

CHILD SUPPORT IN VIRGINIA

Evolution
Divorce & Family Law

Christopher Macturk
Founding Attorney

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Child Support In Virginia

In addition to child custody, one of your earliest concerns in a separation or divorce will be financial support for your children, whether they are living with you or with the other parent.

If you and your spouse cannot agree on an amount of child support to be paid, you will need to ask the court to decide which parent will pay child support, and the appropriate amount.

When Is the Issue of Child Support Addressed?



As with custody/visitation and spousal support, Virginia courts have the power to determine child support at any time while a divorce is pending.

In a divorce case, either spouse can file a motion, known as a *pendente lite* motion, as soon as a divorce case has been filed, asking that the court determine not only temporary custody of any minor children involved, but also an amount of monthly child support to be awarded to the custodial parent while the divorce case is pending.

As with other *pendente lite* rulings, this is not the final ruling of the court on child support, but rather a temporary ruling in effect while the divorce case proceeds. The amount of support ordered in a *pendente lite* ruling will usually continue in effect until the divorce case is finalized. Then, when the court issues its final decree, the court will order more or less child support going forward based on the facts of the case as they have developed and been presented to the court.

If you and your spouse are living separately, but you don't yet want to or can't yet file a divorce case in the Circuit Court, you can file for spousal support and/or child support in the Juvenile and Domestic Relations District Court.

Those who are not married but have a child in common and live separately and apart in different residences can also file for child support in the Juvenile and Domestic Relations District Court.

How To Calculate Child Support

Virginia law provides a process to calculate child support.
Before you can calculate child support, however, you need to determine the:

- **Parents' combined monthly gross incomes (which means before taxes and other deduc tions);**
- **Number of children;**
- **Spousal support being paid between the parents;**
- **Cost of work-related child care;**
- **Cost of the child's monthly health care premium (which means only the cost for the child and not the parents);**
- **Self-employment tax paid for self-employed parents;**
- **Number of other children of the parents for whom a duty of support exists; and**
- **Number of days each parent has the child per year.**

Income

Determining the "gross monthly income" for both parents can be fairly simple or complicated based on how the parents are paid and other issues such as whether one parent is out of work.

Virginia defines "gross monthly income" as income "all sources," and "shall" include, but not be limited to income from:

- Salaries
- Wages
- Commissions
- Royalties
- Bonuses
- Dividends
- Severance pay
- Pensions
- Interest
- Trust income
- Annuities
- Capital gains
- Social security benefits except benefits from public assistance and social services
- Programs, federal supplemental security income benefits, and child support received
- For any other children
- Workers' compensation benefits
- Unemployment insurance benefits
- Disability insurance benefits
- Veterans' benefits
- Spousal support
- Rental income
- Gifts, prizes or awards

For self-employed parents, you may need to consult with an accountant to accurately determine “gross monthly income.” Frequently, a self-employed parent’s pay stubs and W-2 tax forms do not accurately reflect “gross monthly income” for child support purposes, even though they may accurately and legally identify “income” for tax purposes.

Further, when one or both of the parents are not working or “under-employed,” meaning they are working but not to their full earning potential, a court may “impute” income to that parent. This means the court can essentially “pretend” that the parent is making a higher income and use the higher income the Judge thinks that parent



should earn when calculating child support, even if the parent is not actually earning that higher amount. To accurately make a case for imputation of income, however, expert witnesses such as “vocational experts” are normally required.

Keep in mind that income may not be imputed to a primary custodial parent when a child is not in school, child care services are not available and the cost of such child care services are not included in the computation. This means if you impute income to the primary custodial parent, you must also impute the cost of child care -- you have to pretend that not only the parent has an income but also pretend the parent is paying for child care -- and then you may have a dispute over how much child care costs to impute. Do you impute the highest cost charged by local child care providers or the lowest cost? More on child care below.

Also, when “imputing” income, the parent’s employment changes shall be evaluated with consideration of the good faith and reasonableness of employment decisions made by the parent, including the decision to attend and complete an educational or vocational program likely to maintain or increase the parent’s earning potential. While a parent may have quit a job, he or she may have done so to go back to school and earn a higher wage. The Court may not impute income in that case even though the parent voluntarily left a good paying job.

