

ENROLLMENT(S)

kwiktag®

103 203 389



COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20004

I. TRANSMITTAL OF ENROLLED LEGISLATION

Short Title: Child Support Guideline Amendment Temporary Act
of 1989

Bill #8-491

Act #

Date Transmitted to LSD:

Received by LSD:

cc: Councilmember ~~Relark~~
cc: Codification Counsel

(with attachment)
(with attachment)

Please notify me of any error/comment within 24 hours.

RECEIVED
'90 JAN -5 A11:44
LEGISLATIVE SERVICE

up

II. CLEARANCE OF ENROLLED LEGISLATION

Stephanie M. Jones
Legislative Counsel

1-4-90
Date

Richard Gladstein
Codification Counsel

1-4-90
Date

Roseann Gurr
Office of the Secretary

1-5-90
Date

III. CLEARANCE OF CORRESPONDENCE BY LSU

Letter(s) to the Mayor

Date

Letter(s) to Congress

Date

COUNCIL OF THE DISTRICT OF COLUMBIA

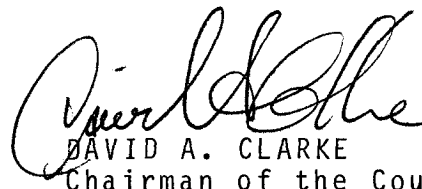
NOTICE

D.C. LAW 8-90

"Child Support Guideline Amendment
Temporary Act of 1989".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-491 on first and second readings, December 19, 1989, and January 2, 1990, respectively. Following the signature of the Mayor on January 11, 1990, this legislation was assigned Act No. 8-141, published in the January 26, 1990, edition of the D.C. Register, (Vol. 37 page 758) and transmitted to Congress on January 23, 1990 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-90, effective March 15, 1990.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 23,24,25,26,29,30,31

February 1,2,5,6,7,8,20,21,22,23,26,27,28

March 1,2,5,6,7,8,9,12,13,14

MAR 15 1990

Codification
District of Columbia Code
(1990 Supplement)

AN ACT

D.C. ACT 8 - 141

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 11 1990

To adopt, on a temporary basis, the Revised Child Support Guideline promulgated in 1989 by the Child Support Guideline Committee of the Superior Court of the District of Columbia to establish a presumptive guideline for the determination and payment of child support in the District of Columbia, and to establish the Child Support Guideline Commission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child Support Guideline Amendment Temporary Act of 1989".

Sec. 2. Title 16 of the District of Columbia Code is amended as follows:

Note,
1-229

(a) The table of contents for chapter 9 is amended by adding the phrase "16-916.1. Child Support Guideline." after the phrase "16-916. Maintenance of spouse and minor children; maintenance of former spouse; maintenance of minor children; enforcement."; and

(b) A new section 16-916.1 is added to read as follows:

"Sec. 16-916.1. Child Support Guideline.

Note,
New, Section
16-916.1

"(a) In any case brought under subsection (1), (3), (10), or (11) of section 11-1101 that involves the establishment or enforcement of child support, or in any case that seeks to modify an existing child support order, if the judicial officer finds that there is an existing duty of child support, the judicial officer shall conduct a hearing on child support, make a finding, and enter a judgment in accordance with the guideline established in this section.

"(b) The guideline shall be based on the following principles:

"(1) The guideline shall set forth an equitable approach to child support in which both parents share legal responsibility for the support of the child.

"(2) The subsistence needs of each parent shall be taken into account in the determination of child support.

"(3) A parent has the responsibility to meet the child's basic needs as well as to provide additional support above the basic needs level. The relative standard of living of each household shall be considered in the child support award, and a child shall not bear a disproportionate share of the economic consequences of the existence of 2 households rather than 1. When child support is established, the child shall not live at a standard substantially below that of the noncustodial parent.

"(4) Application of the guideline shall be gender neutral.

"(5) The guideline shall take into consideration the existence of a prior child support order that is being paid by a parent or the obligation of a parent to support a dependent child who lives in the parent's household.

