



FEDERAL

CHILD SUPPORT

GUIDELINES

A Workbook for Parents

- when parents have regular income from a salary or wage, and
- when the children usually live with one parent.



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This workbook was prepared under the direction of the Department of Justice Canada.

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You may request extra copies by writing to the following address:

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For convenience, the masculine pronoun is used in this document to refer to either male or female persons if the context does not clearly indicate one or the other.

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CHILD SUPPORT

GUIDELINES

Before you start**Looking at child support in a new way**

On May 1, 1997, the federal government changed the *Divorce Act* and brought in new rules on child support called the Federal Child Support Guidelines. The Guidelines are for parents getting divorced or wanting to change an existing child support order under the *Divorce Act*.

Both parents must pay for raising their children, even after the marriage ends. The Guidelines help ensure that parents put their children's needs first when calculating child support.

When using the Guidelines, parents look at several factors to decide on the amount of child support: income, the number of children, and the province or territory where the parents and the children live.

Is this workbook for you?

- This workbook is for parents who have what is referred to in this publication as a “sole-custody arrangement” for their children.

In this workbook, sole custody means that one of the parents has physical custody of the children and the other parent has access for less than 40% of the year.

Your written agreement or court order may call such an agreement “joint custody,” but in this workbook it is referred to as sole custody.

In this type of arrangement, both parents can still make decisions about raising the children. The children can still spend time with both parents. It is the amount of time the children spend in each parent's care that determines what kind of custody arrangement you have.

**New rules for child support
— May 1, 1997.****To use this workbook...**

- 1. ...the parents must have a sole-custody arrangement — parent without custody has access less than 40% of the year.**
- 2. ...the parents earn their income from a regular salary or wage, or live on other regular income, such as a pension, employment insurance or social assistance.**

A Workbook for parents

The Guidelines cover two other types of custody arrangement — split custody and shared custody. So, if your custody arrangement does not sound like the one described above, you have one of the other two.

The Department of Justice Canada developed another publication for parents in these other situations to use. It is called *The Complete Workbook*.

You can order a copy of *The Complete Workbook* from the Department of Justice Canada. Call toll-free 1-888-373-2222. If you live in the National Capital Region, call (613) 946-2222.

In a sole-custody arrangement, the parent with whom the children do **not** live most of the time usually pays child support to the other parent. In this workbook, the parent who pays child support is called the **paying** parent. The other parent is the **receiving** parent.

- To use this workbook, both parents must get nearly all of their income each year from a regular salary or wage.

Parents living on other regular income, such as a pension, employment insurance or social assistance during the year may also use this workbook to figure out an amount of child support.

Parents may receive income from other sources (for example, interest on a bank account). Parents who get more than \$500 each year from another source will find that this workbook does not contain all the information they need to figure out child support. They should use *The Complete Workbook*.

People who are self-employed should use *The Complete Workbook*.

The Department of Justice Canada published *The Complete Workbook* for situations not covered in this workbook.

Paying parent: parent who pays child support.

Receiving parent: parent who receives child support.

CHILD SUPPORT**GUIDELINES****Parents facing “undue hardship”**

You will also want to use *The Complete Workbook* if you believe that paying or receiving the amount of child support set in the Guidelines, combined with other circumstances, would cause financial or other difficulties (called “undue hardship”) for either parent or the children.

How can this workbook help you?

This workbook helps you get an idea of what the monthly child support payments would probably be in your situation.

There are six steps to follow. Two of the steps include some calculations. You will find instructions on how to do those calculations as you go along. The package you got with this workbook also includes tables and charts you will need to figure out the right amount of child support for your situation.

This workbook contains the same basic rules and steps that a judge would follow to set the amount of child support. So, if you do go to court, a judge will use the Guidelines to decide on an amount of child support — except in certain special situations (see page 4).

By using this workbook with the other parent, you can make the decision that is best for your family. You can cut down the time you spend in court, which can be costly and stressful, especially for your children.

Please remember that this workbook cannot replace the advice you can get from a lawyer.

Do you already have a written agreement or court order that sets out child support?

If you do, please turn to page 48.

This workbook contains six steps.

A Workbook for parents

Special situations

Sometimes, the amount set by the Guidelines may not be appropriate.

For example, the paying parent might have transferred his or her share of the family home to the other parent so that the children would not have to move. As a result, it may not be fair now to use the amount in the Guidelines for child support because that amount does not recognize that one parent gave up part of his or her own property to benefit the children.

In cases like this, you and the other parent need to agree on an amount of child support that would be appropriate when making your agreement. Or, a judge may decide for you.

Need some basic information on the Guidelines?

Another Department of Justice Canada publication gives you a general introduction to the Guidelines. You may wish to read it before you go through this workbook. The publication is called *Federal Child Support Guidelines: A Guide to the New Approach*. You can get a copy by calling the Department of Justice Canada.

Need some more help?

Several types of people can help you reach an agreement on how things will work after the divorce: family mediators, arbitrators and lawyers (and notaries in Quebec). Income tax specialists or accountants may also be helpful. See page 50, Sources of more information.

Enforcement

If you have questions about the enforcement of child support orders, please contact your provincial or territorial government. You can find them through the government listings in the telephone book.

There are special situations when it may be necessary to apply the Guidelines somewhat differently.

The Department of Justice Canada publishes a guide that you may find helpful.

There are many people in your community who can help you.

CHILD SUPPORT

GUIDELINES

◆ Throughout the workbook, you will follow the case of Daniel and Nicole as they figure out the child support for their two children, Paul, who is 8, and Marie, who is 5. You will find a review of what Daniel and Nicole did at the end of steps 3, 4, 5 and 6.

◆ This symbol shows you that this is an example explaining the calculations you have to do.

Step-by-step guide

Step 1: Do the federal Guidelines apply to you?

You will find this workbook helpful only if the **federal Guidelines** apply to your situation.

This can be a bit complicated to figure out, depending on where you and the other parent live and if you are divorced or separated or in the process of divorcing or separating.

