

GEORGIA'S CHILD SUPPORT WORKSHEET INSTRUCTIONS

March 14, 2019

R. Mark Rogers
Rogers Economics, Inc.
617 Garamond Place
Peachtree City, GA 30269
678-364-9105
RMRogers@mindspring.com



RogersEconomics.com

Georgia's Child Support Worksheet Instructions

Introduction

For all child support cases, a child support worksheet and domestic relations financial affidavit (financial affidavit for short) must be prepared for court.

In addition, documentation of income (such as last 3 pay stubs, W2s, or income tax filings) is needed. You may also want documentation of the cost of health insurance premiums and, if applicable, child care expenses.

The following instructions are intended to help the individual representing himself or herself ("acting pro se") or for one wanting to understand how to provide proper information to one's attorney. This author does not recommend one way or the other on acting pro se. Acting pro se is challenging if the other party has an attorney. Acting pro se possibly has the best chance of working when both parties agree on terms.

This document has instructions that are unofficial but are based on experience of the author as an expert witness on child support who has worked with attorneys on more than two hundred cases. Although the instructions are very in-depth, the user is responsible for final content in worksheets or financial affidavits.

Caveat: Updates in this document generally are for improvements in instructions. However, the worksheet can change if affected by newly enacted legislation. So, it may be important to be sure to use the most recent version of this document if child support legislation was recently enacted. Also, ongoing appellate opinions can affect worksheet applications. The financial affidavit is primarily determined by court rules and changes more infrequently.

Data Conversion to Monthly Basis and What Is Superior Court Rule 24.2A?

Georgia's child support worksheet and domestic relations financial affidavit require most data to be in monthly form (such as monthly gross income instead of weekly gross income). Because different persons would use different rounding procedures, Georgia courts created a uniform rule for conversion of non-monthly data (such as from weekly, bimonthly, or twice week pay stubs) to monthly data. These are Uniform Rules, Superior Courts of the State of Georgia. These rules are numbered. The rule that applies to data conversion is Rule 24.2A.

Here is the verbatim Rule 24.2A:

Rule 24.2A. Monthly Figures Required; Week to Month Multipliers

In all domestic cases in which a conversion of economic data from weekly to monthly must be made, a conversion factor of 4.35 weeks per month shall be used.

In calculating monthly income based upon a forty hour work week, hourly salary shall be multiplied by 174 hours.

Adopted effective January 17, 2008.

Suppose one is paid weekly \$1,000 per week. The monthly amount from this is NOT \$4,000 per month because each month (except February every 3 of 4 years) has more than 28 days (4 weeks). So, \$1,000 per week is converted to monthly as \$1,000 times 4.35 = \$4,350 per month.

A \$12.00/hour wage is equal to \$12.00 times 174 = \$2,088 per month.

Though not stated in Rule 24.2A, the bi-weekly multiplier is $4.35/2 = 2.175$. So, pay of \$2,000 every two weeks converts to monthly using \$2,000 times 2.175 = \$4,350 per month.

Again, the key point is that the child support worksheet and the financial affidavit are based on monthly data. Key numbers that can be affected by pay stub periodicity are gross income, net income, health insurance premiums, and dental and vision insurance premiums.

Child Support Code

If one wants to read Georgia code (or statutes) on child support to see what the law actually says about child support calculations, the code can be found online [here](#). You can also find it by navigating to the Georgia General Assembly website at: www.legis.ga.gov/. On the left hand menu, select "Georgia Code", locate title 19 and expand it, then expand chapter 6 and click the blue text link that starts with "§ 19-6-15".

This is referenced as Official Code of Georgia Annotated (OCGA) Section 19-6-15.

Georgia's Child Support Worksheet

This document is mandatory for child support hearings—whether a party in a case has an attorney or is "pro se" (representing himself or herself).

As of October 1, 2018, Georgia's web version of the calculator is required, and the Excel calculator is not allowed to be accepted by the court. However, version 9.5 of the Excel worksheet matches the web version for now (November 2018). The web version requires a lot of going back and forth between webpages of the calculator, so until there are changes to child support code, Worksheet version 9.5 may be useful to some for "playing with the numbers", as long as you keep in mind that it may no longer be useful if the calculator changes in the next legislative session.

The web version can be found at:

<https://csconlinecalc.georgiacourts.gov/frontend/web/index.php>

A "Getting Started Training Guide" is available at:

<https://csconlinecalc.georgiacourts.gov/frontend/web/gettingstarted.html>

Important note: your web browser must be set to allow pop-ups from the calculator website.

Overview of Worksheet Purpose and Key Concepts

The Georgia child support worksheet is a key part of the process of determining or calculating child support awards. Its use in child support cases is mandatory by law.

