

137-050-0745

Self-Support Reserve

(1) ~~The~~ A support calculation must leave ensure that an obligated parent being ordered to pay support is left with enough income to meet his or her own basic needs. This is known as the Self-Support Reserve and is determined as follows:

(a) ~~Determine the parent's adjusted income as provided in OAR 137-050-0715;~~

(b) ~~Calculate the parent's income available for support by subtracting a~~

(2) To determine the amount of the parent's available income for support, subtract a self-support reserve of \$1086 from the parent's adjusted income;

(c) ~~Compare the amount of income available for support to the amount of support that was calculated under OAR 137-050-0710(8). The lesser of the two amounts is presumed to be the correct support amount.~~

(2) ~~Any available income remaining after application of the self-support reserve in step (1)(c) is the income available for medical support.~~

(3) ~~This rule does not apply to an incarcerated obligor as defined in OAR 137-055-3300.~~

(3) The parent's total obligation, including the parent's shares of the basic support obligation, child care costs, health insurance, and cash medical support, may not exceed the parent's available income, except to the extent that the court, administrative law judge, or administrator finds compelling reasons to exceed 4% of a parent's income for health care coverage or cash medical support, as provided by OAR 137-050-0750(2)(a).

(4) The limitation on support described in this rule is reflected in the specific provisions of OAR 137-050-0710 (Calculating Support), OAR 137-050-0725 (Basic Support Obligation), OAR 137-050-0735 (Child Care Costs), and OAR 137-050-0750 (Medical Support).

(5) The amount of the self-support reserve (SSR) is based on the federal poverty guideline (FPG), multiplied by 1.167 and is adjusted to account for estimated taxes using a 1.167 multiplier. (SSR = FPG x 1.167) This rule self-support reserve amount will be reviewed and updated annually to reflect changes in the federal poverty guideline.

Stat. Auth.: ORS 25.275, 25.280, 180.345

Stats. Implemented: ORS 25.275, 25.280

Effective date: