 1494 | 1668 | 1835 | 1995 |
| 5500 | 830 | 1254 | 1502 | 1678 | 1846 | 2006 |
| 5550 | 835 | 1261 | 1511 | 1687 | 1856 | 2018 |
| 5600 | 840 | 1268 | 1519 | 1697 | 1866 | 2029 |
| 5650 | 845 | 1275 | 1527 | 1706 | 1877 | 2040 |
| 5700 | 850 | 1282 | 1536 | 1716 | 1887 | 2051 |
| 5750 | 854 | 1289 | 1544 | 1725 | 1897 | 2063 |
| 5800 | 857 | 1293 | 1549 | 1731 | 1904 | 2069 |
| 5850 | 860 | 1298 | 1554 | 1736 | 1909 | 2076 |
| 5900 | 863 | 1302 | 1559 | 1741 | 1915 | 2082 |
| 5950 | 866 | 1306 | 1564 | 1747 | 1921 | 2088 |
| 6000 | 869 | 1310 | 1568 | 1752 | 1927 | 2095 |
| 6050 | 872 | 1315 | 1573 | 1757 | 1933 | 2101 |
| 6100 | 875 | 1319 | 1578 | 1763 | 1939 | 2107 |
| 6150 | 878 | 1323 | 1583 | 1768 | 1945 | 2114 |
| 6200 | 881 | 1327 | 1587 | 1773 | 1951 | 2120 |
| 6250 | 884 | 1331 | 1592 | 1779 | 1956 | 2127 |
| 6300 | 887 | 1336 | 1597 | 1784 | 1962 | 2133 |
| 6350 | 890 | 1340 | 1602 | 1789 | 1968 | 2139 |
| 6400 | 893 | 1344 | 1607 | 1795 | 1974 | 2146 |
| 6450 | 895 | 1348 | 1611 | 1800 | 1980 | 2152 |
| 6500 | 898 | 1352 | 1615 | 1804 | 1984 | 2157 |
| 6550 | 901 | 1355 | 1617 | 1807 | 1987 | 2160 |
| 6600 | 904 | 1358 | 1620 | 1809 | 1990 | 2164 |
| 6650 | 906 | 1361 | 1622 | 1812 | 1993 | 2167 |
| 6700 | 909 | 1364 | 1625 | 1815 | 1997 | 2170 |
| 6750 | 911 | 1367 | 1627 | 1818 | 2000 | 2174 |
| 6800 | 914 | 1370 | 1630 | 1821 | 2003 | 2177 |
| 6850 | 917 | 1373 | 1632 | 1823 | 2006 | 2180 |
| 6900 | 919 | 1376 | 1635 | 1826 | 2009 | 2183 |
| 6950 | 922 | 1379 | 1637 | 1829 | 2012 | 2187 |
| 7000 | 925 | 1382 | 1640 | 1832 | 2015 | 2190 |
| 7050 | 927 | 1385 | 1642 | 1834 | 2018 | 2193 |
| 7100 | 930 | 1388 | 1645 | 1837 | 2021 | 2197 |
| 7150 | 933 | 1391 | 1647 | 1840 | 2024 | 2200 |
| 7200 | 935 | 1395 | 1650 | 1843 | 2027 | 2204 |
| 7250 | 939 | 1401 | 1658 | 1852 | 2038 | 2215 |
| 7300 | 943 | 1407 | 1667 | 1861 | 2048 | 2226 |
| 7350 | 946 | 1413 | 1675 | 1871 | 2058 | 2237 |
| 7400 | 950 | 1419 | 1683 | 1880 | 2068 | 2248 |
| 7450 | 954 | 1426 | 1691 | 1889 | 2078 | 2259 |
| 7500 | 957 | 1432 | 1699 | 1898 | 2088 | 2270 |
| 7550 | 961 | 1438 | 1708 | 1907 | 2098 | 2281 |
| 7600 | 965 | 1444 | 1716 | 1917 | 2108 | 2292 |
| 7650 | 969 | 1450 | 1724 | 1926 | 2118 | 2303 |
| 7700 | 972 | 1457 | 1732 | 1935 | 2129 | 2314 |
| 7750 | 976 | 1463 | 1741 | 1944 | 2139 | 2325 |
| 7800 | 980 | 1469 | 1749 | 1953 | 2149 | 2336 |
| 7850 | 983 | 1475 | 1757 | 1963 | 2159 | 2347 |
| 7900 | 987 | 1482 | 1765 | 1972 | 2169 | 2358 |
| 7950 | 990 | 1485 | 1770 | 1977 | 2174 | 2364 |
| 8000 | 992 | 1488 | 1772 | 1979 | 2177 | 2366 |
| 8050 | 994 | 1491 | 1774 | 1981 | 2180 | 2369 |
| 8100 | 997 | 1493 | 1776 | 1984 | 2182 | 2372 |
| 8150 | 999 | 1496 | 1778 | 1986 | 2185 | 2375 |
| 8200 | 1001 | 1498 | 1780 | 1988 | 2187 | 2378 |
| 8250 | 1003 | 1501 | 1782 | 1991 | 2190 | 2380 |
| 8300 | 1006 | 1503 | 1784 | 1993 | 2192 | 2383 |
| 8350 | 1008 | 1506 | 1786 | 1995 | 2195 | 2386 |
