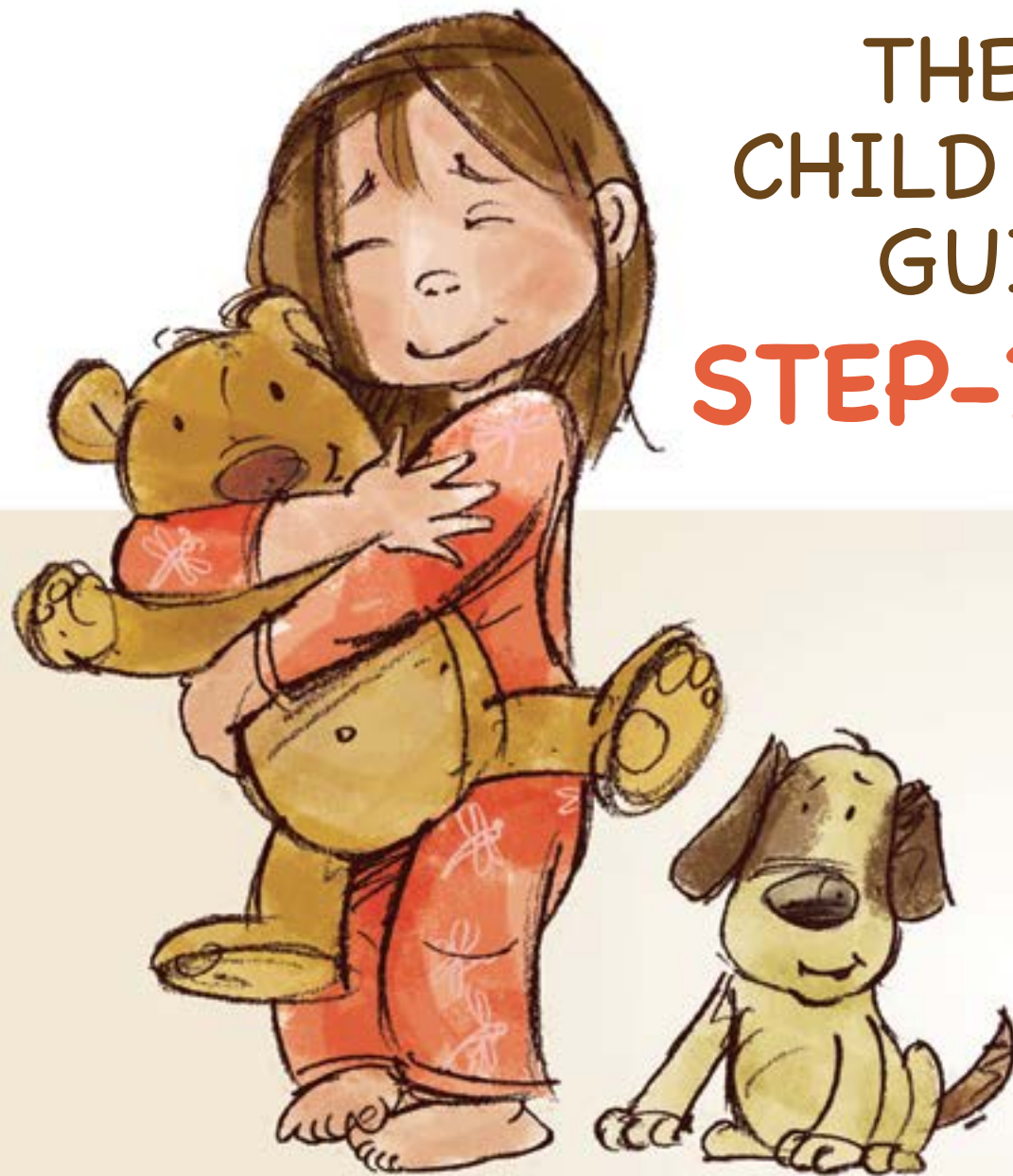


THE FEDERAL CHILD SUPPORT GUIDELINES: **STEP-BY-STEP**



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ISBN 978-1-100-24428-0

Cat. No. J2-196/2014E-PDF

Disclaimer

This is not a legal document. It only provides general information for your convenience. Family law can be complex. You are encouraged to seek advice from a lawyer to better understand your rights and responsibilities as well as the rights of your children.

This guide has examples of ways to deal with a variety of situations. Please note that these are only examples and that you may encounter other situations.

All the child support amounts shown in the examples are based on the amounts and rules in effect when this guide was produced.

Also note that the terms used in this guide may not be exactly the same as what is used in the law or in your existing order or agreement. This is because provinces and territories may use different terms or because some of the legal terms were simplified for the purpose of this guide.

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Before you start

Going through a separation or divorce can be very difficult, both emotionally and financially. You may feel overwhelmed about some of the decisions that you may need to make, like how you will divide your house and shared possessions, whether spousal support is needed, where your children will live, or how much financial support is needed for your children.

You may also be feeling anxious or frustrated about your financial situation. Money you once shared as a couple must now be used to cover the expenses of two households. Instead of sharing household expenses, you may each have to pay for your own housing, utilities (like telephone and electricity), groceries, transportation and other necessities of life. This may increase concerns about how you will take care of your children financially.

You may feel angry or sad about the breakup of your relationship. Working together to make practical arrangements that are in the best interests of your children may seem difficult at this point.

Knowing about your rights and responsibilities can help you make good decisions about your family. It can also help you work together to make those decisions. Your family's situation may have changed, but you are still parents and your children still need your love and support.

Your children have a legal right to financial support from both parents and you both have a legal responsibility to provide this support. Those rights and responsibilities do not end with divorce or separation. The goal of this guide is to help you make child support decisions that will help ensure that your children continue to benefit from financial support from both of you after your separation or divorce.

When you are making decisions about how to take care of your children after your separation or divorce, it is important to keep their best interests in mind. The changes taking place in your family are confusing and stressful for them too. It is important that your children not get caught in the middle. You need to protect them as best you can from any financial hardship that may result from a separation or divorce.

About this guide

This guide has general information, instructions and worksheets, as well as other tools to help you make decisions about child support when you separate or divorce.

The guide is based on the [Divorce Act](#). More specifically, it is based on the [Federal Child Support Guidelines](#) (Federal Guidelines), which are regulations under the *Divorce Act*.

It is important to know that there are also provincial and territorial child support guidelines. The guidelines that apply to you depend on your situation. This guide will help you figure out which guidelines apply to you. The child support laws in most provinces and territories are much like the Federal Guidelines or they may only have minor differences (except in Quebec, which has its own child support model). So, even if provincial or territorial guidelines apply in your situation, you may still find this guide helpful.

About the Federal Guidelines

The Federal Guidelines are a set of rules and tables used to determine child support when parents divorce. They are the law. Their main goals are:

- to establish a fair standard of support for children so that they continue to benefit from both parents' incomes after the separation or divorce;
- to reduce conflict and tension between parents by making the calculation of child support more objective;
- to ensure that parents and children in similar situations are treated the same; and
- to make the legal process more efficient and encourage settlements by giving courts and parents guidance about child support.

Child support agreements and orders

When relationships end, many parents agree on how they will deal with child support without going to court. It is generally best for everyone, especially children, when parents can agree. Asking a judge to make the decisions can be costly, time-consuming and stressful for families.

You are encouraged to work out a child support agreement together. This guide can help you to figure out a child support agreement that will work best in your situation. It can also give you an idea of how much support a judge would likely order under the Federal Guidelines.

If you cannot agree or if you want to have your agreement put into a court order, either or both of you can apply to go to court to get a child support order.

In this guide,

“you” generally means both you and the other parent

“child support” means money that one of you may have to pay to the other to continue supporting your children financially following your separation or divorce

“paying parent” means the parent who pays support

“receiving parent” means the one who receives support.

It is a good idea to put your child support agreement in writing so that you can remember what you agreed to.

Special circumstances

An order or written agreement could include special provisions that benefit your children directly or indirectly. For example, one of you might give your share of the family home to the other without compensation so the children won't have to move. You or a court would need to consider special circumstances like this to make sure the amount of child support is fair and reasonable. If applying the Federal Guidelines would result in a child support amount that is not fair in your circumstances, you or the court may decide on a different child support amount.

Who can help?

There are many people who can help you reach an agreement on child support issues. For example, mediators, lawyers and accountants often work with parents. Also, every province and territory offers services for separating or divorcing parents. Some of these provincial and territorial [family justice services](#) are listed on the federal Department of Justice website. You may find others on the website of your provincial or territorial Department of Justice or Attorney General.

Family law issues can be complex. A family law lawyer can give you legal advice about all the different factors that are important in your situation. The decisions you make and how your order or agreement is written can also have an impact on your taxes and what benefits you can claim. When you are trying to agree on child support or want to go to court to deal with certain issues, it is important to speak with a family law lawyer to make sure you understand:

- your legal rights and responsibilities, and the rights of your children;
- the options for resolving differences between you and the other parent; and
- how the court system works.

Making Plans: A guide to parenting arrangements after separation or divorce has more information on different ways to resolve issues without going to court.

Some provinces and territories have lawyer referral services that offer a consultation for free or at a reduced price. You may also wish to contact your local legal aid office to see if you qualify for legal aid. You can search the Internet for legal aid in your city or area—for example, search “legal aid” and “Calgary.” You can also look under “legal aid” in the yellow pages of your phone book.

Finally, you may want to talk to a family member or a friend you trust about how you feel. Someone who has gone through similar situations may have suggestions to help you cope with your divorce or separation.



Related issues

As parents, child support is just one issue you need to think about when you separate or divorce. You also need to consider issues like parenting arrangements (custody and access), spousal support and how you will divide property. The decisions you make about these issues could affect how you calculate child support.

The [Family Law](#) pages of the Department of Justice website have some general information that may help you. For example, there are three online tools to help you make decisions about parenting and set up a parenting plan that will work for your family. These are:

- [Making Plans: A guide to parenting arrangements after separation or divorce](#);
- [Parenting Plan Checklist](#), which highlights some practical issues to consider to make sure your parenting plan is workable;
- [Parenting Plan Tool](#), which has some sample clauses you can use in your parenting plan.

If you are creating a parenting plan or have already created one, you may want to keep it with your child support agreement. It is a good idea to keep all documents relating to your children together.

There are also some tools that may help your children understand and cope with your separation or divorce, including:

- a publication for children called [What happens next? Information for kids about separation and divorce](#); and
- an online, interactive [calendar](#) that your children can use to plan their activities and keep track of the time they spend with each of you. Many parents also find this calendar helpful in working out parenting plans.

A parenting plan is a written document that outlines how parents will take care of their children after separation or divorce.

Other Government of Canada websites offer information on issues that you may have to deal with when you separate or divorce. For example, separation or divorce could have an impact on your taxes. You may want to visit the [Canada Revenue Agency](#) website or call their information line at 1-800-959-8281 for more information about the tax consequences of separation and divorce.

How to use this guide

Steps

The Federal Guidelines include various rules to help you calculate child support. In this guide, these rules have been divided into eight steps to make it easier for you to apply them. The eight steps are:

- **STEP 1: Determine which guidelines apply**
- **STEP 2: Determine the number of children requiring support**
- **STEP 3: Determine the parenting arrangement**
- **STEP 4: Find the right table**
- **STEP 5: Calculate annual income**
- **STEP 6: Find the table amount**
- **STEP 7: Determine if there are special or extraordinary expenses**
- **STEP 8: Determine if there is undue hardship**

It is possible that not all steps will apply to your situation. For example, Step 7 may not apply if there are no special or extraordinary expenses. Step 8 may not apply if there is no undue hardship. But you may still find it useful to read these sections.

Each step will help you understand how to apply the Federal Guidelines to your specific situation. When going through the steps, you will need to ask yourselves some questions to determine how you prefer to deal with certain issues. You will also need to make decisions based on choices explained in the various steps. In Steps 5, 7 and 8, you may also have to do calculations.

There are **examples** showing how each step could apply.

Worksheets

The guide includes worksheets to help you with the calculations in Steps 5, 7 and 8:

- Worksheet 1 to calculate income in Step 5;
- Worksheet 2 to work out the amounts for special and extraordinary expenses in Step 7;
- Worksheet 3 to help compare standards of living described in Step 8.

Line-by-line help for each worksheet is also provided.

You may want to print the worksheets that you need and fill out the parts that apply to your situation.

Child Support Tool

The guide also includes a Child Support Tool to help you compile the information as you go through each step, including the results of any calculations you make.

This tool also provides information and tips that you may find useful in setting up your child support agreement.

The Child Support Tool is meant to be used while you go through the different steps. You may want to print the tool and insert your information directly in it. At the end of each step, there is a recap that will remind you to include your information in the tool.

If you fill out the worksheets and the Child Support Tool, it is a good idea to keep them with all your other documents relating to arrangements you made for your children.

Other tools to help

You can find other tools to help you calculate child support on the Department of Justice website, including:

- [Child Support Online Lookup](#) to find an amount of child support set out in the tables; and
- [Simplified Child Support Tables](#) for each province and territory.

Other tools may become available. When they do, you will find them in the child support pages of the Department of Justice website.

Determine which guidelines apply

In this first step, you will determine if federal, provincial or territorial laws apply in your situation.

In Canada, the federal, provincial and territorial governments share responsibility for family law. Some child support guidelines are under federal law, while others are under provincial or territorial laws.

Child support guidelines in most provinces and territories are a lot like the Federal Guidelines (except in Quebec), but there may be some differences. You can find information about provincial and territorial guidelines on the website of your [provincial or territorial government](#).

If you are divorced or have applied for a divorce

The Federal Guidelines apply unless you both live in a “designated” province. There are three designated provinces: Manitoba, New Brunswick and Quebec. These provinces have made arrangements with the Government of Canada to use their own guidelines in divorce cases when both parents live there.

If there is no divorce

No matter where you live in Canada, provincial or territorial guidelines apply if:

- you were never married to each other; or
- you are married and have separated, but neither of you has applied for a divorce.

You may have already dealt with child support issues under provincial or territorial laws before making an application under the *Divorce Act*. You may want to consult a lawyer to advise you in this situation.

The chart below may help to clarify which child support guidelines apply in your situation.

| If you are divorced or have applied for a divorce and... | Then... |
|--|---|
| you both live in any Canadian province or territory other than Manitoba, New Brunswick or Quebec | Federal Guidelines apply. |
| you both live in Manitoba, New Brunswick or Quebec | provincial guidelines apply. |
| you live in different provinces or territories, even if one or both are designated | Federal Guidelines apply. |
| one of you lives in Canada and the other lives in a different country | Federal Guidelines generally apply if you divorce under Canada's <i>Divorce Act</i> . In some cases, the laws of the other country may apply. You may want to consult a lawyer. |

| If you and the other parent... | Then... |
|--|---|
| were never married to each other and you both live in Canada | provincial or territorial guidelines apply. |
| are married and have separated but are not divorcing or have already resolved child support under provincial or territorial laws | provincial or territorial guidelines apply. |

Cho and Niral

Cho and Niral have decided to end their marriage and get a divorce. They and their two children, Vincent and Isi, all live in Manitoba. Since Manitoba is a designated province and both Cho and Niral live there, Manitoba's child support guidelines apply.

Sacha and Gaby

Sacha and Gaby have been married for 10 years. They have one child, Magda. Things are not going well in their relationship. In fact, they have been living apart for some time. Sacha lives in New Brunswick with Magda. Gaby has moved to Nova Scotia for work. They have decided to divorce. Since they live in different provinces, they apply the Federal Guidelines to determine the amount of support for Magda.

Recap

You should now know which child support guidelines apply in your situation. You may want to write this down in your Child Support Tool, in section 2.

