

Oklahoma, West Virginia and Wyoming) can apply up to age 20. Eight guidelines can apply up to age 21 (Colorado, Mississippi, Missouri, New Hampshire, New York, Oregon, Vermont and Washington D.C.). Louisiana’s guidelines can apply to age 22. Guidelines in three states other than Massachusetts (Connecticut, New Jersey and Washington) can apply up to age 23.

We discussed with the Task Force the application of the guidelines for “children” over age 18 and graduated from high school, but nevertheless eligible for child support under Massachusetts law. The economic data on how child costs vary by age is both limited and mixed. The Betson study discussed above does not estimate child costs by age group. The USDA study does estimate different costs for different ages, but only up to age 17 and the estimates do not uniformly increase or decrease with age. Our study with Bill Comanor also was limited to children under 18 and found child age to be a significant determinant of child costs sometimes and sometimes not. Anecdotally, many children who are over 18 and out of high school are living away at college for as many as nine months (75 percent) of the year, reducing their share of costs such as food and utilities in the parent’s household. Children over 18 and living with a parent who are not enrolled in school could be working to earn income to cover part or all of their costs.

The Task Force discussed a range of possible adjustments to the guidelines to account for such factors. It ultimately decided to recommend a 25 percent reduction for a child over age 18 to what would otherwise be the amount of child support under the guidelines. To implement this recommendation, we computed adjustment factors for each combination of the number and ages of children under the guidelines. Each revised adjustment factor started with the factors in the current Table B to account for the number of children. In cases with all children under 18 years old, those factors are unchanged in the revised Table B. They appear in the first column of the revised table. The subsequent columns of the revised table list the adjustment factors for cases with one or more children over age 18. Each of the new adjustment factors reflects the current factors discounted by 25 percent on a prorated basis based on the proportion of children over age 18 relative to the total number of children in a case. That is, the age-adjusted adjustment factor is:

$$Adjustment_{age,number} = Adjustment_{age} \times \left(1 - \left(0.25 \times \frac{Children_{\geq 18}}{Children_{total}} \right) \right)$$

Table 5 shows the resulting adjustment factors in the revised Table B.

Table 5:
Revised Guidelines Adjustments for Number and Ages of Children

		TABLE B: ADJUSTMENT FOR NUMBER AND AGES OF CHILDREN					
		Children 18 or older					
		0	1	2	3	4	5
Children under 18	0		0.75	0.94	1.04	1.09	1.11
	1	1.00	1.09	1.15	1.18	1.18	
	2	1.25	1.27	1.27	1.26		
	3	1.38	1.36	1.33			
	4	1.45	1.41				
	5	1.48					

Source: Table B of revised guidelines

For example, in a case with one child under age 18 and one child age 18 or older, the adjustment factor in the revised Table B is computed as the current adjustment factor for two children (1.25) multiplied by one minus the ratio of children age 18 or older relative to all children (1/2 in this example) multiplied by the 25 percent discount for a child over age 18. Mathematically, this is $1.25 \times (1 - (.25 \times (1/2))) = 1.09$. This is the adjustment factor in the second row and second column of the revised Table B. Conceptually, it reduces the increase for a second child by 12.5 percent (one-half of the 25 percent discount decided by the Task Force) because one of the two children is 18 or older. In a case with three children, one of whom is age 18 or older, the adjustment factor in the revised Table B is $1.38 \times (1 - (.25 \times (1/3))) = 1.27$. This is the adjustment factor in the third row and second column of the table. In this example, the current increase for a third child is reduced by 8.3 percent (one-third of the 25 percent discount for a child age 18 or older).

Of course, the revised guidelines do not require these calculations to be done manually. We stepped through them here to explain how we derived the adjustment factors listed in the revised Table B for every possible combination of number and ages of children under the guidelines. Finding the appropriate adjustment factor in a given case involves looking it up in Table B. The online worksheet on the Trial Court website does this automatically.²¹ To inform the appropriate adjustment factor, the revised guidelines worksheet includes a new section (Section 1) indicating the number of children under age 18 and the number 18 or older covered by an order.

²¹ The online worksheet is available at <http://www.mass.gov/courts>.