

Wyoming Child Support Guidelines:

Proposal to Simplify & Improve the Adjustment for Parenting Time

A state-appointed committee of diverse stakeholders recently reviewed the Wyoming child support guidelines and recommended that the current adjustment could be simplified and improved to better serve Wyoming families. (The committee also reviewed other guidelines issues and considered economic evidence on child-rearing costs, trends and approaches in other states, public input and other information.)

Wyoming's Current Provision and Practice Essentially Has Two (2) Components

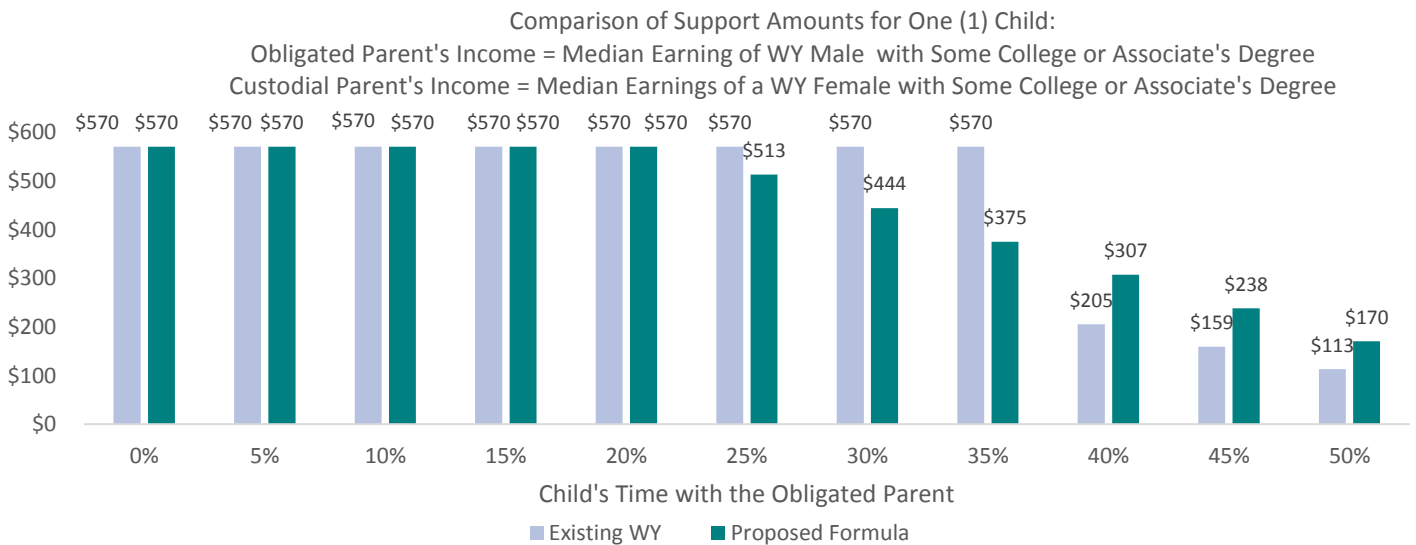
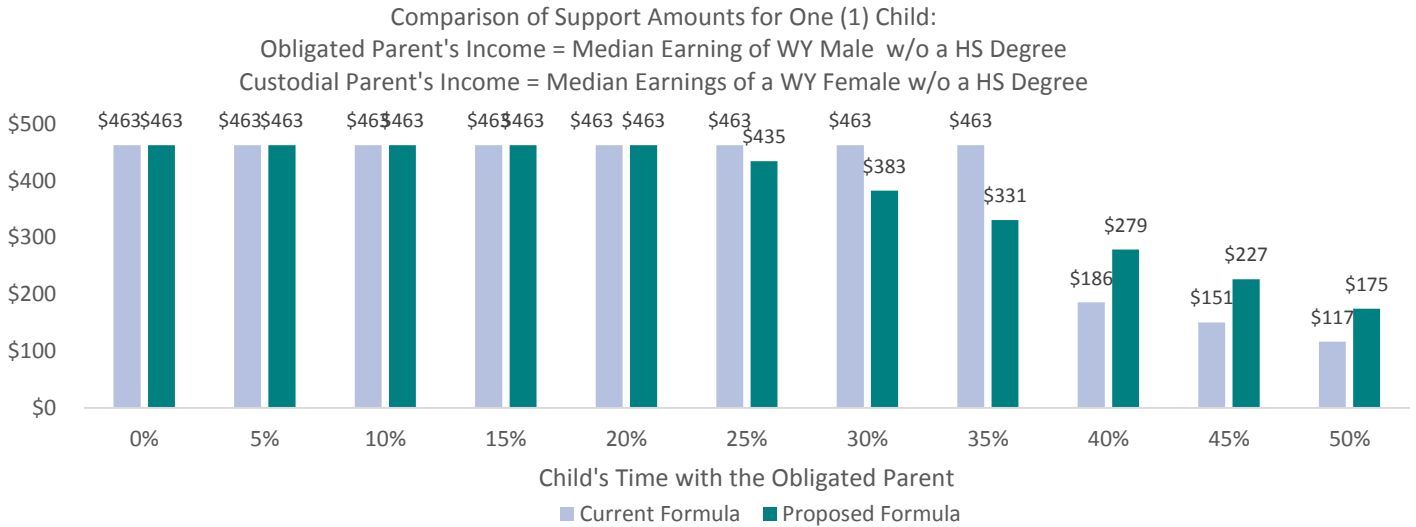
	<i>Problems</i>
An abatement for extended visitation (child spends 15 or more consecutive days with obligated parent)	<ul style="list-style-type: none">• abatement occurs <i>after</i> visitation expense occurs• cumbersome for the parent to complete and file abatement forms with court• can take several weeks to several months to process• can disrupt the monthly budget of the custodial-parent household depending on the timing of the abatement• takes more court resources than other approaches that achieve more appropriate outcomes• Used by only 3% of obligated parents in the State caseloadⁱ while more parents are probably eligible
A presumptive formulaic adjustment for when: <ul style="list-style-type: none">○ The child's timesharing arrangement consists of at least 40% with each parent, <i>and</i>○ Each parent has substantial direct child-rearing expenses.	<ul style="list-style-type: none">• The obligated parent often makes direct child-rearing expenses when the timesharing arrangement is less than 40%• For some case circumstances, the 40% threshold produces a 'cliff' (a precipitous decline in the guidelines-determined amount from 39% time-sharing to 40% time-sharing) and creates an economic incentive for the parents to disagree on the percentage of timesharing.• The existing formula in W.S. 20-2-304(c) does not recognize that there is not always a \$1 for \$1 transfer in child-rearing expenses from the primary custodial parent's home to the obligated parent's home. For example, heat must still be purchased for the child's room, and food that was purchased through volume discounts may be purchased in a smaller volume that is more expense.