| 8400 | 1010 | 1509 | 1788 | 1998 | 2198 | 2389 |
| 8450 | 1012 | 1511 | 1791 | 2000 | 2200 | 2391 |
| 8500 | 1014 | 1514 | 1793 | 2002 | 2203 | 2394 |
| 8550 | 1017 | 1516 | 1795 | 2005 | 2205 | 2397 |
| 8600 | 1019 | 1519 | 1797 | 2007 | 2208 | 2400 |
| 8650 | 1021 | 1521 | 1799 | 2009 | 2210 | 2403 |
| 8700 | 1024 | 1525 | 1803 | 2014 | 2215 | 2408 |
| 8750 | 1027 | 1529 | 1807 | 2018 | 2220 | 2413 |
| 8800 | 1030 | 1533 | 1811 | 2023 | 2225 | 2419 |
| 8850 | 1033 | 1537 | 1815 | 2027 | 2230 | 2424 |
| 8900 | 1036 | 1541 | 1819 | 2032 | 2235 | 2430 |
| 8950 | 1039 | 1545 | 1823 | 2036 | 2240 | 2435 |
| 9000 | 1042 | 1549 | 1827 | 2041 | 2245 | 2440 |
| 9050 | 1045 | 1553 | 1831 | 2045 | 2250 | 2446 |
| 9100 | 1048 | 1557 | 1835 | 2050 | 2255 | 2451 |
| 9150 | 1051 | 1561 | 1839 | 2054 | 2260 | 2456 |
| 9200 | 1054 | 1565 | 1843 | 2059 | 2265 | 2462 |
| 9250 | 1057 | 1569 | 1847 | 2063 | 2270 | 2467 |
| 9300 | 1060 | 1573 | 1851 | 2068 | 2275 | 2473 |
| 9350 | 1063 | 1577 | 1855 | 2072 | 2280 | 2478 |
| 9400 | 1067 | 1581 | 1860 | 2077 | 2285 | 2484 |
| 9450 | 1071 | 1588 | 1867 | 2085 | 2294 | 2493 |
| 9500 | 1076 | 1594 | 1874 | 2093 | 2302 | 2503 |
| 9550 | 1080 | 1600 | 1881 | 2101 | 2311 | 2512 |
| 9600 | 1085 | 1607 | 1888 | 2109 | 2320 | 2521 |
| 9650 | 1089 | 1613 | 1895 | 2116 | 2328 | 2531 |
| 9700 | 1094 | 1619 | 1902 | 2124 | 2337 | 2540 |
| 9750 | 1098 | 1626 | 1909 | 2132 | 2345 | 2549 |
| 9800 | 1103 | 1632 | 1916 | 2140 | 2354 | 2559 |
| 9850 | 1107 | 1638 | 1923 | 2148 | 2363 | 2568 |
| 9900 | 1112 | 1645 | 1930 | 2156 | 2371 | 2577 |
| 9950 | 1116 | 1651 | 1937 | 2163 | 2380 | 2587 |
| 10000 | 1121 | 1657 | 1944 | 2171 | 2388 | 2596 |
| 10050 | 1125 | 1663 | 1951 | 2179 | 2397 | 2605 |
| 10100 | 1130 | 1670 | 1958 | 2187 | 2405 | 2615 |
| 10150 | 1134 | 1676 | 1965 | 2195 | 2414 | 2624 |
| 10200 | 1139 | 1682 | 1972 | 2202 | 2423 | 2633 |
| 10250 | 1143 | 1689 | 1979 | 2210 | 2431 | 2643 |
| 10300 | 1148 | 1695 | 1986 | 2218 | 2440 | 2652 |
| 10350 | 1152 | 1701 | 1993 | 2226 | 2448 | 2661 |
| 10400 | 1157 | 1708 | 2000 | 2234 | 2457 | 2671 |
| 10450 | 1161 | 1714 | 2007 | 2241 | 2466 | 2680 |
| 10500 | 1166 | 1720 | 2014 | 2249 | 2474 | 2689 |
| 10550 | 1169 | 1726 | 2021 | 2257 | 2483 | 2699 |
| 10600 | 1172 | 1731 | 2028 | 2265 | 2492 | 2708 |
| 10650 | 1176 | 1737 | 2035 | 2273 | 2500 | 2718 |
| 10700 | 1179 | 1742 | 2042 | 2281 | 2509 | 2727 |
| 10750 | 1182 | 1748 | 2049 | 2289 | 2517 | 2737 |
| 10800 | 1186 | 1753 | 2056 | 2296 | 2526 | 2746 |
| 10850 | 1189 | 1758 | 2063 | 2304 | 2535 | 2755 |
| 10900 | 1192 | 1764 | 2070 | 2312 | 2543 | 2765 |
| 10950 | 1195 | 1769 | 2077 | 2320 | 2552 | 2774 |
| 11000 | 1199 | 1775 | 2084 | 2328 | 2561 | 2784 |
| 11050 | 1202 | 1780 | 2091 | 2336 | 2569 | 2793 |
| 11100 | 1205 | 1785 | 2098 | 2344 | 2578 | 2802 |
| 11150 | 1209 | 1791 | 2105 | 2352 | 2587 | 2812 |
| 11200 | 1212 | 1796 | 2112 | 2359 | 2595 | 2821 |
| 11250 | 1215 | 1802 | 2119 | 2367 | 2604 | 2831 |