"(6) The guideline shall take into account the difference in cost to raise children of different ages.

"(7) The guideline shall be applied consistently whether or not the custodial parent is an Aid to Families with Dependent Children ("AFDC") recipient.

"(8) The guideline shall be applied presumptively.

"(c) The guideline formula to determine child support shall use gross income rather than net income. For purposes of this section, gross income means income from any source, including, but not limited to:

"(1) Salary or wages, including overtime, tips, or income from self-employment;

"(2) Commissions;

"(3) Severance pay;

"(4) Royalties;

"(5) Bonuses;

"(6) Interest or dividends;

"(7) Income derived from a business or partnership after deduction of reasonable and necessary business expenses, but not depreciation;

"(8) Social Security;

"(9) Veteran's benefits;

"(10) Insurance benefits;

"(11) Worker's compensation;

"(12) Unemployment compensation;

"(13) Pension;

"(14) Annuity;

"(15) Income from a trust;

"(16) Capital gains from a real or personal property transaction, if the capital gains represent a regular source of income;

"(17) Spousal support received from a person who is not a party to the order;

"(18) A contract that results in regular income;

"(19) A perquisite or in-kind compensation if the perquisite or in-kind compensation is significant and represents a regular source of income or reduces living expenses, such as use of a company car or reimbursed meals;

"(20) Income from life insurance or an endowment contract;

"(21) Regular income from an interest in an estate, directly or through a trust;

"(22) Lottery or gambling winnings that are received in a lump sum or in an annuity;

"(23) Prize or award; or

"(24) Net rental income after deduction of reasonable and necessary operating costs, but not depreciation.

"(d) A prior child support order that is being paid shall be deducted from a parent's income before the child support obligation is computed in the instant case.

"(e)(1) The guideline shall have 5 income levels with a different percentage applied at each level.

"(2) In level 1, a noncustodial parent with income of \$7,500 or below shall be considered unable to contribute the guideline percentage. A noncustodial parent with income below \$7,500 shall be treated on an individual basis and, in nearly all cases, shall be ordered to pay at least a nominal sum of \$50 per month. If the individual circumstances permit, a noncustodial parent with an income below \$7,500 shall be ordered to contribute more.

"(3) In level 2, a noncustodial parent with income that is not less than \$7,501 and not more than \$15,000 per year, and whose income with application of the guideline will not be below the poverty level, shall contribute the following percentage of income for basic child support:

One child	20%
Two children	26%
Three children	30%
Four or more children	32%.

"(4) In level 3, a noncustodial parent with income that is not less than \$15,001 and not more than \$25,000 per year, and whose income with application of the guideline will not be below the poverty level, shall contribute the following percentage of income for basic child support:

One child	21%
Two children	27%
Three children	31%

Four or more children 33%.

"(5) In level 4, a noncustodial parent with income that is not less than \$25,001 and not more than \$50,000 per year shall contribute the following percentages of income for basic child support:

One child	22%
Two children	28%
Three children	32%
Four or more children	34%.

"(6) In level 5, a noncustodial parent with income that is not less than \$50,001 and not more than \$75,000 per year shall contribute the following percentage of income for basic child support:

One child	23%
Two children	29%
Three children	33%
Four or more children	35%.

"(7) In level 2, 3, 4, or 5, the child support percentage for older children shall be adjusted in accordance with this section. Further adjustments to offset medical insurance costs or income of the custodial parent shall be provided in this section.

"(f) The guideline percentage shall not apply presumptively to a noncustodial parent with income that exceeds \$75,000. The amount available to a child of a noncustodial parent with income above \$75,000 shall not be less than the amount that would have been ordered if the guideline had been applied to a noncustodial parent with income of \$75,000.

