

# Primer on Child Support in Georgia



Welcome to the Georgia Child Support Commission Website



Georgia Online Child Support Calculator



Income Deduction in Georgia

# A Little About Me Personally

- I'm not from Louisiana
  - In Atlanta for 16 years now
  - Grew up in a combination of Maine & New York
- Undergrad at Binghamton University
  - No football team
- Albany Law School in Upstate New York
- I live in Marietta with my two boys: Christopher (13) and Eric (10)

# A Little About Me Professionally

- Litigated for 14 years before joining the Judicial Council/Administrative Office of the Courts in August 2019
- I serve as Michelle Barclay's Assistant Division Director
  - Communications, Children, Families, and the Courts.
- I wear 4 hats
  - Communications
    - Georgia Courts Journal, community engagement around 3 civic holidays, a host of other initiatives
  - Staff for the Judicial Council's Access to Justice Committee
  - Staff for the Supreme Court's Justice for Children Committee
  - Staff Attorney for the Georgia Child Support Commission

# What is the Georgia Child Support Commission?

- It is NOT DCSS
  - DCSS is a DHS agency which stands for the Division of Child Support Services
  - Establish paternity; establish, enforce, and modify child support orders for specific cases
    - Parent/Non-Parent Custodian applies directly to agency for services
    - Referred from DFCS
- Child Support Commission is made up of 15 Members appointed by the Governor
  - 3 Superior Court Judges
  - 1 Justice of the Supreme Court of Georgia or a Judge of the Georgia Court of Appeals of Georgia
  - 2 members of the Georgia House of Representatives
  - 2 members of the Georgia Senate
  - 7 other members
- Can anyone tell me who serves as the Chair of the Georgia Child Support Commission? He's pretty famous in the J4C world.....

# Who Serves on the Georgia Child Support Commission?

Juvenile Court Judge R. Michael Key, Chair

Charles C. "Chuck" Clay, Esq.

Kathleen Connell, Esq., Chair Stat. Rev. Subcomm.

Senator Emanuel Jones

Supreme Court Justice Shawn LaGrua

Regina Quick, Esq., Chair Tech. & Calc. Subcomm.

Christina L. Scott, J.D.

Dr. Roger C. Tutterow, Chair Economic Subcomm.

Superior Court Judge Lisa G. Colbert

Representative Houston Gaines

Juvenile Court Judge Lisa Jones

Superior Court Judge Emory Palmer

Representative Bonnie Rich

Senator Brian Strickland

Superior Court Judge Connie L. Williford

# What is the Purpose of the Georgia Child Support Commission?

- Purpose set by statute at O.C.G.A. § 19-6-50 and § 19-6-53
- To study and collect information and data relating to awards of child support
- To create and revise the child support obligation table
- To conduct a comprehensive review of the child support guidelines, economic conditions, and all matters relevant to maintaining effective and efficient child support guidelines
- Develop and maintain a child support calculator
- Develop and provide training for judges, attorneys, and litigants

# Philosophical Underpinning of Child Support

“... to achieve the state policy of affording to children of unmarried parents, to the extent possible, the same economic standard of living enjoyed by children living in intact families consisting of parents with similar financial means.” O.C.G.A 19-6-15 (c)(1).

# How is the amount of child support determined?

- Previously, percentage of gross income of the non-custodial parent
- Changed in 2007 to the “income shares model”
- O.C.G.A. 19-6-15
- Buckle up!



# One Set of Child Support Guidelines for State

- Only one set of child support guidelines in each state
  - 45 CFR § 302.56
- Commission provides the calculator to be used in all cases when determining child support

# Non-Parent Custodian Cases

Basic Information Worksheet	Gross Income Schedule A	Adjusted Income Schedule B	Health Insurance/Child Care Schedule D	Deviations Schedule E	Self-Employment Calculator	Footnotes
<p><b>This section concerns Basic Information to be included in the Worksheet. Calculations from the Schedules will be used in the Worksheet.</b></p> <p>For help press the <a href="#">?</a> button. All required fields are denoted with an asterisk *</p> <p>You may enter information in yellow fields only. Fields with green or white backgrounds are read only.</p>						
*1. Court Name: <a href="#">?</a>	Superior <input type="text"/>					
*2. County Name: <a href="#">?</a>	Candler <input type="text"/>					
*3. Plaintiff Name: <a href="#">?</a>	<input type="text"/>					
*4. Defendant Name: <a href="#">?</a>	<input type="text"/>					
5. Nonparent Custodian Name: <a href="#">?</a>	<input type="text"/>					
6. Civil Action Case No.: <a href="#">?</a>	<input type="text"/>					
7. DHS/DCSS IV-D Case No. (Only used for DCSS cases): <a href="#">?</a>	<input type="text"/>					
8. Type of Action: <a href="#">?</a>	<input type="radio"/> Initial Action <input type="radio"/> Modification					
9. Initial Child Support Order Date: Use Date Format mm/dd/yyyy <a href="#">?</a>	<input type="text"/>					
10. Comments for the Court: <a href="#">?</a>	<input type="text"/>					