Often, the question is asked by those who have remarried if their new spouse’s income will be included in determining their gross monthly income. No, your new spouse’s income will not be included.

Number of Children

Parents owe a duty of child support for their minor children, which means any child who:

Is under 18 years old; OR

If the child has turned 18 years old, a child support obligation will continue until that child turns 19 or graduates high school, whichever occurs first.

Sometimes a child turns 18 in their senior year of high school. In that case, child support would be paid until graduation.

If the child turns 19 during high school, the child support obligation ends even though the child is still a high school student .



The court may also order that support continue beyond the age of 18 for any child who is:

severely and permanently disabled (and the disability existed before the child turned 18, or 19 under the above circumstances);

unable to live and support himself or herself independently; and

still living with a parent seeking or receiving support.

Spousal Support Paid



Spousal support payments will affect child support.

Let's assume Spouse #1 pays Spouse #2 spousal support each month in theamount of $2,000.

Let's also assume Spouse #1 earns $100,000 a year and Spouse #2 earns $50,000 a year.

Spouse #1's gross monthly income is $8,333.33.
Spouse #2's gross monthly income is $4,166.67.
Their "combined monthly gross income" is $12,500.
Spouse #1's percentage of the combined monthly gross income is 67%.
Spouse #2's percentage of the combined monthly gross income is 33%.

In calculating child support, Spouse #1's spousal support payment of $2,000 is subtracted and then added to Spouse #2's gross monthly income, as follows:

Spouse #1's gross monthly income is $6,333.33. Spouse #2's gross monthly income is $6,166.67.

The combined gross monthly income still equals $12,500 but the following changes occur:

Spouse #1's percentage of the combined monthly gross income is now 51%. Spouse #2's percentage of the combined monthly gross income is now 49%.

The resulting adjustment of percentage of gross monthly income shifts the overall obligation to pay child support where the spouse paying spousal support will pay less child support.

As you will see in the examples below, the percentage of overall income affects your child support obligation. Include spousal support, and child support is reduced. Take away the spousal support and the child support obligation will increase.

Child Care

Any child-care costs incurred on behalf of the child or children due to employment are included in the child support calculation.



Child-care costs shall not exceed the amount required to provide quality care from a licensed source. So, parents may dispute the amount of child care being incurred when less expensive options from "a licensed source" exist.

The parents may argue that child care costs are not necessary. The law allows, "where appropriate" (which means this can vary from case to case on particular facts) to consider "the willingness and availability of the noncustodial parent to provide child care personally in determining whether child-care costs are necessary or excessive."

Cost of Health Insurance and Payment of Health Care Costs

The monthly cost for health insurance (including vision and dental) for the child will be included in the child support calculation. The parent paying for health insurance will receive a credit for the payment and the other parent will share in its cost as part of the overall child support calculation.

If you or your spouse provides health insurance for your child through an employer-provided health insurance plan, for example, you need to determine what portion of your monthly out-of-pocket premium payment is for your child.

Often, a parent may cover not only the child but herself on her employer-provided health insurance plan. Perhaps that parent's human resources department can provide the cost for just the child or we suggest you look at your open enrollment paperwork. In that paperwork you will see the separate costs for "employee" and "employee+child" and doing a little math will determine the cost of your child.

If one parent has remarried following divorce and that parent's new spouse (the child's stepparent) is providing health insurance for the child, credit is still given to the parent just as if he was paying it and the amount is still included in the overall child support calculation.

Once the gross monthly incomes of the parents are determined (see above), and their respective percentages of the combined gross monthly income is known, then the Court will order the parents to pay "in proportion to their gross incomes, as used for calculating the monthly support obligation, any reasonable and necessary unreimbursed medical or dental expenses."

So, in the spousal support example above, Spouse #1 would pay 51% and Spouse #2 would pay 49% of any "reasonable and necessary" health care expense for the child not covered by health insurance. Co-pays are the most prevalent example of such costs, but in the time of high-deductible health insurance plans these costs could include a number of expenses not covered by health insurance. Braces are another frequent example of these costs.