Even if provincial or territorial guidelines apply in your situation, you may still find the information in this guide useful.

Determine the number of children requiring support

This step will help you determine the number of children you will be supporting. This is important because the Federal Guidelines take into account the number of children to establish child support amounts.

The age or the situation of a child may affect the way you calculate child support.

The *Divorce Act* says that you have to support any “child of the marriage.” These are children you had together during your marriage, including adopted children, who:

- are under the age of majority and are still dependent; or
- have reached the age of majority but cannot become independent because of an illness, disability or other cause. In many cases, courts consider the pursuit of reasonable post-secondary education to be a valid “other cause.”

Even if you separate or divorce, you are still parents. And, as parents, it is important that you keep supporting your children, just as you did when the family was still together.

Louis and Jocelyn

Louis and Jocelyn have four children:

- *Sam is 16.*
- *Tom is 14.*
- *The twins, Theo and Camille, are 20.*

Louis and Jocelyn are divorcing. They have established that the Federal Guidelines apply to their situation. They now need to determine which of their children are “children of the marriage”—that is, which ones are dependent and need their financial support.

Tom and Sam are both under the age of majority and are still dependent. Louis and Jocelyn have an obligation to support them.

Theo is married and working full-time. He is independent and is not entitled to support.

Camille is pursuing post-secondary education full-time in another province. She lives on campus, and both Louis and Jocelyn have been paying her tuition and living expenses. Louis and Jocelyn agree that she still depends on them and that they will continue to support her financially after the divorce until she graduates.

Acting in place of a parent

If either of you has been acting as a parent to the child of your spouse or partner—for example, some step-parents are in this situation—you or a court may decide that you should pay support for that child. Either you or the court would consider the duty of any other person to support the child before deciding on an appropriate child support amount.

Kay

Kay has always been very close to her stepson, Emile. She helped raise him since marrying Emile's father, Norman, nine years ago. Emile was then two years old. He is now 11.

Her marriage to Norman has fallen apart and they decide to divorce. But Kay is still very attached to Emile. She does not want him to suffer financially from her break-up with Norman. She and Norman agree that she did act in place of a parent to Emile and that she will pay child support for him. Emile's birth mother, Sarah, is also paying child support for Emile each month. Kay and Norman know that they should take this into account in working out the appropriate amount of child support. They decide to ask a lawyer to help them.



Child at or over the age of majority

The Federal Guidelines set out specific rules for calculating support for a child under the age of majority. For a child at or over the age of majority, you can use the same rules. Or, if you find that this approach is not appropriate, you may agree to base the amount of support for an older child on:

- the child's needs, means and other circumstances; and
- the ability of each of you to contribute financially.

The age of majority is 18 years in Alberta, Manitoba, Ontario, Prince Edward Island, Quebec, and Saskatchewan.

The age of majority is 19 years in British Columbia, New Brunswick, Newfoundland and Labrador, the Northwest Territories, Nova Scotia, Nunavut, and the Yukon.

George and Anne

George and Anne are getting a divorce. They decide to use the family justice services offered by their provincial government and try mediation to come up with an agreement about the support of their 20-year-old son, Dominic.

During their mediation sessions, they determine that Dominic still depends on them and that they should continue to support him while he pursues post-secondary education. They decide that the rules for a child under the age of majority are not appropriate in their situation. Instead, they look at Dominic's needs, means and other circumstances, as well as their own financial ability to contribute. They agree that some of Dominic's financial needs can be covered by the Registered Education Savings Plan they set up for him and by student loans he receives, as well as by some of the money he earns working part-time.

With the help of the mediator, they then set up an appropriate child support agreement based on the ability of each of them to contribute financially to support Dominic.

Recap

You have determined:

- how many children require support;
- how many of those are children for whom one of you acted in place of a parent;
- how many of those children are under the age of majority;
- how many of those children are over the age of majority; and
- whether support for children over the age of majority will be based on:
 - the rules for children under the age of majority; or
 - on the means, needs and other circumstances of the child and the ability of each of you to contribute financially.

Remember, your obligation to support your children financially does not automatically end because they have reached the age of majority.

You may want to put the number of children requiring support into section 3 or section 10 of your Child Support Tool, as applicable.

Determine the parenting arrangement

This step will help you determine what kind of parenting arrangement you have for child support purposes. You need to go through this step because the type of parenting arrangement you have can affect the way you calculate child support under the Federal Guidelines.

The Federal Guidelines use the following three terms to describe parenting arrangements: “sole custody,” “split custody” and “shared custody.” **For child support purposes, these terms refer to the time the child spends with each parent. They do not refer to who has legal authority to make major decisions about the child.**

These terms may be different from the ones found in your custody order or agreement. For example, your order or agreement may use terms such as “parenting time,” “parenting schedule” or “residential schedule.” Even if the terms are the same, they may have a different meaning.

Please read the descriptions below carefully to find out which one fits your situation best.



Sole custody

You have a sole custody arrangement if your child spends more than 60 percent of the time with one of you over the course of a year.

Maria and Pedro

Maria and Pedro have decided to divorce. Their children, Christine and Manuel, are having a hard time coping with the idea. They are afraid of the changes it will mean in their lives.

Maria and Pedro want to protect their children as much as possible. They agree that it will probably be better for Christine and Manuel to continue living in the family home with Maria. It is closer to their school and friends than the new place Pedro plans to move to. The children will spend a fair bit of time with Pedro, too, especially on weekends and holidays. But Maria and Pedro calculate that, over the entire year, the children will spend 65% of the time with Maria and 35% of the time with Pedro. This means that Maria will have sole custody for child support purposes, although they have decided that they will have joint custody for decision-making purposes. Pedro will pay support.

Split custody

You split custody of your children if:

- you have more than one child; and
 - you each have sole custody of at least one of the children.
-

Bill and Janet

Bill and Janet have decided to go their separate ways and get a divorce. They are having a hard time agreeing on the parenting arrangements for their three children. But there is one thing they do agree on—that it is important to put their children’s best interests first.

They both realize that their oldest child, 15-year-old Marc, is particularly close to Bill. After discussing the issue with Marc, they all agree that it will be best for Marc to spend most of the time with his father. With the help of a mediator, Bill and Janet are also able to agree that the two youngest children, three-year-old Caroline and five-year-old Albert, will spend time mainly with Janet.

In other words, Marc will spend more than 60% of the time with Bill while Caroline and Albert will spend more than 60% of the time with Janet over the course of a year. This means that Bill and Janet will each have sole custody of at least one of the children. They have a split-custody arrangement.

Shared custody

You share custody of your children if they spend at least 40 percent of the time with each of you in a year.

Malia and Emma

Eight-year-old twins Malia and Emma are very worried. They have just found out that their dad, Raoul, and mom, Lily, have decided to divorce and live in separate homes. Malia and Emma wonder where they will live. They are afraid that if one of their parents lives in a different house, they will hardly ever see that parent again. This happened to one of their friends at school.

Raoul and Lily listen to their children’s concerns. They assure Malia and Emma that they both love them very much and will always be their parents. They also explain that the children will get to live in two houses.

Lily and Raoul have a number of discussions and take a close look at their family’s situation to come up with a plan that is workable and best for Malia and Emma. They explain to Malia and Emma that they will spend alternate weeks with each parent. They will spend one week with mom, and they will spend the next week with dad. The schedule will vary a bit sometimes. For example, in the summer, Malia and Emma will spend a complete month with each parent. But they should not worry. Mom and dad will work together to ensure that their decisions are in Malia’s and Emma’s best interests.

Since Malia and Emma spend at least 40% of the time with each parent, Raoul and Lily have a shared-custody arrangement for child support purposes.

Other arrangements

It is possible that you will have different parenting arrangements for each child of the marriage. If that is the case, figuring out child support could be more complex and you may want to talk to a lawyer to help you with your specific situation.

Remember, the terms used here are for child support purposes. You may use different terms in your custody and access arrangements. You may find it helpful to refer to the publication *Making Plans: A guide to parenting arrangements after separation or divorce*. It has information on different types of parenting arrangements and terms that may be used.

Recap

You should now know the type of parenting arrangement that best describes your situation. You may want to add this information to section 4 of your Child Support Tool.

Find the right table

The Federal Guidelines have [child support tables](#) for each province and territory. In Step 1, you determined that the Federal Guidelines apply to you. In this step, you will determine which table in the Federal Guidelines applies in your situation.

The tables set out basic child support amounts that depend on the income, the number of children, and the province or territory of residence. There is a separate federal table for each province and territory. That is because the child support amounts in the tables are based partly on provincial and territorial tax rules. Since provincial and territorial tax rules are different, so are the table amounts.

Remember, if you are divorced or divorcing and you both live in a designated province, you must refer to the provincial guidelines. The Federal Guidelines apply in all other divorce cases.

The rules in provincial and territorial child support guidelines may be a bit different from those in the Federal Guidelines. But all of them, except for Quebec, use the **federal tables**, so the basic amounts are the same.

Use the chart below to see which table applies. In some cases, you may need to use more than one table.

| If... | Then... |
|--|--|
| you both live in the same province or territory | use the table for that province or territory. |
| you live in different provinces or territories and one of you has sole custody and the other parent must pay support | use the table for the province or territory where the paying parent lives. |
| you live in different provinces or territories and you share or split custody | use the tables for both provinces or territories where you reside to determine what you would each pay to the other parent. |
| one of you lives outside Canada | use the table for the province or territory where the parent in Canada lives. The laws of the other country may apply in some cases. You may want to consult a lawyer. You may also find information relating to interjurisdictional support useful. |

Recap

You have now determined which table (or tables) applies in your situation. You may want to write down this information in section 5 of your Child Support Tool.

Calculate annual income

This step provides information about how you calculate income for child support purposes. You can use Worksheet 1, to help you do the various calculations.

Calculating the income on which to base child support can be complicated, especially if you are self-employed or your income fluctuates a lot. It may be a good idea to get help from a third party such as an accountant or a lawyer.

Even if you only need to calculate the paying parent's income in your situation, you both have an obligation to support your children. The receiving parent is also expected to help support the children financially based on their capacity to pay.

Whose income is needed?

In some situations, only the income of the paying parent will be required. In other cases, both parents' incomes will be needed.

You will need to calculate **both** of your incomes if:

- you split or share custody of the children; or
- one of you is the parent and the other acted in the place of a parent to the child; or
- there are special or extraordinary expenses; or
- either of you has claimed undue hardship; or
- your child is at or over the age of majority and the way you decided to calculate child support is different from the way you would calculate it if the child were under the age of majority.



If the paying parent earns more than \$150,000 per year, you *may* need to calculate both incomes. The Federal Guidelines provide two options:

1. You can use the tables to determine the child support amount for the first \$150,000. Then add the percentage listed in the tables for the portion of income over \$150,000. If you choose this option, you would only need to calculate the paying parent's income.

or

2. You can use the tables to determine the child support amount for the first \$150,000. You can then determine an amount for the portion of income over \$150,000 by looking at the condition, means, needs and other circumstances of the child and the financial ability of each of you to contribute. If you choose this option, you would need to calculate both incomes.

In some cases:

- You may need to calculate **your child's income**—for example, if the child is over the age of majority and you are taking his or her financial means into consideration to determine a child support amount.
- You may need to calculate the income of **every member of both households** to compare the standards of living if either of you is claiming undue hardship.

Information needed to prove income

If your income is needed to calculate a child support amount, it is important to provide complete and up-to-date income information, including:

- your income tax returns for each of the three most recent tax years; and
- the notices of assessment and reassessment from the [Canada Revenue Agency](#) for each of the three most recent tax years.

Depending on your situation, you may also need to share other income information such as:

- your most recent statement of earnings or pay slip, or a letter from your employer stating your salary or wages;
- your corporation's financial statements if you are self-employed or if you control a corporation;
- information on income you received from employment insurance;
- information on income you received from workers' compensation;
- information on income you received from disability payments;
- information on income you received from social or public assistance;
- details of any business partnerships;
- copies of any applicable trust settlement agreements, along with the trust's three most recent financial statements;
- information about your corporation's pre-tax income if you are a shareholder, officer or controller of a corporation.

In all cases, you must give the other parent copies of any documents you give to the court. If you live in Canada or the United States, you must provide the documents within 30 days of the application being served. If you live outside of Canada or the United States, you must provide the documents within 60 days of the application being served.

If you don't provide complete and up-to-date income information and your case goes to court, a judge can:

- order you to provide the information;
- impose a penalty—for example, the judge may order you to pay the legal costs of the other parent, which can be very expensive;
- “impute” the income—in other words, the judge may add an amount to set an income that is more appropriate in your circumstances.

How to calculate income

Under the Federal Guidelines, you can do one of the following:

1. Agree in writing about your annual income.

If you both agree on an amount and you need to go to court with your case, a judge may use that amount to calculate child support if the amount seems reasonable, based on the documents required and rules found in the Federal Guidelines.

2. Apply the specific rules set out in the Federal Guidelines.

Under these rules, the total income shown on line 150 of your most recent income tax return or your notice of assessment is a good place to start.

You may need to adjust your income if, for example:

- your income varies a lot from year to year;
- you received a one-time payment, such as a bonus;
- you live in another country where tax rates are very different;
- you pay or receive spousal support;
- you receive the Universal Child Care Benefit.

Worksheet 1 shows you how to adjust your income under the Federal Guidelines. The instructions for the worksheet give more information on how to calculate income in a variety of situations.

The Federal Guidelines use gross income* because it is considered a fairer reflection of income. Net income allows many discretionary deductions that can make it difficult to set fair support. Also, the child support amounts found in the federal tables already account for taxes.

*Gross income is a person's income before taxes and deductions.

The way you calculate income for child support purposes may be different from the way you would calculate income for tax purposes.

Additional Information

Imputing income

In some cases, the amount of income shown on line 150 of a tax return or notice of assessment may not be an accurate indication of available income.

In cases that go to court, a judge may need to increase the income amount in order to calculate an appropriate child support amount. This is called “imputing” income. It may happen if, for example:

- you are deliberately underemployed or unemployed (unless the reason is related to taking care of a child, health or the pursuit of reasonable education);
- you do not have to pay income tax;
- you do not provide accurate and up-to-date income information;
- you live in a country where income tax rates are a lot lower than Canada's;
- you get a large portion of your income from dividends, capital gains or other sources with a lower tax rate;
- you are, or will be, receiving income or other benefits from a trust.

Continuing obligation to provide income information

If your income was used to determine a child support amount in an order or agreement, you must continue to provide income information if the other parent asks. A request for income information must be made in writing and may be made only once a year.

It is also important that you keep each other informed of any changes to your income. This is to ensure that you are paying the right amount of support—not more, not less—based on accurate income information. This is also to ensure that your children continue to benefit from both incomes, even if the family is no longer together. A court could order you to make retroactive child support payments if, for example, you do not inform the other parent of changes to your income. So even if you are not specifically asked or ordered to provide your updated income information, it is recommended that you do so.

Please note that you may also need to provide your income information to a recalculation service, if applicable. Recalculation services are administrative services that can adjust child support based on updated income information.

Carl and Jade

When Carl and Jade split up two years ago, they agreed that they would share custody of their two children, Francis and Alice. At that time, Carl's income was higher than Jade's, and they agreed in writing that Carl would pay child support to Jade. Their written agreement also required both Carl and Jade to share their income information every year.

Recently, the company Carl works for had to downsize. Luckily, Carl was able to stay with the company, but his salary was reduced.

Carl is afraid that he will no longer be able to pay the child support amount. He raises the issue with Jade. They both agree to change their child support agreement based on Carl's new income information.



Recap

You have now determined whose income is required and you have calculated the necessary incomes.