| 11300 | 1219 | 1807 | 2126 | 2375 | 2613 | 2840 |
| 11350 | 1222 | 1813 | 2133 | 2383 | 2621 | 2849 |
| 11400 | 1225 | 1818 | 2140 | 2391 | 2630 | 2859 |
| 11450 | 1228 | 1823 | 2148 | 2399 | 2639 | 2868 |
| 11500 | 1232 | 1829 | 2155 | 2407 | 2647 | 2878 |
| 11550 | 1235 | 1834 | 2162 | 2415 | 2656 | 2887 |
| 11600 | 1238 | 1840 | 2169 | 2422 | 2665 | 2896 |
| 11650 | 1241 | 1844 | 2174 | 2429 | 2672 | 2904 |
| 11700 | 1244 | 1848 | 2178 | 2433 | 2676 | 2909 |
| 11750 | 1246 | 1851 | 2182 | 2437 | 2681 | 2914 |
| 11800 | 1249 | 1855 | 2186 | 2442 | 2686 | 2920 |
| 11850 | 1251 | 1858 | 2190 | 2446 | 2691 | 2925 |
| 11900 | 1254 | 1862 | 2194 | 2450 | 2696 | 2930 |
| 11950 | 1257 | 1866 | 2198 | 2455 | 2700 | 2935 |
| 12000 | 1259 | 1869 | 2202 | 2459 | 2705 | 2941 |
| 12050 | 1262 | 1873 | 2206 | 2464 | 2710 | 2946 |
| 12100 | 1264 | 1876 | 2209 | 2468 | 2715 | 2951 |
| 12150 | 1267 | 1880 | 2213 | 2472 | 2720 | 2956 |
| 12200 | 1269 | 1883 | 2217 | 2477 | 2724 | 2961 |
| 12250 | 1272 | 1887 | 2222 | 2482 | 2730 | 2967 |
| 12300 | 1275 | 1891 | 2225 | 2486 | 2734 | 2972 |
| 12350 | 1278 | 1895 | 2230 | 2491 | 2740 | 2978 |
| 12400 | 1280 | 1899 | 2234 | 2495 | 2745 | 2984 |
| 12450 | 1283 | 1903 | 2238 | 2500 | 2750 | 2990 |
| 12500 | 1286 | 1907 | 2243 | 2505 | 2756 | 2995 |
| 12550 | 1289 | 1911 | 2247 | 2510 | 2761 | 3001 |
| 12600 | 1292 | 1914 | 2251 | 2515 | 2766 | 3007 |
| 12650 | 1295 | 1918 | 2256 | 2520 | 2771 | 3013 |
| 12700 | 1297 | 1922 | 2260 | 2524 | 2777 | 3018 |
| 12750 | 1301 | 1927 | 2265 | 2530 | 2783 | 3025 |
| 12800 | 1305 | 1932 | 2270 | 2535 | 2789 | 3032 |
| 12850 | 1308 | 1937 | 2275 | 2541 | 2795 | 3038 |
| 12900 | 1312 | 1942 | 2280 | 2547 | 2801 | 3045 |
| 12950 | 1316 | 1946 | 2285 | 2552 | 2807 | 3052 |
| 13000 | 1319 | 1951 | 2290 | 2558 | 2813 | 3058 |
| 13050 | 1323 | 1956 | 2295 | 2563 | 2819 | 3065 |
| 13100 | 1326 | 1961 | 2300 | 2569 | 2826 | 3071 |
| 13150 | 1330 | 1966 | 2305 | 2574 | 2832 | 3078 |
| 13200 | 1334 | 1971 | 2310 | 2580 | 2838 | 3085 |
| 13250 | 1337 | 1975 | 2315 | 2585 | 2844 | 3091 |
| 13300 | 1341 | 1980 | 2320 | 2591 | 2850 | 3098 |
| 13350 | 1345 | 1985 | 2325 | 2596 | 2856 | 3015 |
| 13400 | 1348 | 1990 | 2329 | 2602 | 2862 | 3111 |
| 13450 | 1352 | 1995 | 2334 | 2608 | 2868 | 3118 |
| 13500 | 1355 | 1999 | 2339 | 2613 | 2874 | 3125 |
| 13550 | 1359 | 2004 | 2344 | 2619 | 2881 | 3131 |
| 13600 | 1363 | 2009 | 2349 | 2624 | 2887 | 3138 |
| 13650 | 1366 | 2014 | 2354 | 2630 | 2893 | 3144 |
| 13700 | 1370 | 2019 | 2359 | 2635 | 2899 | 3151 |
| 13750 | 1374 | 2024 | 2364 | 2641 | 2905 | 3158 |
| 13800 | 1377 | 2028 | 2369 | 2646 | 2911 | 3164 |
| 13850 | 1381 | 2033 | 2374 | 2652 | 2917 | 3171 |
| 13900 | 1385 | 2038 | 2379 | 2658 | 2923 | 3178 |
| 13950 | 1388 | 2043 | 2384 | 2663 | 2929 | 3184 |
| 14000 | 1392 | 2048 | 2389 | 2669 | 2935 | 3191 |
| 14050 | 1395 | 2053 | 2394 | 2674 | 2942 | 3198 |
| 14100 | 1398 | 2056 | 2397 | 2678 | 2945 | 3202 |