The Virginia Code gives other examples, such as:

» **eyeglasses**
» **prescription medication**
» **mental health or developmental disabilities services, including but not limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.**

Self-Employment Tax (and Business Expenses)

For self-employed parents, they do get a small credit for the amount of self-employment tax they pay. Similar to the spousal support adjustment described above, one-half of any self-employment tax paid shall be deducted from gross income.

Speaking about self-employed parents, what about business expenses? Gross income shall be subject to deduction of "reasonable business expenses" for parents with income from self-employment, a partnership, or a closely held business.



Number of Other Children of the Parents for Whom a Duty of Support Exists

Sometimes, parents have other children in their household who are "not the subject" of the current child support proceeding. For example, one parent may have a children with other partners and those children may live with them but the child support proceeding concerns a child who does not live with them. If one parent has a natural (or adopted) child in his or her household, there is a deduction from that parent's gross monthly income in consideration of the other child in his or her household. The deduction is based on income of the parent with the other children in the household. To determine the exact deduction, we use the "basic child support obligation" table described below based on income of the parent and the number of other children in the household.

Number of Days Each Parent Has the Child per Year



The law assumes that when parents have more than 90 days per year with the child, the parents are funding two households for the children rather than one. This results in a lower child support payment being paid so more funds are used by the parents to pay directly for their children's expenses rather than funding one primary household.

A "day" is defined as a 24-hour period.

A parent gets a credit for a "half-day" when that parent has the child overnight but for a period of less than 24 hours -- for example, from the afternoon of one day to the morning of the next.

Every other weekend and one dinner visit each week does not exceed 90 days.

Every other weekend from Friday afternoon to Sunday afternoon is 2 days because from the afternoon of Friday to the afternoon of Saturday is 24 hours (1 day) and from the afternoon of Saturday to the afternoon of Sunday is another 24 hours (another day), for a total of 2 days. If this occurs every other weekend, 26 times a year, then that's a total of 52 days. And since the one dinner visit each week does not span 24 hours, nor include an overnight stay, then the parent gets no credit for this time when calculating "days" per year.

When a non-custodial parent's time with the child exceeds 90 days per year, his or her child support obligation is reduced incrementally for each day over 90 days. For example, his or her child support is reduced at 91 days, further reduced at 92 days, and so on. The more days a parent has per year will reduce the child support payment more and more.

Now, some parents fight tooth and nail to get more than 90 days with their children in order to get this reduced child support but then don't actually see the children for those 90 days. What is the parent receiving the reduced child support to do?

When "one parent consistently fails to exercise custody or visitation in accordance with the parent's custody share upon which the award was based," then child support can modified and thus increased.

Virginia's Basic Child Support Obligation Table

Virginia's child support guidelines are based on a table found in the Code of Virginia. The table helps you establish the "basic child support obligation" of the parents.

Across the top of the table you find columns corresponding to number of children. Down the left hand side of the table you find increasing amounts of combined gross monthly income.

Once you determine the combined gross monthly income and find it on the left-hand side of table, go over to the column that corresponds with the number of children you for which you are calculating child support and you'll find the "basic child support obligation."

Below is a sample portion of this table. The complete table, which includes amounts up to a gross parental income of $35,000, can be found at *https://law.lis.virginia.gov/vacode/20-108.2/*.

Schedule of Monthly Basic Child Support Obligations

COMBINED MONTHLY GROSS INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
0-350	68	104	126	141	155	169
400	78	119	144	161	177	192
450	88	133	162	181	199	216
500	97	148	179	200	220	239
550	107	162	197	220	242	263
600	116	177	215	240	264	287
650	126	191	232	259	285	310
700	135	206	250	279	307	333
750	145	220	267	298	328	357
800	154	234	284	317	349	379

If your combined monthly gross income falls somewhere between two of the numbers listed in the left hand column, the court will use something you may remember from math class -- it will "extrapolate" to determine the exact basic child support obligation. While this attorney remembers a time where he had to quickly call upon his memory of extrapolation from school and calculate the amount using pencil and paper in a courthouse hallway, today computer programs do all the work.

Some people have very high incomes and the chart doesn't go on forever. For those with combined gross income amounts that are higher than the complete chart provides, there is a formula for computing the "basic child support obligation."

