

WAC 388-14A-4800 When does a child support order contain an undifferentiated amount of child support? (1) RCW 26.23.050 (5)(d) provides that every child support order must state the monthly child support obligation as a sum certain amount, but does not require that the support obligation be stated in a "per month per child" amount when more than one child is covered by the order.

(2) A support order which provides a monthly amount of child support for two or more children, but does not provide a specific support obligation for each child, may be a differentiated support order or an undifferentiated support order.

(a) To determine whether a support order is differentiated or undifferentiated, the division of child support (DCS) reviews the information contained in the support order, and, if necessary to interpret the intent of the order, may consider the worksheets associated with the order.

(b) When the order may justifiably be divided into per child amounts for each child, the division of child support (DCS) calls it a "differentiated support order."

(c) When the order does not contain enough information in either the order or the worksheets to justify dividing the monthly amount into per child amounts for each child, DCS calls it an "undifferentiated support order."

(d) The support amounts set by these orders are called either "differentiated support amounts" or "undifferentiated support amounts," respectively.

(3) When DCS is calculating a support obligation for more than one child in an administrative support obligation notice, DCS may set the monthly support obligation as an undifferentiated amount for the reasons listed in WAC 388-14A-3200(4).

(4) When DCS is enforcing a support order, WAC 388-14A-4810 through 388-14A-4830 address how DCS:

(a) Determines whether a support order which does not state a per month per child amount may justifiably be divided into a per child amount for each child covered by the support order; and

(b) Deals with a support order which does not contain enough information in either the order or the worksheets associated with the order to justify dividing the monthly amount into "per child" amounts for each child covered by the support order.

[Statutory Authority: RCW 26.09.105(17), 26.18.170(19), 26.23.050(8), 26.23.110(14), 34.05.020, 34.05.060, 34.05.220, 74.08.090, 74.20.040, 74.20A.055(9), and 74.20A.056(11). WSR 11-12-006, § 388-14A-4800, filed 5/19/11, effective 6/19/11.]