| 14150 | 1400 | 2059 | 2400 | 2681 | 2949 | 3205 |
| 14200 | 1403 | 2061 | 2403 | 2684 | 2952 | 3209 |
| 14250 | 1405 | 2064 | 2405 | 2687 | 2956 | 3213 |
| 14300 | 1407 | 2067 | 2408 | 2690 | 2959 | 3216 |
| 14350 | 1409 | 2070 | 2411 | 2693 | 2962 | 3220 |
| 14400 | 1412 | 2073 | 2414 | 2696 | 2966 | 3224 |
| 14450 | 1414 | 2076 | 2417 | 2699 | 2969 | 3227 |
| 14500 | 1416 | 2079 | 2419 | 2702 | 2973 | 3231 |
| 14550 | 1419 | 2082 | 2422 | 2705 | 2976 | 3235 |
| 14600 | 1421 | 2085 | 2425 | 2709 | 2979 | 3239 |
| 14650 | 1423 | 2088 | 2428 | 2712 | 2983 | 3242 |
| 14700 | 1426 | 2091 | 2430 | 2715 | 2986 | 3246 |
| 14750 | 1428 | 2093 | 2256 | 2718 | 2990 | 3250 |
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| 16150 | 1516 | 2218 | 2571 | 2872 | 3159 | 3434 |
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| 16750 | 1558 | 2279 | 2643 | 2952 | 3248 | 3530 |
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| 17700 | 1628 | 2384 | 2766 | 3090 | 3399 | 3695 |
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| 18050 | 1650 | 2413 | 2797 | 3124 | 3436 | 3735 |
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| 18200 | 1659 | 2424 | 2809 | 3138 | 3451 | 3752 |
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| 18300 | 1665 | 2432 | 2817 | 3146 | 3461 | 3762 |
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| 18400 | 1670 | 2440 | 2825 | 3155 | 3471 | 3773 |
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| 18950 | 1703 | 2483 | 2869 | 3205 | 3525 | 3832 |
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| 20050 | 1765 | 2565 | 2953 | 3299 | 3629 | 3945 |
| 20100 | 1768 | 2569 | 2957 | 3303 | 3633 | 3950 |
| 20150 | 1771 | 2573 | 2961 | 3307 | 3638 | 3955 |
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| 20400 | 1785 | 2591 | 2980 | 3329 | 3662 | 3980 |
| 20450 | 1788 | 2595 | 2984 | 3333 | 3666 | 3985 |
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| 21550 | 1846 | 2683 | 3090 | 3452 | 3797 | 4127 |
| 21600 | 1848 | 2687 | 3096 | 3458 | 3804 | 4135 |
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| 21800 | 1858 | 2704 | 3119 | 3483 | 3832 | 4165 |
| 21850 | 1860 | 2708 | 3124 | 3490 | 3839 | 4173 |
| 21900 | 1863 | 2713 | 3130 | 3496 | 3846 | 4181 |
| 21950 | 1865 | 2717 | 3136 | 3503 | 3853 | 4188 |
| 22000 | 1868 | 2721 | 3142 | 3509 | 3860 | 4196 |
| 22050 | 1870 | 2725 | 3147 | 3515 | 3867 | 4203 |
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| 22150 | 1875 | 2734 | 3159 | 3528 | 3881 | 4219 |
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| 22250 | 1880 | 2742 | 3170 | 3541 | 3895 | 4234 |
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| 22350 | 1885 | 2751 | 3182 | 3554 | 3909 | 4249 |
| 22400 | 1888 | 2755 | 3187 | 3560 | 3916 | 4257 |
| 22450 | 1890 | 2759 | 3193 | 3567 | 3923 | 4265 |
| 22500 | 1892 | 2764 | 3199 | 3573 | 3930 | 4272 |
| 22550 | 1895 | 2768 | 3204 | 3579 | 3937 | 4280 |