"(g) Because the cost of raising a child increases as the child grows older, the formula shall incorporate 3 separate rates based on the age of the oldest child covered in the child support order. The basic child support order amount of the guideline is for a child 6 years of age or younger. The basic child support order shall be increased by 10% if the oldest child is not less than 7 years of age and not older than 12 years of age. The basic child support order shall be increased by 15% if the oldest child is not less than 13 years of age and not more than 21 years of age. For purposes of this subsection, the age of the oldest child shall be used for the computation of the entire child support order amount rather than to compute a separate amount for each child.

"(h)(1) An offset from the child support order amount shall be allowed for the child's portion of a medical insurance premium if the noncustodial parent adds or has already added the child to his or her current medical insurance policy, and the conditions described in this

subsection are met. The offset shall be determined by the subtraction from the noncustodial parent's gross income of the amount of the premium attributable to coverage for the child measured on a per capita basis.

"(2) The noncustodial parent shall present proof of the increase in medical insurance premiums incurred as a result of the addition of the child to the medical insurance policy. The proof provided shall identify clearly that the source of the increase of the medical insurance premium is the child who is the subject of the child support order. The cost shall be reasonable.

"(3) If a noncustodial parent does not have medical insurance coverage, does not have a 2nd family, and can obtain medical insurance coverage at a reasonable cost, the court may order the noncustodial parent to obtain medical insurance coverage for the child. The amount of the offset shall equal the difference between the premium for single coverage and the premium for family coverage. No offset shall be calculated by using the cost for the coverage for the noncustodial parent.

"(4) If the noncustodial parent has family medical insurance coverage in his or her medical plan for a 2nd family, he or she may be required to add a child who is the subject of the child support order whether or not the addition of the child results in an additional cost of medical insurance coverage to the parent. The noncustodial parent shall be required to provide proof that the child has been added to the medical insurance coverage and to provide a medical insurance card to the custodial parent. No offset shall be given if there is no additional cost of medical insurance coverage to the noncustodial parent.

"(i) The payment of an uninsured extraordinary medical or dental expense incurred by a minor child who is the subject of a child support petition shall be treated on a case by case basis, absent an agreement between the parties. If the court determines that the medical or dental expense is necessary and is in the best interest of the child, the court may reduce the child support order of the noncustodial parent for a portion of the payment that the noncustodial parent makes toward the medical or dental expense or may increase the child support order to reimburse the custodial parent for payments made by the custodial parent.

"(j) The percentage of the noncustodial parent's gross income shall be reduced by a percentage that corresponds to the custodial parent's share of total parental income. The reduction shall be determined according to the following formula:

"(1) Gross income of the custodial parent minus the appropriate threshold amount provided for in paragraph 2 of this subsection and day-care cost divided by gross income

of the noncustodial parent plus the custodial parent's gross income minus appropriate threshold amount and child care costs.

"(2) The threshold amount to be used to apply the offset, and below which the custodial parent's income shall be disregarded shall be \$16,500 gross income if there is 1 child. For each additional child, the threshold amount to be used to apply the offset shall increase by \$2,000.

"(k)(1) If the parties present a consent order, an agreement that is to become an order, or a written agreement that is to be merged in an order, the judicial officer shall examine the child support provisions of the agreement, and compare the child support provisions to the guideline. If the amount of child support agreed upon is outside of the range of child support that would be ordered presumptively upon application of the guideline, the judicial officer shall determine if the agreed upon level of child support is fair and just. If the parties are represented by counsel, the judicial officer shall inquire whether the attorney informed the clients of the guideline. If the clients have not been informed of the guideline, the judicial officer shall advise the attorneys to do so. If a party is not represented by an attorney, the judicial officer shall ensure that the party is aware of the child support amount that the court would order presumptively pursuant to the guideline.

"(2) The propriety of any deviation from the guideline shall be justified in writing with a statement of the factors that form the basis for the judicial officer's finding that the deviation is fair and just. A transcript filed in the jacket shall suffice as a writing.

