



Child Support – As part of Divorce Action

What forms are necessary to decide child support? The first form is the *Confidential Statement of the Parties for Child Support Order*. This will be filed with the *Complaint for Divorce*. This form needs to be served on the Defendant, along with the *Complaint for Divorce* and the *Summons*. Second, you will need to provide to the Defendant, within thirty (30) days after the Defendant is served, a copy of your *Initial Disclosures*. The required information includes, among other things, a schedule of what you and your spouse own and of you and your spouse's debts. It also includes information about what each of you want for a custody and visitation plan for children and why such an arrangement is in the best interests of the child(ren). Both parties are required to provide this information in order to fully disclose all assets and debts of the parties. The third, and final, form you will need to complete is the *Confidential Financial Affidavit*. If the Defendant does NOT file one of these, you will need to complete an *Affidavit of Imputed Income* to show the court how much money the Defendant makes.

How is child support calculated? The Wyoming child support guidelines are based upon the income of both parents. This shared income approach is founded on the concept that the child involved should receive the same support as if the parents lived together. The steps in the shared income method are:

- 1) Ascertaining who has been/will be the custodial parent;
- 2) Calculating the net income of each parent;
- 3) Calculating the combined income of both parents;
- 4) Determining the joint parental obligation; and
- 5) Allocating the child support obligation between the parents based upon the proportion of their income to the combined income.

The actual child support amount calculated utilizing the Wyoming child support guidelines is called "presumptive" child support. It is the amount "presumed" to be the correct child support award for the situation. You may use the *Child Support Computation Form* as a guide to help you calculate the support due or go online to <http://laramiecounty.com/officials/DistrictCourtClerk/calculator.aspx> to calculate child support. The minimum child support award will not be less than \$50.00 per month each family unit.

Can we decide that NO Child Support will be paid? You CANNOT agree that NO child support will be paid. Wyoming law allows for a reduced amount of support when you agree on joint physical custody, each parent keeps the child(ren) overnight for more than twenty-five percent (25%) of the year, and both parents contribute substantially to the expenses of the children in addition to the payment of child support. Once presumptive child support is determined, under certain circumstances the parties may agree to deviate from the presumptive support amount or the court may order a different amount based upon statutory deviation reasons.

Can we decide on a different amount of Child Support to be paid? No, the parties may not deviate from the presumptive child support amount. However, the District Court may do so. If the Court chooses to deviate, the court order will include the presumptive child support amount, the actual support amount, and the specific reason for the deviation.

