

New Child Support Guidelines: What Changed?

October 13, 2021

The Child Support Guidelines Task Force, convened by the Chief Justice of the Trial Court, reviewed the Massachusetts Child Support Guideline as required by federal regulations to occur every four years. The Task Force made multiple changes in the 2021 Child Support Guidelines update. While the main structure of the Guidelines remains the same, some revisions may result in different child support payment amounts than the previous Guidelines. The new child support guidelines go into effect October 4, 2021.

Some of the new revisions include:

- **Income Definition:** One major change in the 2021 Guidelines was made to the definition of income to clarify what types of social security payments are considered in the income calculation. Supplemental Security Income (SSI) is *not* considered income for child support purposes. However, Social Security Retirement (SSR) and Social Security Disability Income (SSDI) *are* now included as income.

It was also clarified that “income derived from stock options and similar incentives” is included in Guideline’s calculations as a form of income. In doing this, the Task force wanted to make clear that someone cannot avoid paying child support by choosing to be paid through stock options.

- **Minimum & Maximum Income Amounts:** Previously, the minimum amount of child support order was \$25 per week. The 2021 Guidelines changed this minimum amount to between \$12 and \$20 per week for payors with an income less than \$250 per week.

Similarly, the new maximum amount of combined income that can be used to calculate support for Guidelines purposes is \$400,000. This is significantly higher than the previous \$250,000 maximum. This results in income up to \$400,000 being used to calculate child support and Alimony calculations would only occur if both parents’ combined income exceeds \$400,000.

It is important to note that the judge has discretion to deviate from the Guidelines depending on the circumstances of the litigants and the situation.

- **Child Care Costs:** Before the 2021 changes, a parent was given a 15% credit for the childcare costs paid by that parent. With the new Guidelines, reasonable childcare costs of up to \$355 per week, per child are shared proportionally to each parent’s income.

This is a change that may impact the amount of child support that must be paid by a parent, compared to the previous 15% credit.

- **Support for Multiple Children:** Another major change for 2021 are the increments of support ordered for families with more than one child. Previously, support was increased to 25% for second, 10% for third, 5% for fourth, and 2% for fifth children. With the new 2021 changes, the

support is increased to 40% for second, 20% for third, 10% for fourth, and 5% for fifth children.

The new Child Support Guidelines went into effect on October 4, 2021. If you currently have a child support order in place, the new guidelines will not automatically be applied to modify your order.

If you have any questions regarding how the new Guidelines may impact your child support order or if you are seeking to modify your existing child support order to be recalculated utilizing the new guidelines, please feel free to contact Cohen Cleary, P.C. at [\(508\) 880-6677](tel:5088806677) to speak with one of our experienced Attorneys' about how we can assist with your matter.