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| 22700 | 1902 | 2781 | 3222 | 3599 | 3958 | 4303 |
| 22750 | 1905 | 2785 | 3227 | 3605 | 3965 | 4310 |
| 22800 | 1907 | 2789 | 3233 | 3611 | 3972 | 4318 |
| 22850 | 1910 | 2793 | 3239 | 3618 | 3979 | 4326 |
| 22900 | 1912 | 2798 | 3245 | 3624 | 3987 | 4333 |
| 22950 | 1915 | 2802 | 3250 | 3631 | 3994 | 4341 |
| 23000 | 1917 | 2806 | 3256 | 3637 | 4001 | 4349 |
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| 23200 | 1927 | 2823 | 3279 | 3662 | 4029 | 4379 |
| 23250 | 1930 | 2827 | 3285 | 3669 | 4036 | 4387 |
| 23300 | 1932 | 2831 | 3290 | 3675 | 4043 | 4394 |
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| 23400 | 1937 | 2840 | 3302 | 3688 | 4057 | 4410 |
| 23450 | 1939 | 2844 | 3307 | 3694 | 4064 | 4417 |
| 23500 | 1942 | 2848 | 3313 | 3701 | 4071 | 4425 |
| 23550 | 1944 | 2853 | 3319 | 3707 | 4078 | 4433 |
| 23600 | 1947 | 2857 | 3325 | 3714 | 4085 | 4440 |
| 23650 | 1949 | 2861 | 3330 | 3720 | 4092 | 4448 |
| 23700 | 1952 | 2865 | 3336 | 3726 | 4099 | 4456 |
| 23750 | 1954 | 2870 | 3342 | 3733 | 4106 | 4463 |
| 23800 | 1957 | 2874 | 3348 | 3739 | 4113 | 4471 |
| 23850 | 1959 | 2878 | 3353 | 3746 | 4120 | 4479 |
| 23900 | 1962 | 2882 | 3359 | 3752 | 4127 | 4486 |
| 23950 | 1964 | 2887 | 3365 | 3758 | 4134 | 4494 |
| 24000 | 1967 | 2891 | 3370 | 3765 | 4141 | 4501 |
| 24050 | 1969 | 2895 | 3376 | 3771 | 4148 | 4509 |
| 24100 | 1972 | 2899 | 3382 | 3778 | 4155 | 4517 |
| 24150 | 1974 | 2904 | 3388 | 3784 | 4162 | 4524 |
| 24200 | 1976 | 2908 | 3393 | 3790 | 4169 | 4532 |
| 24250 | 1979 | 2912 | 3399 | 3797 | 4176 | 4540 |
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| 24450 | 1989 | 2929 | 3422 | 3822 | 4204 | 4570 |
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| 24550 | 1994 | 2938 | 3433 | 3835 | 4219 | 4586 |
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| 24650 | 1999 | 2946 | 3445 | 3848 | 4233 | 4601 |
| 24700 | 2001 | 2950 | 3451 | 3854 | 4240 | 4608 |
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| 24800 | 2006 | 2959 | 3462 | 3867 | 4254 | 4624 |
| 24850 | 2009 | 2963 | 3468 | 3873 | 4261 | 4631 |
| 24900 | 2011 | 2967 | 3473 | 3880 | 4268 | 4639 |
| 24950 | 2013 | 2972 | 3479 | 3886 | 4275 | 4647 |
| 25000 | 2016 | 2976 | 3485 | 3893 | 4282 | 4654 |
| 25050 | 2018 | 2980 | 3491 | 3899 | 4289 | 4662 |
| 25100 | 2021 | 2984 | 3496 | 3905 | 4296 | 4670 |
| 25150 | 2023 | 2988 | 3502 | 3912 | 4303 | 4677 |
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| 31750 | 2360 | 3481 | 4073 | 4549 | 5004 | 5439 |
| 31800 | 2363 | 3485 | 4077 | 4554 | 5009 | 5445 |
| 31850 | 2365 | 3488 | 4081 | 4558 | 5014 | 5450 |
| 31900 | 2368 | 3492 | 4085 | 4563 | 5019 | 5456 |
| 31950 | 2371 | 3496 | 4089 | 4568 | 5024 | 5462 |
| 32000 | 2373 | 3499 | 4093 | 4572 | 5030 | 5467 |
| 32050 | 2376 | 3503 | 4098 | 4577 | 5035 | 5473 |
| 32100 | 2378 | 3507 | 4102 | 4582 | 5040 | 5478 |
| 32150 | 2381 | 3510 | 4106 | 4586 | 5045 | 5484 |
