



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Social Services

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MICHAEL BECKETTS • Assistant Secretary for Human Services

December 12, 2018

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES
ATTENTION: Child Support Managers and Supervisors

SUBJECT: North Carolina Child Support Guidelines 2019

The Conference of Chief District Court Judges has completed the review of current statewide child support guidelines as prescribed by Section 50-13.4 of the North Carolina General Statutes. The revised guidelines are effective January 1, 2019.

Recommendations made were in response to reports and comments from the Department of Health and Human Services, the American Bar Association, and the general public, and largely from the expanded federal regulations regarding state guidelines, the Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs (also referred to as the Final Rule).

The following changes were incorporated into the 2019 Guidelines:

- Informs the public when the next review of the Guidelines will take place and where to send comments or concerns;
- Emphasizes the importance of entering child support orders that accurately reflect a parent's actual ability to pay by requiring the court consider all evidence when setting support obligations;
- Reflects the 2018 federal poverty levels when considering the self-support reserve;
- Removes the language that the guidelines assume that the parent who receives the child support claims the tax exemption for the child;
- Increases the upper limit of combined incomes from \$25,000 per month to \$30,000 per month;
- Clarifies that the amount of Veterans Administration benefits and social security benefits is subtracted from the child support obligation of the parent on whose earnings the benefits are paid only if the benefits are actually paid to the other parent;
- Specifies that incarceration cannot be considered voluntary unemployment in establishing or modifying a support order, and cannot be a reason to impute income;
- Clarifies that when income is imputed, the amount must be based on the parent's actual present earning capacity;

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- Reflects that the required minimum amount of imputed income is based on a 35-hour work week rather than 40 hours;
- Clarifies that the court can order the allocation of any amount above \$250 unreimbursed medical expenses per child paid by either parent;
- States that incarceration alone cannot be a reason to deny a parent's request to reduce his or her support obligation; and
- Revises the North Carolina Schedule of Basic Support obligations to reflect the most recent economic research regarding family expenditures for children.

If you have any questions, please contact the Policy and Training Unit at (919) 855-4755 or your Regional Program Representative.

Sincerely,



Carla L. West, Chief
NC Child Support Services

Attachments

Cc: Regional Program Representatives

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