Look at the charts on pages 7 and 8 to see if the Guidelines apply to your situation. If they do, then go to Step 2.



CHILD SUPPORT**GUIDELINES****Child support determined according to the *Divorce Act***

This act will usually apply to parents who are married and are getting a divorce or parents who are already divorced. If you are unsure if this law applies to you, you may wish to consult a lawyer.

	Parents live in the same province or territory	Parents live in different provinces or territories
Province/territory	Yes = use workbook No = do not use workbook	
Newfoundland and Labrador	Yes	Yes
Nova Scotia	Yes	Yes
Prince Edward Island	Yes*	Yes
New Brunswick	Yes	Yes
Quebec	No	Yes
Ontario	Yes	Yes
Manitoba	Yes	Yes
Saskatchewan	Yes	Yes
Alberta	Yes	Yes
British Columbia	Yes	Yes
Northwest Territories	Yes	Yes
Yukon	Yes	Yes

*You will use a different child support table. See Step 3.

A Workbook for parents

Child support determined according to provincial legislation

Provincial legislation applies to parents who were never married or parents who are married and are separating but are not planning to get a divorce. If both parents live in the same province or territory, provincial or territorial law applies. Look in the chart below to see if this workbook will help you figure out child support for your situation.

To use this workbook, your situation must fall under the federal Guidelines.

Province/territory	Yes = use workbook No = do not use workbook ☎ = call the Department of Justice Canada to find out if you should use this workbook
Newfoundland and Labrador	☎
Nova Scotia	☎
Prince Edward Island	Yes*
New Brunswick	☎
Quebec	No
Ontario	Yes
Manitoba	☎
Saskatchewan	Yes
Alberta	☎
British Columbia	☎
Northwest Territories	☎
Yukon	☎

*You will use a different child support table. See Step 3.

If you do not know which provincial or territorial law applies to your situation, you may wish to ask a lawyer.

CHILD SUPPORT**GUIDELINES****Step 2: How many children may get child support?***Children younger than the age of majority*

Parents who have custody of dependent children younger than the age of majority may get support for those children.

The age of majority in a province or territory is the age at which the government considers the person to be an adult.

Look in the box below to find out the age of majority in the province or territory where the children's permanent residence is. This will usually be where the receiving parent lives.

Age of majority by province and territory

The age of majority is 18 in these provinces:

Alberta
Manitoba
Ontario
Prince Edward Island
Quebec
Saskatchewan

The age of majority is 19 in these provinces and territories:

British Columbia
New Brunswick
Newfoundland and Labrador
Northwest Territories
Nova Scotia
Yukon

Children at or older than the age of majority

Some children at or older than the age of majority may also get support. This usually includes children who depend on parents for support because they are ill or have a disability. It may also include a child who is going to college or university and is living at home or away from home.



The age of majority varies across Canada.

A Workbook for parents

The Guidelines include two ways to decide on support for children at or older than the age of majority. You may either follow the rules just as you would for a child under the age of majority. Or, you and the other parent may agree on an amount of support that reflects the needs of the child, any amount the child can pay, and how much you can each afford. You may wish to seek legal advice to help you decide which approach to take. If you cannot decide, a judge may decide for you and set the child support amount.

May support be paid for children who are not the biological or adoptive children of one of the two spouses?

A spouse who has acted as a parent to children of another parent may also be required to pay child support if the relationship that brought the spouse and children together ends.

If you and the other parent agree that these children should be supported, then include them when you are counting the number of children. If you cannot agree, a judge may decide whether or not these children should be supported.

Please keep in mind that, if the judge decides that these children should be supported, he or she may also decide to change the amount set under the Guidelines after looking at what any other parent is contributing to support the child. You may wish to get some advice from a lawyer.

How many children get support?

- Count all dependent children of this marriage or relationship who are younger than the age of majority.
- Count children at or older than the age of majority if you and the other parent agree to support them following the same rules as for the rest of the children.
- Count all children who are not children of the two spouses who you agree to support following the same rules as for the rest of the children.

Number of children who get child support:

Go to Step 3.

The amount of child support for a child at or older than the age of majority may be the same as the amount for a young child or an amount you and the other parent agree to.

CHILD SUPPORT

GUIDELINES

Step 3: Do you have the right child support table?

The Guidelines include a table for each province and territory that lists the basic amount of child support for families of certain sizes. The tables are all slightly different, reflecting tax differences among the provinces and territories.

The table you need to complete this workbook is the one for the province or territory where the paying parent lives.

You should have received a copy of the table that you need with the workbook. The title on the front of the table is *How to Use the Simplified Federal Child Support Tables*. The cover of the table should also show you the name of the province or territory.

If you did not receive a copy of the table you need, call the Department of Justice Canada to ask for a copy.

The person who answers your call will want to know two things:

- the number of children who will be getting support (you figured this out in Step 2), and
- the province or territory where the paying parent lives.

If the paying parent lives outside Canada or you do not know his or her address, get the table for the province or territory where the receiving parent lives.

If there are more than four children who will be eligible for child support, call the Department of Justice Canada to ask for the child support table for large families.

The province or territory you need a child support table for is:



Make sure you have the right table before you start to work through the rest of the workbook.

Prince Edward Island has its own table. Call the Department of Justice Canada to find out how to get a copy.

A Workbook for parents

◆Steps 1, 2 and 3 for Daniel and Nicole

Daniel and Nicole married in 1984 and are now divorced. They have two children: Paul, who is 8, and Marie, who is 5 when Daniel and Nicole use this workbook in 1998.

Can Daniel and Nicole use this workbook?

Yes.

When Daniel and Nicole separated, they agreed that the children would live with Nicole all the time, but that Daniel could see them regularly. This is a sole-custody arrangement for the purposes of this workbook.

Daniel is a manager with a manufacturing company and makes \$40,000 a year. Nicole is an administrator with the local municipality and makes \$25,000 a year.

Do the federal Guidelines apply to their situation?

Yes. Daniel and Nicole are divorced and they both live in Ontario so the federal Guidelines apply.

Is Nicole eligible to get support for both children?