"(1) Application of the guideline shall be presumptive. The guideline shall be applied unless application of the guideline would be unjust or inappropriate in the circumstances of the particular case. Departures shall be set forth and explained in writing. The factors that may be considered to overcome the presumption are:

"(1) The needs of the child are exceptional, and require more than average expenditures;

"(2) The income of the noncustodial parent is substantially less than that of the custodial parent;

"(3) A property settlement provides resources readily available for the support of the child in an amount at least equivalent to the formula amount;

"(4) The noncustodial parent supports a dependent other than the child for whom the custodial parent receives credit in the formula calculation, and application of the guideline would result in extraordinary hardship;

"(5) The noncustodial parent needs a temporary period of reduced child support payment to permit the repayment of a debt or rearrangement of his or her financial obligations. A temporary reduction may be included in a child support order if:

"(A) The debt or obligation is for a necessary expenditure of reasonable cost given the noncustodial parent's family responsibilities;

"(B) The time of the reduction does not exceed 12 months; and

"(C) The child support order includes the amount that is to be paid at the end of the reduction period and the date that the higher payments shall commence;

"(6) The custodial parent provides medical insurance coverage for the child at an additional cost to the custodial parent's medical insurance coverage, and the additional cost is significant in relation to the amount of child support prescribed by the guideline;

"(7) Children of more than 1 noncustodial parent live in the custodial parents household, receive a child support payment from the noncustodial parent, and the resulting income for the custodial parent and the children in the household causes the standard of living of the children to be greater than that of the noncustodial parent;

"(8) Any other exceptional circumstance that would yield a patently unfair result.

"(m) The formula established in subsection (q) of this section incorporates a variation of plus or minus 3 percent for each level. A variation within the plus or minus 3 percent limit need not be justified by written findings but specific findings are advisable. The factfinder shall consider at least the following factors in the application of a variation:

"(1) A child has regular and substantial income that can be used for child support without impairment of the child's current or future education;

"(2) The noncustodial parent has special needs that require additional subsistence cost;

"(3) The noncustodial parent pays for certain expensive necessities for the child, such as tuition or orthodontia;

"(4) The child has moderately more than average needs;

"(5) High child care costs are involved;

"(6) There is no medical insurance coverage, medical insurance coverage does not cover dental or major medical items, or the medical insurance coverage has a high deductible, and the expenses are paid or are to be paid by the custodial parent.

"(n) In a case in which shared custody is ordered or agreed to, and the child spends 40 percent or more of the child's time with each parent, the guideline shall not apply presumptively. For the purposes of this subsection, "Shared Custody" means actual visitation which exceeds 40% of the year. The guideline shall be considered advisory, and if, in the discretion of the judicial officer, application of the guideline would result in an unjust or inappropriate order in a particular circumstance, the following procedure shall be considered:

"(1)(A) Calculate the amount that the father would pay the mother if the mother has sole custody, and multiply the amount by 1.5.

"(B) Calculate the amount that the mother would pay the father if the father has sole custody, and multiply the amount by 1.5.

"(2)(A) Multiply the father's obligation by the percentage of the time the mother has the child.

"(B) Multiply the mother's obligation by the percentage of the time the father has the child.

"(3) The difference between (2)(A) and (2)(B) shall be the net transfer.

"(4) Apply any necessary credit or debit. For example, if one parent pays all the day-care expense, he or she shall be entitled to a credit for the day-care expense attributable to the days the child is with the other parent.

"(o) A child support order issued under this section or the provisions of section 5 of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Code 30-504), shall be subject to modification by application of the guideline subject to the following conditions or limitations:

"(1) A party to a child support proceeding shall exchange relevant information on finances or dependents every 3 years, and shall be encouraged to update a child support order voluntarily using the updated information and the guideline. Relevant information is any information that is used to compute child support pursuant to the guideline.