| 32200 | 2383 | 3514 | 4110 | 4591 | 5050 | 5489 |
| 32250 | 2386 | 3518 | 4114 | 4595 | 5055 | 5495 |
| 32300 | 2389 | 3521 | 4118 | 4600 | 5060 | 5500 |
| 32350 | 2391 | 3525 | 4122 | 4605 | 5065 | 5506 |
| 32400 | 2394 | 3529 | 4127 | 4609 | 5070 | 5511 |
| 32450 | 2396 | 3532 | 4131 | 4614 | 5075 | 5517 |
| 32500 | 2399 | 3536 | 4135 | 4619 | 5080 | 5522 |
| 32550 | 2401 | 3540 | 4139 | 4623 | 5086 | 5528 |
| 32600 | 2404 | 3543 | 4143 | 4628 | 5091 | 5534 |
| 32650 | 2407 | 3547 | 4147 | 4632 | 5096 | 5539 |
| 32700 | 2409 | 3550 | 4151 | 4637 | 5101 | 5545 |
| 32750 | 2412 | 3554 | 4156 | 4642 | 5106 | 5550 |
| 32800 | 2414 | 3558 | 4160 | 4646 | 5111 | 5556 |
| 32850 | 2417 | 3561 | 4164 | 4651 | 5116 | 5561 |
| 32900 | 2419 | 3565 | 4168 | 4656 | 5121 | 5567 |
| 32950 | 2422 | 3569 | 4172 | 4660 | 5126 | 5572 |
| 33000 | 2424 | 3572 | 4176 | 4665 | 5131 | 5578 |
| 33050 | 2427 | 3576 | 4180 | 4670 | 5136 | 5583 |
| 33100 | 2430 | 3580 | 4185 | 4674 | 5142 | 5589 |
| 33150 | 2432 | 3583 | 4189 | 4679 | 5147 | 5594 |
| 33200 | 2435 | 3587 | 4193 | 4683 | 5152 | 5600 |
| 33250 | 2437 | 3591 | 4197 | 4688 | 5157 | 5606 |
| 33300 | 2440 | 3594 | 4201 | 4693 | 5162 | 5611 |
| 33350 | 2442 | 3598 | 4205 | 4697 | 5167 | 5617 |
| 33400 | 2445 | 3602 | 4209 | 4702 | 5172 | 5622 |
| 33450 | 2448 | 3605 | 4214 | 4707 | 5177 | 5628 |
| 33500 | 2450 | 3609 | 4218 | 4711 | 5182 | 5633 |
| 33550 | 2453 | 3613 | 4222 | 4716 | 5187 | 5639 |
| 33600 | 2455 | 3616 | 4226 | 4720 | 5193 | 5644 |
| 33650 | 2458 | 3620 | 4230 | 4725 | 5198 | 5650 |
| 33700 | 2460 | 3624 | 4234 | 4730 | 5203 | 5655 |
| 33750 | 2463 | 3627 | 4238 | 4734 | 5208 | 5661 |
| 33800 | 2465 | 3631 | 4243 | 4739 | 5213 | 5666 |
| 33850 | 2468 | 3635 | 4247 | 4744 | 5218 | 5672 |
| 33900 | 2471 | 3638 | 4251 | 4748 | 5223 | 5677 |
| 33950 | 2473 | 3642 | 4255 | 4753 | 5228 | 5683 |
| 34000 | 2476 | 3646 | 4259 | 4758 | 5233 | 5689 |
| 34050 | 2478 | 3649 | 4263 | 4762 | 5238 | 5694 |
| 34100 | 2481 | 3653 | 4267 | 4767 | 5243 | 5700 |
| 34150 | 2483 | 3657 | 4272 | 4771 | 5249 | 5705 |
| 34200 | 2486 | 3660 | 4276 | 4776 | 5254 | 5711 |
| 34250 | 2489 | 3664 | 4280 | 4781 | 5259 | 5716 |
| 34300 | 2491 | 3668 | 4284 | 4785 | 5264 | 5722 |
| 34350 | 2494 | 3671 | 4288 | 4790 | 5269 | 5727 |
| 34400 | 2496 | 3675 | 4292 | 4795 | 5274 | 5733 |
| 34450 | 2499 | 3679 | 4296 | 4799 | 5279 | 5738 |
| 34500 | 2501 | 3682 | 4301 | 4804 | 5284 | 5744 |
| 34550 | 2504 | 3686 | 4305 | 4808 | 5289 | 5749 |
| 34600 | 2506 | 3690 | 4309 | 4813 | 5294 | 5755 |
| 34650 | 2509 | 3693 | 4313 | 4818 | 5299 | 5761 |
| 34700 | 2512 | 3697 | 4317 | 4822 | 5305 | 5766 |
| 34750 | 2514 | 3701 | 4321 | 4827 | 5310 | 5772 |
| 34800 | 2517 | 3704 | 4326 | 4832 | 5315 | 5777 |
| 34850 | 2519 | 3708 | 4330 | 4836 | 5320 | 5783 |
| 34900 | 2522 | 3712 | 4334 | 4841 | 5325 | 5788 |
| 34950 | 2524 | 3715 | 4338 | 4845 | 5330 | 5794 |
| 35000 | 2527 | 3719 | 4342 | 4850 | 5335 | 5799 |