Which Child Support Guideline Worksheet To Use? Sole Vs. Shared vs. Split

Once you have determined the basic child support obligation, you have to understand which guideline worksheet to use. Your choices are:

» **Sole -- for cases where the non-custodial parent has 90 days or less**

» **Shared -- for cases where the non-custodial parent has more than 90 days**

» **Split -- for cases where there are more than two children living in their parents' houses on different schedules (for example, one child lives primarily with one parent and a second child lives primarily with the other parent)**

Sole

The Sole guideline is relatively simple. Basically, you add the cost of health insurance and child care to the basic child support obligation and allocate the total to the parents based on their relative incomes. An example is:

	Spouse #1	Spouse #2
Monthly Gross Income of Each Party:	$7,500	$3,500
Combined Income: $11,000		
Each Party's Percent of Combined Income:	68.2%	31 . 8%
Number of Children: 2		
Schedule Amount for Basic Child Support:	$1,694 (From Support	
Work-related Child Care Costs:	Table) $500	
Medical Insurance for Children:	$350	
Total Child Support Need:	$2,544	
Child Support Obligation of Each Party:	$1,734	$810
Direct Payment of Medical Insurance:	($350)	
Each Party's Presumptive Guideline Share:	$1 ,384	$810

The above example makes the following assumptions which results in Spouse #2 paying $810 in child support Spouse #1:

» **No spousal support is being paid**

» **Spouse #1 is the primary custodial parent and Spouse #2 has less than 90 days per year**

» **Spouse #1 provides health insurance**

» **Spouse #1 pays for work-related child care**

Shared Custody

The "Shared Custody" guideline is bit more complicated and is, truthfully, more difficult to fully explain. It's best understood by showing an example. Using the above example and similar assumptions, let's assume Spouse #2 is still the noncustodial parent, but he or she has 91 days with the children each year.

	Spouse #1	Spouse #2
Monthly Gross Income of Each Party:	$7,500	$3,500
Combined Income: $11,000		
Each Party's Percent of Combined Income:	68.2%	31.8%
Number of Children: 2		
Schedule Amount for Basic Child Support:	$1,694 (From Support Table)	
Total Shared Support (Guideline Table X 1.4):	$2,372	

» The "basic child support obligation" is multiplied by 1.4 in consideration of the higher costs to support children in two separate households.

Total days in year each parent has children:	274	91
Each parent's custody Share (%):	75.1%	24.9%

SUPPORT OBLIGATION OF SPOUSE #2:

1. Basic support obligation to Spouse #1 (75.1% of $2,372): $1,780
2. Work-related childcare costs of Spouse #1: $500
3. Health Insurance paid by Spouse #2: $350
4. Sum 1+2+3 = Support Subtotal for Spouse #1: $2,630

Spouse #2's Support Obligation Subtotal (31.8% of $2,630): $837

SUPPORT OBLIGATION OF SPOUSE #1:

1. Basic support obligation to Spouse #2 (24.9% of $2,372): $591
2. Work-related childcare costs of Spouse #1: $0
3. Health Insurance paid by Spouse #2: $0
4. Sum 1+2+3 = Support Subtotal for Spouse #2: $591

Spouse #1's Support Obligation Subtotal (68.2% of $591): $403

EACH PARTY'S SUPPORT SHARE

Spouse #1:	**$837**
Spouse #2:	**$403**

Shared Custody Child Support Payable to from Spouse #1 = $434 ($837 - $403). So, simply by Spouse #2 having 91 days with the children each year, he or she has reduced the child support amount from $810 to $434 per month. This amount would be further incrementally reduced by using 92 days, 93 days, etc.

