

518A.35 GUIDELINE USED IN CHILD SUPPORT DETERMINATIONS.

Subdivision 1. **Determination of support obligation.** (a) The guideline in this section is a rebuttable presumption and shall be used in any judicial or administrative proceeding to establish or modify a support obligation under this chapter.

(b) The basic child support obligation shall be determined by referencing the guideline for the appropriate number of joint children and the combined parental income for determining child support of the parents.

(c) If a child is not in the custody of either parent and a support order is sought against one or both parents, the basic child support obligation shall be determined by referencing the guideline for the appropriate number of joint children, and the parent's individual parental income for determining child support, not the combined parental incomes for determining child support of the parents. Unless a parent has court-ordered parenting time, the parenting expense adjustment formula under section 518A.34 must not be applied.

(d) If a child is in custody of either parent and a support order is sought by the public authority under section 256.87, unless the parent against whom the support order is sought has court-ordered parenting time, the support obligation must be determined by referencing the guideline for the appropriate number of joint children and the parent's individual income without application of the parenting expense adjustment formula under section 518A.34.

(e) For combined parental incomes for determining child support exceeding \$15,000 per month, the presumed basic child support obligations shall be as for parents with combined parental income for determining child support of \$15,000 per month. A basic child support obligation in excess of this level may be demonstrated for those reasons set forth in section 518A.43.

[See Note.]

Subd. 2. **Basic support; guideline.** Unless otherwise agreed to by the parents and approved by the court, when establishing basic support, the court must order that basic support be divided between the parents based on their proportionate share of the parents' combined monthly parental income for determining child support (PICS). Basic support must be computed using the following guideline:

Combined Parental Income for Determining Child Support	Number of Children					
	One	Two	Three	Four	Five	Six
\$0- \$799	\$50	\$50	\$75	\$75	\$100	\$100
800- 899	80	129	149	173	201	233
900- 999	90	145	167	194	226	262
1,000- 1,099	116	161	186	216	251	291
1,100- 1,199	145	205	237	275	320	370
1,200- 1,299	177	254	294	341	396	459
1,300- 1,399	212	309	356	414	480	557

1,400- 1,499	251	368	425	493	573	664
1,500- 1,599	292	433	500	580	673	780
1,600- 1,699	337	502	580	673	781	905
1,700- 1,799	385	577	666	773	897	1,040
1,800- 1,899	436	657	758	880	1,021	1,183
1,900- 1,999	490	742	856	994	1,152	1,336
2,000- 2,099	516	832	960	1,114	1,292	1,498
2,100- 2,199	528	851	981	1,139	1,320	1,531
2,200- 2,299	538	867	1,000	1,160	1,346	1,561
2,300- 2,399	546	881	1,016	1,179	1,367	1,586
2,400- 2,499	554	893	1,029	1,195	1,385	1,608
2,500- 2,599	560	903	1,040	1,208	1,400	1,625
2,600- 2,699	570	920	1,060	1,230	1,426	1,655
2,700- 2,799	580	936	1,078	1,251	1,450	1,683
2,800- 2,899	589	950	1,094	1,270	1,472	1,707
2,900- 2,999	596	963	1,109	1,287	1,492	1,730
3,000- 3,099	603	975	1,122	1,302	1,509	1,749
3,100- 3,199	613	991	1,141	1,324	1,535	1,779
3,200- 3,299	623	1,007	1,158	1,344	1,558	1,807
3,300- 3,399	636	1,021	1,175	1,363	1,581	1,833
3,400- 3,499	650	1,034	1,190	1,380	1,601	1,857
3,500- 3,599	664	1,047	1,204	1,397	1,621	1,880
3,600- 3,699	677	1,062	1,223	1,418	1,646	1,909
3,700- 3,799	691	1,077	1,240	1,439	1,670	1,937
3,800- 3,899	705	1,081	1,257	1,459	1,693	1,963
3,900- 3,999	719	1,104	1,273	1,478	1,715	1,988
4,000- 4,099	732	1,116	1,288	1,496	1,736	2,012
4,100- 4,199	746	1,132	1,305	1,516	1,759	2,039

