

6. CHILD SUPPORT GUIDELINES AND ESTIMATES OF EXPENDITURES ON CHILDREN

The Federal government has been sensitive to the increase in the number of children living in situations where child support is potentially an important source of income. Beginning in 1975, the government has taken a number of important actions to improve the nation's child support system. Legislation passed in 1984 and 1988 added enforcement tools and required states to take additional steps to ensure that their child support orders are equitable. In particular, the Family Support Act of 1988 requires states to use their child support guidelines as a rebuttable presumption; proposed regulations issued by the Department of Health and Human Services in September of 1989 address states' obligations to establish effective and equitable guidelines. The Federal government has not, however, prescribed detailed criteria for establishing the guidelines or minimum levels of support. Instead, states are required to develop their own guidelines for the child support orders in their state and are afforded significant latitude in doing so.

The first section of this chapter describes each of the three major categories of guidelines that are currently in use. Hypothetical examples (based essentially on a divorce scenario with representative child custody arrangements and neither parent having remarried) are used to demonstrate how the guidelines work in general; because of their generality, these examples do not necessarily represent the precise manner in which any particular state implements its guidelines. The second section analyzes the relationship between the existing child support guidelines and the estimates of expenditures on children that were summarized in Chapter 4. In addition to considering actual expenditure patterns on children, there are other factors that are relevant to the development of child support guidelines. While a consideration of these factors is outside the scope of this report, the third section briefly outlines some of the most important of these factors. The final section summarizes the findings and implications of this chapter.