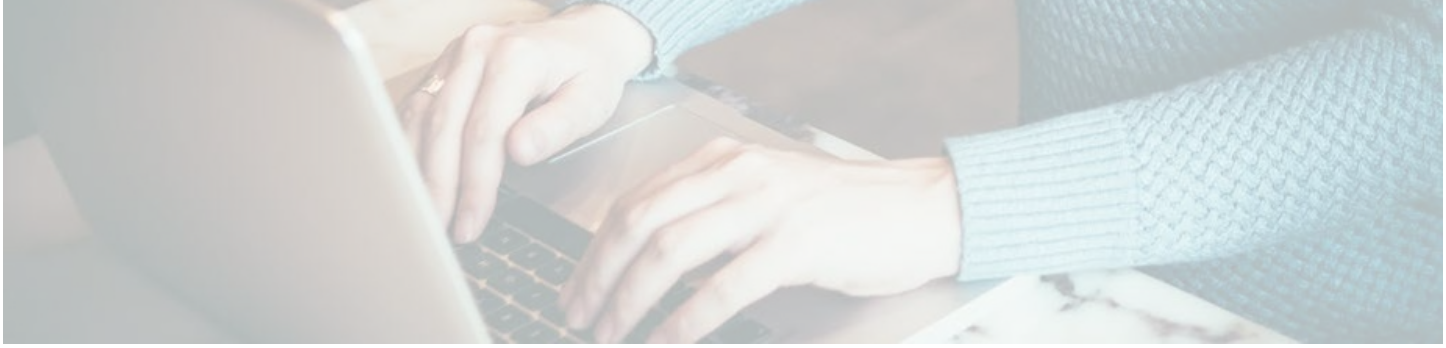
Split Custody -- Both Split "Sole" and Split "Shared"



Although much less often used, Virginia does have a child support calculation for when children are being raised in two different primary households. For example, one child may stay primarily with one parent and a second child may stay primarily with another parent. This is known as "split" custody, where each parent essentially have "sole" custody of one child each, meaning the other, non-custodial parent spends less than 90 days per year with the child in the other household.

Even more complicated are those situations where one child stays primarily with one parent and a second or third child spends more than 90 days with the other, non-custodial parent. This is known as "split-shared" custody.

The examples of split custody calculations are, again, rare so I will not include a full exampleof these calculations. But if your case involves something like this, be aware that the Virginia Code has a process by which you can calculate child support even in these situations.



“Deviating” From Child Support Calculations

The amount resulting from a child support calculation is presumed by law to be the correct amount of child support to be awarded. However, the court may deviate from this amount if the specific circumstances warrant, and if doing so would be in the best interests of the child. The court will consider the following factors in determining whether to deviate from the presumptive statutory award:

- Arrangements regarding custody of the children, including the cost of travel for visitation
- Standard of living for the child or children established during the marriage
- Any special needs of a child resulting from any physical, emotional, or medical condition
- Earning capacity, obligations, financial resources, and special needs of each parent
- Imputed income to a spouse who is voluntarily unemployed or voluntarily underemployed—if the court finds the payor spouse is intentionally reducing their income to avoid paying support, the court may calculate a child support award based on a higher income than that spouse is actually receiving
- Any child care costs incurred on behalf of the child or children due to the attendance of a custodial parent in an educational or vocational program likely to maintain or increase the spouse’s earning potential
- Monetary support paid for other family members or former family members
- Debts of either spouse arising during the marriage for the benefit of the child
- Direct payments ordered by the court for maintaining life insurance coverage,
- education expenses, or other court-ordered direct payments for the benefit of the child
- Independent financial resources of the child or children
- Extraordinary capital gains to one or both spouses such as capital gains resulting from the sale of the marital residence
- Provisions made with regard to the marital property, where that property earns income or has an income-earning potential
- Tax consequences to the spouses including claims for exemptions, child tax credit, and child care credit for dependent children
- Any written agreement, stipulation, consent order, or decree between the spouses which includes the amount of child support
- Any other factors as are necessary to consider out of fairness to both the spouses and children

How Is Child Support Paid?

Often, child support is simply paid directly to the other parent, either by check or direct bank deposit or transfer.

Paying in cash is not recommended. Keeping track of child support payments and having a record to show payments made is often helpful when it comes to future disputes over whether child support is owed.

Of course, paying through the Division of Child Support Enforcement is another option. DCSE will keep track of all payments made.



But DCSE is normally used for another reason -- to enforce child support obligations where it is difficult to get from the other parent.

Child support in Virginia can be paid via income withholding, in which case the payor spouse's employer will deduct the amount from his or her paycheck and sent it DSCE.