You may want to copy the results in section 6 of your Child Support Tool. If you used Worksheet 1 to calculate your income (or any other means), it is a good idea to attach it to your Child Support Tool. You may also want to include additional information in section 14 of that tool about your continuing obligation to provide income information.

Find the table amount

You have now determined how many children are being supported (Step 2), what table or tables you need to use (Step 4), and what income the amount of child support will be based on (Step 5).

Step 6 explains how to find the table amount that matches your income and the number of children being supported.

You can use the tables in the [Federal Guidelines](#) or you may find it easier to use the [Simplified Tables](#) or the [Online Lookup](#). The Department of Justice created the simplified tables and the Online Lookup to make it easier to estimate a child support amount. However, the tables in the Federal Guidelines are the only official tables.

The basic child support amount generally depends on your parenting arrangements.

The amount in the table is the starting point. As will be explained in Step 7 and in Step 8, there may be an additional amount if there are special or extraordinary expenses or the amount may change if there is undue hardship.

Sole custody

Use the federal table for the province or territory where the paying parent lives. On that table, find the amount of support that matches the paying parent's income and the number of children being supported.

Charles and Brigitte

When Charles moved to Manitoba for a new job, his wife, Brigitte, decided to stay in Ontario with their three children. Their marriage had been in trouble for a while, and after a year of living apart, they decided to divorce. They agreed that the children should continue living in Ontario with Brigitte and that Charles would pay child support based on the federal tables. Since Charles and Brigitte live in different provinces, they use the federal table for Manitoba, where Charles lives, to determine the basic amount of child support.

Charles earns \$45,000 per year. The table shows that the basic amount of child support for three children based on that income is \$816 per month.

Split custody

You will each need to check the table for the province or territory where you live to find out how much support you would pay for the children in the other parent's custody.

Once you have found the table amount that you would each pay, subtract the lower amount from the higher amount.

Raj and Isha

Raj and Isha have three children: a 14-year-old daughter named Dhara, a 12-year-old son named Ajay, and a 10-year-old son named Amir. The entire family was living in Prince Edward Island. But when Raj and Isha decided to divorce, Isha accepted a job in Nova Scotia.

Dhara is a very talented musician and wants to make that her career. Raj and Isha decide that she would have better access to the training she needs in Halifax. So they agree that Dhara will move to Nova Scotia and live with Isha. They also agree that Ajay and Amir will stay in Prince Edward Island with Raj. In other words, Isha will have sole custody of one child, Dhara, while Raj will have sole custody of two children, Ajay and Amir, for child support purposes.

They use the table for Nova Scotia to find out how much support Isha would have to pay for the two children living with Raj. It shows that, based on her income of \$27,000 per year, Isha would pay \$393 per month.

They use the table for Prince Edward Island to find out how much support Raj would have to pay for the one child living with Isha. It shows that, based on his income of \$23,000 per year, he would have to pay \$173 per month.

Then they subtract the lower amount from the higher amount.

| | |
|-------------------------|---------|
| Isha's monthly payment: | \$393 |
| Raj's monthly payment: | – \$173 |
| Difference: | \$220 |

Isha will pay Raj \$220 per month.

Shared custody

If you share custody, the rules for calculating child support are a bit different. You need to consider the amount in the tables that each of you would pay for those children if the other parent had sole custody. But you also need to consider:

- the increased cost of shared custody; and
- the condition, means, needs and other circumstances of each parent and child.

If you share custody of your children, it does not mean that no child support is needed.

The Federal Guidelines allow some discretion about how to weigh all these factors to determine an appropriate child support amount. Below is just one example of how you may determine a child support amount if you share custody.

Kaya and Peter

Kaya and Peter both live in Nunavut. Their relationship is not working and they have decided to divorce. They have agreed to share custody of their two young daughters, eight-year-old Paj and nine-year-old Anik. Kaya earns \$25,000 while Peter earns \$35,000 per year.

To determine a support amount, they look at the table for Nunavut to find out the amount each of them would pay to the other parent if the other parent had sole custody of both children. Based on their incomes, the table shows that Kaya would pay \$391 per month and Peter would pay \$547 per month for two children.

Next, they decide to subtract the lower amount from the higher amount.

Peter's monthly payments: \$547
Kaya's monthly payments: - \$391
Difference: \$156

Kaya and Peter then look at the expenses they each expect to have to pay while the girls are spending time with them. They find that Kaya will have to pay for more expenses than Peter. They agree that it is reasonable and fair for Peter to pay an extra \$20 per month to help cover those expenses because he earns more and can take on a greater part.

They agree that the amount of child support that Peter will pay each month to support Paj and Anik will be $\$156 + \$20 = \$176$.

Income over \$150,000

The child support tables only show an amount for the first \$150,000 of income. As explained in Step 5, you have two choices for determining how much child support should be paid on the portion of income over \$150,000:

- you can multiply the amount of income over \$150,000 by the percentage shown in the table for the province or territory where the paying parent lives; or
- you can agree on an additional amount of support based on the condition, means, needs and other circumstances of your children and your financial ability to contribute.

Add the table amount for the first \$150,000 of annual income to the amount determined for the portion of income over \$150,000 to get the basic child support amount.

Alex and Marie

Alex and Marie live in Alberta. They have an 11-year-old daughter named Zoe. When Alex and Marie decided to live apart and divorce, they agreed that Zoe would live with Alex and that Marie would pay child support.

Marie earns \$175,000 per year. In Alberta, the basic amount of child support that someone with an income of \$150,000 would have to pay for one child is \$1303.00 per month.

Alex and Marie decide to use the percentage shown in the table for Alberta to determine how much additional support Marie should pay on the portion of income over \$150,000. The percentage for one child in Alberta is 0.90%:

$\$175,000 - \$150,000 = \$25,000$ (portion of income over \$150,000)
 $\$25,000 \times 0.0090 = \225 (support payable on income over \$150,000)
 $\$1303 + \$225 = \$1528$ (combined total)

Assuming there are no other expenses, Marie will pay \$1528 per month to Alex to support Zoe.

Recap

You have now determined the basic table amount for the support of your children. You may want to include the relevant information in section 7 of your Child Support Tool.

Determine if there are special or extraordinary expenses

As explained in Step 6, the child support tables provide a starting point. You will now need to determine whether there are any special or extraordinary expenses in your situation. If there are, you will need to determine the amount that you should add to the basic table amount. Under the Federal Guidelines, this could happen if one of you has sole custody or if you split custody. If you share custody, you can use your discretion about how you share expenses based on the conditions, means, needs and other circumstances of you and your children.

Either of you may ask for an amount for special or extraordinary expenses under the Federal Guidelines.

You can use Worksheet 2, to help you estimate an amount for special or extraordinary expenses and your share of that amount.

What are special or extraordinary expenses?

The Federal Guidelines define “special or extraordinary expenses” as expenses that are:

- necessary because they are in the child’s best interests; and
- reasonable given the means of the parents and the child and in light of the family’s spending patterns before the separation.

Special or extraordinary expenses are:

- child-care expenses that you may have to pay as a result of a job, an illness, a disability, or educational requirements for employment if your child spends most of the time with you;
- the portion of your medical and dental insurance premiums that provides coverage for your child;



- your child's health-care needs that exceed \$100 per year if the cost is not covered by insurance (for example, orthodontics, counselling, medication or eye care);
- expenses for post-secondary education;
- **extraordinary** expenses for your child's primary education, secondary education or any other educational programs that meet your child's particular needs; and
- **extraordinary** expenses for your child's extracurricular activities.

An expense for education or extracurricular activities is **extraordinary** only if:

- it is more than you can reasonably pay based on your income and the amount of child support you receive; or
- it is not more than you can reasonably pay, but it is extraordinary when you take into account:
 - your income and the amount of child support you receive;
 - the nature and number of educational programs and extracurricular activities;
 - the overall cost of the educational programs and activities;
 - any special needs and talents of the child; and
 - any other similar factors that are considered relevant.

It is best if you agree on which special or extraordinary expenses are reasonable and necessary in your situation. You can even include expenses like university tuition that you expect to have in the future. Keep your children's best interests in mind. If you find it difficult to agree, a third party like a collaborative lawyer or a mediator may be able to help you.

Details to think about

When you are setting up your child support agreement, it is also a good idea to include the particulars of each expense, such as:

- what it is for (for example, hockey, soccer, dance lessons);
- the total cost;
- how much you each will contribute to the cost;
- the date payments are due;
- any other information you think might be relevant.

This will help you to avoid misunderstandings and conflict in the future. It will also make it easier to enforce expenses if the need arises. For example, expenses can usually only be enforced when the support agreement or order includes a specific dollar amount for each expense.

Determining an amount and calculating your share

As a general rule, parents share the amount determined for the expenses in proportion to their incomes. But you may agree to share the amount in a different way.

To determine a specific amount for each special or extraordinary expense, you will need to consider any subsidies, benefits or income tax deductions or credits relating to each expense and your eligibility to claim these amounts.

Robert and Cora

Robert and Cora live in British Columbia. They have a 15-year-old daughter named Li. When Cora and Robert decided to live apart and divorce, they agreed that Li would spend most of her time with Cora and Robert would pay child support, since Robert has to travel a lot for his job.

Robert earns about \$80,000 per year. The table for British Columbia shows that the basic amount of support that someone with his income would pay for one child is \$748 per month.

Next, Robert and Cora determine special or extraordinary expenses for Li. Li has been taking figure-skating lessons and dreams of becoming a champion. Robert and Cora want to help her follow her dream, but it is expensive. After they take into account any income tax deductions or credits that may apply to this activity, they estimate that it costs them about \$12,000 per year to pay for lessons and rent ice time. They agree that it meets the definition of an “extraordinary expense” for an extracurricular activity and that it is reasonable given their means. Robert and Cora agree to share the expense in proportion to their incomes.

To determine Robert’s share of the expense they first add together his annual income of \$80,000 and Cora’s annual income of \$75,000 for a total of \$155,000. Next, they divide Robert’s income of \$80,000 by the total combined income of \$155,000 and multiply that amount by the annual amount of the expense: $\$80,000 \div \$155,000 \times \$12,000 = \6193.55 . When they divide that number by 12, they find that Robert’s monthly share of this expense will be \$516.13.

They add that amount to the table amount of \$748 to find the total amount of child support that Robert will pay each month: $\$748 + \$516.13 = \$1,264.13$.

Recap

You have now determined:

- whether you have special or extraordinary expenses that are necessary because they are in your child’s best interests and reasonable in light of your means and those of the child and in light of the family’s spending patterns before the separation;
- the specific dollar amount for those expenses; and
- how you will share them.

You now need to add the paying parent’s share of the special or extraordinary expenses to the basic amount determined in Step 6 to find the total monthly amount of child support. You can use sections 8 and 9 of your Child Support Tool to make that calculation.

Determine if there is undue hardship

This step will help you figure out whether there is undue hardship in your situation. Worksheet 3 can also help you with the calculation you may have to do in this step.

Sometimes the amount of child support determined under the Federal Guidelines, when combined with other circumstances, may create undue hardship for you or your child. If this happens, a different child support amount may be appropriate. Either parent can claim undue hardship.

To prove undue hardship you must show **two things**:

1. That your circumstances would make it hard to:
 - pay the required amount; or
 - support the child on the amount of support you receive.
2. That your household's standard of living is lower than the other parent's household's standard of living.

The Federal Guidelines include a list of circumstances that could cause undue hardship, such as:

- unusually high debts that you reasonably incurred to support the family before the separation or to earn a living;
- unusually high costs associated with access to your child;
- a legal duty to support a dependent child from another relationship;
- a legal duty to support any other person, such as a former spouse or a new spouse who is too ill or disabled to be able to support himself or herself.

Please note that there may be other circumstances not listed here that could also be considered to cause undue hardship.

How to compare standards of living

You can use Worksheet 3 to compare the standards of living of the two households. This worksheet is based on the standard-of-living test found in the Federal Guidelines. Or, you may decide to use other ways to compare the standards of living of your households if you think it is more appropriate in your circumstances.

If you need to go to court, the judge would likely apply the test found in the Federal Guidelines. The judge would take into account every member of both households. The judge would also consider the income of each household member in order to compare standards of living. To be a member of your household, the person needs to live with you. For example, other members of your household may include:

- your new spouse or common-law partner;
- any children living with you, including those of your new spouse or partner;
- any person who shares or helps reduce your living expenses (for example, if your mother lives with you, she might contribute to pay for food and household bills; or the house may be hers and you may be living there without paying rent);
- anyone that you or any of the other persons mentioned above are legally required to support or be supported by.

The purpose of the standard-of-living test is to determine which of the two households has a higher standard of living. If the household of the parent claiming undue hardship has a higher standard of living than the other parent's household, the undue hardship claim cannot be accepted and the child support amount should not be changed.

However, if the standard of living is lower in the household of the parent claiming undue hardship, then the undue hardship claim might be accepted and the child support amount could be changed. This amount could be higher or lower than the amount you calculated using Steps 1 to 7. However, this new amount would be based on your incomes alone.

Recap

You have determined whether there are circumstances that create undue hardship for either of you or for your child. You have compared the standards of living in both households.

If you found that the standard of living in the household of the parent claiming undue hardship is lower than the standard of living in the other household, you have to decide whether the amount of child support should be higher or lower and by how much. You may want to copy all this information into section 11 of your Child Support Tool.

Additional information

Child support is the right of the child

As parents, you are both responsible for the support of your children and for ensuring that their best interests come first. Even if you separate or divorce, that responsibility continues. It is important for your children that they not be put in the middle of any conflict you may have with each other and that you continue to protect them from hardship.

Once child support is set by an agreement or an order, you both have the legal obligation to comply with the terms of these documents. If you don't pay support, federal, provincial and territorial laws set out a variety of tools to enforce support.

You cannot refuse to pay child support because the other parent will not let you see your children. And you cannot refuse to let the other parent see the children because that parent is not paying child support.

Changing an agreement or order

No support agreement or order can plan for everything that can happen in life. For example, your income may change, or special or extraordinary expenses may not be the same as they were when you first set up your agreement. At some point, you may need to change your support order or agreement to make sure that it remains fair. (See section 13 in the Child Support Tool for additional information.)

You can change a written agreement by yourselves if you both agree to the changes. If you find it difficult to agree, [family justice services](#) such as mediation may be able to help you.

If you have a support order from a court, only a judge can change it. A judge can base the revised order on an agreement between you if it seems fair and reasonable in your situation. If there is no agreement, or if your agreement does not seem fair and reasonable, the judge would use the applicable child support guidelines to revise the order.

Recalculation services

Several provinces have “recalculation services.” These are administrative services that can adjust child support, either up or down, to reflect updated income information.

The [Inventory of Government-Based Family Justice Services](#) on the Department of Justice website has information on where provincial recalculation services are available and who can use those services. You may also find information on the website of your provincial or territorial government.

Some recalculation services can only work with court orders, not written agreements.

Enforcing support

The provinces and territories are responsible for enforcing child support. If you need help to enforce an existing support order or a written support agreement, contact your provincial or territorial [Maintenance Enforcement Program](#). You may also find helpful information in the [Enforcing Support](#) section on the Department of Justice website.

Who you need to notify about changes

If you are enrolled with a recalculation service or a Maintenance Enforcement Program in your province or territory, it is important to notify them of any changes to the agreement or order. You can find contact information for the provincial and territorial Maintenance Enforcement Programs and recalculation services in the [Inventory of Government-Based Family Justice Services](#).

Family conflict or violence

If you or your children are in immediate danger or need help right away, call “911”. You can also call your local emergency number, usually listed at the front of the phone book.

If you are concerned about physical, emotional or sexual abuse in your family, you may find helpful information in the Family Violence section of the Department of Justice website.

If you have more questions

If you have questions this guide does not answer, you may find useful information on the Department of Justice Canada website.

