

137-050-0720
Adjusted Income

(1) To determine "Adjusted income," means begin with income, as determined in OAR 137-050-0715, after and then:

- (a) ~~Deducting~~ mandatory contributions to a union or other labor organization;
- (b) ~~If health care coverage is ordered as provided in ORS 25.323, d~~Deduct any the cost associated with enrolling or maintaining of the providing party parent's own health the insurance, if enrollment of the providing party is necessary to insure the child;
- (c) ~~Deducting~~ the parent's monetary spousal support obligation, whether ordered in the same or a different proceeding, to this or a different party and whether paid or not;
- (d) ~~Adding~~ the amount of court-ordered monetary spousal support owed to the parent, whether ordered in the same or a different proceeding, by this or a different party and whether paid or not; and
- (e) ~~Applying~~ Subtracting the additional non-joint child deduction described in section (2) of this rule.

(2) A parent is entitled to an a non-joint child income deduction when the parent is legally responsible for the support of a child not included in the current calculation.

(a) To qualify for the non-joint additional child deduction, the minor child must reside in the parent's household or the parent must be ordered to pay ongoing support for that child.

(b) A child attending school, as defined in ORS 107.108 and OAR 137-055-5110, qualifies the parent for the non-joint additional child deduction only if the parent is ordered to pay ongoing support for the child attending school.

(c) A stepchild only qualifies a parent for the non-joint an additional child deduction if the parent is ordered to pay ongoing support for the stepchild.

(d) To calculate the a parent's non-joint additional child deduction:

(A) ~~Subtract the union dues, health care coverage and spousal support deductions~~ Apply the adjustments described in subsections 1(a), 1(b), and 1(c)-1(d) of this rule from to the parent's income;

(B) ~~Add the amount of spousal support described in subsection (1)(d) of this rule to the~~ parent's income; and

(C) ~~Use the result to~~ Using the parent's income and total number of joint and non-joint children, reference the obligation scale and determine the applicable support amount; and in the appendix using the income and number of children determined in

~~this section to determine the total additional child deduction.~~

(C) Divide the result by the total number of the parent's joint and non-joint children and multiply by the number of non-joint children to determine the amount of the non-joint child deduction.

(3) Determine each parent's percentage share of adjusted income by dividing the parent's adjusted income by the parents' combined adjusted income.

Stat. Auth.: ORS 25.270 – 25.290, 180.345

Stats. Implemented: ORS 25.270 – 25.290