Yes. Paul and Marie are both younger than the age of majority.

Which child support table do Daniel and Nicole use?

Daniel is the paying parent and he lives in Ontario, so he and Nicole need the Ontario child support table to complete this workbook.

Go to Step 4.

CHILD SUPPORT

GUIDELINES

Step 4: What is the parent's annual income?

The next step is to calculate the annual income of the **paying** parent. You need to know that number so you can use the child support table to get the basic amount of child support for your situation.

You will have to work through this step to figure out the annual income of the **receiving** parent when there are special expenses that are not covered by the amount listed in the child support table (see Step 6, page 26).

Parents should make available recent, complete and accurate details about income. If you go to court to decide on child support, the judge will require parents whose income information is necessary to provide that information. If either parent does not supply this information, the judge can set a penalty (for example, paying the other parent's legal fees). You will find a list of the information a judge requires in *Federal Child Support Guidelines: A Guide to the New Approach*. A lawyer can also tell you what a judge will need.

Where to start?

Start with line 150 of the parent's most recent federal income tax return. (In this workbook, it is called **gross annual** income; it is called total income on the tax form.) That amount includes salary, social assistance, employment insurance, pensions, interest, and income from any other source. If the paying parent makes more than \$150,000 per year, please read the notes on page 45 for more information on how to decide on child support.

What if the income amount has changed?

You must use the most up-to-date information you have. So, if the parent's income is not the same as the most recent income tax return shows, use recent pay stubs or other income records to update the figure.



You use the paying parent's gross annual income with the child support table to figure out the basic monthly amount of child support.

Line 150 includes income from all sources.

Use the most up-to-date income information you have.

A Workbook for parents

What if the income changes from year to year?

The income of the parent may change each year. One way to figure out income in this case is to base it on an average of the gross total incomes from the last three years.

What about money that comes in only once?

The parent may get a one-time amount of money, such as the money from the sale of a cottage, that may be included in income. You and the other parent, or the judge if you go to court, may decide to deduct part or none of this lump sum from the income figure on line 150.

Parents may agree on an income amount

Parents may work together to set amounts for their gross annual incomes if the line 150 figures are not appropriate.

Additions to income

Some parents may have to add an amount to their income to bring it up to the proper level for the Guidelines. If, for example, the parent is underemployed or unemployed on purpose or is not paying the amount of income tax he or she is supposed to, then a judge may decide to add an amount to the parent's gross annual income. For more information, look on page 28 of *Federal Child Support Guidelines: A Guide to the New Approach*.

CHILD SUPPORT**GUIDELINES****Working through the calculations for Step 4**

The seven boxes you will work through in Step 4 help you adjust the income figure from line 150 of the parent's federal income tax return so you can get the right basic amount from the child support table.

What do you need to complete the boxes in Step 4?

- the parent's most recent federal income tax return,
- any schedules that the parent filled out with the income tax return,
- the Notice of Assessment that Revenue Canada sent about the tax return,
- pay stubs or other income records if the parent's income has changed.

If you do not have all the tax information you need, call Revenue Canada at 1-800-959-8281.

You may also want to have a calculator handy.

You need to have all the information listed above to figure out the most accurate amount for child support. If you do not have all this information, you can still get a good idea of the child support amount by using the best information you do have to work through the boxes on the following pages.

There is a worksheet stapled into the middle of the workbook for you to use to keep track of all the amounts you figure out. If you wish, you can then copy your final figures into the workbook.

Work through the boxes in Step 4 for the paying parent and then do them again for the receiving parent.

Please note that the income tax return line numbers referred to in this step are taken from the 1997 form.

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

BOX 1

Gross annual income

Write the number from line 150 of the parent's most recent federal income tax return in Box 1. If this amount is not up-to-date, use recent pay stubs, the Notice of Assessment or other income records, whichever is the most recent, to get the right amount.

Deductions from income

To get the right income amount to use with the Guidelines, you must subtract certain things from the figure you wrote in Box 1:

- child support received that was included in income,
- spousal support received from the other parent,
- employment expenses, and
- social assistance for people other than the parent.

If the parent has any of these deductions, work through boxes 2 to 5. If none of these deductions applies to the parent's situation, go to Box 7.

Make sure to use yearly amounts when doing your calculations.

There are other deductions covered by the Guidelines, but they will not apply to users of this workbook. There is a brief list of these deductions on page 45. If any of them apply to the parent and will make a significant difference to the income amount, consider using *The Complete Workbook*.

BOX 2

Child support received

Did the parent receive any child support during the year that is included in the total income amount in Box 1?

<u>BOX 1</u>
\$ _____
Gross annual income

CHILD SUPPORT**GUIDELINES**

Fill in only the boxes that apply to your situation. Skip all other boxes.

If **no**, skip this box and go to Box 3.

If **yes**, check on line 128 of the parent's federal income tax return. Line 128 reports both child and spousal support received.

Does the amount on line 128 include both? If yes, then look at the written agreement or court order that sets the support to see how much of the amount on line 128 is for child support. Make sure the amount is for the year. For example, if it is a monthly amount, multiply it by 12 to get the yearly amount. Write the yearly amount in Box 2.

If there is no order or agreement, or if it does not set out child and spousal support separately, try to agree with the other parent on what amount is for child support. If you cannot agree, you may ask a judge to decide on the amount for you. Write the amount in box 2.

If the amount on line 128 is for child support only, write it in Box 2.

BOX 3

Spousal support received **from the other parent**

Did the parent receive spousal support **from the other parent** that is included in the total income amount in Box 1?

If **no**, skip this box and go to Box 4.

If **yes**, check on line 128 of the parent's federal income tax return to find the amount of spousal support he or she received during the year from the other parent. Line 128 reports both child and spousal support.

<u>BOX 2</u>
\$ _____
Child support received

A Workbook for parents

Does the amount on line 128 include both child support and spousal support? If yes, subtract the amount of child support that you wrote in Box 2 from the total on line 128 of the parent's federal income tax return. Write the amount in Box 3.