4,200- 4,299	760	1,147	1,322	1,536	1,781	2,064
4,300- 4,399	774	1,161	1,338	1,554	1,802	2,088
4,400- 4,499	787	1,175	1,353	1,572	1,822	2,111
4,500- 4,599	801	1,184	1,368	1,589	1,841	2,133
4,600- 4,699	808	1,200	1,386	1,608	1,864	2,160
4,700- 4,799	814	1,215	1,402	1,627	1,887	2,186
4,800- 4,899	820	1,231	1,419	1,645	1,908	2,212
4,900- 4,999	825	1,246	1,435	1,663	1,930	2,236
5,000- 5,099	831	1,260	1,450	1,680	1,950	2,260
5,100- 5,199	837	1,275	1,468	1,701	1,975	2,289
5,200- 5,299	843	1,290	1,485	1,722	1,999	2,317
5,300- 5,399	849	1,304	1,502	1,743	2,022	2,345
5,400- 5,499	854	1,318	1,518	1,763	2,046	2,372
5,500- 5,599	860	1,331	1,535	1,782	2,068	2,398
5,600- 5,699	866	1,346	1,551	1,801	2,090	2,424
5,700- 5,799	873	1,357	1,568	1,819	2,111	2,449
5,800- 5,899	881	1,376	1,583	1,837	2,132	2,473
5,900- 5,999	888	1,390	1,599	1,855	2,152	2,497
6,000- 6,099	895	1,404	1,604	1,872	2,172	2,520
6,100- 6,199	902	1,419	1,631	1,892	2,195	2,546
6,200- 6,299	909	1,433	1,645	1,912	2,217	2,572
6,300- 6,399	916	1,448	1,664	1,932	2,239	2,597
6,400- 6,499	923	1,462	1,682	1,951	2,260	2,621
6,500- 6,599	930	1,476	1,697	1,970	2,282	2,646
6,600- 6,699	936	1,490	1,713	1,989	2,305	2,673
6,700- 6,799	943	1,505	1,730	2,009	2,328	2,700
6,800- 6,899	950	1,519	1,746	2,028	2,350	2,727
6,900- 6,999	957	1,533	1,762	2,047	2,379	2,747

7,000- 7,099	963	1,547	1,778	2,065	2,394	2,753
7,100- 7,199	970	1,561	1,795	2,085	2,417	2,758
7,200- 7,299	974	1,574	1,812	2,104	2,439	2,764
7,300- 7,399	980	1,587	1,828	2,123	2,462	2,769
7,400- 7,499	989	1,600	1,844	2,142	2,483	2,775
7,500- 7,599	998	1,613	1,860	2,160	2,505	2,781
7,600- 7,699	1,006	1,628	1,877	2,180	2,528	2,803
7,700- 7,799	1,015	1,643	1,894	2,199	2,550	2,833
7,800- 7,899	1,023	1,658	1,911	2,218	2,572	2,864
7,900- 7,999	1,032	1,673	1,928	2,237	2,594	2,894
8,000- 8,099	1,040	1,688	1,944	2,256	2,616	2,925
8,100- 8,199	1,048	1,703	1,960	2,274	2,637	2,955
8,200- 8,299	1,056	1,717	1,976	2,293	2,658	2,985
8,300 -8,399	1,064	1,731	1,992	2,311	2,679	3,016
8,400- 8,499	1,072	1,746	2,008	2,328	2,700	3,046
8,500- 8,599	1,080	1,760	2,023	2,346	2,720	3,077
8,600- 8,699	1,092	1,780	2,047	2,374	2,752	3,107
8,700- 8,799	1,105	1,801	2,071	2,401	2,784	3,138
8,800- 8,899	1,118	1,822	2,094	2,429	2,816	3,168
8,900- 8,999	1,130	1,842	2,118	2,456	2,848	3,199
9,000- 9,099	1,143	1,863	2,142	2,484	2,880	3,223
9,100- 9,199	1,156	1,884	2,166	2,512	2,912	3,243
9,200- 9,299	1,168	1,904	2,190	2,539	2,944	3,263
9,300- 9,399	1,181	1,925	2,213	2,567	2,976	3,284
9,400- 9,499	1,194	1,946	2,237	2,594	3,008	3,304
9,500- 9,599	1,207	1,967	2,261	2,622	3,031	3,324
9,600- 9,699	1,219	1,987	2,285	2,650	3,050	3,345
9,700- 9,799	1,232	2,008	2,309	2,677	3,069	3,365