# Steps to Calculate Child Support

- Use the Georgia Child Support Calculator
  - Previously two versions: Excel and online
  - Exclusively online since October 2018
  - [csc.georgiacourts.gov](http://csc.georgiacourts.gov)

# Steps to Calculate Child Support Schedule A

- Determine the gross monthly income of both the mother and the father and make entries on Schedule A
  - Income defined very broadly in the statute
  - 23 different categories of income including:
    - Wages
    - lottery winnings
    - Income from trusts
  - Income may be imputed
  - Formerly a bright line rule to impute income at minimum wage for 40 hours/week
  - Since 2017, 16-factor list to consider

# Schedule A

	Charlie Brown	Violet Brown
18. Check box to right, if parent in this action receives Temporary Assistance for Needy Families (TANF) ?	<input type="checkbox"/>	<input type="checkbox"/>
19. Gross Salary and Wages (will not include means-tested public assistance, such as TANF or food stamps) ?	\$ 2001.00	\$ 3166.67
20. Commissions, Fees, and Tips	\$	\$
21. Self-Employment Income ? <a href="#">Go To Self-Employment Calculator</a>	\$	\$
22. Bonuses	\$	\$
23. Overtime Payments	\$	\$
24. Severance Pay	\$	\$
25. Recurring Income from Pensions or Retirement Plans	\$	\$
26. Interest Income	\$	\$
27. Income from Dividends	\$	\$
28. Trust Income	\$	\$
29. Income from Annuities	\$	\$
30. Capital Gains	\$	\$
31. Social Security Disability or Retirement Benefits (excludes SSI or payments to children) ?	\$	\$
32. Federal Veterans Disability Benefits	\$	\$
33. Workers Compensation Benefits	\$	\$
34. Unemployment Benefits	\$	\$
35. Judgments from Personal Injury or Other Civil Cases	\$	\$
36. Gifts (cash or other gifts that can be converted to cash)	\$	\$
37. Prizes/Lottery Winnings	\$	\$
38. Alimony/Maintenance from persons not in this case	\$	\$
39. Assets which are used for support of family	\$	\$
40. Fringe Benefits (if significantly reduce living expenses)	\$	\$
41. Any Other Income, including Imputed Income (do not include means-tested public assistance)	\$ 1500.00	\$
<b>NOTE:</b> View information on determining Imputed Income. ?		

# Steps to Calculate Child Support Schedule B

- Adjust either or both parent's gross monthly income on Schedule B if any of the following are applicable to the case:
  1. Self-employment taxes paid
  2. Qualified children (not stepchildren)
  3. Pre-existing child support orders

# Steps to Calculate Child Support BCSO Amount

- Calculator will add each parent's adjusted income together to arrive at the combined adjusted gross income
- For the most basic child support calculation you need to know the combined adjusted gross income and the number of children for whom support is being determined
- Calculator draws from the Basic Child Support Obligation Table
- Calculator divides the combined adjusted income into each parent's adjusted gross income to calculate each parent's pro rata share of the BCSO
- Calculator multiplies each parent's pro rata percentage by the Basic Child Support Obligation amount to determine each parent's child support responsibility.

