

**WAC 388-14A-4830 How does DCS divide support obligations between two or more cases when a support order does not contain a differentiated amount of support?**

(1) If two or more children covered by the same child support order change residences so that more than one custodial parent (CP) is eligible to receive child support paid by the noncustodial parent (NCP):

(a) As long as the NCP's support obligation for all of the children has not been terminated, the NCP continues to owe the total amount of child support stated in the support order;

(b) The division of child support (DCS) allocates the NCP's support obligation between the various cases based on which children reside with each CP.

(c) DCS distributes support collections among the cases as provided in WAC 388-14A-5001 through 388-14A-5050.

(2) To allocate the child support amounts between cases, DCS determines whether the support order states a per-child amount for each child covered by the order. If the support order contains an undifferentiated amount of support, DCS reviews the order under WAC 388-14A-4810.

(3) If DCS determines a per-child amount for each child, DCS allocates the per-child amounts to the appropriate cases.

(4) If DCS is unable to determine a per-child amount for each child because the order is undifferentiated, DCS divides the NCP's total monthly support obligation by the number of children and allocates each child's fractional share of the total support obligation to that child's case.

(a) DCS divides the undifferentiated support amount for administrative efficiency, and so that support can be disbursed to each CP.

(b) The fact that DCS allocates fractional shares between cases does not convert the undifferentiated order into a differentiated order.

(5) If either the NCP or the CP disagrees with DCS' decision, the aggrieved party may request a conference board under WAC 388-14A-6400.

(6) Either the NCP or one or more CPs may proceed in superior court to seek:

(a) An order clarifying the NCP's monthly support obligation;

(b) An order modifying the support order; or

(c) Any other appropriate relief.

[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-4830, filed 5/19/11, effective 6/19/11.]