"(2) There shall be a presumption that there has been a substantial or material change of circumstances that warrants a modification of a child support order if application of the child support guideline to the current circumstances of the parties results in an amount of child support that varies from the amount of the existing order by 15 percent or more. No order shall be modified based solely on the enactment of the child support guideline. The presumption may be rebutted by:

(A) Proof of special circumstances such as those that would take a case outside the guideline; or

(B) Proof of substantial reliance on the original child support order issued prior to adoption of the guideline, and that application of the guideline would yield a patently unjust result.

"(3) The central figure stated in the guideline shall be used to compute the amount of child support that the guideline would yield for modification and to apply the test for the presumption.

"(4) If a child support order is issued after September 27, 1987, and the child support order is outside the guideline, by order of the court or by merged agreement of the parties, the presumption shall not apply within 1 year of the issuance of the child support order.

"(5) If a petition to modify a child support order pursuant to this section is accompanied by an affidavit that sets forth sufficient facts and guideline calculations, and is accompanied by proof of service upon the respondent, the Family Division may enter an order to modify the child support order in accordance with the guideline unless a party requests a hearing within 20 days of service of the petition for modification. No order shall be modified without a hearing if a hearing is timely requested.

"(6) Notwithstanding paragraphs (3) through (5) of this subsection, a party may submit a praecipe with a certification of waiver and supporting documentation, as prescribed by the court, to modify the child support amount by agreement of the parties at any time. This agreement shall be treated and reviewed by the court for issuance of a revised decree in the same manner as an original agreement of the parties is reviewed.

"(7) The judicial officer shall state the reasons for a departure from the guideline in writing. A transcript filed in the jacket shall suffice as a writing.

"(8) Notwithstanding subsection (2)(B) of this section, if a new child is born to the custodial and noncustodial parent the guideline shall be applied to the entire family, and 1 order shall be issued for all the children in the family. If possible, the 2 cases shall be consolidated if the child support of the last child is petitioned as a separate case.

"(9) Nothing in this subsection shall preclude a party from moving to modify a child support order at other times.

"(p)(1) Where a custodial parent has custody of children of more than one noncustodial parent, the judicial officer shall determine the standard of living of the custodial and noncustodial households. Standard of living is measured by dividing the gross income available to the household from all sources by the poverty level income

(Chart 5) for the number of adults contributing income to the household, plus the number of children. If the standard of living for the custodial household is larger than for the noncustodial household, the departure principle pursuant to subsection (1)(7) may apply.

"(2) If the noncustodial parent has other children living with him or her, the guideline shall be determined as follows:

"(A) The guideline amount shall be determined for all of the children who live with the noncustodial parent and with the custodial parent for whom the noncustodial parent is responsible, except any child who is already the subject of a child support order.

"(B) A per capita share of the guideline amount for a child who lives in the noncustodial parent's household shall be subtracted from the noncustodial parent's gross income. The remaining income shall be used as the noncustodial parent's gross income to calculate child support for a child before the court.

"(3) If the judicial officer determines that the presumption has been overcome, the amount of child support ordered shall not reduce the standard of living of the child to less than that of the noncustodial parent. The precise amount ordered is within the discretion of the judicial officer.

"(q) The guideline percentages are established as follows:

CHART 1
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT
ONE CHILD

AGES 0 - 6

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income
15,001 - 25,000	21% of Gross Income
25,001 - 50,000	22% of Gross Income
50,001 - 75,000	23% of Gross Income

AGES 7 - 12

ANNUAL GROSS INCOME
OF NONCUSTODIAL PARENT

0 - \$7,500	CHILD SUPPORT ORDER Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income +10% of Basic Order (22%)
15,001 - 25,000	21% of Gross Income +10% of Basic Order (23.1%)
25,001 - 50,000	22% of Gross Income +10% of Basic Order (24.2%)
50,001 - 75,000	23% of Gross Income +10% of Basic Order (25.3%)