You may prefer to ask your questions directly to an information officer. The Department of Justice has a Family Law Information Line at 613-946-2222 (National Capital Region) or 1-888-373-2222.

If you prefer to ask your questions by e-mail, send them to Fcyinfofea@justice.gc.ca. It is important to note that government officials at the Department of Justice Canada cannot help resolve personal legal issues or provide legal advice to members of the public.

Remember, other people can also help. See who can help on page 6.

You can also contact a provincial or territorial public legal education and information (PLEI) organization. [PLEI organizations](#) provide information to the public about many different areas of law, including family law.



Directory of resources

The Department of Justice website at www.justice.gc.ca has links to a variety of resources that may help you deal with family law issues, including child support.

If you don't have access to the Internet or if you can't find the information you need, the Department of Justice may be able to help you by providing general information or by telling you where to get the information. You can contact the Department at:

Department of Justice Canada
284 Wellington St.
Ottawa, ON K1A 0H8
Toll-free: 1-888-373-2222
National Capital Region: 613-946-2222

[Family Law](#) in General

You can find general information about separation and divorce by clicking on "Family Law" at the top of any Department of Justice Canada web page.

[Divorce Act](#)

To download all or part of the *Divorce Act*, click on "Laws" in the top menu of any page on the Department of Justice website. Then click on "Acts" and scroll down the page until you see the title of the Act.

[Federal Child Support Guidelines](#) (Federal Guidelines)

To download all or part of the Federal Guidelines, click on "Laws" in the top menu of any page on the Department of Justice website. Then click on "Regulations" and scroll down the page until you find the title of the regulations.

Provincial and Territorial Information

To find information on mediation, recalculation services and other family justice services in your province or territory, click on "Family Law" and then "[Family Justice Services](#)." Additional services may be listed on the website of your provincial or territorial Department of Justice or Attorney General.

To find contact information for your **provincial Department of Justice or Attorney General**, click on "[Helpful Links](#)" at the bottom of any federal Department of Justice web page.

To find contact information for your provincial or territorial service responsible for **enforcing support** orders and written support agreements, click on "Family Law" at the top of any federal Department of Justice web page. Then click on "Enforcing Support," which will take you to a page with a link to [Maintenance Enforcement Programs](#).

Legal Advice and Information

A **lawyer referral service** or a **legal aid office** can help you get legal advice—sometimes for no fee or at a reduced fee.

You can also contact a **public legal education and information (PLEI) organization**. PLEI organizations provide information to the public about many different areas of law, including family law.

You can find contact information for lawyer referral services and PLEI organizations by clicking on “[Helpful Links](#)” at the bottom of any federal Department of Justice web page. Legal aid services in your area will probably be listed in your phone book.

Some provincial and territorial family justice services may also provide legal advice and information. See Section 2 of the *Inventory of Government-Based Family Justice Services* on the federal Department of Justice website for a brief description of various family justice services. To find the Inventory, click on “Publications” under “Family Law” on the federal Department of Justice website.

Income Tax Rules

If you have questions about taxation and support payments, you may find useful information, as well as Form P102, on the Canada Revenue Agency (CRA) website at www.cra-arc.gc.ca. You can also contact the CRA by calling 1-800-959-8281.

Child and Family Benefits

The [Canada Revenue Agency](#) (CRA) administers child and family benefits, such as the Canada Child Tax Benefit, the Universal Child Care Benefit, and the Goods and Services Tax/Harmonized Sales Tax Credit.

To find out more about the benefit and credit programs the CRA administers, visit the [Child and Family Benefits](#) web page or call 1-800-387-1193.

Glossary

This glossary defines some terms as they are used in this publication for child support purposes. Some terms may have different meanings for other purposes. These are not legal definitions. You may wish to consult a lawyer about legal definitions of the terms.

Age of majority means the age when a child legally becomes an adult in the province or territory where the child lives. If the child lives outside Canada, the age of majority is presumed to be 18.

Annual income means the income used to calculate child support under the *Federal Child Support Guidelines*.

Child of the marriage means a child that spouses had together during their marriage, including an adopted child, who:

- is under the age of majority and still in the parents' charge; or
- has reached the age of majority but cannot become independent because of an illness, disability or other cause.

It *may* also include a child of only one spouse if the other spouse acted in the place of a parent to the child during the marriage. In law, the Latin expression "*in loco parentis*" is often used to describe this concept.

Child support means money that one parent pays to the other parent to help support their children financially after a separation or divorce. It is also sometimes called "maintenance."

Child support guidelines are laws with rules and tables used to determine how much child support should be paid when parents separate or divorce. The *Federal Child Support Guidelines* are regulations under the *Divorce Act* and apply when parents divorce. Provincial or territorial guidelines apply when there is no divorce.

Child support tables are tables included in federal, provincial or territorial child support guidelines. The tables set out basic child support amounts based on income. Under the Federal Guidelines, there is a separate table for each province and territory to reflect different tax rates between provinces and territories.

Collaborative lawyers are lawyers who work cooperatively with both parents, and with other professionals, where necessary, to help parents come to an agreement. During the collaborative process, both parents agree not to bring any court applications. There can be an incentive to come to an agreement since, if the collaborative process does not result in an agreement, the parents' lawyers cannot represent them in court and both parents would have to hire new lawyers.

Comparison of household standards of living test means a test that courts use when there is a claim for undue hardship in child support cases.

Custody means both the parenting schedule for a child and how decisions about the child will be made after separation or divorce. But for child support purposes, it means the amount of time the children spend with each parent. See also "sole custody," "shared custody," "split custody" and "parenting arrangements."

Designated provinces are provinces that have made arrangements with the federal government to use their own child support guidelines instead of the Federal Guidelines to determine the amount of child support when parents divorce if both parents live in that province. This means that the provinces' guidelines apply whether parents separate or divorce. Quebec, Manitoba and New Brunswick are designated provinces.

Dispute resolution means various ways of resolving disputes between individuals. In the family law context, there are many types of dispute resolution: negotiation, mediation, collaborative law, arbitration, going to court.

The *Divorce Act* is the federal law that sets out the rules for legally ending a marriage.

Family justice services are services intended to help couples deal with separation and divorce. Some examples are mediation, parent information programs, and maintenance enforcement programs.

Imputing income means attributing an income to a parent when, for example, the judge does not think that the amount of income a parent claims is a fair reflection of the actual income and capacity to pay child support, or when the parent refuses to show income information when required by law to do so.

Maintenance enforcement means legal actions taken to compel a person to comply with support requirements set out in a court order or written agreement.

Maintenance Enforcement Programs are provincial and territorial programs that enforce child support obligations set out in a court order or written agreement.

Mediation means a process in which a neutral third party helps parents agree on issues related to separation and divorce, such as child support. Mediators are not marriage counsellors.

Parenting arrangements are the arrangements parents make for the care of their children after separation or divorce. These include arrangements about where the children will live and who will be responsible for making major decisions about them. Parenting arrangements are referred to as “custody” and “access” in the *Divorce Act*.

Paying parent means a parent, or a spouse who has acted in the place of a parent, who has a legal duty to pay child support.

Receiving parent means a parent, or a spouse who acts in the place of a parent, who is legally entitled to receive child support.

Recalculation services are provincial services that update child support amounts set out in a support order to reflect changes in income without the need to go to court to “vary” the order. Some recalculation services also update child support amounts in written agreements that have been registered with them.

Shared custody, for child support purposes, means that the child spends at least 40 percent of the time with each parent over the course of a year.

Sole custody, for child support purposes, means that the child spends more than 60 percent of the time with one parent over the course of a year.

Special circumstances are provisions in a court order or written agreement that benefit a child and that need to be considered when determining child support. An example would be if the paying parent transfers part of his or her share of the family home to the other parent without compensation so the children won’t have to move. In this case, parents may agree, or a court may decide, that the amount of child support should be lower than the amount determined by using the Federal Guidelines.




Split custody, for child support purposes, means that each parent has sole custody of at least one of the children when there is more than one child. In other words:

- one or more children spend more than 60 percent of the time in a year with one parent; and
- one or more children spend more than 60 percent of the time in a year with the other parent.

Variation order means a court order that changes some or all of the terms in an existing support order.

About the worksheets and line-by-line help

This guide provides three worksheets to help you with calculations you may need to make to estimate a child support amount:

-  **WORKSHEET 1: Calculate your annual income**
-  **WORKSHEET 2: Determine the amount for special or extraordinary expenses**
-  **WORKSHEET 3: Compare households' standards of living**

There is also line-by-line help explaining how to fill out each worksheet.

Who these worksheets apply to

The line-by-line help often refers to “you,” meaning one or both of the parents. But you may also need to complete worksheets for other people, such as your children, if you need their income to determine an amount. In such cases, you should fill out one worksheet per person.

You may not need to use all of the worksheets

Use only the ones that apply to your situation. For example, you would use Worksheet 2 only if you determined in Step 7 of the guide that there were special or extraordinary expenses.

Use only the parts of the worksheet that apply to you

Each worksheet has many lines to cover various possibilities. Some of the lines may not apply to your situation, so you will not need to fill them out.

Keep all documents together

It is a good idea to keep the worksheets you fill out with other documents that relate to arrangements you made for your children, such as your final child support agreement. Keeping records of your calculations and of the decisions you made during that process can be helpful if, for example, you need or want to change your agreement later on.

You can look up definitions of income tax terms

The worksheets often refer to income tax terms used by the [Canada Revenue Agency](#) (CRA) and to specific lines found in your T1 Income Tax and Benefits Return (which is referred to as “return” in these worksheets) or your notice of assessment or notice of reassessment. You may want to refer to the [General Income Tax and Benefit Guide](#) located on the CRA’s website if you are not sure what those terms mean. You can also contact the CRA’s individual income tax enquiries line at 1-800-959-8281.

In this document

Your “Total income” is the number found on line 150 of your T1 General form issued by the CRA. However, please note that total income is just the first step in determining the “annual income” amount used to calculate child support under the Federal Guidelines.

Remember, other people can help

If you have difficulties with the worksheets (or with any other child support issue), you may want to get help from a third party, such as a family law lawyer or an accountant. Provinces and territories also have family justice services that could help you or point you in the right direction. If you cannot agree on certain issues, you can try using alternative dispute resolution mechanisms or ask a judge to make the decisions for you. Going to court, however, can be costly, time-consuming, and stressful for everyone. It is generally best for everyone—especially children—when parents can agree.

Worksheet 1:

Calculate your annual income

Line-by-line help

In Step 5, you determined whose income needs to be calculated. Worksheet 1 is based on the *Federal Child Support Guidelines* (Federal Guidelines) and will help you do the calculations.

Depending on your situation, you may need to calculate one parent's income only or both. In other situations, you may also need to calculate the income of the child or of another member of your household. It is best to use a separate worksheet for each person whose income needs to be calculated.

Remember, as explained in Step 5, you may both agree, in writing, about your annual income.

How annual income is calculated under the Federal Guidelines

As a general rule, to calculate income for child support, you must identify the updated amounts related to the sources of income used to calculate your "Total income" on line 150 of the T1 General Form issued by the Canada Revenue Agency. You can find that information on your *T1 Income Tax and Benefit Return* or your notice of assessment or most recent notice of reassessment (if applicable) issued by the CRA. If you do not have a copy of those documents, you should contact the CRA's individual income tax enquiries line at 1-800-959-8281. You may also find it helpful to refer to the [General Income Tax and Benefit Guide](#) located on the CRA's website.

In certain situations, you may need to use a different amount from the one on line 150 of your return, notice of assessment or reassessment (if applicable)—for example, if you are self-employed, a director, officer or shareholder of a corporation, or if your income has various patterns and is not always consistent.

To determine the total income used to calculate child support, you may also need to adjust your annual income based on Schedule III of the Federal Guidelines. The line-by-line help for this worksheet provides additional information about the various adjustments.

Documents you need

Step 5 in the guide lists the kind of information and documents that you may need to calculate your annual income. You may not need all of those documents to complete Worksheet 1 or you may need more. Your employment situation could have an impact on how you adjust your income and the number and kind of documents needed to make those adjustments—for example, if you own a corporation, are self-employed, or are a seasonal worker.

You will need at least the following documents to complete Worksheet 1:

- your tax return and related schedules for each of the three most recent taxation years; and
- notices of assessment and reassessment issued by the CRA for each of the three most recent taxation years.

It is important that the information used be accurate and up-to-date. This is to help ensure that your calculations are based on a true picture of your current situation and your financial ability to contribute.

Total income before adjustments

Line 1 – total income

Write down your total income on this line:

- You can use the amount of total income on line 150 of your most recent return or your notice of assessment issued by the CRA if it accurately reflects your current income; or
- Line 150 in those documents might not accurately and fairly reflect your current income or include all the money available to you for child support purposes. Depending on the reason for this, you may wish to consider one or more of the following options:
 - If your income fluctuates a lot from year to year, then you may need to calculate the average of your income over the last three years.
 - If your income has gone up or down since you filed your last return, then it would be better to use pay slips and other records of income to find your most recent income information.
 - If you received a one-time or infrequent amount (for example, a bonus) that is not reflected in line 150 of your return, then you may want to include all or part of that amount to ensure that it is the fairest determination of your income.
 - If you have incurred a non-recurring capital or business investment loss, then you may want to adjust the loss to arrive at an appropriate amount to ensure that it is the fairest determination of your income.
 - If you are a director, officer or shareholder of a corporation and your return does not fairly reflect all the money available to you for child support, then you would need to consider various factors and include the following in your income:
 - all or part of the corporation’s gross income for the most recent taxation year (such as income before deducting payments for salaries, wages, management fees and similar expenses); or
 - what you would earn if you were being paid for the services you provide to the corporation (as long as that amount is less than the corporation’s pre-tax income).
 - If line 150 in your most recent return or notice of assessment includes pension or RRSP income, then you may need to adjust that income. You cannot deduct the amount you put into an RRSP or any other pension plan from the amount of income used to calculate child support. However, if you withdraw money once or rarely from a plan, including an RRSP, you or a court may decide that it is a non-recurring amount that should not count as income to determine child support. These matters should be decided case by case, and you may wish to get advice from a family law lawyer.

Adjustments to total income (use annual amounts)

Deductions

Line 2 – taxable child support received

If you receive child support based on an order or agreement made **before** May 1, 1997*, it is generally income that is taxable. You are required to report this child support amount at line 128 (Support payments received) of your return.

If the amount you wrote on line 1 of this worksheet includes taxable child support, enter on this line the child support amount reported at line 128 of your return.

Please note that line 128 of your return includes both taxable child and spousal support, if any. You can only deduct on this line of the worksheet the portion that relates to taxable child support.

*The way child support is taxed was changed in 1997. These changes apply to child support amounts set out in court orders or written agreements made on or after May 1, 1997. Under these rules, a person who pays child support does not claim the amount of child support paid as a deduction, and the person who receives child support does not include the amount of child support received as income.

If you have a child support order or written agreement made before May 1, 1997, you have three options:

1. Do nothing: after looking at your amount to determine if it is still appropriate, you can agree not to change your existing child support order or agreement.
2. Change the court order or written agreement: you can agree to change the child support amount and get a new court order or negotiate a new written agreement which will then be based on the current tax rules.
3. Change the way child support payments are treated for tax purposes: you can agree to keep the amount of child support the same and simply change how it is treated for tax purposes by both signing and filing Canada Revenue Agency Form T1157, *Election for Child Support Payments*, with the CRA. This action does not change any terms of your pre-May 1, 1997, court order or written agreement, except for the way the payments are treated for tax purposes.

You may want to refer to the *Support Payments Guide* found on the CRA website for more information about the different tax rules for orders or agreement made before May 1, 1997.

