

STATE OF MAINE

PROBATE COURT

County: _____

Docket No.: _____

DISTRICT COURT

Location: _____

Docket No.: _____

GUARDIANSHIP
CHILD SUPPORT ORDER

- Interim Final Amended
- Corrected

IN RE: _____
(Minor name)

1. This Child Support Order is made a part of the Case Management Order Interim Hearing Guardianship Order Amended Order other _____ of this date dated _____.

2. Pursuant to 19-A M.R.S. § 2006, the court has made certain findings of fact concerning the current parental support obligation as computed under the presumptive application guidelines. Those findings are contained within the child support worksheet that is attached and incorporated.

3. _____ is ordered to pay to _____
Name of Obligor (PARENT) Name of Obligee (GUARDIAN)

the sum of \$ _____ per week/biweekly toward the support of:

Child's Name	Date of Birth	Child's Name	Date of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. The child support payments are to start _____. If a child receives public assistance, the child support payments for that child shall be made to the State of Maine Department of Health & Human Services.

5. The Court finds that the child(ren) currently receive(s) dependent benefits as a result of the obligor's disability. In any month that the benefits received by the child(ren) meet or exceed the total monthly support obligation, the obligor shall receive a credit for the total amount of support due. To the extent that the monthly benefits received by the child(ren) do not satisfy the obligor's monthly support obligation, the obligor shall pay the monthly support obligation minus the credits received by the child(ren). The obligor shall not be given credit toward past or future obligations for benefits, which exceed the current monthly support obligation.

6. The child support obligation(s) shall remain in effect until _____ (further order or until expiration of any underlying Protection from Abuse Order, whichever occurs first).

7. The child support obligation(s) shall continue for each child until that child reaches the age of 18; provided, however, that if the child has not graduated, withdrawn, or been expelled from secondary school as defined in Title 20-A, the child support shall continue until the child graduates or reaches the age of 19, whichever occurs first.

NOTICE

A motion to modify must be filed in court to change child support unless this order shows new child support in paragraphs 8 or 9 below. There is no charge for filing a motion to modify child support.

8. Beginning _____ when _____ reaches the age of 12 years old and is no longer eligible for child care expenses, the child support obligation will be reduced to \$ _____ per week/biweekly. Beginning _____ when _____ reaches the age of 12 years old and is no longer eligible for child care expenses, the child support will be reduced to \$ _____ per week/biweekly.

9. As long as there are _____ children entitled to parental support, the obligor shall pay the sum of \$ _____ per week/biweekly. As long as there are _____ children entitled to parental support, the obligor shall pay the sum of \$ _____ per week/biweekly. When _____ child(ren) is/are entitled to parental support, the obligor shall pay the sum of \$ _____ per week/biweekly.

10. The amount(s) set forth above for child support constitute(s) a deviation from the presumptive amount required by the child support guidelines. In this case the court finds that a child support order based on the guidelines would be inequitable or unjust for the following reasons: *(Set forth the reasons for the deviation.)* _____

11. Oblige Obligor Either party (the party who can obtain health insurance FIRST at reasonable cost) shall obtain and maintain private health insurance for the benefit of the minor child(ren) if it is presently available at reasonable cost. If it is not presently available at reasonable cost then private health insurance for the benefit of the minor child(ren) shall immediately be obtained and maintained when it becomes available at reasonable cost. Proof of such insurance must be furnished to the other party within 15 days of receipt of a copy of this order, or if the insurance is not presently available, within 15 days of the date it becomes available. If the child(ren) is (are) recipients of public assistance, proof of such insurance shall be provided to the Department of Health & Human Services within 15 days.

12. Any uninsured medical expenses of the child(ren), in excess of \$250 per calendar year, shall be paid in the following manner: _____% by the obligor and, _____% by the obligee. The first \$250 of annual uninsured medical expenses shall be paid by the obligee.

13. The child support obligation is based on the fact that the parents are providing substantially equal care for their child(ren). Uninsured medical expenses shall be shared as follows: _____% to be paid by the higher income parent and _____% to be paid by the lower income parent.

If the Maine Department of Health & Human Services provides support enforcement services and/or the obligor is required to pay child support to the Maine Department of Health & Human Services, the obligor shall notify the Department within 15 days of the date of this Order of the following: 1. The obligor’s current address; 2. The name and address of the obligor’s current employer, and 3. Whether the obligor has access to health insurance at a reasonable cost, and, if so, the health insurance policy information.

Within 15 days of any change in the obligor’s current address, any change in the name or address of the obligor’s current employer, or any change in the health insurance policy information, the obligor shall notify the Department of the change. **Failure to report a change of address or employer to the Department within 15 days of such change is a civil violation for which a forfeiture not to exceed \$200 may be adjudged for each violation.**

Any party to this action may file with the court a Motion to Modify asking the court to review the amount of child support and if appropriate, to modify it in accordance with the state's child support guidelines. If it has been less than 3 years since the child support order was issued or modified, the party must prove a substantial change in circumstances.

14. This Order is (not) subject to Immediate Income Withholding as of this date (See Notice below)(If not, see 15 below).

Notice to Parties Regarding Immediate Income Withholding. Immediate income withholding can only be implemented by serving an attested copy of the support order, along with the notice required under § 2655, upon the obligor’s payor of income. Notwithstanding this subsection, the department may implement immediate income withholding by serving the notice required under § 2655 upon the obligor’s payor of income without providing an attested copy of the support order. Any party can obtain the payor notice required under § 2655 by contacting the Department of Support Enforcement & Recovery at 207-624-4100 or <http://www.maine.gov/dhhs/ofi/dser/announcements.html>. The notice for income withholding may be used to collect arrearages in addition to current support. The amount of withholding may not exceed the limitations imposed by Title 15 United States Code, Section 1673(b); and the payor of income shall withhold and send to the department a fee of \$2 per week in addition to the amount withheld for child support.

15. Other: _____

To the extent any previous Orders are in conflict with this Order, this Order has controlling authority.

This Order is incorporated into the docket by reference at the specific direction of the court pursuant to M.R. Prob. P. 79(a) / M.R. Civ. P. 79(a). “Immediate Income Withholding Order” attached and incorporated herein.

Date: _____

Judge, Probate Court / Judge/Magistrate, District Court

A True Copy, Attest _____
Register / Clerk

Important Notice to the Parties

Any party who wishes to appeal a final order of a judge must file a Notice of Appeal within 21 days. An appeal from a final order shall be taken in accordance with the Maine Rules of Appellate Procedure.