AGES 13 - 21

ANNUAL GROSS INCOME
OF NONCUSTODIAL PARENT

0 - \$7,500	CHILD SUPPORT ORDER Discretion - Minimum \$50/month
\$7,501 - 15,000	20% of Gross Income +15% of Basic Order (23%)
15,001 - 25,000	21% of Gross Income +15% of Basic Order (24.15%)
25,001 - 50,000	22% of Gross Income +15% of Basic Order (25.3%)
50,001 - 75,000	23% of Gross Income +15% of Basic Order (26.45%)

CHART 2
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT
TWO CHILDREN

AGES 0 - 6 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	26% of Gross Income
15,001 - 25,000	27% of Gross Income
25,001 - 50,000	28% of Gross Income
50,001 - 75,000	29% of Gross Income

AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	26% of Gross Income +10% of Basic Order (28.6%)
15,001 - 25,000	27% of Gross Income +10% of Basic Order (29.7%)
25,001 - 50,000	28% of Gross Income +10% of Basic Order (30.8%)
50,001 - 75,000	29% of Gross Income +10% of Basic Order (31.9%)

AGES 13 - 21 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month

\$7,501 - 15,000	26% of Gross Income +15% of Basic Order (29.9%)
15,001 - 25,000	27% of Gross Income +15% of Basic Order (31.05%)
25,001 - 50,000	28% of Gross Income +15% of Basic Order (32.2%)
50,001 - 75,000	29% of Gross Income +15% of Basic Order (33.35%)

CHART 3
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT
THREE CHILDREN

AGES 0 - 6 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	30% of Gross Income
15,001 - 25,000	31% of Gross Income
25,001 - 50,000	32% of Gross Income
50,001 - 75,000	33% of Gross Income

AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	30% of Gross Income +10% of Basic Order (33.0%)

15,001 - 25,000	31% of Gross Income +10% of Basic Order (34.1%)
25,001 - 50,000	32% of Gross Income +10% of Basic Order (35.2%)
50,001 - 75,000	33% of Gross Income +10% of Basic Order (36.3%)

AGES 13 - 21 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	30% of Gross Income +15% of Basic Order (34.5%)
15,001 - 25,000	31% of Gross Income +15% of Basic Order (35.65%)
25,001 - 50,000	32% of Gross Income +15% of Basic Order (36.8%)
50,001 - 75,000	33% of Gross Income +15% of Basic Order (37.95%)

CHART 4
CHILD SUPPORT ORDER FORMULA FOR THE SUPERIOR COURT
FOUR OR MORE CHILDREN

AGES 0 - 6 (oldest child)

ANNUAL GROSS INCOME OF NONCUSTODIAL PARENT	CHILD SUPPORT ORDER
0 - \$7,500	Discretion - Minimum \$50/month

\$7,501 - 15,000	32% of Gross Income
15,001 - 25,000	33% of Gross Income
25,001 - 50,000	34% of Gross Income
50,001 - 75,000	35% of Gross Income

AGES 7 - 12 (oldest child)

ANNUAL GROSS INCOME
OF NONCUSTODIAL PARENT

CHILD SUPPORT ORDER

0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	32% of Gross Income +10% of Basic Order (35.2%)
15,001 - 25,000	33% of Gross Income +10% of Basic Order (36.3%)
25,001 - 50,000	34% of Gross Income +10% of Basic Order (37.4%)
50,001 - 75,000	35% of Gross Income +10% of Basic Order (38.5%)

AGES 13 - 21 (oldest child)

ANNUAL GROSS INCOME
OF NONCUSTODIAL PARENT

CHILD SUPPORT ORDER

0 - \$7,500	Discretion - Minimum \$50/month
\$7,501 - 15,000	32% of Gross Income +15% of Basic Order (36.8%)

15,001	25,000	33% of Gross Income +15% of Basic Order (37.95%)
25,001	50,000	34% of Gross Income +15% of Basic Order (39.1%)
50,001	75,000	35% of Gross Income +15% of Basic Order (40.25%)

CHART 5
1989 POVERTY LEVELS (ANNUALIZED)
FOR THE DISTRICT OF COLUMBIA

NUMBER OF PERSONS	POVERTY LEVEL GROSS INCOME
1	\$ 6,017
2	7,703
3	9,431
4	12,091
5	14,305
6	16,151
7	18,379
8	20,322

STANDARD INCOME DISREGARD FOR PETITIONER'S GROSS INCOME

NUMBER OF CHILDREN	AMOUNT
1	\$16,500
2	18,500
3	20,500
4	22,500

For Each Additional Child Add \$2,000 for each additional child.