# BCSO Table

## Basic Child Support Obligation Table

Adjusted	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
\$800.00	\$197.00	\$283.00	\$330.00	\$367.00	\$404.00	\$440.00
\$850.00	\$208.00	\$298.00	\$347.00	\$387.00	\$425.00	\$463.00
\$900.00	\$218.00	\$313.00	\$364.00	\$406.00	\$447.00	\$486.00
\$950.00	\$229.00	\$328.00	\$381.00	\$425.00	\$468.00	\$509.00
\$1,000.00	\$239.00	\$343.00	\$398.00	\$444.00	\$489.00	\$532.00
\$1,050.00	\$250.00	\$357.00	\$415.00	\$463.00	\$510.00	\$554.00
\$1,100.00	\$260.00	\$372.00	\$432.00	\$482.00	\$530.00	\$577.00
\$1,150.00	\$270.00	\$387.00	\$449.00	\$501.00	\$551.00	\$600.00
\$1,200.00	\$280.00	\$401.00	\$466.00	\$520.00	\$572.00	\$622.00
\$1,250.00	\$291.00	\$416.00	\$483.00	\$539.00	\$593.00	\$645.00
\$1,300.00	\$301.00	\$431.00	\$500.00	\$558.00	\$614.00	\$668.00
\$1,350.00	\$311.00	\$445.00	\$517.00	\$577.00	\$634.00	\$690.00
\$1,400.00	\$321.00	\$459.00	\$533.00	\$594.00	\$654.00	\$711.00
\$1,450.00	\$331.00	\$473.00	\$549.00	\$612.00	\$673.00	\$733.00
\$1,500.00	\$340.00	\$487.00	\$565.00	\$630.00	\$693.00	\$754.00
\$1,550.00	\$350.00	\$500.00	\$581.00	\$647.00	\$712.00	\$775.00
\$1,600.00	\$360.00	\$514.00	\$597.00	\$665.00	\$732.00	\$796.00
\$1,650.00	\$369.00	\$528.00	\$612.00	\$683.00	\$751.00	\$817.00
\$1,700.00	\$379.00	\$542.00	\$628.00	\$701.00	\$771.00	\$838.00
\$1,750.00	\$389.00	\$555.00	\$644.00	\$718.00	\$790.00	\$860.00
\$1,800.00	\$398.00	\$569.00	\$660.00	\$736.00	\$809.00	\$881.00
\$1,850.00	\$408.00	\$583.00	\$676.00	\$754.00	\$829.00	\$902.00
\$1,900.00	\$418.00	\$596.00	\$692.00	\$771.00	\$848.00	\$923.00
\$1,950.00	\$427.00	\$610.00	\$708.00	\$789.00	\$868.00	\$944.00
\$2,000.00	\$437.00	\$624.00	\$723.00	\$807.00	\$887.00	\$965.00
\$2,050.00	\$446.00	\$637.00	\$739.00	\$824.00	\$906.00	\$986.00
\$2,100.00	\$455.00	\$650.00	\$754.00	\$840.00	\$924.00	\$1,006.00
\$2,150.00	\$465.00	\$663.00	\$769.00	\$857.00	\$943.00	\$1,026.00
\$2,200.00	\$474.00	\$676.00	\$783.00	\$873.00	\$961.00	\$1,045.00
\$2,250.00	\$483.00	\$688.00	\$798.00	\$890.00	\$979.00	\$1,065.00
\$2,300.00	\$492.00	\$701.00	\$813.00	\$907.00	\$997.00	\$1,085.00
\$2,350.00	\$501.00	\$714.00	\$828.00	\$923.00	\$1,016.00	\$1,105.00
\$2,400.00	\$510.00	\$727.00	\$843.00	\$940.00	\$1,034.00	\$1,125.00
\$2,450.00	\$519.00	\$740.00	\$858.00	\$956.00	\$1,052.00	\$1,145.00
\$2,500.00	\$528.00	\$752.00	\$873.00	\$973.00	\$1,070.00	\$1,165.00



# Schedule D – “Additional Expenses”

- If there are health insurance premiums and/or work related childcare costs, insert these costs on Schedule D
- These costs are handled outside of the BCSO table because they vary considerably in different parts of the state
- After Scheduled D expenses have been accounted for, you’ve reached the “presumptive amount” of child support

# Schedule E - Deviations

- Deviations entered on Scheduled E may be used to adjust the presumptive amount of child support upward or downward
- Must be supported by written findings
  - Reasons for the deviation
  - Amount child support would have been absent the deviation
  - how the best interest of the child for whom support is being determined will be served by deviating from the presumptive amount of child support.

# Low Income Deviation

- Can be used sua sponte by the court
- Statutory minimum of \$100 for the first child and \$50 for each additional child