§48-13-303. Incomes above the table for determining basic child support obligations.

If combined adjusted gross income is above $35,000 per month, which is the highest amount of income considered in the table of monthly basic child support obligations set forth in §48-13-301 of this code, the basic child support obligation shall not be less than it would be based on a combined adjusted gross income of $35,000. The court may also compute the basic child support obligation for combined adjusted gross incomes above $35,000 by the following:

(1) One child -- $2,527 + 0.088 x combined adjusted gross income above $35,000 per month;

(2) Two children -- $3,719 + 0.129 x combined adjusted gross income above $35,000 per month;

(3) Three children -- $4,342 + 0.153 x combined adjusted gross income above $35,000 per month;

(4) Four children -- $4,850 + 0.169 x combined adjusted gross income above $35,000 per month;

(5) Five children -- $5,335 + 0.183 x combined adjusted gross income above $35,000 per month; and

(6) Six children -- $5,799 + 0.196 x combined adjusted gross income above $35,000 per month.

Part IV. Support in sole custody cases.

§48-13-403. Worksheet for calculating basic child support obligation in basic shared parenting cases.

Child support for basic shared parenting cases shall be calculated using the following worksheet:

**Worksheet A: BASIC SHARED PARENTING**

IN THE FAMILY COURT OF \_\_\_\_\_\_\_\_\_\_ COUNTY, WEST VIRGINIA

CASE NO.\_\_\_\_\_\_\_\_\_\_\_\_

Mother: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS No.: \_\_\_\_\_\_\_\_\_\_\_\_\_ Primary Custodial parent? [ ] Yes [ ] No

Father: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS No.: \_\_\_\_\_\_\_\_\_\_\_\_\_ Primary Custodial parent? [ ] Yes [ ] No

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | |  |  |  | | | | |  | |
| Children | | SSN | Date of Birth | Children | SSN | | | | Date of Birth | |
|  | |  |  |  |  | | | |  | |
|  | |  |  |  |  | | | |  | |
|  | |  |  |  |  | | | |  | |
| **PART I. CHILD SUPPORT ORDER** | | | | | Mother | Father | | | Combined |
| 1. MONTHLY GROSS INCOME  (Exclusive of overtime compensation) | | | | | $ | $ | | |  |
| a. Minus preexisting child support payment | | | | | - | - | | |  |
| b. Minus maintenance paid | | | | | - | - | | |  |
| c. Plus overtime compensation, if not excluded, and not to exceed 50%, pursuant to W. Va. Code §48-1-228(b)(6) | | | | | + | + | | |  |
| d. Additional dependents deduction | | | | | - | - | | |  |
| 2. MONTHLY ADJUSTED GROSS INCOME | | | | | $ | $ | | | $ |
| 3. PERCENTAGE SHARE OF INCOME  (Each parents income from line 2 divided by Combined Income) | | | | | % | % | | | 100% |
| 4. BASIC OBLIGATION  (Use line 2 combined to find amount from schedule.) | | | | |  |  | | | $ |
| 5. ADJUSTMENTS (Expenses paid directly by each parent) | | | | |  |  | | |  |
| a. Work-Related Child Care Costs Adjusted for Federal Tax Credit (0.75 x actual work-related child care costs.) | | | | | $ | $ | | |  |
| b. Extraordinary Medical Expenses (Uninsured only) and Childrens Portion of Health Insurance Premium Costs. | | | | | $ | $ | | |  |
| c. Extraordinary Expenses (Agreed to by parents or by order of the court.) | | | | | $ | $ | | |  |
| d. Minus Extraordinary Adjustments (Agreed to by parents or by order of court.) | | | | | - | - | | |  |
| e. Total Adjustments (For each column, add 5a, 5b, and 5c. Subtract Line 5d. Add the parents totals together for Combined amount.) | | | | | $ | $ | | | $ |
| 6. TOTAL SUPPORT OBLIGATION  (Add line 4 and line 5e Combined.) | | | | |  |  | | | $ |
| 7. EACH PARENTS SHARE OF THE TOTAL CHILD SUPPORT OBLIGATION (Line 3 x line 6 for each parent.) | | | | | $ | $ | | |  |
| 8. PAYOR PARENT ADJUSTMENT  (Enter payor parents line 5e.) | | | | | $ | $ | | |  |
| 9. RECOMMENDED CHILD SUPPORT ORDER  (Subtract line 8 from line 7 for the payor parent only. Leave payee parent column blank.) | | | | | $ | $ | | |  |
| **PART II. ABILITY TO PAY CALCULATION**  (Complete if the payor parents adjusted monthly gross income is below $ $2,600.) | | | | | | | | | |
| 10. Spendable Income  (0.80 x line 2 for payor parent only.) | | | | |  |  | | |  |
| 11. Self Support Reserve | | | | | $997 | $997 | | |  |
| 12. Income Available for Support  (Line 10 - line 11. If less than $50, then $50) | | | | |  |  | | |  |
| 13. Adjusted Child Support Order  (Lessor of Line 9 and Line 12.) | | | | |  |  | | |  |
| Comments, calculations, or rebuttals to schedule or adjustments if payor parent directly pays extraordinary expenses. | | | | | | | | | |
| PREPARED BY: | | | | | | | Date: | | |

§48-13-404. Additional calculation to be made in basic shared parenting cases.

In cases where the payor parents adjusted gross income is below $2,600 per month, an additional calculation in Worksheet A, Part II, § 48-13-404 of this code, shall be made. This additional calculation sets the child support order at whichever is lower.

(1) Child support at the amount determined in Worksheet A, Part I, § 48-13-404 of this code; or

(2) The difference between 80 percent of the payor parents adjusted gross income and $997, or $50, whichever is more.

Part V. Support in extended shared parenting or split physical custody cases.

§48-13-501. Extended shared parenting adjustment.

Child support for cases with extended shared parenting is calculated using Worksheet B, §48-13-502 of this code. The following method is used only for extended shared parenting: That is, in cases where each parent has the child for more than 127 days per year (35 percent).

(1) The basic child support obligation is multiplied by 1.6 to arrive at a shared parenting basic child support obligation. The shared parenting basic child support obligation is apportioned to each parent according to his or her income. In turn, a child support obligation is computed for each parent by multiplying that parents portion of the shared parenting child support obligation by the percentage of time the child spends with the other parent. The respective basic child support obligations are then offset, with the parent owing more basic child support paying the difference between the two amounts. The transfer for the basic obligation for the parent owing less basic child support shall be set at $0.

(2) Adjustments for each parents additional direct expenses on the child are made by apportioning the sum of the parents direct expenditures on the childs share of any unreimbursed child health care expenses, work-related child care expenses, and any other extraordinary expenses agreed to by the parents or ordered by the court less any extraordinary credits agreed to by the parents or ordered by the court to each parent according to his or her income share. In turn each parents net share of additional direct expenses is determined by subtracting the parents actual direct expenses on the childs share of any unreimbursed child health care expenses, work-related child care expenses, and any other extraordinary expenses agreed to by the parents or by the court less any extraordinary credits agreed to by the parents or ordered by the court from their share. The parent with a positive net share of additional direct expenses owes the other parent the amount of his or her net share of additional direct expenses. The parent with zero or a negative net share of additional direct expenses owes $0 for additional direct expenses.