If the amount on line 128 is for spousal support from the other parent only, write it in Box 3.

Please note that the amount should **not** include spousal support received from any other person.

BOX 4

Employment expenses

Does the parent have an amount for union or professional dues listed on line 212 or an amount listed for other employment expenses listed on line 229 of his or her federal income tax return?

If **no**, skip this box and go to Box 5.

If **yes**, add the amounts together and write the total in Box 4.

BOX 5

Social assistance received for people **other than the parent**

Does the parent receive social assistance for other people?

If **no**, skip this box and go to Box 6.

If **yes**, check on line 145 of the parent's federal income tax return. This is the amount of social assistance the parent receives.

Fill in only the boxes that apply to your situation. Skip all other boxes.

Line 128	\$ _____
Minus Box 2	\$ _____
Equals	\$ _____
<hr/>	
BOX 3	
<hr/>	
\$ _____	
Spousal support received from the other parent	

BOX 4
\$ _____
Employment expenses

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

Write this amount here:
 Minus the amount for this parent:
 If you do not know this amount, contact the social assistance office.
 Equals the amount for people **other than the parent**:

Write this amount in Box 5.

BOX 6

Total deductions

Write the amount from Box 2 here:
 Plus the amount from Box 3:
 Plus the amount from Box 4:
 Plus the amount from Box 5:
 Equals the amount to subtract from income:

Write this amount in box 6.

Total annual income

BOX 7

Total annual income to use with the child support table

Write the amount from Box 1 here:
 Minus the amount from Box 6:
 Equals the total annual income to use with the child support table:

Write this amount in Box 7.

\$ _____
-\$ _____
=\$ _____
<u>BOX 5</u>
\$ _____
Social assistance received for people other than the parent

\$ _____
+\$ _____
+\$ _____
+\$ _____
=\$ _____
<u>BOX 6</u>
\$ _____
Total deductions from income

\$ _____
-\$ _____
=\$ _____
<u>BOX 7</u>
\$ _____
Total annual income to use with the child support table

◆ Daniel and Nicole's calculations for Step 4

Daniel and Nicole's divorce was finalized in October 1996. Under the court order set at the time, Daniel pays Nicole \$14,640 in child and spousal support each year.

Daniel and Nicole now want to change that agreement (see page 48), set a new child support amount under the Guidelines and follow the new tax rules so that there is more money available each month for the children.

To get the amount of annual income to use to figure out the child support amount, Daniel and Nicole worked through Step 4. The boxes on the following pages show the numbers they got with their calculations.

CHILD SUPPORT

GUIDELINES

BOX 1

Gross annual income

The figure on line 150 of Daniel’s most recent income tax return is \$40,000. This is the number for Daniel for Box 1.

The figure on line 150 of Nicole’s most recent income tax return is \$39,640. This is the number for Nicole for Box 1.

Daniel

Nicole

<u>BOX 1</u>	<u>BOX 1</u>
\$40,000	\$39,640
Gross annual income	Gross annual income

Deductions from income

BOX 2

Child support received

Daniel does not complete Box 2.

The figure on line 128 of Nicole’s most recent income tax return is \$14,640. This includes child support and spousal support. Daniel and Nicole’s court order says that Nicole receives \$920 a month (or \$11,040 for the year: \$920/month x 12 months) for child support. Nicole writes \$11,040 in Box 2 as the amount she receives in child support.

Daniel

Nicole

<u>BOX 2</u>	<u>BOX 2</u>
N/A	\$11,040
Child support	Child support received

A Workbook for parents

BOX 3

Spousal support received **from the other parent**

Daniel does not complete Box 3.

The figure on line 128 of Nicole's most recent income tax return is \$14,640. She subtracts \$11,040 (Box 2) from this to get the figure for Box 3. Nicole writes \$3,600 in Box 3 as the amount she receives in spousal support from Daniel.

Daniel

Nicole

<u>BOX 3</u>		<u>BOX 3</u>	
Line 128	N/A	Line 128	\$14,640
Minus Box 2	N/A	Minus Box 2	\$11,040
Equals	N/A	Equals	\$3,600
Spousal support received from the other parent		Spousal support received from the other parent	

BOX 4

Employment expenses

Daniel pays \$50 each month for union dues, so the figure on line 212 of Daniel's income tax return is \$600 (\$50 x 12 months). Daniel writes \$600 in Box 4.

Nicole does not complete Box 4.

Daniel

Nicole

<u>BOX 4</u>		<u>BOX 4</u>	
\$600		N/A	
Employment expenses		Employment expenses	

CHILD SUPPORT

GUIDELINES

BOX 5

Social assistance received for people **other than the parent**

Neither Daniel nor Nicole has an amount to write in Box 5.

Daniel

Nicole

<u>BOX 5</u>
N/A
Social assistance received for people other than the parent

<u>BOX 5</u>
N/A
Social assistance received for people other than the parent

BOX 6

Total deductions

Daniel writes \$600 (Box 4) in Box 6.

Nicole writes \$14,640 (Box 2 plus Box 3) in Box 6.

Daniel

Nicole

<u>BOX 6</u>	
Box 2	\$ _____
Plus Box 3	\$ _____
Plus Box 4	\$600
Plus Box 5	\$ _____
Equals	\$600
Total deductions from income	

<u>BOX 6</u>	
Box 2	\$11,040
Plus Box 3	\$3,600
Plus Box 4	\$ _____
Plus Box 5	\$ _____
Equals	\$14,640
Total deductions from income	

A Workbook for parents

BOX 7

Total annual income to use with the child support table

Daniel's total annual income is \$39,400. Daniel and Nicole will use this amount to figure out the basic amount of child support using the child support table (Step 5).

Nicole's total annual income is \$25,000. Daniel and Nicole will need this number in Step 6.