Line 3 – spousal support received from the other parent

Spousal payments received under a written agreement or court order are generally income that is taxable. This income is required to be reported at line 128 (Support payments received) of your return.

If this applies to you and the total income amount you wrote on line 1 of this worksheet includes spousal support, enter the spousal support amount you received from the other parent on this line.

Please note that both taxable child and spousal support are reported at line 128 of your return. You can only deduct on this line the portion that relates to spousal support received from the other parent.

Line 4 – Universal Child Care Benefit (UCCB)

You need to report UCCB payments (line 117 of your return) as income for tax purposes, but this income is treated differently for child support purposes. If the total annual income you put on line 1 of this worksheet includes UCCB payments that you received for any child during the year, you can deduct that amount on this line of the worksheet.

Line 5 – split-pension amount

Enter the amount of eligible pension income that your spouse or common-law partner transferred to you and that you reported on line 116 (Split-pension amount) of your return if that amount is included in your total income you put on line 1 of this worksheet.

Line 6 – employment expenses

Enter on this line the total amount of annual union, professional or like dues that are shown on line 212 of your return and other employment expenses shown on line 229 of your return.

Line 7 – social assistance received for other members of the household

If a portion of the family assistance you received was for other family members, you can deduct that portion from your total income. You cannot deduct any social assistance that was solely for your benefit.

To determine how much of the social assistance payments you can deduct:

- Look at line 145 of your return to find the total amount of social assistance payments you received during the year. Line 145 includes the amount received for you and for other family members.
- Next, identify what portion of that amount is for other family members. If you are not sure how much that is, you may want to contact the social assistance office. You may also find social assistance rate tables on the websites of provincial or territorial departments responsible for social assistance.
- Finally, enter on this line of the worksheet the amount that was for other family members determined from the bullet above.

Line 8 – excess portion of dividends from taxable Canadian corporations

Find line 120 of your return and copy the amount listed there to this line: (A)_____.

Next, determine the total amount of dividends received (usually found on your T5 slips). Copy that amount to this line: (B)_____.

Finally, subtract the amount on line B from the amount on line A to calculate the excess portion. Copy the result on this line of the worksheet.

Line 9 – actual business investment losses

Enter on this line the amount of business investment losses you suffered during the year. This amount is shown on line 228 of your return.

Line 10 – carrying charges

Enter on this line the carrying charges and interest expenses that you paid and that would be deductible under the *Income Tax Act*. This amount is shown on line 221 of your return.

Line 11 – prior-period earnings

This line relates to transitional rules for off-calendar fiscal periods. These rules no longer apply. The Federal Guidelines have not yet been amended to reflect this change.

Line 12 – partnership or sole proprietorship income

If you earned income through a partnership or a sole proprietorship, deduct any amount included in your income that is required by the partnership or sole proprietorship for capitalization purposes. Enter the result on this line.

Line 13 – total deductions from income

To calculate all of the deductions that you can make to your total income, add up all the above deductions that apply to you and enter the total on this line.

Additions

Line 14 – capital gains and capital losses

You must replace the taxable capital gains that you realized in a year by the actual amount of capital gains you realized in excess of your actual capital losses in that year.

There are two kinds of capital gains:

- Recurring: a recurring capital gain has an ongoing effect on your income—for example, if you regularly buy and sell stocks.
- Non-recurring: a non-recurring capital gain is a rare, or even a once-in-a-lifetime event—for example, when you sell a cottage.

In most cases, if you have recurring capital gains, you must take into account the entire amount, as the amount on line 1 of this worksheet includes only taxable capital gains. If you have non-recurring capital gains, the amount you include on this worksheet may be excluded from this calculation.

To calculate the necessary adjustment to reflect the entire amount of capital gains that you must include, do the following:

- First, find your total capital gains on line 197 of “Schedule 3–Capital Gains (or Losses)” of your return. The amount on line 197 (Schedule 3 – income tax return) equals the total of capital gains for the year minus any capital losses. If this amount is zero or less, copy “0” to this line.
- Then, find your reported taxable capital gains on line 127 of your return.
- Finally, subtract the amount found on line 127 of your return from the amount found on line 197 of Schedule 3.

Line 15 – net self-employment income

If you are self-employed and you have a business relationship with an individual like a family member (called a non-arm’s-length relationship), include on this line any income amount for salaries, benefits, wages, management fees or other payments paid to, or on behalf of, the other person.

You don’t need to include the amount if it is reasonable and it was necessary for you to have paid the amount to earn the self-employment income.

Line 16 – capital cost allowance for property

If your return includes a deduction for capital cost allowance for real property (e.g. buildings), you will need to enter that amount on this line.

Line 17 – employee stock options with a Canadian-controlled private corporation

Benefits from a stock option are generally included in an individual’s employment income in the year in which he or she sells or exercises the option. However, where the corporation that issued the stock option is a Canadian-controlled private corporation, the individual does not have to include the benefit in income until he or she disposes of the shares which were acquired with the stock option.

You are required to enter an amount on this line where you have exercised a stock option to purchase shares of a Canadian-controlled private corporation (or a publicly traded corporation that is subject to the same tax treatment regarding stock options as a Canadian-controlled private corporation).

You need to put “0” on this line if you sold the shares in the same year you exercised the stock options to obtain the shares. Otherwise, to calculate the employee stock option benefit to be included:

- first, find the total value of shares acquired by stock option (you can multiply the number of shares by the market value of one of them);
- subtract from that amount the total amount that you paid for the stock options and the shares.

The result is the stock option benefit.

Enter the amount on this line of the worksheet.

Line 18 – total additions to income

Add all the additions listed above and include the total on this line.

Annual income

Line 19 – annual income for child support purposes

First, subtract the total amount of deductions on line 13 from your total income on line 1. Then, you need to add the total amount of additions to that calculation. The result is your annual income for child support purposes.

Worksheet 1: Calculate your annual income

You can use this worksheet to estimate the annual income of anyone whose income is needed to determine a child support amount (Step 5). If you need to calculate the income of more than one person, use a separate worksheet for each person. Fill out only the parts that apply.

You can use line-by-line help to help you fill out this worksheet.

This worksheet is to calculate the income of: _____
(Name)

The person is: paying parent receiving parent other household member

Note: if you and the other parent agree on the annual income that would be considered appropriate, write that amount on line 19, without filling out any other lines on this worksheet.

| Total income before adjustments | |
|---|-----------|
| Line 1: Total income | _____ |
| Adjustments to total income (use annual amounts) | |
| Deductions | |
| Line 2: Taxable child support received | _____ |
| Line 3: Spousal support received from the other parent | _____ |
| Line 4: Universal Child Care Benefit (UCCB) | _____ |
| Line 5: Split-pension amount | _____ |
| Line 6: Employment expenses | _____ |
| Line 7: Social assistance received for other members of the household | _____ |
| Line 8: Excess portion of dividends from taxable Canadian corporations | _____ |
| Line 9: Actual business investment losses | _____ |
| Line 10: Carrying charges | _____ |
| Line 11: Prior-period earnings | NA |
| Line 12: Partnership or sole proprietorship income | _____ |
| Line 13: Total deductions from income (add lines 2 through 12) | _____ |
| Additions | |
| Line 14: Capital gains and capital losses | _____ |
| Line 15: Net self-employment income | _____ |
| Line 16: Capital cost allowance for property | _____ |
| Line 17: Employee stock options with a Canadian-controlled private corporation | _____ |
| Line 18: Total additions to income (add lines 14 to 17) | _____ |
| Line 19: Annual income for child support purposes (line 1 minus line 13 plus line 18) | _____ |

Worksheet 2:

Determine the amount for special or extraordinary expenses

Line-by-line help

In Step 7, you have determined that there are special or extraordinary expenses in your situation. You can now use Worksheet 2 to help you:

- calculate the amounts of special or extraordinary expenses;
- estimate your share of those expenses in proportion to your income; and
- determine the amount that you would need to add to the child support amount for special or extraordinary expenses.

You can use Worksheet 2 if you have sole- or split-custody arrangements. If you share custody, there is some discretion about how you will determine child support. You will need to take into account additional factors, like the increased costs of shared custody and the child's needs to determine an appropriate amount. But you may still find this worksheet helpful to get an idea of the total amount you have to spend to meet your child's needs and the ability of each of you to contribute to the expenses.

You may agree to share the expenses in a different way. If that is the case, you can still use parts of this worksheet and just skip the lines that do not apply to you. It is a good idea to include information about the way you decided to share expenses in your Child Support Tool as well as in your agreement.

It is best that you determine a specific amount for each special or extraordinary expense and the portion that each of you will pay. If your case is registered with a Maintenance Enforcement Program, your agreement or order will need to specify the dollar amount to be paid towards the special or extraordinary expenses so that these expenses can be enforced, if the need arises.

Have your information ready

To calculate your respective shares of special or extraordinary expenses, you will need both of your incomes. This means that you each have to fill out a Worksheet 1.

To complete Worksheet 2, you should have on hand your completed Worksheet 1 and the same income information and documents you used when filling out Worksheet 1.

Special or extraordinary expenses have to be net amounts. So, you will also need information about any subsidies, benefits or income tax deductions or credits relating to each expense. If it is hard for you to find this information, you may want to consult the CRA's website or contact the CRA's individual income tax enquiries line at 1-800-959-8281.

When you fill out Worksheet 2, you may need to adjust the income you calculated using Worksheet 1. This is because spousal support and the Universal Child Care Benefit are treated differently when considering special or extraordinary expenses.

Not all parts may apply

This worksheet is separated into four parts: A, B, C, D. Everyone should complete parts A and B. You will also have to complete part C or D, depending on your parenting arrangement. You will find more information in the line-by-line help dealing with these parts.

As with the other worksheets, not all lines in each part will apply to your situation. You can just skip those.

This worksheet has several columns. If you are calculating special or extraordinary expenses for a number of children, use a separate column for each child.

Part A: Total annual amount that you both spend on special or extraordinary expenses

In this part, you will calculate the total amount you both spend on special or extraordinary expenses for your children in one year.

Line 20 – child-care expenses

If the child spends most of the time with you, enter on this line all child-care expenses that you incur due to your job, an illness, a disability, training or education for employment. Child-care expenses for other reasons cannot be included.

Line 21 – medical and dental insurance premiums for the child

If you pay premiums into a medical or dental insurance plan for a child's benefit, then the portion of your contribution to the plan on behalf of your child is an eligible special expense. Enter that amount on this line. If the other parent also pays premiums into a plan for the child, add your contributions together and copy the total on this line.

Line 22 – health-related expenses

Some children require health care that is paid for by a parent and not by a provincial or territorial public health plan or private insurance. When this health care costs more than \$100 per year, after deducting any amounts received from an insurance plan, it may be considered a special expense. Health-care costs that might be considered special expenses include orthodontic treatment, speech therapy, prescription drugs, glasses, contact lenses, hearing aids, physiotherapy, occupational therapy and professional counselling provided by a psychologist, social worker or psychiatrist.

If this applies to you, add together the amount you each pay for health-related special expenses and copy the total amount on this line.

Line 23 – extraordinary expenses for primary or secondary education

If you have extraordinary expenses for primary or secondary school, or for any other educational programs that meet your child's particular needs, put the total of the amounts paid for such expenses on this line.

Line 24 – post-secondary education expenses

On this line, copy the total of any amounts paid by either of you for your child's post-secondary education.

Line 25 – extraordinary expenses for extracurricular activities

On this line, copy the total amount paid by either of you for any extraordinary expenses for your child's extracurricular activities.

Line 26 – total annual amounts of special or extraordinary expenses spent on each child

Add lines 20 to 25 for each child and copy the total on this line, in the appropriate column.

Line 27 – total annual amount spent by both of you on special or extraordinary expenses for all children

Add the amounts in all columns (child A to D) for line 26 to get the total amount spent by both of you on special or extraordinary expenses for all your children. Write the result on this line.

Part B: Total amount of special or extraordinary expenses that you have to share

In part A, you determined the total amount that you both spend on special or extraordinary expenses for your children. According to the Federal Guidelines, this amount needs to be adjusted to take into account, for example, various contributions, subsidies and tax rules that may have an impact on the final amount that you will share. Part B will help you determine the total amount of special or extraordinary expenses that you will end up sharing.

Line 28 – contributions and subsidies from other sources for each child (per year)

One of you or your child may receive a contribution towards a special or extraordinary expense from different sources. For example a service organization might pay part of the costs of your child's hearing aid or a post-secondary school might offer your child a scholarship to help to pay tuition costs.

Copy on this line all the amounts you or your children received or are entitled to receive for special or extraordinary expenses.

It is important to note that the Universal Child Care Benefit (UCCB) is taken into account in your income. So, do not include the UCCB to determine the amount to put on this line.

Line 29 – amounts contributed by child for special or extraordinary expenses (per year)

Your child may pay part of a special or extraordinary expense. For example, your child may have a part-time job to help pay for tuition.

Copy on this line, in the appropriate column, the amounts that your children contribute towards a special or extraordinary expense.

Line 30 – amount received for each child

Add lines 28 and 29 for each child. Copy the totals in each column.

Line 31 – total amount received for special or extraordinary expenses

Add all columns for line 30 and copy the total on this line.

Line 32 – total amount of income tax relief and benefit implications for both parents

A: calculate the total amount of tax relief

You may be eligible to claim a deduction (D) and/or non-refundable tax credits (NRTC) for certain child-related expenses. This may reduce the amount of income tax you have to pay, which is called tax relief. You will need to subtract the amount of this tax relief when you calculate the total cost of special or extraordinary expenses.

If you have agreed that your children's income should be used to determine the amount of special or extraordinary expenses that relates to them, you may want to complete Worksheet 1 to estimate their income.

Types of child-related expenses that may qualify for tax relief include:

- child-care expenses (line 214 of your return – D);
- tuition, education, and textbook amounts transferred from a child to a parent (line 324 of your return – NRTC);
- children’s fitness amount (line 365 of your return – NRTC);
- children’s arts amount (line 370 of your return – NRTC); and
- medical expenses (line 332 of your return – NRTC).

You need to estimate the amount of tax relief you each get for expenses relating to the children. Only do this calculation when one of you is claiming or intends to claim the expense on a return.

One way to find out the amount of tax relief for child-related expenses is by filling out an income tax return. Please note that this would be for your use only; you do not need to submit them to the CRA.

In some families, only one of you will have amounts on lines 214, 324, 365, 370, and/or 332 of a return. In other families, both of you will have amounts on one or more of these lines in your respective returns.

You may both wish to follow these suggestions to estimate the tax relief amount for each of you:

1. Use a blank income tax return to simulate two situations. Complete the first tax return with the appropriate amounts entered on lines 214, 324, 365, 370 and 332, if applicable, to calculate the tax that would be payable at line 435.
2. Next, complete the income tax return again leaving lines 214, 324, 365 and/or 370 blank and reduce the amount on line 332 by the amount spent on the child. Calculate the tax that would be payable at line 435.
3. Now, you need to compare the two tax amounts. Subtract the amount of tax payable when special or extraordinary expenses have been included in the return from the amount of tax payable when no special or extraordinary expenses were taken into account. The difference is the amount of that parent’s tax relief.

It is important to note that there are specific tax rules about who is eligible to claim certain credits or benefits. For more information on these, refer to the *General Income Tax and Benefit Guide* located on the CRA website.

Enter the total amount of tax relief for both parents on the following line A.

Line A: _____

B: calculate the increase in federal and provincial benefits (not included on tax return)

Because special or extraordinary expense deductions (for example, child care expenses) may lower your net income, any benefits that you receive may increase. For example the lower your net income is, the higher the National Child Benefit and some provincial benefits may be.