Virginia DCSE can also work with child support enforcement agencies in other states if the other parent does not live in Virginia.

Virginia DCSE can also work with the Internal Revenue Service and divert tax refunds for payment of outstanding child support. DCSE has a number of other "enforcement" mechanisms it can use to help collect child support.

In the case of a payor spouse who is self-employed, there are several online, mail and inperson options for payment, including using the MyChildSupport portal of the DSS website, located here: https://mychildsupport.dss.virginia.gov.

A payee spouse may also enlist the direct assistance of the DSS in pursuing payment of child support obligations, through the main DSS website, located here, https:// www.dss.virginia.gov, under the "Child Support" tab.

When Does Child Support Begin?

If you are asking a judge to decide child support for the first time, then the judge must make the child support begin effective of when you filed for child support with the court.

As an example, let's assume you filed a child support petition with the Juvenile Court on February 1st but you didn't have your hearing on child support until October 1st.

Let's also assume that the other parent to your child has not paid any child support to you prior to October 1st and the Judge ruled his or her child support obligation was $500 a month.

From February 1st to October 1st covers nine months - $500 a month for 9 months equals $4,500 in child support owed. This is called an "arrearage." So, by not paying anything pending the Judge's ruling on child support, the parent now owes $4,500 and $500 each month going forward.

Had the parent paid $250 each month while waiting on the Judge to determine child support, his or her arrearage would be cut in half to $2,250.

When a child support order is already in place and one of the parents asks for a modification, assuming the Judge has agreed to change child support, the Judge has the discretion on when to make the effective date of the new amount -- to include anytime from the time the motion was filed until the trial date.

The Judge cannot make a retroactive change in child support to at any point before a petition or motion is filed with the Court.



What if Child Support Has Been Ordered but Not Paid?

When a Judge "orders" child support be paid, and it's not paid, then the parent who is not paying can be held in contempt of court for disobeying the Judge's order.

The process to bring the non-paying parent before the Court for the contempt proceeding is called the "show cause" process -- which means, the parent must appear before the Judge and "show cause, if any he can" why he should not be held in contempt.

If held in contempt based on child support not paid, the Judge does have the power to put the non-paying parent in jail until all or a portion of the child support arrearage owed is paid. By paying the amount directed by the Judge, the non-paying spouse
may "purge" himself of the contempt finding and be released from jail.

Not all situations where child support goes unpaid results in someone being sent to jail. Some lesser punishment may be given -- for example, being ordered to pay attorney fees to the parent filing the show cause. But jail is an option the Judge has it his or her discretion.

Modification of Child Support

A child support order can be modified in Virginia upon a motion of either parent, if that parent can provide evidence to the court that circumstances have "materially" changed since the original order was issued, that the change justifies increasing or decreasing the original amount ordered, and the change is in the best interests of the child.

Examples of changes that could warrant modifying the original order include:

» A significant increase or decrease in one parent's income, or involuntary loss of jobmoney
» One parent inherits a substantial amount of money
» One parent is involuntarily relocated for their job, which increases the cost of travel for visitation
» Custody arrangements or other significant family logistics/dynamics have changed
» A child becomes ill or disabled, or for other reasons the costs of raising the child (childcare costs, for example) increase significantly

Resources

If you found this information about child support helpful, you may also be interested in other divorce and family law content produced by Evolution Divorce & Family Law.

What is the Process for Divorce in Virginia

How to Prepare for a Divorce Attorney Consultation

Public School vs. Private School: Consideration for Separated and Divorced Parents

Property Division After Divorce in Virginia

What is the Difference Between a Fault-based and a No-Fault Divorce



Child Support Guidelines Worksheet--Sole Custody (Example)

