

.01 Court ordered Child Support Expenses – NA

REVISION 44
(08/01/16 –09/30/16)

Court-ordered child support payments made by a participant to an agency (such as DCSS) or to the court are ALLOWABLE. The allowable child support expense cannot exceed the monthly court-order unless the amount over is due to DCSS adding additional support arrearages to the court order.

When the participant pays less than the monthly court-ordered amount, ONLY the amount paid is allowable.

EXCEPTION

Do NOT allow the portion of the child support expense that is paid with income that is considered NOT COUNTABLE. (See Example [Child Support Expense](#))

NOTE DCSS has the legal authority to add an arrears payment to a court order. When additional child support arrearages are added to the support order and are recurring, budget the recurring arrearage amount of support that is being paid.

Legally owed child support arrearages are ALLOWABLE for NA when the expense has been verified as paid.

The participant may pay their legally owed child support payment to a third party in place of the cash payment in accordance with the court order. When this occurs, the payment is ALLOWABLE for NA. Payments include, but are not limited to, the following:

- Mortgage payments
- Insurance payments
- Car payments
- Medical insurance and bills

Allow the LESSER of either of the following:

- The court ordered amount
- The verified amount actually paid

WARNING

Do not allow employer charges for garnishment that are not part of the court-ordered child support expense.

Key the amount of the court ordered support expense paid on **EXPC** as follows:

- Key current court ordered child support using the CS Expense Code.
- Key child support arrearages using the CS AR Expense Code.
- Key non-cash child support using the CS OT Expense Code.

For more information, see [Child Support Expense Verification](#).

When the paid court ordered child support expenses fluctuate, average the paid support expenses over three or more months **ONLY** when the averaged amounts do not exceed the court order. Document how the amount budgeted was determined.