Daniel

Nicole

<u>BOX 7</u>	
Box 1	\$40,000
Minus Box 6	\$600
Equals	\$39,400
Total annual income to use with the child support table	

<u>BOX 7</u>	
Box 1	\$39,640
Minus Box 6	\$14,640
Equals	\$25,000
Total annual income to use with the child support table	

CHILD SUPPORT**GUIDELINES****Step 5: What is the basic monthly amount of child support?**

To calculate the basic amount of child support, use the child support table you received with this workbook. If you are not sure if you have the right table, go back to Step 3.

- Get the income figure for the paying parent from Box 7 in Step 4.
- Find this number on the table under the column of numbers in bold called “Income.”
- Look across the line to the column under “No. of Children” that matches the number of children who get support (you figured this out in Step 2).
- The number you find is the basic monthly amount of child support.

Write the basic monthly amount from the child support table here:

\$ _____

◆ Daniel’s total annual income (Box 7 in Step 4) is \$39,400. The child support table for Ontario shows that the basic child support amount for two children at that income level is \$562 per month.

Go to Step 6.



Step 6: What amount covers special expenses?

The law expects parents to share certain expenses that are reasonable and necessary to raise their children, but that are not covered by the basic amount of child support. These are called special expenses.

For example, divorcing parents of young children may decide to share child-care expenses now and university expenses later.

The following special expenses are covered under the Guidelines:

- child care that the parent who lives with the children has to have because he or she works, goes to school or takes training, is sick or has a disability (this does not include occasional babysitting),
- the part of a parent's medical and dental insurance premiums that covers the children,
- health care for a child that costs at least \$100 more than the amount covered by health or dental insurance for each illness or situation in a year. This includes such things as medicine, orthodontics, glasses, speech therapy and counselling,
- extraordinary expenses for primary and secondary schooling needs,
- post-secondary education expenses, such as college or university tuition, and
- extraordinary expenses for extra-curricular activities.

There are **no other** types of expenses that can be considered as special expenses.

Both parents need to agree that the special expenses are in the child's best interests and are reasonable based on the family's means and on their spending pattern before the separation. Then they need to decide how much of the costs for special expenses they will add to the basic amount of child support.



CHILD SUPPORT**GUIDELINES**

As a general rule, each parent shares the special expenses according to his or her income. Step 6 includes a series of calculations for you to do that follow this general rule.

Parents may also decide not to follow the general rule and decide to split special expenses another way. If they cannot agree, either parent may ask a judge to decide for them.

If you go to court about special expenses, a judge would look at several things to set the amount of special expenses. For example,

- is each expense reasonable and necessary?
- how much money is each parent making?
- how did the family spend its money before the marriage ended?

A Workbook for parents

Working through the calculations for Step 6

The nine boxes you will work through in Step 6 will help you calculate the amount to add to the basic amount of child support to cover special expenses according to the general rule noted above.

What do you need to complete the boxes in Step 6?

- a completed Step 4 for both parents,
- the most recent federal income tax return for both parents,
- any schedules that the parents filled out with those income tax returns,
- the Notices of Assessment that Revenue Canada sent about the tax returns,
- a list of the special expenses the children have, how much they cost and how much each parent and child pays towards them. If you receive a subsidy to help pay for these expenses, have information available on it as well.

If you do not have all the tax information you need, call Revenue Canada at 1-800-959-8281.

You may also want to have a calculator handy.

You need to have all the information listed above to figure out the most accurate amount for child support. If you do not have all this information, you can still get a good idea of the child support amount by using the best information you do have to work through the boxes on the following pages.

Use the section on the worksheet for Step 6 to write in all the amounts you figure out. If you wish, you can then copy your final figures into the workbook.

Work through the boxes in Step 6 for the paying parent and then do them again for the receiving parent.

Please note that the income tax return line numbers referred to in this step are taken from the 1997 form.

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

BOX 8

Total special expenses

In this box, you figure out the total amount **both parents** spend each year on special expenses for their children.

Begin by writing the name of each child in the chart below. Then, in the spaces below each child's name, write the total amount both parents pay each year for the special expenses listed down the right side of the chart.

Make sure to use yearly amounts.

A _____	B _____	C _____	D _____
Child's name	Child's name	Child's name	Child's name
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
A\$ _____	B\$ _____	C\$ _____	D\$ _____

Child care for job, illness etc.

Child's share of premiums the parents pay for a medical and dental insurance policy*

Health-related expenses that cost at least \$100 more than the amount allowed by a medical or dental plan in a year

Extraordinary primary and secondary school expenses

Post-secondary education

Extraordinary expenses for extracurricular activities

Totals

*If you do not know the child's share of medical and dental insurance premiums, check the policy or ask the insurance company.

Add the amounts in the chart above for each child.

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

Then, add up the total expenses for all children.

Equals the total both parents spend on special expenses each year for all the children.

Write this amount in Box 8.

BOX 9

Help received to pay for special expenses

Do **you, the other parent or child** receive help to pay for special expenses?

If **no**, skip this box and go to Box 10.

If **yes**, begin by writing the name of each child in the chart below. Then, fill in any amounts you have.

A _____	B _____	C _____	D _____
Child's name	Child's name	Child's name	Child's name

_____	_____	_____	_____
-------	-------	-------	-------

_____	_____	_____	_____
-------	-------	-------	-------

A\$ _____	B\$ _____	C\$ _____	D\$ _____
-----------	-----------	-----------	-----------

Add the amounts in the chart above for each child.

A \$	_____
+B \$	_____
+C \$	_____
+D \$	_____
= \$	_____
<hr style="border-top: 1px solid black;"/>	
BOX 8	
\$	_____
Total special expenses	

Amount a person, or organization (such as a service club) or government (not tax-related) paid to help with each child's special expenses

Amount each child put toward his or her own special expenses

Totals

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

Then, add the total amount received for all the children.

Equals the total amount received to pay for special expenses each year for all the children.

Write this amount in Box 9.

BOX 10

Tax relief

Parents with child-care, medical or educational expenses or a combination of the three may deduct them from their income. As a result, you have to subtract the amount of money the parent saves on taxes when you figure out the total amount for special expenses.

Do either of the parents claim child-care, medical or educational expenses on their federal income tax return?

If **no**, skip this box and go to Box 11.