Click Here for a Editable/Printable PDF

CHILD SUPPORT GUIDELINES WORKSHEET Case No. _____

Commonwealth of Virginia Va. Code § 20-108.2

_____ (Party A) v. _____ (Party B) _____ DATE

		PARTY A	PARTY B
1.	Monthly Gross Income (see instructions on reverse)	$	$
2.	Adjustments for spousal support payments (see instructions on reverse)	$	$
3.	Adjustments for support of child(ren) (see instructions on reverse)	$	$
4.	Deductions from Monthly Gross Income allowable by law (see instructions on reverse)	$	$
5.	a. Available monthly income	$	$
	b. Combined monthly available income (combine both available monthly income figures from line 5.a.)		$
6.	Number of children in the present case for whom support is sought:		
7.	a. Monthly basic child support obligation (from schedule — see instructions on reverse)	a. $	
	b. Monthly amount allowable for health care coverage (see instructions on reverse)	b. $	
	c. Monthly amount allowable for employment-related child care expenses (see instructions on reverse)	c. $	
8.	Total monthly child support obligation (add lines 7.a., 7.b., and 7.c.)		$

		PARTY A	PARTY B
9.	Percent obligation of each party (divide "available monthly income" on line 5.a. by line 5.b.)	%	%
10.	Monthly child support obligation of each party (multiply line 8 by line 9)	$	$
11.	Deduction by non-custodial parent for health care coverage when paid directly by non-custodial parent or non-custodial parent's spouse (from line 7.b.)	$	$

		PARTY A	PARTY B
12.	Adjustments (if any) to Child Support Guidelines Calculation (see instructions on reverse)		
	a. Credit for benefits received by or for the child derived from the parent's entitlement to disability insurance benefits to the extent that such derivative benefits are included in a parent's gross income	-$	-$
	b. _____	$	$
	c. _____	$	$
13.	Each party's adjusted share	$	$

Child Support Guidelines Worksheet--Split Custody (Example)

Click Here for a Editable/Printable PDF

CHILD SUPPORT GUIDELINES
WORKSHEET — SPLIT CUSTODY
Commonwealth of Virginia Va. Code § 20-108.2

Case No. .....

..... (Party A) v. ..... (Party B) .....
DATE

	PARTY A	PARTY B
1. Monthly Gross Income (see instructions on Page 2)	$	$ .....
2. Adjustments for spousal support payments (see instructions on Page 2)	$	$ .....
3. Adjustments for support of child(ren) (see instructions on Page 2)	$	$ .....
4. Deductions from Monthly Gross Income allowable by law (see instructions on Page 2)	-$	$ .....
5. a. Available monthly income	$	$ .....
b. Combined monthly available income (combine both available monthly income figures from line 5.a.)		
6. Percent obligation of each party (divide "available monthly income" on line Line 5.a. by line 5.b.)	%	% .....
7. Number of children for which that person is the noncustodial parent.		

	PARTY A	PARTY B
8. a. Monthly basic child support obligation for number of children listed above (from schedule — see instructions on Page 2)	$	$ .....
b. Monthly amount allowable for health care coverage paid by other parent or that other parent's spouse (see instructions on Page 2)	$	$ .....
c. Monthly amount allowable for employment-related child care expense paid by other parent (see instructions on Page 2)	$	$ .....
9. Total monthly child support obligation of each parent (add lines 8.a., 8.b., and 8.c. for each parent)	$	$
10. Total monthly child support obligation of each party (multiply line 6 by line 9)	$	$

	PARTY A	PARTY B
11. Adjustments (if any) to Child Support Guidelines Calculation (see instructions on Page 2)		
a. Credit for benefits received by or for the child derived from the parent's entitlement to disability insurance benefits to the extent that such derivative benefits are included in a parent's gross income	-$	-$ .....
b.	$	$ .....
c.	$	$ .....
12. Each party's adjusted obligation to other party	$	$
13. Net payment	$	$

Child Support Guidelines Worksheet--Shared Custody (Example)

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CHILD SUPPORT GUIDELINES
WORKSHEET – SHARED CUSTODY
Commonwealth of Virginia Va. Code § 20-108.2

Case No. .....

DATE

..... (Party A) v. ..... (Party B)

I. GUIDELINE CALCULATION

	Party A	Party B	Combined
A. INCOME			
Monthly Gross Income (see instructions on Page 2)	(1) $	(2) $	
Adjustments for spousal support payments (see instructions on Page 2)	(3) $	(4) $	
Adjustments for support of child(ren) (see instructions on Page 2)	(5) $	(6) $	
Deductions from Monthly Gross Income Allowable by law (see instructions on Page 2)	(7) $	(8) $	
Available Gross Income	(9) $	(10) $	= (11) $ .....
Percentage of Combined Gross Income	(12) ..... %	(13) ..... %	= 100%

B. CHILD SUPPORT NEEDS

Number of children for whom support is sought (14) .....