Compare the net incomes from steps 1 and 2 above. If they are the same, you do not need to complete this section. If the net incomes are different, calculate the benefits receivable for each net income. Enter the total for both of you on the following line B.

Line B: _____

Add lines A and B above to find the total tax and benefit implications. Copy the result of your calculations on line 32 in this worksheet.

Line 33 – total amount to help pay for special or extraordinary expenses

Add lines 31 and 32 to get the total amount received to help pay for special or extraordinary expenses and copy the result on this line.

Line 34 – total amount of special or extraordinary expenses that you have to share

Deduct line 33 from line 27 to get the total amount of special or extraordinary expenses that you have to share and copy the amount on this line.

Parts C and D

Part C and part D help you calculate the portion of the special or extraordinary expenses that you should each pay in a sole- or split-custody arrangement.

Remember, if certain lines do not apply to your situation, you should just skip them. For example, if neither of you pays spousal support to the other parent, skip the lines dealing with spousal support.

Spousal support is money that is paid by one spouse to the other spouse after the relationship has ended. You may want to visit the Department of Justice Canada website for more information.

| If you have a... | Then... |
|--|------------------|
| sole-custody arrangement for your children | fill out part C. |
| split-custody arrangement for your children | fill out part D. |

Part C: Sole custody – paying parent’s share of special or extraordinary expenses

Line 35 – annual income

Both of you will need to provide income information. You should each fill out Worksheet 1 first, and then copy the amount shown on line 19 of that worksheet on this line, in the appropriate column. Or, if you both agree on an income amount, you can put that amount in the applicable column.

Additions

Line 36 – Universal Child Care Benefit (UCCB) received for children for whom you are requesting special or extraordinary expenses

You may have deducted the UCCB when you used Worksheet 1 to calculate your annual income. You can do that because the UCCB is not considered as income when you determine a child support amount. But when you calculate special or extraordinary expenses, you need to put back into your income the amount of UCCB received for the child whose expenses you are calculating. Write the amount on this line.

If someone else in your household claimed the UCCB for that child for tax purposes, you should determine that amount and include it on this line.

If you are considering special or extraordinary expenses for more than one child for whom you receive the UCCB, add all UCCB amounts.

Line 37 – spousal support received from the other parent

If one of you receives spousal support from the other, copy the amount in the column that applies to the parent who receives that spousal support. In many cases, the amount of spousal support received will be in the “Receiving parent” column. However, sometimes the parent who has custody of the children, and receives child support for them pays spousal support to the other parent.

In that case only, the amount of spousal support received will be in the “Paying parent” column. Whatever your situation, the amount of spousal support received should appear in only one of the two columns for this line.

Line 38 – annual income before deduction

Add lines 35 to 37 in each column to get the annual income before deduction for each of you and enter the total in each column on this line.

Deduction

Line 39 – spousal support paid to the other parent

Copy on this line the amount of spousal support that one of you pays or will pay to the other parent. The amount of spousal support paid should appear in only one of the two columns for this line.

Line 40 – annual income after deduction

Subtract line 39 from line 38 to determine your annual income after deduction and enter the result on this line.

Line 41 – your combined total annual income for purposes of sharing special or extraordinary expenses

To find your total annual income amount to calculate each of your share of special or extraordinary expenses, add the amounts on line 40 for the paying parent and the receiving parent. Copy the result on this line.

Line 42 – your respective proportion of total annual income

The purpose of this calculation is to find out what proportion of the total annual income you each earn. You will need to divide your respective incomes on line 40 by the total income on line 41. The number you will get will usually be in decimal form, such as 0.66. Make sure you divide the smaller number by the larger number.

Write the result on this line for each of you.

Line 43 – your respective share of special or extraordinary expenses

To calculate your respective share of special or extraordinary expenses, multiply line 42 for each of you by the actual cost of special or extraordinary expenses on line 34. Copy the result on this line for each of you. Please make sure that the amounts on this line are dollar amounts, not proportions.

There may be tax implications linked to the way you pay special or extraordinary expenses. You may want to visit the CRA's website for more information.

Line 44 – cost of special or extraordinary expenses paid directly by the paying parent

The paying parent may be paying some special or extraordinary expenses directly. For instance, the paying parent may give an orthodontist a series of post-dated cheques to cover orthodontic work on a child for a year or pay tuition directly to a university.

When a paying parent is paying some special or extraordinary expenses directly, then the total payments can be subtracted from the special or extraordinary expenses that will be added to the basic child support amount paid to the receiving parent.

Copy on this line the real (net) amount of special or extraordinary expenses that the paying parent pays directly. Remember that the paying parent may receive tax relief for paying some special or extraordinary expenses.

Line 45 – annual amount of all special or extraordinary expenses payable by the paying parent

Line 43 minus line 44 in the paying parent's column gives you the annual amount of special or extraordinary expenses that the paying parent will pay to the receiving parent. You can copy the total to this line.

Line 46 – monthly amount of all special or extraordinary expenses payable by the paying parent

You can divide line 45 by 12 to find out how much the paying parent will pay each month to the receiving parent to share the costs of the children's special or extraordinary expenses. You can copy the total on this line.

You can add the amount of all special or extraordinary expenses payable by the paying parent to the basic child support amount determined using Step 6 of this guide and copied in your Child Support Tool. This will give you the total child support amount that the paying parent should pay.

Part D: Split custody – your respective share of special or extraordinary expenses

Part D helps you calculate your income and the portion of the special or extraordinary expenses that you would each pay in a split-custody arrangement.

Line 35 – annual income

Both of you will need to provide income information. You should each fill out Worksheet 1 first, and then copy the amount shown on line 19 of that worksheet here. Or, if you both agree on an income amount, you can put that amount in the applicable column.

Remember, in a split-custody arrangement, at least one child spends most of the time with you and at least one other child spends most of the time with the other parent.

Additions

Line 36 – Universal Child Care Benefit (UCCB) received for children for whom special or extraordinary expenses are requested

You may have deducted the UCCB when you used Worksheet 1 to calculate your annual income. You can do that because the UCCB is not considered as income when you determine a child support amount. But when you calculate special or extraordinary expenses, you need to put back in your income the amount of UCCB received for the child whose expenses you are calculating. Write the amount on this line.

If someone else in your household claimed the UCCB for that child for tax purposes, you should determine that amount and include it on this line.

If you are considering special or extraordinary expenses for more than one child living with you most of the time and for whom you receive the UCCB, add back in all UCCB amounts and enter the total on this line.

Line 37 – spousal support received from the other parent

Copy on this line the amount of spousal support that one of you receives from the other parent. The amount of spousal support received should appear in only one of the two columns.

Line 38 – annual income before deductions

Add lines 35 to 37 in each column to get the annual income before deductions for each of you and enter the total in each column on this line.

Deduction

Line 39 – spousal support paid to the other parent

Copy on this line the amount of spousal support that one of you pays or will be paying to the other parent. The amount of spousal support paid should appear in only one of the two columns for this line.

Line 40 – annual income after deduction

Subtract line 39 from line 38 to determine your annual income after deduction and enter the result on this line.

Line 41 – your combined total annual income for purposes of sharing special or extraordinary expenses

To find your total annual income amount to calculate each of your share of special or extraordinary expenses, add lines 40 for parent A and parent B and copy the result on this line.

Line 42 – your respective proportion of total annual income

The purpose of this calculation is to find out what proportion of the total annual income you each earn. You will need to divide your respective incomes on line 40 by the total income on line 41. The number you will get will usually be in decimal form, such as 0.66. Make sure you divide the smaller number by the larger number.

Write the result on this line for each of you.

Line 43 – your respective share of special or extraordinary expenses

To calculate your respective share of special or extraordinary expenses, multiply line 42 for each of you by the actual cost of special or extraordinary expenses on line 34 and copy the result on this line for each of you. Please make sure that the amounts on this line are dollar amounts, not proportions.

Line 44 – total cost of special or extraordinary expenses that you pay directly

Either of you may be paying some special or extraordinary expenses directly. For instance, one of you may give an orthodontist a series of post-dated cheques to cover orthodontic work on a child for a year or pay tuition directly to a university.

When a parent is paying some special or extraordinary expenses directly, then the total payments can be subtracted from the special or extraordinary expenses that will be added to the basic child support amount. Copy on this line the real (net) amount of special or extraordinary expenses that each of you is paying directly for children that live with either of you for most of the time.

Remember that you may receive tax relief for paying some special or extraordinary expenses.

There may be tax implications linked to the way you pay special or extraordinary expenses. You may want to visit the CRA's website for more information.

Line 45 – annual amount of all special or extraordinary expenses payable by each parent

Line 43 minus line 44 gives you the annual amount of special or extraordinary expenses that you will each pay. Enter the result on this line.

Line 46 – monthly amount of all special or extraordinary expenses payable by each parent

Divide line 45 by 12 to find out how much you will pay each month to share the costs of the children's special or extraordinary expenses. You can copy the total on this line.

In Step 6, you determined each of your basic child support amount. You can add to those amounts your respective portion of special or extraordinary expenses. Then subtract the lower amount from the higher amount to determine the total child support. The parent with the higher amount generally pays the difference to the other parent. You may want to copy this information into the Child Support Tool.

Worksheet 2:

Determine the amount for special or extraordinary expenses

You can use this Worksheet to help you estimate your share of special or extraordinary expenses to add to your child support amount.

Note: not all parts of this worksheet will apply to your situation. You may want to read the line-by-line help to help you fill out the appropriate lines.

For each child, write the total annual amount paid for any of the following expenses. Put the cost per child for each applicable expense in the chart below.

Child A: _____

Child B: _____

Child C: _____

Child D: _____

Part A: Total annual amount that you both spend on special or extraordinary expenses

| Special or extraordinary expenses | Child A | Child B | Child C | Child D |
|---|---------|---------|---------|---------|
| Line 20: Child-care expenses | _____ | _____ | _____ | _____ |
| Line 21: Medical and dental insurance premiums for the child | _____ | _____ | _____ | _____ |
| Line 22: Health-related expenses | _____ | _____ | _____ | _____ |
| Line 23: Extraordinary expenses for primary or secondary education | _____ | _____ | _____ | _____ |
| Line 24: Post-secondary education expenses | _____ | _____ | _____ | _____ |
| Line 25: Extraordinary expenses for extracurricular activities | _____ | _____ | _____ | _____ |
| Line 26: Total annual amounts of special or extraordinary expenses spent on each child (add lines 20 to 25 in each column) | _____ | _____ | _____ | _____ |
| Line 27: Total annual amount spent by both of you on special or extraordinary expenses for all children (add line 26 for child A,B,C,D) | _____ | | | |

Part B: Total amount of special or extraordinary expenses that you and the other parent have to share

| | Child A | Child B | Child C | Child D |
|--|---------|---------|---------|---------|
| Line 28: Contributions and subsidies from other sources for each child (per year) | _____ | _____ | _____ | _____ |
| Line 29: Amounts contributed by child for special or extraordinary expenses (per year) | _____ | _____ | _____ | _____ |
| Line 30: Amount received for each child (add lines 28 and 29 in each column) | _____ | _____ | _____ | _____ |
| Line 31: Total amount received for special or extraordinary expenses for all children (add line 30 for child A, B, C, D) | | _____ | | |
| Line 32: Total amount of income tax relief and benefit implications for both parents | | _____ | | |
| Line 33: Total amount to help pay for special or extraordinary expenses (add lines 31 and 32) | | _____ | | |
| Line 34: Total amount of special or extraordinary expenses that you have to share (line 27 minus line 33) | | _____ | | |

Part C: Sole custody – paying parent’s share of special or extraordinary expenses

Note: part C uses the terms “paying parent” and “receiving parent”: **paying parent** means the parent who will be paying child support; **receiving parent** means the one who will be receiving child support. These terms can apply to either of you.

The paying parent is: _____

The receiving parent is: _____

| | Paying parent | Receiving parent |
|--|---------------|------------------|
| Line 35: Annual income (from Worksheet 1, line 19) | _____ | _____ |
| Additions | | |
| Line 36: UCCB received for children for whom you are requesting special or extraordinary expenses | _____ | _____ |
| Line 37: Spousal support received from the other parent | _____ | _____ |
| Line 38: Annual income before deduction (add lines 35, 36 and 37 in each column) | _____ | _____ |
| Deduction | | |
| Line 39: Spousal support paid to the other parent | _____ | _____ |
| Line 40: Annual income after deduction (line 38 minus line 39 in each column) | _____ | _____ |
| Line 41: Your combined total annual income for purposes of sharing special or extraordinary expenses (add lines 40 for the paying parent and the receiving parent) | | _____ |
| Line 42: Your respective proportion of total annual income (divide line 40 by line 41 in each column – the result will usually be in decimal form – e.g. 0.66.) | _____ | _____ |
| Line 43: Your respective share of special or extraordinary expenses (multiply line 34 by line 42 in each column) | _____ | _____ |
| Line 44: Cost of special or extraordinary expenses paid directly by paying parent (if applicable) | _____ | |
| Line 45: Annual amount of all special or extraordinary expenses payable by the paying parent (line 43 minus line 44) | _____ | |
| Line 46: Monthly amount of all special or extraordinary expenses payable by the paying parent (divide line 45 by 12) Note: this amount is added to the basic monthly child support amount. | _____ | |

Part D: Split custody – your respective share of special or extraordinary expenses

Note: part D uses the terms **parent A** and **parent B** to help both of you keep track of your information. These terms could apply to either of you. Just make sure you use the same term for the same parent all the way through.

Parent A is: _____

Parent B is: _____

| | Parent A | Parent B |
|--|----------|----------|
| Line 35: Annual income (from Worksheet 1, line 19) | _____ | _____ |
| Additions | | |
| Line 36: UCCB received for children for whom special or extraordinary expenses are requested | _____ | _____ |
| Line 37: Spousal support received from the other parent | _____ | _____ |
| Line 38: Annual income before deduction (add lines 35, 36 and 37 in each column) | _____ | _____ |
| Deduction | | |
| Line 39: Spousal support paid to the other parent | _____ | _____ |
| Line 40: Annual income after deduction (line 38 minus line 39 in each column) | _____ | _____ |
| Line 41: Your combined total annual income for purposes of sharing special or extraordinary expenses (add lines 40 for parent A and parent B) | _____ | |
| Line 42: Your respective proportion of total annual income (for parent A: divide line 40 by line 41 and for parent B: divide line 40 by line 41. The result will usually be in decimal form – e.g. 0.66.) | _____ | _____ |
| Line 43: Your respective share of special or extraordinary expenses (multiply line 34 by line 42 in each column) | _____ | _____ |
| Line 44: Total cost of special or extraordinary expenses that you pay directly (if applicable) | _____ | _____ |
| Line 45: Annual amount of all special or extraordinary expenses payable by each parent (line 43 minus line 44 in each column) | _____ | _____ |
| Line 46: Monthly amount of all special or extraordinary expenses payable by each parent (divide line 45 by 12 for each parent) | _____ | _____ |
| Note: this amount is added to the basic monthly child support amount. | _____ | _____ |

Worksheet 3:

Compare households' standards of living

Line-by-line help

As indicated in Step 8, either of you can ask for a change in the child support amount if the amount would create undue hardship for you or for a child.

To determine undue hardship under the *Federal Child Support Guidelines*, you need to compare the standards of living in both households. To do this, you need to:

1. calculate the income of every member of both households;
2. adjust each person's income according to the rules set out in the Federal Guidelines; and
3. calculate the household income ratio.

Undue hardship refers to excessive financial difficulties.

A claim for undue hardship can only be accepted if the parent making the claim can show that their household's standard of living is not higher than the standard of living in the household of the other parent.