9,800- 9,899	1,245	2,029	2,332	2,705	3,087	3,385
9,900- 9,999	1,257	2,049	2,356	2,732	3,106	3,406
10,000-10,099	1,270	2,070	2,380	2,760	3,125	3,426
10,100-10,199	1,283	2,091	2,404	2,788	3,144	3,446
10,200-10,299	1,295	2,111	2,428	2,815	3,162	3,467
10,300-10,399	1,308	2,132	2,451	2,843	3,181	3,487
10,400-10,499	1,321	2,153	2,475	2,870	3,200	3,507
10,500-10,599	1,334	2,174	2,499	2,898	3,218	3,528
10,600-10,699	1,346	2,194	2,523	2,921	3,237	3,548
10,700-10,799	1,359	2,215	2,547	2,938	3,256	3,568
10,800-10,899	1,372	2,236	2,570	2,955	3,274	3,589
10,900-10,999	1,384	2,256	2,594	2,972	3,293	3,609
11,000-11,099	1,397	2,277	2,618	2,989	3,312	3,629
11,100-11,199	1,410	2,294	2,642	3,006	3,331	3,649
11,200-11,299	1,422	2,306	2,666	3,023	3,349	3,667
11,300-11,399	1,435	2,319	2,689	3,040	3,366	3,686
11,400-11,499	1,448	2,331	2,713	3,055	3,383	3,705
11,500-11,599	1,461	2,344	2,735	3,071	3,400	3,723
11,600-11,699	1,473	2,356	2,748	3,087	3,417	3,742
11,700-11,799	1,486	2,367	2,762	3,102	3,435	3,761
11,800-11,899	1,499	2,378	2,775	3,116	3,452	3,780
11,900-11,999	1,511	2,389	2,788	3,131	3,469	3,798
12,000-12,099	1,524	2,401	2,801	3,146	3,485	3,817
12,100-12,199	1,537	2,412	2,814	3,160	3,501	3,836
12,200-12,299	1,549	2,423	2,828	3,175	3,517	3,854
12,300-12,399	1,562	2,434	2,841	3,190	3,534	3,871
12,400-12,499	1,575	2,445	2,854	3,205	3,550	3,889
12,500-12,599	1,588	2,456	2,867	3,219	3,566	3,907

12,600-12,699	1,600	2,467	2,880	3,234	3,582	3,924
12,700-12,799	1,613	2,478	2,894	3,249	3,598	3,942
12,800-12,899	1,626	2,489	2,907	3,264	3,615	3,960
12,900-12,999	1,638	2,500	2,920	3,278	3,631	3,977
13,000-13,099	1,651	2,512	2,933	3,293	3,647	3,995
13,100-13,199	1,664	2,523	2,946	3,308	3,663	4,012
13,200-13,299	1,676	2,534	2,960	3,322	3,679	4,030
13,300-13,399	1,689	2,545	2,973	3,337	3,696	4,048
13,400-13,499	1,702	2,556	2,986	3,352	3,712	4,065
13,500-13,599	1,715	2,567	2,999	3,367	3,728	4,083
13,600-13,699	1,727	2,578	3,012	3,381	3,744	4,100
13,700-13,799	1,740	2,589	3,026	3,396	3,760	4,118
13,800-13,899	1,753	2,600	3,039	3,411	3,777	4,136
13,900-13,999	1,765	2,611	3,052	3,425	3,793	4,153
14,000-14,099	1,778	2,623	3,065	3,440	3,809	4,171
14,100-14,199	1,791	2,634	3,078	3,455	3,825	4,189
14,200-14,299	1,803	2,645	3,092	3,470	3,841	4,206
14,300-14,399	1,816	2,656	3,105	3,484	3,858	4,224
14,400-14,499	1,829	2,667	3,118	3,499	3,874	4,239
14,500-14,599	1,842	2,678	3,131	3,514	3,889	4,253
14,600-14,699	1,854	2,689	3,144	3,529	3,902	4,268
14,700-14,799	1,864	2,700	3,158	3,541	3,916	4,282
14,800-14,899	1,872	2,711	3,170	3,553	3,929	4,297
14,900-14,999	1,879	2,722	3,181	3,565	3,942	4,311
15,000, or the amount in effect under subd. 4	1,883	2,727	3,186	3,571	3,949	4,319

Subd. 3. **Income cap on determining basic support.** (a) The basic support obligation for parents with a combined parental income for determining child support in excess of the income limit under subdivision

2 must be the same dollar amount as provided for the parties with a combined parental income for determining child support equal to the income limit under subdivision 2.

(b) A court may order a basic support obligation in a child support order in an amount that exceeds the income limit in subdivision 2 if it finds that a child has a disability or other substantial, demonstrated need for the additional support for those reasons set forth in section 518A.43 and that the additional support will directly benefit the child.

Subd. 4. **More than six children.** If a child support proceeding involves more than six children, the court may derive a support order without specifically following the guidelines. However, the court must consider the basic principles encompassed by the guidelines and must consider both parents' needs, resources, and circumstances.

History: 2005 c 164 s 26,29; 1Sp2005 c 7 s 27,28; 2006 c 280 s 42; 2007 c 54 art 5 s 15; 2016 c 189 art 15 s 19

NOTE: The amendment to subdivision 1 by Laws 2016, chapter 189, article 15, section 19, is effective August 1, 2018. Laws 2016, chapter 189, article 15, section 19, the effective date.