

In the Iowa Supreme Court

CLERK SUPREME COURT

Request for Public Comment)	
Regarding Recommendations)	
of the 2016 Iowa Child Support)	Order
Guidelines Review Committee)	

By order dated May 26, 2016, the Iowa Supreme Court established the 2016 Iowa Child Support Guidelines Review Committee (Committee) to assist the court with its four-year review of Iowa’s Child Support Guidelines as required by federal law and state statute. The court’s fundamental charge to the committee is to ensure that application of the Iowa child support guidelines results in appropriate child support award amounts. The Committee’s thorough examination of Iowa’s child support guidelines included a review of the history of Iowa’s guidelines, consideration of the findings and recommendations of the Iowa Child Support Advisory Committee, consultation with a nationally recognized expert on child support guidelines, review and consideration of constituent communications with the court, comparison of Iowa’s child support obligations with the support obligations of surrounding states, analysis of case data on the number of deviations from the guidelines, review of economic and financial data and studies on child rearing expenditures in relation to family income, and whether updates or changes to chapter 9 of the Iowa Court Rules are warranted. Recently, the Committee timely submitted its report and recommendations to the court.

The Committee makes 14 separate recommendations that are outlined in its detailed report provided with this order. The Committee recommends that *no changes* be made at this time to the following aspects of Iowa’s guidelines: the Schedule of Basic Support Obligations, use of the Pure Income Shares Model for calculating support, the minimum support obligation of \$30 per

month (\$50 per month for two or more children), and the maximum net monthly income of \$25,000 on the Schedule of Basic Support Obligations.

The remaining recommendations detailed in the Committee's report include the following:

—Amending Iowa Court Rule 9.14(5) to more clearly define the allowable children's portion of the premium cost of health insurance used in calculating support.

—Amending rule 9.12(3) to account for health care coverage provided under the Healthy and Well Kids in Iowa program (hawk-i).

—Amending rule 9.5 to add a gross monthly income definition and clarify treatment of spousal support under the guidelines.

—Adopting a new rule 9.11A addressing the court's ability to vary from the guidelines based on the cost of child care.

—Adding a provision to rule 9.14 requiring step-down provisions for child support in cases with multiple children.

—Working with The Iowa State Bar Association to develop an educational video for the public addressing common questions parties often have concerning child support calculation.

—Making adjustments to the computation grids and the child support worksheets in chapter 9 corresponding to the Committee's substantive recommendations.

Prior to taking further action on the proposed recommendations, the supreme court seeks public comment on the Committee's report and recommendations. The report and recommendations are provided with this order on the judicial branch website and are available at <http://www.iowacourts.gov/Administration/Reports/>. In addition, copies of

the report and recommendations are available at the office of the Clerk of the Iowa Supreme Court.

This request for public comment does not imply that any proposed recommendation will be adopted, except that the court agrees with the Committee's recommendation to develop an educational video and encourages the Committee to continue those efforts with The Iowa State Bar Association.

Any interested organization, agency, or person may submit written comments. Comments about a proposed rule change must refer to the specific rule number (for example, Rule 9.14(5)); comments about a recommendation must refer to the specific recommendation (for example, Recommendation to Adjust Low-Income Portion of Guidelines); comments about computation grids or worksheets should refer to specific lettered rows or sections; and comments on the Schedule of Basic Support Obligations must refer to the specific area of the schedule (for example, Area A—Low-Income Adjustment). Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state **"Guidelines"** in the subject line of the e-mail, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Iowa Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

The deadline for submitting comments is 4:30 p.m. on June 21, 2017.

Dated this 21st day of April, 2017.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice