

"INCOME SHARES" CHILD SUPPORT MODEL

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In July 2017, Illinois adopted the "Income Shares" model for determining child support.
Forty-one states in the US use this model—which expects both parents to contribute to the child's costs, regardless of child's residence—rather than the "percentage of income" model, that sets support as a percentage of only the noncustodial parent's income.

The income-shares model increases eligibility for child support and more accurately considers parents' contributions to the children's home expenses in setting the support level; still, the model has been criticized in the past for using an assessment that ignores economic differences across counties.

THE "INCOME SHARES MODEL" HELPS ENSURE THAT CHILDREN RECEIVE THE SAME PROPORTION OF PARENTAL SUPPORT THEY WOULD HAVE RECEIVED HAD PARENTS LIVED TOGETHER.

THE *BASIC SUPPORT OBLIGATION IS THE DOLLAR AMOUNT SPENT BY PARENTS OR GUARDIANS ON A CHILD IN A YEAR.

*THE STATE SETS A TABLE, BASED ON THE PARENTS' COMBINED NET INCOME, WHICH LAYS OUT THIS FIGURE: WWW.ILLINOIS.GOV/HFS/

The state sets a table, based on the parents combined net income, which lays out the figure for Basic Support Obligation. The parents' annual income is added together. The schedule tells you what the support obligation for that income is, based on the number of children the parents have together. The support obligation is assigned to both parents, and the individual amount is based on their individual income.

ILLINOIS NO LONGER USES THE TERM NOR CONCEPT "CUSTODY," ALTHOUGH ONE PARENT MAY BE RECOGNIZED AS THE "PRIMARY RESIDENTIAL PARENT;" INSTEAD, BOTH PARENTS HAVE PARENTAL RIGHTS AND RESPONSIBILITIES—INCLUDING OVERNIGHT STAYS WITH THE CHILD IN THEIR HOME.

IF PARENTS HAVE A COMBINED INCOME OF \$10,000, THE BASIC SUPPORT OBLIGATION FOR ONE CHILD IS \$1,445. THIS WOULD BE DIVIDED BETWEEN THE TWO ACCORDING TO THEIR INDIVIDUAL INCOME.

These adjustments are based on "shared parenting"—which is when both parents are present and involved in the child's life, measured by overnight stays in the parent's home.

After a child spends 146 overnights in a parent's home within a year, the calculations become a little more complicated because each parent is now considered to be "maintaining a household" for the support of the child.

IF A PARENT'S INCOME IS AT OR BELOW 75% OF THE FEDERAL POVERTY LEVEL (FOR A ONE-PERSON FAMILY), THE COURT ORDERS A \$40/MONTH CHILD SUPPORT OBLIGATION PER CHILD.

A JUDGE'S ORDER MAY DEVIATE FROM THE STATE GUIDELINES WHEN A CHILD HAS SPECIAL NEEDS OR THE PARENT HAS CHILD SUPPORT OBLIGATIONS IN ANOTHER, UNRELATED FAMILY.

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