If **yes**, you need to calculate the total tax relief **both parents** get.

To do this, use the Child-care Expenses and Medical Expenses Tax Relief Charts you received with this workbook. If both parents live in the same province or territory, you will need only the chart for that province or territory. If the parents live in different provinces or territories and both have tax deductions, you will need the charts for both provinces or territories.

If you do not have the charts you need, call the Department of Justice Canada to request copies.

A \$	_____
+B \$	_____
+C \$	_____
+D \$	_____
= \$	_____

BOX 9

\$ _____

Help received to pay for special expenses

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

Follow the instructions on the Child-care Expenses and Medical Expenses Tax Relief Charts to get the figures you need to complete the calculations below.

If you have educational expenses you may get tax relief for them. Figuring this out, however, can be complicated. If you have educational expenses, please read the notes on page 46 for more information on how to handle them.

You must have income information (Step 4) for both parents to do Box 10.

For the paying parent's share only

Write in the amount of tax relief the paying parent gets for child-care expenses here (from the tax relief charts):

\$ _____

Plus the amount of tax relief the paying parent gets for medical expenses (from the tax relief charts):

+ \$ _____

Plus the amount of tax relief the paying parent gets for educational expenses (see page 46):

+ \$ _____

Equals the paying parent's total tax relief:

= \$ _____

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

For the receiving parent's share only

Write in the amount of tax relief the receiving parent gets for child-care expenses here (from the tax relief charts): \$ _____

Plus the amount of tax relief the receiving parent gets for medical expenses (from the tax relief charts): +\$ _____

Plus the amount of tax relief the receiving parent gets for educational expenses (see page 46): +\$ _____

Equals the receiving parent's total tax relief: =\$ _____

Calculate the tax relief for both parents.

Write the paying parent's total tax relief from the chart on page 32 here:

Plus the receiving parent's total tax relief from the chart above:

Equals the total tax relief for both parents:

Write this amount in Box 10.

\$	_____
+\$	_____
=\$	_____
BOX 10	
\$	_____
Total tax relief – both parents	

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

BOX 11

Total amount of special expenses that parents share

- a) Write the total from Box 9 here:
- b) Plus the total from Box 10:
- c) Equals:
- d) Write the total from Box 8 here:
- e) Minus the total from line c) above:
- f) Equals the total special expenses that parents share:

Write this amount in Box 11.

BOX 12

Annual income of both parents for special expenses

In Step 4, you figured out each parent's income. To calculate special expenses, you need to adjust those figures further depending on whether one parent paid spousal support to the other.

Use Box 12 to calculate the total annual income of both parents to use for sharing special expenses.

Use **Box 12A** if neither parent is paying spousal support to the other.

Use **Box 12B** if one parent is paying spousal support to the other.

Do not complete both boxes.

12A – No spousal support paid to other parent

Write in the annual income for the paying parent from Box 7 here:

Plus the annual income for the receiving parent from Box 7:
Equals the annual income of both parents:

Write this amount in Box 12A.

a) \$ _____
b) +\$ _____
c) =\$ _____
d) \$ _____
e) -\$ _____
f) =\$ _____

BOX 11

\$ _____

Total special expenses that parents share

\$ _____
+\$ _____
=\$ _____

BOX 12A

\$ _____

Annual income of both parents – no spousal support

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

If you filled out Box 12A do not fill out Box 12B.

12B – One parent paid spousal support to the other

Paying parent

Write in the annual income from Box 7 here:

a) \$ _____

Plus the amount of spousal support received from the other parent, if it was deducted in Box 3, Step 4:

+b) \$ _____

Equals:

=c) \$ _____

Minus the amount of spousal support paid to the other parent, if any:

-d) \$ _____

Equals the annual income of the **paying** parent:

=e) \$ _____

Receiving parent

Write in the annual income from Box 7 here:

a) \$ _____

Plus the amount of spousal support received from the other parent, if it was deducted in Box 3, Step 4:

+b) \$ _____

Equals:

=c) \$ _____

Minus the amount of spousal support paid to the other parent, if any:

-d) \$ _____

Equals the annual income of the **receiving** parent:

=e) \$ _____

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

Add together the new annual incomes for both parents.

Write in the annual income of the **paying** parent from the table on page 35 here (line e):

Plus the annual income of the **receiving** parent from the table on page 35 (line e):

Equals the annual income of both parents for sharing special expenses:

Write this amount in Box 12B.

BOX 13

Paying parent's share of special expenses

Use this box to figure out how much of the special expenses are the paying parent's responsibility.

If you completed Box 12A, write the total annual income of the **paying** parent (Box 7) here. If you completed Box 12B, write the income of the **paying** parent from line e) in Box 12B here:

Divide by the figure in either Box 12A or 12B:

Equals the paying parent's share of annual income (in decimal form — for example, 0.67):

Multiply by the total from Box 11:

Equals the paying parent's share of special expenses:

Write this amount in Box 13.

\$	_____
+\$	_____
=\$	_____
<hr/>	
BOX 12B	
<hr/>	
\$	_____
Annual income of both parents – spousal support	

\$	_____
÷\$	_____
=	_____
x\$	_____
=\$	_____
<hr/>	
BOX 13	
<hr/>	
\$	_____
Paying parent's share of special expenses	

CHILD SUPPORT

GUIDELINES

Fill in only the boxes that apply to your situation. Skip all other boxes.

BOX 14

Real (or net) cost of special expenses the paying parent pays directly

Is this parent paying any special expenses directly? For example, the paying parent may pay tuition directly to a child's school or pay for a year's worth of orthodontic work with post-dated cheques.

If **no**, skip this box and go to Box 15.

If **yes**, calculate the real (or net) cost of these expenses.

Write the amount of special expenses the paying parent pays directly here:

Minus any help the paying parent gets to pay for these expenses (see Box 9):

Minus any tax relief this parent gets for these expenses (see Box 10):

Equals the real (or net) cost of special expenses the paying parent pays directly:

Write this amount in Box 14.

