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## **BILL OF RIGHTS FOR CHILDREN**

- 1. The right not to be asked to 'choose sides' between their parents,**
- 2. The right not to be told the details of the legal proceedings going on between their parents,**
- 3. The right not to be told 'bad' things about the other parent's personality or character,**
- 4. The right to privacy when talking to the other parent on the telephone,**
- 5. The right not to be 'cross examined' by one parent after spending time with the other parent,**
- 6. The right not to be a messenger from one parent to the other,**
- 7. The right not to be asked by one parent to tell the other parent untruths,**
- 8. The right not to be a confidant regarding adult matters,**
- 9. The right to express feeling, whatever those feelings may be,**
- 10. The right to choose not to express certain feelings,**
- 11. The right to be protected from parental 'warfare'.**
- 12. The right to not be made to feel guilty for loving BOTH parents.**

**CHILD SUPPORT STANDARDS ACT - CSSA**

The provisions of Domestic Relations Law Section § 240 (1-b) as it relates to child support, commonly know as the Child Support Standards Act (CSSA) is used to determine the approximate annual child support obligation based on parent's combined incomes. For a detailed, legal explanation of all factors used by the court in calculating a child support obligation, you should consult section 413 of the Family Court Act.

Financial support for a child(ren) under the age of twenty-one is the responsibility of both parents. Basic child support provides for shelter, food clothing and other basic expenses.

Health insurance premiums, un-reimbursed medical/dental expenses, childcare services when a parent is working and educational costs are add on expenses.

The 2022 poverty income guidelines amount for a single person as reported by the United States Department of Health and Human Services is \$13,590 and the 2022 self-support reserve is \$18,347.

**Note:** Where the total income of both parents exceeds the combined parental Income amount of \$163,000 the law permits, but does not require, the use of the child support percentages in calculating the child support above the \$163,000 threshold.

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**Child Support Percentages****One Child - 17%****Two Children - 25%****Three Children - 29%****Four Children - 31%****Five + Children - no less than 35%**

### **CHILD SUPPORT FACTORS:**

The following factors are considered in determining the amount of child support to be paid or the factors by which you can deviate from the calculations:

- 1. The financial resources of the custodial and non-custodial parent, and those of the children;**
- 2. The physical and emotional health of the children, special needs and aptitudes;**
- 3. The standard of living the children would have enjoyed had the marriage or household not been dissolved;**
- 4. The tax consequences to the parties;**
- 5. The non-monetary contributions that the parents shall make toward the care and wellbeing of the children;**
- 6. The educational needs of either parent;**
- 7. Where practical and relevant, a determination that the gross income of one parent is substantially less than the other parent's gross income;**
- 8. Where practical and relevant, the needs of the children of the non-custodial parent for whom the non-custodial parent is providing support who are not subject to the instant action and whose support has not been deducted from income pursuant to subclass (b) of §240 of the Domestic Relations Law, and the financial resources of any person obligated to support such children, provided, however, that this factor may apply only if resources available to support such children are less than the resources available to support the children who are subject to the instant action;**
- 9. Provided that the child is not on public assistance (i) extraordinary expenses incurred by the non-custodial parent in exercising visitation, or (ii) expenses incurred by the non-custodial parent in extended visitation provided that the custodial parent's expenses are substantially reduced as a result thereof; and**
- 10. Any other factors, which the parties or the Court have or could, deem to be relevant.**