(3) The final amount of the child support order is determined by summing what each parent owes for the basic support obligation and additional direct expenses as defined in subdivisions (1) and (2) of this section. The respective sums are then offset, with the parent owing more paying the other parent the difference between the two amounts.

§48-13-502. Extended shared parenting worksheet.

Child support for extended shared parenting cases shall be calculated using the following worksheet:

**Worksheet B: extended shared parenting**

IN THE FAMILY COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, WEST VIRGINIA

CASE NO. \_\_\_\_\_\_\_\_\_\_\_\_

Mother: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS No.: \_\_\_\_\_\_\_\_\_\_

Father: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS No.: \_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  | |  | | | |  |
| Children | SSN | Date of Birth | Children | | SSN | | | | Date of Birth |
|  |  |  |  | |  | | | |  |
|  |  |  |  | |  | | | |  |
|  |  |  |  | |  | | | |  |
| PART I. BASIC OBLIGATION | | | | Mother | | Father | | Combined | |
| 1. MONTHLY GROSS INCOME (Exclusive of overtime compensation) | | | | $ | | $ | |  | |
| a. Minus preexisting child support payment | | | | - | | - | |  | |
| b. Minus maintenance paid | | | | - | | - | |  | |
| c. Plus overtime compensation, if not excluded, and not to exceed 50%, pursuant to W. Va. Code §48-1-228(b)(6)  d. Additional dependent deduction | | | | + | | + | |  | |
| 2. MONTHLY ADJUSTED GROSS INCOME | | | | $ | | $ | | $ | |
| 3. PERCENTAGE SHARE OF INCOME (Each parents income from line 2 divided by Combined  Income) | | | | % | | % | | 100% | |
| 4. BASIC OBLIGATION (Use line 2 Combined to find amount from Child Support Schedule.) | | | |  | |  | | $ | |
| PART II. SHARED PARENTING ADJUSTMENT | | | | | | | | | |
| 5. Shared Parenting Basic Obligation (line 4 x 1.6) | | | |  | |  | | $ | |
| 6. Each Parents Share (Line 5 x each parents line 3) | | | | $ | | $ | |  | |
| 7. Overnights with Each Parent (must total 365) | | | |  | |  | | 365 | |
| 8. Percentage with Each Parent (Line 7 divided by 365) | | | | % | | % | | 100% | |
| 9. Amount Retained (Line 6 x line 8 for each parent) | | | | $ | | $ | |  | |
| 10. Each Parents Obligation (Line 6 - line 9) | | | | $ | | $ | |  | |
| 11. AMOUNT TRANSFERRED FOR BASIC OBLIGATION (Subtract smaller amount on line 10 from larger amount on line 10. Parent with larger amount on line 10 owes the other parent the difference. Enter $0 for other parent. | | | | $ | | $ | |  | |
| PART III. ADJUSTMENTS FOR ADDITIONAL EXPENSES (Expenses paid directly by each parent.) | | | | | | | | | |
| 12a. Work-Related Child Care Costs Adjusted for Federal Tax Credit (0.75 x actual work-related child care costs.) | | | | $ | | $ | |  | |
| 12b. Extraordinary Medical Expenses (Uninsured only) and Childrens Portion of Health Insurance Premium Costs. | | | | $ | | $ | |  | |
| 12c. Extraordinary Additional Expenses (Agreed to by parents or by order of the court.) | | | | $ | | $ | |  | |
| 12d. Minus Extraordinary Adjustments (Agreed to by parents or by order of the court.) | | | | $ | | $ | |  | |
| 12e. Total Adjustments (For each column, add 11a, 11b, and 11c. Subtract line 11d. Add the parents totals together for Combined amount.) | | | | $ | | $ | | $ | |
| 13. Each Parents Share of Additional Expenses (Line 3 x line 12e Combined.) | | | | $ | | $ | |  | |
| 14. Each Parents Net Share of Additional Direct Expenses (Each parents line 13-line 12e. If negative number, enter $0) | | | | $ | | $ | |  | |
| 15. AMOUNT TRANSFERRED FOR ADDITIONAL EXPENSES (Subtract smaller amount on line 14 from larger amount on line 14. Parent with larger amount on line 14 owes the other parent the difference. Enter $0 for other parent.) | | | | $ | | $ | |  | |
| PART IV. RECOMMENDED CHILD SUPPORT ORDER | | | | | | | | | |
| 16. TOTAL AMOUNT TRANSFERRED (Line 11 + line 15) | | | | $ | | $ | |  | |
| 17. RECOMMENDED CHILD SUPPORT ORDER (Subtract smaller amount on line 16 from larger amount on line 16. Parent with larger amount on line 16 owes the other parent the difference.) | | | | $ | | $ | |  | |
| Comments, calculations, or rebuttals to schedule or adjustments | | | | | | | | | |
| PREPARED BY: | | | | | | | Date: | | |