BOX 15

Monthly amount for special expenses

In this box, you figure out the amount for special expenses the paying parent must pay each month.

Write the total from Box 13 here:

Minus the total from Box 14:

Equals:

Divide by 12:

Equals the monthly amount for special expenses the paying parent pays:

Write this amount in Box 15.

\$	_____
- \$	_____
- \$	_____
= \$	_____
<hr/>	
BOX 14	
\$	_____
Real (or net) cost of special expenses the paying parent pays directly	

\$	_____
- \$	_____
= \$	_____
÷ 12	
= \$	_____
<hr/>	
BOX 15	
\$	_____
Monthly amount for special expenses	

A Workbook for parents

Fill in only the boxes that apply to your situation. Skip all other boxes.

BOX 16

Total monthly amount of child support

In this box, you add together the basic amount of child support and the amount for special expenses to get the total monthly child support payment.

Write in the basic monthly amount for child support from Step 5 here:

Plus the monthly amount of special expenses from Box 15:
Equals the total monthly amount of child support the paying parent must pay:

Write this amount in Box 16.

You should now know the estimated amount of child support the paying parent would pay each month. You can now try to reach an agreement with the other parent on child support. You will find information about how to find professionals to help you with this agreement on page 50.

If you or the other parent feel that this amount of child support, combined with other circumstances, would cause either parent or the children financial difficulties (undue hardship), you may wish to get legal advice.

\$	_____
+\$	_____
=	_____
<hr/>	
BOX 16	
\$	_____
Total monthly amount of child support	

CHILD SUPPORT

GUIDELINES

◆ Daniel and Nicole’s calculations for Step 6

Daniel and Nicole pay for several special expenses for their children. Nicole pays \$125 each month (\$1,500 each year) for child care for each of the children, Paul and Marie (for a total of \$3,000). She also pays \$2,600 each year for medical expenses for Marie. Daniel spends \$1,200 a year for a special after-school language immersion program for Paul.

Here are the calculations that Daniel and Nicole did to figure out how much Daniel would pay for special expenses.

BOX 8

Total special expenses

When Daniel and Nicole complete the chart in Box 8, they write Paul’s name in column A and Marie’s in column B. The special expenses for Paul (A) total \$2,700: \$1,500 (child care) plus \$1,200 (language program). The special expenses for Marie (B) total \$4,100: \$1,500 (child care) plus \$2,600 (medical expenses).

The total amount of special expenses is \$6,800 (\$2,700 plus \$4,100). This is the number Daniel and Nicole write in Box 8.

BOX 8

A	\$2,700
Plus B	\$4,100
Plus C	\$0
Plus D	\$0
Equals	\$6,800
Total special expenses	

A Workbook for parents

BOX 9

Help received to pay for special expenses

Daniel receives \$200 from a service club to help pay for Paul's language program. Daniel and Nicole write \$200 in Box 9.

BOX 9

A	\$200
Plus B	\$0
Plus C	\$0
Plus D	\$0
Equals	\$200
Help received to pay for special expenses	

BOX 10

Tax relief

Using the Child-care and Medical Expenses Tax Relief Charts, Nicole's tax relief for the child-care expenses is \$1,256 and for the medical expenses is \$571. The total of Nicole's tax relief is \$1,827.

Daniel does not get any tax relief for paying for Paul's language program because Paul does not live with him.

The total tax relief for Daniel and Nicole is \$1,827. This is the number they write in Box 10.

BOX 10

Paying parent's tax relief	\$0
Plus receiving parent's tax relief	\$1,827
Equals	\$1,827
Total tax relief — both parents	

CHILD SUPPORT**GUIDELINES****BOX 11**

Total amount of special expenses that parents share

To figure out the total amount of special expenses they have to share, Daniel and Nicole do the calculations below.

Daniel and Nicole get \$4,773 when they do these calculations. This is the number they write in Box 11.

BOX 11

a) Box 9	\$200
b) Plus Box 10	\$1,827
c) Equals	\$2,027
d) Box 8	\$6,800
e) Minus line c) above	\$2,027
f) Equals	\$4,773

Total amount of special expenses
that parents share

A Workbook for parents

BOX 12

Annual income of both parents for special expenses

Daniel and Nicole complete Box 12B because Daniel pays Nicole spousal support — \$300 a month (\$3,600 a year).

	<i>Daniel</i>	<i>Nicole</i>
Box 7	\$39,400	\$25,000
Plus spousal support received	\$0	\$3,600
Equals	\$39,400	\$28,600
Minus spousal support paid	\$3,600	\$0
Equals (line e)	\$35,800	\$28,600

The total of Daniel and Nicole's incomes for special expenses (\$64,400) is the number for Box 12B.

BOX 12B

Daniel's income (line e)	\$35,800
Plus Nicole's income (line e)	\$28,600
Equals parents' income	\$64,400
Annual income of both parents – spousal support	

CHILD SUPPORT**GUIDELINES****BOX 13**

Paying parent's share of special expenses

Daniel and Nicole use the number from Box 12B to figure out Daniel's share of special expenses.

Doing the calculations, they find that Daniel is responsible for \$2,653.79 of the total special expenses each year. This is the number Daniel and Nicole write in Box 13.

BOX 13

Line e) (from Box 12B) \$35,800

Divided by Box 12B \$64,400

Equals 0.556

Times Box 11 \$4,773

Equals \$2,653.79

Paying parent's share of special expenses

BOX 14

Real (or net) cost of special expenses the paying parent pays directly

Daniel pays directly for Paul's language program, but he gets help with this expense from a local service club. Daniel must subtract the \$200 he receives from the \$1,200 the language program costs. So, the real cost of the expenses Daniel pays directly is \$1,000.

Daniel and Nicole write \$1,000 in Box 14.

BOX 14

\$1,000

Real (or net) cost of special expenses the paying parent pays directly

BOX 15

Monthly amount for special expenses

Daniel and Nicole next figure out how much Daniel will pay for special expenses each month. They do this by subtracting \$1,000 (Box 14) from \$2,653.79 (Box 13) and dividing by 12.

