

Child Support Guidelines: Low Income

How is child support calculated if the obligor (pay) has a very low income?

Texas law sets general guidelines for calculating child support. The court *can* order child support that is different from the guidelines. And, if the person paying the child support—the “obligor”—has \$1,000 or less per month in monthly net resources, these are the guidelines that apply.

How is child support calculated if I have less than \$1,000 in monthly net resources?

1 child	=	15% of the noncustodial parent's average monthly net resources
2 children	=	20% of the noncustodial parent's average monthly net resources
3 children	=	25% of the noncustodial parent's average monthly net resources
4 children	=	30% of the noncustodial parent's average monthly net resources
5 children	=	35% of the noncustodial parent's average monthly net resources
6 or more children	=	not less than the amount for 5 children

See [Texas Family Code 154.125\(c\)](#)

How it works—an example:

- If a noncustodial parent's average monthly net resources are \$900, then guideline child support for 2 children would be \$180 per month. Under the low-income child support guidelines, child support for two children would be 20% of the noncustodial parent's average monthly net resources, and 20% of \$900 is \$180.
- If you have more than one child together, the amount of child support ordered will “step down” as child support ends for each child.
- Using the same example, if you have two children, low-income guideline child support would step down from \$180 per month (20% of \$900) to \$135 per month (15% of \$900) when the oldest child turns 18 and graduates from high school.

What if the noncustodial parent has children with someone else AND a low income?

Guideline child support is slightly different if the noncustodial parent has other children. This chart tells you the percentage the judge will apply to the non-custodial parent's average monthly net resources if the non-custodial parent has other children. See [Texas Family Code 154.129](#).

Low-Income Guideline Child Support: Multiple Family Adjusted Guidelines

Number of children	1	2	3	4	5
% of Net Monthly Resources	15%	20%	25%	30%	35%

Multiple Family Adjusted Guidelines — Low Income — % of net monthly income

		Number of children before the Court						
		1	2	3	4	5	6	7
Number of other children for whom the Obligor has a duty of support	0	15.00	20.00	25.00	30.00	35.00	35.00	35.00
	1	13.50	18.33	23.13	27.90	32.96	33.25	33.47
	2	12.50	17.00	21.50	26.50	31.50	31.94	32.28
	3	11.63	15.80	20.63	25.50	30.41	30.92	31.33
	4	10.80	15.33	20.00	24.75	29.56	30.10	30.55
	5	10.63	15.00	19.53	24.17	28.88	29.43	29.90
	6	10.50	14.75	19.17	23.70	28.32	28.88	29.35
	7	10.41	14.56	18.88	23.32	27.85	28.40	28.88

Example: Calculating child support with 1 child in 1 household but 2 in another, under low-income guidelines.

- Noncustodial parent's (NCPs) average monthly net resources are \$900.
- The custodial parent of a new baby applies for child support (the new baby is the child BEFORE the court).
- The noncustodial parent also has two children from a prior relationship (These are the children NOT before the Court).
- Using the chart above, with ONE child before the court and TWO other children for whom the Obligor has a duty to support, the percentage applied to the noncustodial parent–obligor would be 12.50%. So, 12.50% of \$900 is \$112.50.

What money is included when you calculate child support?

Guideline child support is calculated based on the net resources of the noncustodial parent. Net resources are not the same thing as take-home pay. For child support purposes, the term "net resources" means all money received by the noncustodial parent from all sources, including

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| • wages, | • annuities, |
| • overtime, | • capital gains, |
| • tips, | • social security benefits (other than SSI), |
| • bonuses, | • veterans disability benefits (other than non-service-connected disability pension benefits), |
| • dividend income, | • unemployment benefits, |
| • self-employment income (including "gig economy" work such as driving for ride-sharing app, or delivery app, starting September 1, 2021), | • disability and worker's compensation benefits, |
| • severance pay, | • interest income, |
| • retirement benefits, | • gifts, |
| • pensions, | • prizes, |
| • trust income, | • spousal maintenance and alimony. |

What isn't included in "monthly net resources"?

"Resources" does not include SSI, return on principal or capital, accounts receivable, TANF, or payments received for foster care of a child. When calculating child support, the noncustodial parent's net resources are capped at \$8,550 per month. Also, a judge cannot count the income of the noncustodial parent's spouse when calculating child support. See Texas Family Code 154.069.

Are the low-income guidelines always applied for child support?

The court will presume that guideline child support is in the child's best interest. But, there are situations when the court can deviate from the guidelines. Some of the factors that the court can consider include the age and needs of the child; the parents' ability to support the child; the child's expenses; what the custody and visitation setup is; travel expenses; etc. See Texas Family Code 154.123 for a longer list.

Is there an online child support calculator?

You can use the **Texas Attorney General Child Support Calculator** to calculate regular guideline child support: <https://csapps.oag.texas.gov/monthly-child-support-calculator>.

Note: For information about divorce in Texas, including how to file an answer, go to www.bryanfagan.com.

Ready to take the first step towards your goals? Call **281-810-9760** now to schedule your free consultation. Don't wait, your future starts with a simple phone call.