"(r) A child support order shall not be deemed invalid on the sole basis that the child support order was issued pursuant to the Superior Court of the District of Columbia Child Support Guidelines and prior to the effective date of this act.

Sec. 3. Child Support Guideline Commission.

(a) There is established a Child Support Guideline Commission ("Commission"). The Commission shall study and make recommendations on the child support guideline to the Council of the District of Columbia ("Council").

Note,
New, Section
16-916.2

(b) The Commission shall consist of a chairperson and 14 members who are District of Columbia residents. The Chief Judge of the Superior Court of the District of Columbia may appoint 5 members. The Mayor of the District of Columbia ("Mayor") shall appoint 1 member to represent the Corporation Counsel and 1 member to represent the Child Support Division of the Department of Human Services. The Mayor, with the advice and consent of the Council, shall appoint 3 members who shall be members of the District of Columbia Bar ("Bar") and recognized experts in the field of family law. The Chairman of the Committee on Judiciary of the Council shall be the chairperson of the Commission, and appoint 2 other members. The Chairman of the Committee on Human Services of the Council shall appoint 2 members.

(c)(1) Each member shall be appointed for a 2-year term. A vacancy shall be filled in the same manner as the original appointment.

(2) A majority of the members shall constitute a quorum. A quorum shall be necessary for the Commission to conduct business.

(d) The functions of the Commission shall include:

(1) To annually review and update the data on poverty levels used in multiple family determinations.

(2) To review pertinent economic data and data on the functioning of the guideline that the Commission gathers or that is brought to the attention of the Commission. The Commission shall meet not less than once annually for this purpose, and shall review formally the guideline and vote on any proposed change not less than once every 4 years.

(3) To hold a public meeting at least annually. 30 days public notice shall be given for a public meeting. The Commission shall meet to receive oral or written comments from members of the Bar or the public.

(4) To perform other tasks that are assigned by the Council to develop, update, or monitor the guideline.

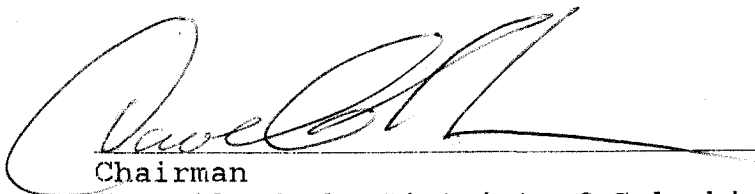
(e) Members of the Commission shall serve without compensation but shall be reimbursed for any reasonable expense associated with service on the Commission.

(f) The Mayor shall provide sufficient space for the Commission to operate, and may detail personnel to assist the Commission. The Mayor shall also direct all agencies contacted by the Commission to give full cooperation to the Commission.

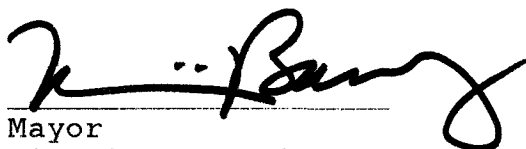
Sec. 4. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act,

approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) This act shall expire on the 225th day of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: January 11, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-491

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 12-19-89

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Winter and Kane

☐ ROLL CALL VOTE: — RESULT (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell
Secretary to the Council

1-5-90
Date

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 1-2-90

☒ VOICE VOTE: Approved, Member Kane voted present

Recorded vote on request

Absent: all present

☐ ROLL CALL VOTE: — RESULT (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell
Secretary to the Council

1-5-90
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date