Daniel will pay \$137.82 each month for special expenses. This is the amount Daniel and Nicole write in Box 15.

<u>BOX 15</u>	
Box 13	\$2,653.79
Minus Box 14	\$1,000.00
Equals	\$1,653.79
Divide by 12	
Equals	\$137.82
Monthly amount for special expenses	

BOX 16

Total monthly amount of child support

Daniel and Nicole now add up the basic monthly child support amount and the amount for special expenses to get Daniel's total monthly amount of child support.

Daniel will pay Nicole \$699.82 each month. This is the amount Daniel and Nicole write in Box 16.

<u>BOX 16</u>	
Basic amount (Step 5)	\$562.00
Plus Box 15	\$137.82
Equals	\$699.82
Total monthly amount of child support	

CHILD SUPPORT**GUIDELINES****A few more details...****Incomes over \$150,000 per year**

The child support table does not include specific child support amounts for parents whose income is more than \$150,000 per year. Instead, there is a percentage listed you may use, if you and the other parent agree, to figure out the amount of child support for the part of the income over \$150,000. You then add this number to the amount from the table for \$150,000 to get the basic child support amount.

Another option is to agree with the other parent on a total amount that meets the needs of the children, but that is not less than the amount listed in the table for incomes of \$150,000. A judge may also decide this amount for you.

You will find more information on this topic on page 22 of *Federal Child Support Guidelines: A Guide to the New Approach*.

If the paying parent also has income from investments or other sources, please use *The Complete Workbook*.

Other deductions from income

The Guidelines also cover deductions from income other than those listed in Step 4 (page 16):

- the excess portion of dividends from taxable Canadian corporations,
- business investment losses,
- carrying charges and interest expenses,
- prior-period earnings, and
- sole proprietorship and partnership income.

If the parent has these kinds of deductions, please use *The Complete Workbook*.

A Workbook for parents

Educational expenses

To find out the tax relief for special expenses related to education you need to complete a federal income tax return twice — once with an amount written on line 324 and once leaving that line blank. Follow the instructions below. You may also wish to get help from a tax specialist.

Use two blank income tax returns to work through two situations for the parent claiming the educational expenses. (These forms are for your use only; you do not need to submit them to Revenue Canada.) Complete the first tax return with the appropriate amount written on line 324 to calculate the tax that would be owing. Copy this amount onto line a) in the box on page 47.

Now, do the income tax return again leaving line 324 blank. Calculate the tax that would be owing. Copy this amount onto line b) in the box on page 47.

Next, subtract the amount on line b) from the amount on line a). The number you get (line c) is the amount of tax relief the parent gets for educational expenses.

If the other parent will claim educational expenses as well, work through the calculations again.

CHILD SUPPORT

GUIDELINES

Paying parent		Receiving parent	
Tax owing when line 324 is blank	a)_____	Tax owing when line 324 is blank	a)_____
Minus tax owing when line 324 is filled in	b)_____	Minus tax owing when line 324 is filled in	b)_____
Equals paying parent's tax relief	c)_____	Equals receiving parent's tax relief	c)_____

Copy the line c) amount for the paying parent to the line for educational expenses on page 32. Copy the line c) amount for the receiving parent to the line for educational expenses on page 33.

Changing a written agreement or court order you already have

The new rules on child support allow parents who have a written agreement or court order on child support that was made before May 1, 1997 to change it to reflect the Guidelines even if nothing else has changed.

You can now also change your written agreement or court order to follow the new tax rules for child support payments that came into effect in 1997.

You do not have to change your written agreement or court order. If you do not change it, the monthly amount of support and the way you and the other parent pay your taxes on the support stays the same.

If you both agree to change your court order or written agreement, you have two choices.

1. Keep the written agreement or court order you have now and follow the new tax rules.
 - The person who pays the support does not claim the child support as a deduction on his or her income tax return.
 - The person who gets the support does not claim the child support as income.

This means that there is more money available for the children.

You may wish to ask an accountant or income tax specialist what the effect of the new tax rules will be.

You can change your written agreement or court order to reflect the Guidelines.

You do not have to change your written agreement or court order.

Two choices...

1. ...Leave the child support amount the same. Follow the new tax rules.
2. ...Change the child support amount. Follow the new tax rules.

CHILD SUPPORT**GUIDELINES**

If you and the other parent choose this option, then you both need to fill out and sign Revenue Canada Form T1157, *Election for Child Support Payments*, and send it to Revenue Canada. Call 1-800-959-8281 for more information.

2. Change the written agreement or court order to include a new amount of support. The amount of child support would be based on the Guidelines. The new tax rules would apply to your agreement.
 - The person who pays the support does not claim the child support as a deduction on his or her income tax return.
 - The person who gets the support does not claim the child support as income.

Sources of more information

about the Federal Child Support Guidelines

Child Support Team
Department of Justice Canada
284 Wellington Street
Ottawa, Ontario
K1A 0H8

Toll-free: 1-888-373-2222
National Capital Region: (613) 946-2222
Internet: <http://canada.justice.gc.ca>

about income tax rules

Revenue Canada 1-800-959-8281

about how to find a lawyer

Newfoundland and Labrador	(709) 722-2643
Nova Scotia	(902) 455-3135
Prince Edward Island	(902) 566-1666
New Brunswick	(506) 458-8540 (for out-of-province requests only)
Quebec	1-800-361-8495
Ontario	1-800-268-8326
Manitoba	(204) 943-2305
Saskatchewan	1-800-667-9886 (for in-province requests from outside Regina only)
	(306) 359-1767
Alberta	(403) 228-1722
British Columbia	(604) 687-3221
Northwest Territories	(867) 873-3828
Yukon	(867) 668-4231

CHILD SUPPORT

GUIDELINES

about how to find a family mediator

To find the mediation service nearest you, please call the Department of Justice Canada. The person who answers the telephone will give you the number to call in your province or territory.

To find the names of private mediators in your community, look in the Yellow Pages under “Mediators” or “Mediation Services.”

Notes