You can use Worksheet 1 to calculate the income of each member of your household. But you will probably need to make some adjustments to those incomes for undue hardship purposes. This is because the objective of the undue hardship test is to give a complete and accurate picture of the standard of living for each household. Worksheet 3 will help you make those adjustments and calculate the household income ratio.

Remember, Worksheet 3 provides one way to calculate the standards of living for the two households. You may decide to use another way to compare the standards of living of your households if you think it is more appropriate in your circumstances.

Have your information ready

Since the comparison of your households' standards of living is based largely on income, have on hand the same income information and/or documents that you needed to calculate your income in Worksheet 1. A completed Worksheet 1 for each of you, as well as for any other income earning member of your household will be important for your calculations.

How to use this worksheet

This worksheet uses the terms **parent A** and **parent B** to help both of you keep track of your information. These terms could apply to either of you. There are two parts to Worksheet 3. You can use part A for parent A's household and part B for parent B's household. These terms could apply to either of you. Just make sure you use the same term for the same parent all the way through.

Not all lines will apply to your situation. You can just skip those. Parts A and B each have separate columns that you can use for each member of the household. If there are more than three income earners in either household, you can print off another copy of Worksheet 3 and attach the two together.

Annual income for undue hardship purposes

Line 47 – annual income

Copy on this line the annual income from line 19 on Worksheet 1 for each income-earning member of your household. Use a separate column for each household member.

Line 48 – Universal Child Care Benefit (UCCB)

Enter on this line the amount of UCCB that any member of your household received for any child, if deducted on line 4 of Worksheet 1.

Line 49 – spousal support received from the other parent

If you receive spousal support from the other parent, put the amount here. You can find this amount on line 3 of Worksheet 1.

Line 50 – federal taxes payable

If your most recent return or notice of assessment represents an accurate and up-to-date report on current income, deductions and credits, enter the amount of federal tax payable from line 420 of your return or notice of assessment on this line.

If your income, deductions or credits have changed since your last return was filed and assessed, you will need to calculate the revised amount of federal taxes payable. This can be done by filling in the revised income, deductions and credit amounts on a return. (You do not need to send this return to anyone. It is just to help you with these calculations.)

This will help you calculate the amounts to enter on lines 50 and 51. Use pay slips or other income records to update the income amount to use for the tax return.

When you have completed this return, enter the amount appearing on line 420 of the return on this line.

Note: The figure on line 420 of the return does not apply to Quebec residents. Refer to the [General Income Tax and Benefit Guide](#) for information on how to calculate actual federal taxes payable. For example, consider how the Quebec abatement will affect federal taxes.

Line 51 – provincial or territorial taxes payable

Enter the amount of provincial or territorial taxes payable from line 428 of your return on this line.

Note: The figure on line 428 of the return does not apply to most Quebec residents. Refer to the Quebec income tax return (and, if applicable, line 428 on the return) to calculate actual provincial taxes payable. Please review the notes for line 50 about using the most up-to-date income information.

Line 52 – EI premiums payable

Enter the amount of premiums paid under the [Employment Insurance Act](#) from line 312 of Schedule 1 of your return (from Box 18 on all T4 slips) on this line of the worksheet. Please review the notes for line 50 about using the most up-to-date information.

Line 53 – CPP and QPP premiums payable

Write the amount of contributions made to the Canada Pension Plan and Quebec Pension Plan from lines 308 and 310 of Schedule 1 of your return (from Box 16 and Box 17 on all T4 slips and in accordance with Schedule 8 of your return) on this line. Please review the notes for line 50 about using the most up-to-date information.

Line 54 – total taxes and premium payable

Add lines 50, 51, 52 and 53 and enter the total on this line, for each applicable column.

Line 55 – annual income to compare standards of living

Add lines 47, 48, 49 and subtract line 54, then enter the result on this line for each applicable column.

Adjustments to annual income to compare standards of living**Deductions****Line 56 – annual amount related to undue hardship**

You figured out circumstances causing undue hardship in Step 8 of this guide. Now, you need to figure out how much those circumstances are costing you annually. Include the amount on this line.

This line applies only to a parent who is claiming undue hardship. It does not apply to other household members.

If both of you are claiming undue hardship, both of you could have an amount on this line, in parts A and B of this worksheet.

Do not include on this line an amount for supporting a second family. The costs for this second family are taken into account in the low-income measures amount that will be included on line 65.

Line 57 – annual amount of child support you would pay to the other parent

This is the basic child support amount that either of you would pay the other under the Federal Guidelines if there were no claim for undue hardship. For the purposes of this line, you must enter the annual amount, not the monthly amount.

Note: Line 57 applies only to the parents.

Line 58 – annual amount of child and spousal support you and any other household member pay

This line represents the total amount that you and any other household member pay for child support or spousal support under a court order or written separation agreement.

Do not include any amount if line 56 already includes this support, or if the amount of support includes child support payable for a child for whom the amount on line 57 is calculated.

Line 59 – total deductions

For you, add lines 56, 57 and 58, and enter the total on this line. For any other household member, copy the amount from line 58 to this line.

Additions

Line 60 – annual amount of child support you would receive from the other parent

This is the amount that you would receive from the other parent under the Federal Guidelines if there were no undue hardship claim. For the purposes of this line, be sure you enter the annual amount, not the monthly amount.

Line 61 – annual amount of child support received by you or any other household member for another child

Enter the annual amount that you and any other household members receive for child support under a court order or a written separation agreement. Do not enter an amount for any children who are included in the amount on line 60.

Line 62 – total additions

For you, add lines 60 and 61 and write the total on this line. For any other household member, copy the amount from line 61 to this line.

Calculate the household income ratio

Line 63 – adjusted annual income to compare standards of living

Before comparing standards of living, you need to adjust annual income. To do so, subtract line 59 from line 55 and add line 62. Write the result for each of you on this line in the applicable column.

Line 64 – total annual income for all household members

Add the amounts on line 63 for each member of the household and copy the total on this line. This line shows the total amount of adjusted annual income for all members of a household.

Before you compare standards of living, you must take into account this total amount of adjusted annual income in relation to the size of your household.

Line 65 – low-income measures amount

The Federal Guidelines provide a low-income measures chart (with figures from Statistics Canada) that gives the minimum after-tax cost to run a household, according to the number of adults and children. You will need to determine the low-income measure amount for both households. To do so:

1. Figure out the total number of adults and children in each household. You have to count all the adults and children in the household, even if they have no income.

For example:

- parent A's household: two children and one adult;
- parent B's household: three children and two adults.

2. For parent A: find the appropriate line in the low-income measures chart for that parent's household size and write the corresponding amount on this line 65 in part A.

Since parent A's household has two children and one adult member, you would look under the heading "Three persons, 1 adult and 2 children" and write \$17,649 on line 65.

3. For parent B: do the same to find the appropriate line in the low-income measures chart for that parent's household size and write the corresponding amount on this line 65 in part B.

Since parent B's household has two children and two adult members, you would look under the heading "Four persons, 2 adult and 2 children" and write \$20,764 on line 65.

Line 66 – household income ratio

In parts A and B, divide line 64 by line 65 and write the result on this line.

The household with the smaller number on line 66 is the household with the lower standard of living. For example if the standard of living of parent A’s household is 1.33 and the standard of living of parent B’s household is 1.55, the first household has the lower standard of living.

If the parent claiming undue hardship lives in the household with the higher standard of living, the child support cannot be changed.

If the parent claiming undue hardship lives in the household with the lower standard of living and the other parent or the judge agrees that there is undue hardship, then the parents or the judge can change the child support amount that would otherwise be payable under the Federal Guidelines.

| Low-income Measures | | | |
|-------------------------|----------------------------|-------------------------|----------------------------|
| Household Size | Low-income Measures Amount | Household Size | Low-income Measures Amount |
| One person | | Two persons | |
| 1 adult | \$10,382 | 2 adults | \$14,535 |
| | | 1 adult and 1 child | \$14,535 |
| Three persons | | Four persons | |
| 3 adults | \$18,688 | 4 adults | \$22,840 |
| 2 adults and 1 child | \$17,649 | 3 adults and 1 child | \$21,802 |
| 1 adult and 2 children | \$17,649 | 2 adults and 2 children | \$20,764 |
| | | 1 adult and 3 children | \$20,764 |
| Five persons | | Six persons | |
| 5 adults | \$26,993 | 6 adults | \$31,145 |
| 4 adults and 1 child | \$25,955 | 5 adults and 1 child | \$30,108 |
| 3 adults and 2 children | \$24,917 | 4 adults and 2 children | \$29,070 |
| 2 adults and 3 children | \$23,879 | 3 adults and 3 children | \$28,031 |
| 1 adult and 4 children | \$23,879 | 2 adults and 4 children | \$26,993 |
| | | 1 adult and 5 children | \$26,993 |
| Seven persons | | Eight persons | |
| 7 adults | \$34,261 | 8 adults | \$38,413 |
| 6 adults and 1 child | \$33,222 | 7 adults and 1 child | \$37,375 |
| 5 adults and 2 children | \$32,184 | 6 adults and 2 children | \$36,337 |
| 4 adults and 3 children | \$31,146 | 5 adults and 3 children | \$35,299 |
| 3 adults and 4 children | \$30,108 | 4 adults and 4 children | \$34,261 |
| 2 adults and 5 children | \$29,070 | 3 adults and 5 children | \$33,222 |
| 1 adult and 6 children | \$29,070 | 2 adults and 6 children | \$32,184 |
| | | 1 adult and 7 children | \$32,184 |

Worksheet 3: Compare households' standards of living

You can use this worksheet to help you compare your households' standards of living if there is a claim for undue hardship. It is possible that not all parts of this worksheet will apply to your situation.

You can use the line-by-line help to help you fill out this worksheet.

Note: This worksheet uses the terms **parent A** and **parent B** to help both of you keep track of your information. These terms could apply to either of you.

Parent A is: _____

Parent B is: _____

Part A: Establish the household standard of living for parent A's household

| | Parent A | Other household member (if any) Name: | Other household member (if any) Name: |
|--|----------|---|---|
| Line 47: Annual income (from Worksheet 1, line 19) | _____ | _____ | _____ |
| Line 48: Universal Child Care Benefit (UCCB), if deducted on Worksheet 1, line 3 | _____ | _____ | _____ |
| Line 49: Spousal support received from the other parent | _____ | _____ | _____ |
| Line 50: Federal taxes payable | _____ | _____ | _____ |
| Line 51: Provincial or territorial taxes payable | _____ | _____ | _____ |
| Line 52: EI premiums payable | _____ | _____ | _____ |
| Line 53: CPP and QPP premiums payable | _____ | _____ | _____ |
| Line 54: Total taxes and premiums payable (add lines 50, 51, 52 and 53) | _____ | _____ | _____ |
| Line 55: Annual income to compare standards of living (add lines 47, 48, 49 and deduct line 54) | _____ | _____ | _____ |
| Adjustments to annual income to compare standards of living | | | |
| Deductions | | | |
| Line 56: Annual amount related to undue hardship (parent A) | _____ | | |
| Line 57: Annual amount of child support you would pay to the other parent | _____ | | |
| Line 58: Annual amount of child and spousal support you and any other household member pay | _____ | _____ | _____ |
| Line 59: Total deductions (for parent A, add lines 56, 57 and 58. For any other household member copy amount on line 58 to line 59.) | _____ | _____ | _____ |

Additions

| | | | |
|--|-------|-------|-------|
| Line 60: Annual amount of child support you would receive from the other parent | _____ | | |
| Line 61: Annual amount of child support received by you or any other household member for another child | _____ | _____ | _____ |
| Line 62: Total additions (for parent A, add lines 60 and 61. For any other household member copy amount on line 61 to line 62.) | _____ | _____ | _____ |

Calculate household income ratio

| | | | |
|--|-------|-------|-------|
| Line 63: Adjusted annual income to compare standards of living (line 55 minus line 59 plus line 62) | _____ | _____ | _____ |
| Line 64: Total annual income for all members of parent A's household (add line 63 in each column) | | _____ | |
| Line 65: Low-income measures amount for parent A's household | | _____ | |
| Line 66: Parent A's household income ratio (divide line 64 by line 65) | | _____ | |

Part B: Establish the household standard of living for parent B's household

| | Parent B | Other household member (if any) Name: | Other household member (if any) Name: |
|--|----------|--|--|
| Line 47: Annual income (from Worksheet 1, line 19) | _____ | _____ | _____ |
| Line 48: Universal Child Care Benefit (UCCB), if deducted on Worksheet 1, line 3 | _____ | _____ | _____ |
| Line 49: Spousal support received from the other parent | _____ | | |
| Line 50: Federal taxes payable | _____ | _____ | _____ |
| Line 51: Provincial or territorial taxes payable | _____ | _____ | _____ |
| Line 52: EI premiums payable | _____ | _____ | _____ |
| Line 53: CPP and QPP premiums payable | _____ | _____ | _____ |
| Line 54: Total taxes and premiums payable (add lines 50, 51, 52 and 53) | _____ | _____ | _____ |
| Line 55: Annual income to compare standards of living (add lines 47, 48, 49 and deduct line 54) | _____ | _____ | _____ |

Adjustments to annual income to compare standards of living

Deductions

Line 56: Annual amount related to undue hardship (**parent B**) _____

Line 57: Annual amount of child support that you would pay to the other parent under the Federal Guidelines _____

Line 58: Annual amount of child and spousal support you and any other household member pay _____

Line 59: Total deductions
(for parent B, add lines 56, 57 and 58. For any other household member copy amount on line 58 to line 59.) _____

Additions

Line 60: Annual amount of child support you would receive from the other parent under the Federal Guidelines _____

Line 61: Annual amount of child support received by you or any other household member for another child _____

Line 62: Total additions
(for parent B, add lines 60 and 61. For any other household member copy amount on line 61 to line 62.) _____

Calculate household income ratio

Line 63: Adjusted annual income to compare standards of living (line 55 minus line 59 plus line 62) _____

Line 64: Total annual income for all members of parent B's household (add line 63 in each column) _____

Line 65: Low-income measures amount for parent B's household _____

Line 66: Parent B's household income ratio (divide line 64 by line 65) _____

About the Child Support Tool

You can use this Child Support Tool to:

- keep a record of your findings and decisions as you go through Steps 1 to 8 of this guide; and
- help you determine what information to include in your agreement.

The tool provides several examples based on information that courts must include in support orders issued under the Federal Guidelines. It also provides examples based on situations that you may want to address.

The tool may not cover all the issues you want to address in your child support agreement. Some examples may not apply to you. It is simply meant to help guide your thinking and discussions. The important thing is to have an agreement that works for your family's unique situation.

You will remember that there are three worksheets in this guide that you can use to help you with some calculations. If you use the worksheets, you can copy your results in this tool. You can also attach a copy of your completed worksheets to the tool. It is a good idea to keep these documents together. This allows you to keep a record of how you arrived at certain results.

Only complete the sections in this tool that apply to your situation. In some sections, there are a number of options to choose from. You may want to check the box that best describes your situation. Feel free to add notes in each section of this tool.

It is a good idea to ask a lawyer to review your agreement before you finalize and sign it. This will help to ensure that you don't miss anything important and that your rights and your children's rights are protected.

Child Support Tool

DATE: _____

1. Names of parents and province or territory of residence

Parent A: _____

Province or territory of residence: _____

Parent B: _____

Province or territory of residence: _____

Notes: _____

2. Applicable child support guidelines

(Refer to Step 1: Determine which guidelines apply)

- Federal Guidelines, or
 Provincial or territorial child support guidelines

Specify the province or territory: _____

Notes: _____

3. Name and birth date of each child for whom child support will be paid

(Refer to Step 2: Determine the number of children requiring support)

Include the names and birth dates of each child you will be supporting and identify how they are treated for child support purposes. If you have more than four children to support, add lines at the end of this section.

