



## **Massachusetts Child Support Guidelines**

### **Boston Area Child Support Lawyer**

Child support in Massachusetts underwent substantial changes in 2009 with new child support guidelines going into effect on January 1, 2009. The new Massachusetts child support guidelines worksheet can be found here.

<http://www.mass.gov/courts/childsupport/worksheet-child-support-guidelines.pdf>

You can also go to my blog for an power point presentation about the 2009 Massachusetts child support guidelines. The new guidelines cover parents with combined gross income up to \$250,000.00. The Guidelines consider several factors, including both parents' income and ability to earn income, the number of children involved, and the cost of health care coverage. Only the court can change or modify the amount of a child support order, but either parent may request a modification of the order if the order is at least three years old regardless of whether there has been a substantial change in circumstances, or if

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the order is less than three years old and either parent's income substantially changes; the child's custody changes; or significant changes to the family's health insurance coverage occur.

Although the duty of parental support is a common law principle, both federal and Massachusetts statutes address child support. Child support may be awarded in a number of contexts besides a final divorce judgment, including an action for separate support, as part of temporary orders during a divorce case, as part of a guardianship petition, a paternity action, or as part of an abuse prevention order under Mass. Gen. Laws c. 209A. Additionally, child support can be ordered as part of an interstate child support action.

Generally, the parent that is the primary physical custodian of the child would receive support from the other parent. More and more couples are sharing the parenting duties equally, and the new Massachusetts child support guidelines addresses this issue as well.

Child support is paid until a child reaches the age of 18, or children over 18 and still attending high school. A number of other discretionary factors may be considered by the court to award child support for children over the age of 18 that have completed high-school, including the child's academic circumstances (attendance at college and the cost), the child's living situation and resources of both parents, and a child's continued economic dependence on the recipient.

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If a child under 18 no longer resides with the parent receiving child support, is married, or has joined the military then child support would normally terminate.

There are numerous issues that may cause what first appears to be a simple child support guidelines case much more complicated. Questions concerning income and the attribution of income to a parent who is unemployed or underemployed are frequently disputed. Many other child support modification cases arise from issues related to post-majority (over age of 18) support.

Child support has a neutral tax treatment, meaning it is not considered taxable income to the recipient, nor is it deductible by the payor.

There are a number of enforcement options available when a parent is not paying their court-ordered child support, as well as services available through the Massachusetts Department of Revenue. Enforcement options include income and tax refund withholding, placing liens upon or seizing property, revoking driver's licenses and motor vehicle registration plates, and interception of insurance claims.

If you have a Massachusetts child support modification or contempt case, or an interstate child support enforcement issue, it is best not to wait too long before seeing an attorney. Do not underestimate the complexity of your child support matter, and there can be a daunting maze of procedural rules involved as well.

Contact our [child support lawyer](#) serving Medway and Boston, Massachusetts.

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