

**A Comparison of Disposable Income in NYS
After Separation/Divorce
Standard Deductions-Two Children age 5 and 7**

	<u>Custodial Parent</u>	<u>Non Custodial</u>
Gross income (after FICA)	24,550.	40,650
Tax Liability Federal	- 1,700.	- 6,590.
Tax Liability State	<u>- 640.</u>	<u>- 1,950.</u>
Net Income	22,210.	32,110.
Health Insurance premium	<u>0.</u>	<u>800.</u>
Net	22,210.	31,310.
Child Care	<u>1,731.</u>	<u>3,469.</u>
Net	20,479.	27,841.
Medical Expenses (deductibles, etc.)	<u>346.</u>	<u>694.</u>
Net	20,133.	27,147.
Child Support	<u>+10,163.</u>	<u>-10,163.</u>
 Net Disposable Income	 <u>\$30,296.00</u>	 <u>\$16,984.00</u>

This scenario presumes \$100.00 a week in child care costs. Child care is controlled by the custodial parent and has to be paid even if the non custodial parent is available while the children are at child care outside of his court ordered "visiting time". \$20.00 a week in co-pays and deductibles is presumed and is also under the control of the custodial parent and are usually a receipted expense. Once the income levels and the percentages of expenses (2/3 non custodial to 1/3 custodial per income levels) are set they remain at that amount unless there is a "substantial" change (for example the custodial parent works overtime and increases income by \$2000.00 in a year and the non custodial loses \$1500.00 in overtime to see his children on his "ordered" days would probably not be considered substantial). The non custodial parent usually has to bear the travel costs of the children regardless of the distance the children have been removed from him.

Support levels are set regardless of the parenting time that the non custodial parent spends with the children. A non custodial parent who spends no time with the children would be assessed the same amount as the non custodial parent that spends 35% of the available time with the children and incurs travel, entertainment and other expenses for the children during his custodial time.

Computations are from an actual case in New York in the Albany area and have been rounded for ease in computation. Actual numbers vary slightly according to the individual case. *Compiled by James Hays*