

## Minnesota Child Support Laws

Child support in Minnesota is defined pursuant to the Minnesota Child Support Guidelines. Normally, the parent who is granted primary physical custody of the minor children receives child support from the other parent. The amount of child support paid is based on the number of children and the noncustodial parent's net monthly income.

A noncustodial parent can also be ordered to contribute toward day care expenses that the custodial parent incurs on a monthly basis. The Courts use a formula to determine the appropriate percentage of the monthly day care expense that a noncustodial parent will be ordered to contribute.

Also, a noncustodial parent can be ordered to provide health insurance or to contribute toward the health insurance costs incurred by the custodial parent or the County. The amount of child support ordered may be adjusted if the parents are granted joint physical custody or in cases where the noncustodial parent and the custodial parent share almost equal parenting time. In those instances, the Court determines each parent's child support obligation separately, reduces both of them based on the percentage of parenting time granted to each parent and then off-sets the remaining amounts against each other to arrive at a figure that one parent may be ordered to pay.

Child support actions are generally commenced by the County against noncustodial parents or against putative fathers in paternity cases. The County may be assisting a custodial parent in attempting to establish or increase child support, or the County may be seeking reimbursement of public assistance money that it paid to the custodial parent. The County may also be seeking a cost-of-living increase or be pursuing an individual who has failed to meet his or her court ordered obligations.

In most instances, the County is acting within the new Expedited Child Support System. Within that system, all hearings are held before a Child Support Magistrate who has authority over all issues pertaining to the support of minor children. Unfortunately, absent an agreement between the parents, the Child Support Magistrate does not have authority over custody or visitation issues. If a

parent wants to have custody and visitation issues addressed by the Court, he or she must appear before a judge or referee of Family Court.

Changing child support is can occur if the parent requesting the modification can demonstrate that there has been a substantial change in circumstances which makes the existing order unreasonable or unfair. A review of the parties' respective incomes and expenses are only two of the many factors that a Court must consider before making any changes in an existing child support Order.

You may discuss your case with a Minnesota Child Support Lawyer by contacting us at 952-746-4111 or [www.cundyandmartin.com](http://www.cundyandmartin.com) .