Child support from guideline table – apply lines (11) and (14) to table (15) $ .....

Total shared support – line (15) x 1.40 (16) $ .....

	Party A	Party B	
Total days in year each parent has custody	(17)	(18)	= 365
Each party's custody share	(19) ..... %	(20) ..... %	= 100%

C. EACH PARTY'S SUPPORT OBLIGATION TO OTHER PARTY

1. Party B's obligation to Party A	Party A	Party B
Basic support to Party A – lines (19) x (16)		(21) $ .....
Health care coverage PAID by Party A or by Party A's spouse (if any)		(22) $ .....
Work-related child care of Party A (if any)		(23) $ .....
Total – lines (21) + (22) + (23)		(24) $ .....
Party B's obligation – lines (24) x (13) =		(25) $ .....

2. Party A's obligation to Party B	
Basic support to Party B – lines (20) x (16)	(26) $ .....
Health care coverage PAID by Party B or by Party B's spouse (if any)	(27) $ .....
Work-related child care of Party B (if any)	(28) $ .....
Total – lines (26) + (27) + (28)	(29) $ .....
Party A's obligation – lines (29) x (12) =	(30) $ .....

D. NET MONTHLY CHILD SUPPORT PAYABLE FROM ONE PARTY TO THE OTHER

Shared custody child support guideline amount – difference between lines (25) and (30) = (31) (31) $ .....

(32) Payable to [ ] Party A [ ] Party B (see instructions on Page 2)

II. ADJUSTMENTS (IF ANY) TO SHARED CUSTODY CHILD SUPPORT GUIDELINE AMOUNT

A. ADJUSTMENT ITEMS	Party A	Party B
1. Credit for benefits received by or for the child derived from the parent's entitlement to disability insurance benefits to the extent that such derivative benefits are included in a parent's gross income	(33) $	(34) $ .....
2.	$	$ .....
3.	$	$ .....
Total adjustments	(35) $	(36) $ .....

Net adjustments (difference between lines (35) and (36) (37) $ .....

(38) Owed to [ ] Party A [ ] Party B (see instructions on Page 2)

B. TOTAL ADJUSTED SUPPORT (see instructions on Page 2) (39) $ .....

(40) Payable to [ ] Party A [ ] Party B

About Evolution Divorce & Family Law

Chris Macturk is a Richmond divorce and family lawyer and the founding attorney of Evolution Divorce & Family Law. He helps clients understand their options and make informed decisions about separation, divorce, and matters involving their children.

Chris has guided hundreds of individuals through separations, divorces and disputes over children and support. A Fellow of the American Academy of Matrimonial Lawyers (AAML), Chris is also past President of both the Henrico County Bar Association and the Metro Richmond Family Law Bar Association. He is an active member of the Domestic Relations Section of the Virginia Bar Association and the City of Richmond Bar Association, having recently served as the chairperson of its Pro Bono Committee. Chris has also participated in many seminars and written a number of articles about family law.



Christopher Macturk
Founding Attorney

Credentials

- Metro Richmond Family Law Bar Association, President (2012-2013)
- Henrico County Bar Association, President (2008-2009)
- Virginia Bar Association, Domestic Relations Section, Council Member (2015-Current)
- City of Richmond Bar Association, Pro Bono Committee Chair (2016)
- Collaborative Professionals of Richmond, Member
- Virginia Collaborative Professionals, Member
- City of Richmond Bar Association, Past Pro Bono Committee Member
- Henrico County Bar Association, Past Pro Bono Coordinator
- City of Richmond Bench Bar Committee, Past Member
- Virginia Bar Association, Domestic Relations Section, Section Chair (2021-2022)
- Virginia Bar Association, Domestic Relations Section, Section Vice Chair (2020-2022)
- City of Richmond Bar Association, Administration of Justice Committee Member

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1500 Forest Avenue, Suite 117, Richmond, VA 23229 • 804-793-8200

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