# Child Support Worksheet

Basic Information Worksheet	Gross Income Schedule A	Adjusted Income Schedule B	Health Insurance/Child Care Schedule D	Deviations Schedule E	Self-Employment Calculator	Footnotes
<b>GEORGIA CHILD SUPPORT WORKSHEET SUPERIOR COURT OF FULTON COUNTY STATE OF GEORGIA</b>						
Violet Brown PLAINTIFF			Civil Action Case No.: 20-CV-23456			
vs.			DHS/DCSS Case No.:			
Charlie Brown DEFENDANT			Comments For Court:			
Type of Action: Initial Action Initial Order Date						
CHILD NAME	YR OF BIRTH	STATUS	CHILD NAME	YR OF BIRTH	STATUS	
01. Schroeder Brown	2006	Included	02. PigPen Brown	2012	Included	
Number of Included Children: 2		Noncustodial Parent: Charlie Brown				
Submitted By: Plaintiff		Nonparent Custodian:				
				Charlie Brown	Violet Brown	Total
1. Monthly Gross Income				\$3,501.00	\$3,166.67	\$6,667.67
2. Monthly Adjusted Income				\$3,401.00	\$3,166.67	\$6,567.67
3. Pro Rata Shares of Combined Income				51.78%	48.22%	100.00%
4. Basic Child Support Obligation (from the Table)						\$1,442.00
5. Pro rata shares of Basic Child Support Obligation				\$746.67	\$695.33	
6. Adjustment for Work Related Child Care and Health Insurance Expenses				\$215.75	\$200.92	
7. Adjusted Child Support Obligation				\$962.42	\$896.25	
8. Adjustment for Additional Expenses Paid				\$200.00	\$216.67	
9. Presumptive Amount of Child Support				\$762.42	\$679.58	
<b>The Amount on Line 9 is the Presumptive Child Support Amount</b>						
10. Deviations From Presumptive Child Support Amount: Deviation Type(s) Used: 'Special Expenses For Child Rearing'				\$55.61	\$-55.61	
11. Subtotal				\$818.03	\$623.97	
12. Social Security Payments to Children (excludes Supplemental Security Income (SSI))						
13. Final Monthly Child Support Amount (rounded to whole number)				\$818.00	\$624.00	
<b>The Amount on Line 13 is the Final Child Support Amount</b>						
14. Percentages for each parent for future Uninsured Health Expenses				52.00%	48.00%	
<b>Schedules</b>			<b>Attached</b>		<b>Not Applicable</b>	
A	Gross Income		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
B	Adjusted Income		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
C	Not in use		<input type="checkbox"/>		<input checked="" type="checkbox"/>	
D	Additional Expenses		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
E	Deviations From Presumptive Amount		<input checked="" type="checkbox"/>		<input type="checkbox"/>	

[Print Worksheet Results](#)
[Open This Worksheet](#)
[Go To Search Screen](#)

# Guidelines

- OCGA 19-6-15 are “guidelines”
- Ultimately in the court's discretion
- Judge must make final determination of child support
  - Best interest of the child
  - Obligor's earnings, income, and other evidence of the obligor's ability to pay
  - Basic subsistence needs of the parents
  - Basic subsistence needs of the child for whom support is to be provided

# Recap:

- The most basic child support calculation requires you to know the combined income of the parents and the number of children being supported
- Impute income, if necessary
- Use child support calculator to determine a presumptive amount of child support
- If needed, reduce or Increase the presumptive amount of child support by adding a deviation on Schedule E of the child support calculator

# 2022 Economic Study



The Georgia Commission on Child Support (hereinafter “Commission”) is seeking public comments for the 2022 Economic Study of the Child Support Guidelines and the Basic Child Support Obligation (BCSO) table used in the calculation of child support. Georgia’s Income Shares Guidelines, O.C.G.A. § 19-6-15, became effective January 1, 2007, and may be viewed [here](#).

Every four years the Commission authorizes and has conducted an economic study, pursuant to the Code of Federal Regulations, 45 CFR 302.56(h)(3), and state law at O.C.G.A. § 19-6-50 and O.C.G.A. § 19-6-53, to determine the appropriateness of child support order amounts across our state. In addition to the economic study, a case sampling of child support orders and their worksheets will also be reviewed for inclusion in the study.



## The Law Says:

45 CFR 302.56(h)(3) “Provide a meaningful opportunity for public input, including input from low-income custodial and noncustodial parents and their representatives. The State must also obtain the views and advice of the State child support agency funded under title IV-D of the Act.” [Please note, in Georgia, the state child support agency is the Division of Child Support Services (DCSS).]

# Public Comments to the Commission

- At the end of every full Commission meeting
  - Subject to the Open Meetings Act
  - Details always posted on the Commission's website well in advance of meeting
- At the second of two "public listening sessions" on 9/23/2021. Please register in advance through the Commission's website.
- [csc.georgiacourts.gov](http://csc.georgiacourts.gov)



# Trainings

- Monthly Trainings via Zoom
  - Given by Staff of the Child Support Comm.
  - Demonstrates the calculator live by screen sharing
  - 1 hour followed by Q&A
  - Qualified for 1 hour of CLE and/or CE
- On demand videos on Commission's website
  - In plain English
  - Intended for parents, especially self-represented litigants
  - Broken into eight segments

## Child Support Guidelines and Calculator Training

September 24, 2021, 10:00 am - 11:00 am

Presented by Staff of the Georgia Commission on Child Support, [...]Read More »

[See Details and Register »](#)

## Child Support Guidelines and Calculator Training

October 13, 2021, 10:00 am - 11:00 am

Presented by Staff of the Georgia Commission on Child Support, [...]Read More »

[See Details and Register »](#)

## Child Support Guidelines and Calculator Training

November 12, 2021, 10:00 am - 11:00 am

Presented by Staff of the Georgia Commission on Child Support, [...]Read More »

[See Details and Register »](#)

# Hot Topics in Child Support

- “Right-Sized Orders”
- Please do not use the non-specific deviation in lieu of the low-income deviation.
- Excel is extinct
- Low Income Deviation
- Parenting Time Deviation

# Questions & Discussion



# Contact Information

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