

WAC 388-14A-8130 How did DCS complete the WSCSS worksheets when setting a joint child support obligation for a child in foster care prior to May 1, 2022?

(1) Prior to May 1, 2022, the division of child support (DCS) prepared an administrative support notice to establish a joint support obligation for the parents of a child in foster care, DCS followed the steps set out in this section for completing the worksheets under the Washington state child support schedule (WSCSS).

(2) DCS established a joint support obligation when, at the time of order establishment, the parents resided together and were either married or in a registered domestic partnership, unless a child support order covering current support for that child had already been established for one of the parents.

(3) DCS calculated each parent's income under the rules set out in WAC 388-14A-3205, and then calculated the income of the marital or domestic partnership community by combining both parents' income in one column of the worksheet and did not put any income or other information in the other column.

(4) DCS calculated the joint support obligation using the limitations contained in RCW 26.19.065:

(a) The joint child support obligation could not exceed 45% of the net income of the community except for good cause.

(b) DCS followed WAC 388-14A-3410 when calculating and applying the self-support reserve limitation.

(c) Even though there were two parents involved, and despite the application of any limitations, the presumptive minimum obligation of \$50 per month per child applied when DCS set a joint child support obligation.

(d) If DCS or the administrative law judge (ALJ) found reasons for deviation, the reasons were supported with appropriate findings of fact in the support order.

(5) As described in subsection (3) of this section, the support obligation in the column of the WSCSS worksheet which contains information regarding both parents is the joint support obligation of the parents.

(6) DCS determined the joint support obligation of the parents without regard to the cost of foster care placement, as provided in WAC 388-14A-8105.

(7) The rules in this section still apply if parties request modification of joint noncustodial parent (NCP) obligations established by administrative orders prior to May 1, 2022.

[Statutory Authority: RCW 26.09.105, 26.18.170, 26.23.050, 26.23.110, 34.05.220, 74.08.090, and 74.20A.055. WSR 22-08-067, § 388-14A-8130, filed 4/4/22, effective 5/5/22. 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-8130, filed 5/19/11, effective 6/19/11. Statutory Authority: RCW 34.05.220(1), 74.08.090, 74.20A.055, 74.20A.056. WSR 06-16-073, § 388-14A-8130, filed 7/28/06, effective 8/28/06.]