A key point is to distinguish between "presumptive" input information and "deviation" input information.

For all cases, the presumptive award must be and is calculated in the worksheet. "Presumptive" means that it is the default award unless a party convinces the court to deviate based on other factors of the case.

The presumptive calculation includes:

- The number of children in the case;

- Each parent's gross income;
- Health insurance premiums; and
- Child care expenses.

If these items exist in a case, they must be included in the presumptive calculation. Of course, not all cases have health insurance premiums or child care expenses.

There are presumptive adjustments to some of these inputs (such as self-employment taxes or preexisting child support orders), but generally any input information outside of these four items is for potential deviations.

A key term in child support calculation is the Basic Child Support Obligation (BCSO) amount. It is the standard amount of spending on the child from economic studies that compare household income to spending on children (varying according to the number of children as well as income). The amount of spending on children rises as income goes up but at a slower pace. That is, the percent of income spent on children declines as income rises. But the standard or typical cost from the official cost table is called the BCSO. So, learn this phrase—you will see it a lot in worksheet discussion.

The total presumptive spending on the child is the BCSO amount (from the official cost table) plus child care expenses plus the cost of health insurance premiums.

The presumptive award is the noncustodial parent's share of total presumptive spending on the child. Each parent's share of presumptive costs is the pro rata (percentage based) share of combined adjusted income (not merely gross income) times the presumptive cost. So, pro rata share of combined adjusted income is a key term. You will see it used again.

An important concept is that the guidelines' presumptive award must be fully rebuttable. That is, case facts may indicate that the presumptive award is not appropriate and something other than the presumptive award is appropriate. Case facts rebut or set aside the presumptive award. In child support determination, rebuttal of the presumptive award is called deviating from the presumptive award. It is the same concept as rebuttal.

A deviation is any factor of a case that results in the court adjusting the final award up or down from the presumptive award. Examples include, but are not limited to, travel expenses for exercising parenting time, life insurance premiums (for the benefit of the children), and dental or vision health insurance premiums.

The final award (which is shown in the child support worksheet) is the presumptive award plus or minus any deviations.

So, think in terms of getting information **first** for the presumptive calculation and **then** for any deviation argument.

Setting Up an Account for the Web Version of the Child Support Worksheet

You will need a valid email address to set up an account for creating worksheets.

From the Getting Started instructions:

Section 1 – User Information: Enter a valid email address that will serve as your user name. If you do not already have an email address, please create one first. The email address used may be updated at a future date. Your password must meet state of Georgia security standards and consist of the following:

Password length must be at least eight characters, and must include the following:

- one upper-case and one lower-case letter;
- one or more numbers; and
- one or more special characters, such as @, #, \$.

Section 2 - Administration: The Default Court Name and Default County Name fields may be filled in or left blank. If all or most actions will be filed in the same court and county, the user may want to select a default for each. The Default Court and/or County, if chosen, will be pre-filled for you automatically when you create a new Worksheet To select the default court or county, click the drop-down and select the correct option. The bar number will be entered by attorneys only. If you are not an attorney, please leave this field blank.

Section 3 - Password Reset Questions & Answers: Click in each of the three password question fields and select a password reset question, and then enter an answer for each question in the field immediately below that question. The questions will be used if you have to reset your password.

After all three sections have been populated with required information, select the "Save New User" button to create your user account. You are now ready to log in and use the calculator.

What Are the Various Schedules in the Child Support Worksheet?

- ❖ **The child support worksheet has several "pages"—which are the main pages and "schedules" entitled Schedule A, Schedule B, Schedule C, and Schedule D, and Schedule E. The following bullets summarize what each is about.**

Important Note: Not everyone will need to fill out every schedule. All must put in basic worksheet information and must fill out income information in Schedule A. IF there are health insurance expenses or day care expenses, Schedule D must be filled out. Schedules B and E are filled out only if your case needs them. Not everyone has adjustments to income or requested deviations.

- **CS Worksheet:** (main page): Shows basic information about the case and summary numbers for the child support award.
 - Case information: name of parties, county, type of court, number of children involved—names and years born, whether initial case or modification, which parent is mother or father, and which parent is the noncustodial parent
 - Gross income
 - Adjusted gross income
 - The basic child support obligation (standard child costs according to the number of children and combined income)
 - Additional expenses for child care and health insurance expenses
 - Presumptive amount of child support
 - Deviations (dollar total) from presumptive child support amount
 - Social Security payments in behalf of child
 - Final child support amount
 - Percentage allocation between parents of uninsured health expenses
- **Schedule A:** Gross income of each parent and component parts (i.e., salary, bonuses, pension, and others)