Proposed Changes

- *Collapse the two (2) formulas (abatement and presumptive formulaic adjustment).* This simplifies the adjustment for parenting time, eliminates the filing and paperwork burden on the obligated parent, and produces a more predictable amount of support for the custodial household's monthly budgeting. This will be accomplished by counting the extended visitation overnights in the total overnights over a year period.
- *Reduce the timesharing threshold.* Reducing the threshold from 40% to 25% will make the adjustment more available to obligated parents with shared custody and reduce the cliff effect. Most states (including those bordering Wyoming) have a lower timesharing threshold.ⁱⁱ
- *Add a "150% multiplier" to current time-sharing formula.* The multiplier is to account for it costing more to raise a child in two (2) households than one (1) household as parents must duplicate some child-rearing expenses (i.e. transportation and housing) and in conjunction with lowering the threshold, it will reduce the cliff effect. Wyoming is the only state using this time-sharing formula to not use a multiplier. The multiplier is used when the 25% threshold is met and adjusts the presumptive support order to account for additional expense of raising a child in two (2) homes.

Impact

The charts show the impact of the change for case scenarios involving one (1) child. (National and state statistics find that the majority of orders are for one child.) The first case scenario considers parents whose incomes are equivalent to the median earnings of Wyoming male and female workers who did not finish high school: \$2,242 and \$1,113 net per month, respectively. The second scenario considers median earnings of Wyoming male and female workers who have some college or an associate's degree: \$3,080 and \$1,857 net per month, respectively. The male median is used for the obligated parent and the female median is used for the custodial parent. (Statistics show that the majority of obligated parents are male). The percentage of Wyoming male workers with less than a high school degree and some college is 27% and 28%, respectively. The comparable percentages of Wyoming female workers are 28% and 30%.



ⁱ Venohr, J. and Griffith, T. (August 2004). Wyoming Child Support Guidelines Review: Updated Tables and Case File Review. Report to the State of Wyoming Department of Family Services, Cheyenne, Wyoming. Prepared by Policy Studies Inc., Denver, CO.

ⁱⁱ Colorado's threshold is 25%, Idaho's threshold is 25%, Montana's is 110 days per year (30%), Nebraska has a two-tier threshold where the lower (109 days, which is 30%) provides for court discretion in application of the adjustment, South Dakota's threshold is 180 nights (49%), North Dakota's threshold is "equal residential responsibility" as ordered by the court, and Utah's is 30 percent.