Name: _____ Birth Date: _____

- This child is under the age of majority; or
 This child is at or over the age of majority and:
 we will treat this child as a child under the age of majority for calculating support; or
 we will look at the child's needs, means and other circumstances, and the ability of each of us to contribute financially to determine support.

or

- Parent A acted in place of a parent to this child; or
 Parent B acted in place of a parent to this child.

Name: _____ Birth Date: _____

- This child is under the age of majority; or
 This child is at or over the age of majority and:
 we will treat this child as a child under the age of majority for calculating support; or
 we will look at the child's needs, means and other circumstances, and the ability of each of us to contribute financially to determine support.

or

- Parent A acted in place of a parent to this child; or
 Parent B acted in place of a parent to this child.

Name: _____ Birth Date: _____

- This child is under the age of majority; or
- This child is at or over the age of majority and:
 - we will treat this child as a child under the age of majority for calculating support; or
 - we will look at the child's needs, means and other circumstances, and the ability of each of us to contribute financially to determine support.

or

- Parent A acted in place of a parent to this child; or
- Parent B acted in place of a parent to this child.

Name: _____ Birth Date: _____

- This child is under the age of majority; or
- This child is at or over the age of majority and:
 - we will treat this child as a child under the age of majority for calculating support; or
 - we will look at the child's needs, means and other circumstances, and the ability of each of us to contribute financially to determine support.

or

- Parent A acted in place of a parent to this child; or
- Parent B acted in place of a parent to this child.

More children: _____

Notes: _____

4. Type of parenting arrangement

(Refer to Step 3: Determine the parenting arrangement)

Parent A has sole custody

or

Parent B has sole custody

or

We share custody

The children are living with parent A: _____% of the time.

The children are living with parent B: _____% of the time.

or

We split custody

Parent A has sole custody of (names of children):

Parent B has sole custody of (names of children):

or

We have different custody arrangements for each child (please describe):

Notes: _____

5. Applicable child support tables

(Refer to Step 4: Find the right table)

We use the table for the following province or territory: _____

or

The applicable tables are:

For parent A, we use the table for the following province or territory: _____

For parent B, we use the table for the following province or territory: _____

Notes: _____

6. Income determination

(Refer to Step 5: Calculate annual income)

We agree, in writing, that our annual income is:

Parent A (if applicable): \$ _____

Parent B (if applicable): \$ _____

or

We have used Worksheet 1 to calculate each person's income.
(Attach a separate worksheet to this tool for each person whose income you calculated.)

Parent A's income (if applicable): \$ _____

Parent B's income (if applicable): \$ _____

Other person:

Name: _____

The person is (e.g. child, new partner): _____

Income: \$ _____

Notes: _____

Remember, depending on the case, you may need to calculate the income of:

- only one of you
- both of you
- another person, such as your child.

7. Basic child support amount (per month)

(Refer to Step 6: Find the table amount)

You can use this section to include information about the basic monthly child support amount determined for your specific custody arrangement. The basic child support amount could be the table amount for the total number of children needing support or another amount, if applicable.

If either of you has an income over \$150,000 per year

If one or both of you have an annual income over \$150,000, please refer to the bottom of this section for help to determine the child support amount that would apply to you. That amount can then be added under the appropriate parenting arrangement below.

Acting in place of a parent

If one of you acted in place of a parent to a child, do not count that child in this section but refer to section 10 in this tool.

Sole custody

- (i) Table amount (or another amount if applicable) for children under the age of majority, and for children over the age of majority whom you are treating as if they were under the age of majority for child support purposes: \$ _____
- (ii) Amount for children over the age of majority if you are basing the amount on the condition, means, needs and other circumstances of the children and your financial ability to contribute*: \$ _____

*You may want to include information about the condition, means, needs and other circumstances you considered in establishing the amount:

- (iii) Basic child support amount (add amounts at (i) and (ii), if any): \$ _____ per month.

Split custody

Table amount (or another amount if applicable) that **parent A** would pay for children in parent B's custody:

- (i) Table amount (or another amount if applicable) for children under the age of majority and for children over the age of majority whom you are treating as if they were under the age of majority for child support purposes: \$ _____
- (ii) Amount for children over the age of majority if you are basing the amount on the condition, means, needs and other circumstances of the children and your financial ability to contribute*:
\$ _____

*You may want to include information about the condition, means, needs and other circumstances you considered in establishing the amount:

- (iii) Basic child support amount parent A would pay for children in parent B's custody (add amount you copied at (i) and the amount you copied at (ii), if any): \$ _____
and

Table amount (or another amount if applicable) **parent B** would pay for children in parent A's custody:

- (i) Table amount (or another amount if applicable) for children under the age of majority and for children over the age of majority whom you are treating as if they were under the age of majority for child support purposes: \$ _____

Remember, you need to consider your parenting arrangements to determine how to calculate child support. If one of you has sole custody, then you only need to find the table amount for the other parent. If you share or split custody, you need to find the table amount that applies to each of you, based on your incomes and situation.

- (ii) Amount for children over the age of majority if you are basing the amount on the condition, means, needs and other circumstances of the children and your financial ability to contribute*:

\$ _____

*You may want to include information about the condition, means, needs and other circumstances you considered in establishing the amount:

- (iii) Basic child support amount parent B would pay for children in parent A's custody (add amount you copied at (i) and the amount you copied at (ii), if any): \$ _____

Basic amount for split-custody arrangement (deduct the lowest amount from the highest amount in (iii) for parent A and parent B): \$ _____ per month.

Shared custody

- (i) Table amount for parent A: \$ _____

- (ii) Table amount for parent B: \$ _____

- (iii) Amount for increased costs of shared custody and the conditions, means, needs and other circumstances of each of you and your children*: \$ _____

*You may want to include information about the conditions, means, needs and other circumstances you considered in establishing the amount:

Basic child support amount for shared custody arrangement (consider amounts you included at (i), (ii) and (iii)): \$ _____ per month.

Determining a basic amount when a parent whose income is needed for child support purposes has an income over \$150,000

If you determined that the income of a parent is more than \$150,000 a year, you made some choices in Steps 5 and 6 of the guide to calculate the child support amount. You can use the following to help you with your calculation. If both of your incomes are needed (for example, if you split or share custody), and you both earn more than \$150,000, you will need to repeat the calculation for parent A and for parent B. You can copy the result under the appropriate custody arrangement in the first part of this section.

Parent A has an income over \$150,000

- (i) Table amount for the first \$150,000 of income: \$ _____

- (ii) For the portion of income over \$150,000, we chose one of the following:

to multiply that portion of income by the percentage shown in the table for the province or territory where the parent lives. The result is: \$ _____

to base the additional amount of support on the condition, means, needs and other circumstances of the children and our financial ability to contribute. The result is: \$ _____

Basic child support amount (add the table amount for the first \$150,000 (i) of annual income to the amount determined for the portion of income over \$150,000 (ii)): \$ _____

Parent B has an income over \$150,000

- (i) Table amount for the first \$150,000 of income: \$ _____

- (ii) For the portion of income over \$150,000, we chose one of the following:

to multiply that portion of income by the percentage shown in the table for the province or territory where the parent lives. The result is: \$ _____

- to base the additional amount of support on the condition, means, needs and other circumstances of the children and our financial ability to contribute. The result is: \$ _____

Basic amount (add the table amount for the first \$150,000 of annual income in (i) to the amount determined for the portion of income over \$150,000 in (ii)): \$ _____

Notes: _____

8. Special or extraordinary expenses

(Refer to Step 7: Determine if there are special or extraordinary expenses)

You may be using or have used Worksheet 2 to calculate special or extraordinary expenses and to determine how you will share the payments. Attach the filled-out worksheet(s) to this tool.

We have the following special or extraordinary expenses:

- Special expenses for child care
Total monthly amount: \$ _____
- Special expenses for medical and dental insurance premiums
Total monthly amount: \$ _____
- Special expenses for health care needs
Total monthly amount: \$ _____
- Extraordinary expenses for extracurricular activities
Total monthly amount: \$ _____
- Extraordinary expenses for primary or secondary education or other educational programs
Total monthly amount: \$ _____
- Special expenses for post-secondary education
Total monthly amount: \$ _____

Remember, the expenses should take into account any subsidies, benefits, tax deductions or credits relating to a specific amount.

The total **monthly** amount for all special or extraordinary expenses is: \$ _____

The total **annual** amount for special or extraordinary expenses is (multiply monthly amount by 12):
\$ _____

Sharing of expenses

- We have decided to share the annual amount of special or extraordinary expenses in proportion to our incomes; or
- We have decided to share the expenses in the following way:

Parent A's share of annual special or extraordinary expenses is:

\$ _____ per year. The amount per month is (divide annual amount by 12):

\$ _____ per month.

Parent B's share of annual special or extraordinary expenses is:

\$ _____ per year. The amount per month is (divide annual amount by 12):

\$ _____ per month.

Notes: _____

9. Total child support amount

Sole custody

To determine the total amount of child support that will be paid for your children each month, add the monthly amount for special or extraordinary expenses you included in section 8 of this tool to the basic monthly child support amount you included in section 7 of this tool:

| | |
|--|------------|
| Basic monthly child support amount | \$ _____ |
| Monthly amount for special or extraordinary expenses | + \$ _____ |
| Total monthly child support amount | = \$ _____ |

Split custody

If you split custody of your children, add the special or extraordinary expenses you included in section 8 to each of your basic child support amounts:

Parent A:

| | |
|--|------------|
| Basic monthly child support amount | \$ _____ |
| Monthly amount for special or extraordinary expenses | + \$ _____ |
| Total monthly child support amount | = \$ _____ |

Parent B:

| | |
|--|------------|
| Basic monthly child support amount | \$ _____ |
| Monthly amount for special or extraordinary expenses | + \$ _____ |
| Total monthly child support amount | = \$ _____ |

Then deduct the lower amount from the higher amount. The result is \$ _____ per month and will be paid by:

- Parent A to parent B
- Parent B to parent A

Notes: _____

10. Child for whom either of you acted in the place of a parent

(Refer to Step 2: Determine the number of children requiring support)

If you decided that support will be paid for a child for whom either of you acted in the place of a parent, you can determine an appropriate child support amount by taking into account what the Federal Guidelines say and the legal obligation of any other person to support that child.

Did you consider the obligation of another person to support the child?

Yes

Name of that person: _____

What is their legal obligation to support the child: _____

Amount paid (or to be paid) by that person for the support of the child: \$ _____

No

Child support amount that must be paid by the person who acted in place of a parent: \$ _____ per month.

Notes: _____

11. Undue hardship

(Refer to Step 8: Determine if there is undue hardship)

If you used Worksheet 3 to compare the standards of living in both households, attach the completed worksheet(s) to this tool.

- Parent A claimed undue hardship based on the following circumstance:
- unusually high debts that were reasonably incurred to support the family before the separation or to earn a living;
 - unusually high costs associated with access to the child;
 - a legal duty to support a dependent child from another relationship;
 - a legal duty to support any other person—for example, a former spouse or a new spouse who is too ill or disabled to be able to support himself or herself;
 - other (please identify): _____
- Parent B claimed undue hardship based on the following circumstance:
- unusually high debts that were reasonably incurred to support the family before the separation or to earn a living;
 - unusually high costs associated with access to the child;
 - a legal duty to support a dependent child from another relationship;
 - a legal duty to support any other person—for example, a former spouse or a new spouse who is too ill or disabled to be able to support himself or herself;
 - other (please identify): _____
- We found that the household standard of living of the parent claiming undue hardship is lower than the household standard of living of the other parent and we have decided to set the child support amount at: \$ _____
- or
- We found that the household standard of living of the parent claiming undue hardship is higher than the household standard of living of the other parent, so no changes will be made to the child support amount.

Notes: _____

12. Child support payments – date and format

- The child support will be paid every month.
- Date on which the first child support payment will be made: _____
- and
- Day of the month on which all subsequent payments will be made: _____

*Depending on your situation, you may decide that the child support should be paid either as a lump sum or more often than once a month. You may want to consult a lawyer to determine what is the best option for you.

Notes: _____

Sections 1 to 12 above follow the Federal Guidelines and the requirements to include specific information in a child support order. But many child support agreements and orders also include other information.

The following sections (sections 13 to 15) provide examples of additional issues you may want to address in your child support agreement. You can also use section 16 if you wish to add other information not covered in this tool.

13. Future changes/Review/End of child support

Children's needs change over time, and so do parents' situations. You may need to update your child support agreement as children get older or if there are important changes in your situation (for example, if you change jobs). It is a good idea to include a clause in your agreement that will guide these future changes.

It is important to remember that when there is a change to an income that was used to determine child support, the child support amount should be updated. Updated income information is important (see next section in this tool). In some provinces and territories, there are recalculation services that can help you.

You may want to provide a date on which you will look at whether child support needs to be updated. You may also decide to include specific clauses for reviewing your child support arrangements from time to time. The review might also occur after a particular event happens (for example, if the paying parent's income changes or when the child reaches the age of majority). When you review your child support arrangements, you may determine that the amount should stay the same. You may also decide to modify the amount, either lower or higher. You may even determine that child support is no longer needed.

You may want to include a clause that will specify how you resolve issues if you cannot agree on changes. For example, you may wish to specify that you will try to resolve the issue through mediation or collaborative law before going to court.

Possible clauses:

- Date on which the child support arrangements should be updated or reviewed: _____
- Events that would trigger a review of the child support arrangements: _____
- Date on which support should end: _____

Notes: _____

14. Continuing obligation to exchange income information

(Refer to Step 5: Calculate annual income)

To keep child support up to date, you need to keep income information up to date. To this end, you should continue to exchange income information used to determine the child support amount even after you have come to an agreement. You should also keep each other informed of any changes to your income. This is to ensure that you are paying the right amount of support—not more, not less. You may want to make this a specific requirement in your agreement.

Income information that you should exchange includes all the information that was used to determine the child support amount, such as:

- income tax returns;
- notices of assessment and reassessment from the Canada Revenue Agency;
- statements of earnings or pay slips (if you are an employee); and
- financial statements for a corporation (if you are self-employed or control a corporation).

Remember: if your income was used to determine a child support order or agreement, you must continue to provide income information if the other parent asks. The request for income information must be made in writing and may be made only once a year.

If you filled out Worksheet 1 you may want to refer to it to determine the income information that was used to calculate your income and help you identify the information that you should keep sharing. You may also want to refer to Step 5 of the guide.

You have a number of options for determining how you will continue to exchange information. The following are examples of how you may deal with the continuing obligation to provide income information:

- Everyone whose income was used to determine the amount of child support will provide each other updated income information each year on or before _____
- The parent whose income was used to determine the amount of child support will provide updated income information within 30 days after receiving a written request from the other parent. A request for income information may be made once per calendar year.
- If the income of either parent used to determine the amount of child support changes, that parent will provide updated income information to the other parent within 30 days.
- The parent (or parents) whose income was used to calculate the amount of child support will provide updated income information at the request of the recalculation service with which they are registered. There are child support recalculation services in several provinces.

You may agree to use one or more of the above, or you may want to deal with your disclosure obligations in a different way: _____

If either of you find it more practical not to share your respective incomes directly with each other, you may want to identify a third party, such as a lawyer, where the updated income information could be sent. In that case, you can agree on a date to send the information or how many times it should be sent.

For example:

- Parent A will send the required information
on (date): _____
to: _____
- Parent B will send the required information
on (date): _____
to: _____

Notes: _____

It is normal for both parents to obtain life insurance – even the parent who is not paying child support. If there is no insurance and you should pass away, your estate will likely still have a child support obligation. You may wish to discuss this with a lawyer.

