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NEW CHILD SUPPORT RULES IN ARKANSAS

By Order of the Arkansas Supreme Court (Administrative Order No. 10 issued April 2, 2020) Arkansas will begin using the Income Shares Model to calculate Child Support as of July 1, 2020.

The Income Shares Model is already used in 43 other states to determine how much child support should be paid and by whom. The “need of the child” is now the basis for the allocation of support.

This model addresses each child’s need while also accounting for each parent’s financial resources.

Child support should provide the same percentage of support from each parent as would have been provided if the parents were still together.

The terms for the parents are no longer the custodial and non-custodial parent. Now one is the Payor and one is the Payee.

Previously the calculations were based only on the non-custodial parent’s income.

Calculations are based on the gross income of each parent and there is no longer any determination of taxes or withholding. Previously it was based on net income.

There are new considerations for determining payment calculations in Joint Custody, Split Custody and Third Party Custody.

Determining Gross Income:

NOT INCLUDED

TANF
SSI
Food stamps/general assistance
Income of other household members
Child support
Adoption subsidy pay
Foster care pay

INCLUDED

Wages, Overtime, Commissions, regular bonuses

Military Specialty Pay

Allowance for quarters/rations

Housing

VA benefits

G.I. benefits (other than education allotment)

Drill Pay

Gambling or lottery winnings

Capital Gains from recurring transactions

Non-cash benefit that reduces expenses counts as income

But not reimbursement for uniforms or tuition

ALSO NOTEWORTHY

Unemployment is addressed differently

Payor is usually parent with higher income

Self-employed parents must provide tax returns

Affidavit of financial means is still required to be exchanged three days prior to court.

There is a new one page worksheet to calculate child support.

Automatic Adjustment: a statutory change is needed before there can be automatic adjustment when a child emancipates or becomes 18.

**FOR MORE INFORMATION CONTACT THE ARKANSAS ARMY
NATIONAL GUARD OFFICE OF LEGAL ASSISTANCE (501) 212-5040.**

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