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**WYOMISSING-READING-BERKS COUNTY CHILD SUPPORT ATTORNEY**

Attorney Jana R. Barnett regularly represents clients in child support matters. In Pennsylvania, parents are legally obligated to support their children who are eighteen years or younger, unless they are emancipated. The obligation to support will continue beyond a child's 18<sup>th</sup> birthday if the child has not yet graduated from high school.

Under Pennsylvania law, "Child Support" is awarded pursuant to statewide guidelines established by the Pennsylvania Supreme Court. 23 Pa.C.S. § 4322. The guidelines are used for both spousal and child support, and are based upon the reasonable needs of the child or spouse seeking support, and the ability of the person who must provide support. In determining the reasonable needs of the child or spouse seeking support and the ability of the obligor to provide support, the guidelines place primary emphasis on the net incomes and earning capacities of the parties, with allowable deviations for unusual needs, extraordinary expenses and other factors that warrant special attention, such as the parties' assets.

A parent seeking child and/or spousal support in Berks County must file for support with the Domestic Relations Section, located on the 6<sup>th</sup> Floor of the County Services Center, 633 Court Street, Reading, PA 19601.

Conference Officers conduct the initial conference. Parents should bring the documentation listed in correspondence received from the Domestic Relations Officer. Parents are expected to bring their pay stubs for the previous six (6) months, their most recent income tax returns; invoices/bills and cancelled checks for child care expenses, private school expenses; health insurance premiums; drivers' licenses; and, insurance cards. If a parent is disabled and unable to work, he or she must provide documentation of the medical problem preventing or limiting the parent from working.

The Conference Officer will determine the parents' net income, and calculate child support pursuant to the schedule on Pa.R.C.P. 1910.16-3.

Net income means gross income, less federal, state and local income taxes; FICA (Social Security) payments; non-voluntary retirement payments; mandatory union dues; alimony paid to the

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other party; and, when computing spousal support and APL, the obligor's spousal support, APL or alimony payments to the other parent.

Parties may be assigned an income capacity if they voluntarily took a lower paying job, quit a job, are fired for cause, or quit a job in order to return to school. Support calculations will be made based on the persons' income capacity, rather than their new income. Where the child spends sleeps with the paying parent at least 40% of the nights, the parent's obligations should be decreased.

Although parents are instructed to complete income and expense statements, the guideline amounts of support usually will not be adjusted in response to the expenses that they pay. Expenses that will be considered include child care expenses necessary to enable the custodial parent to work or obtain appropriate education, and health insurance premiums.

It is appropriate for parties to file a Petition to Modify or Terminate the Support Order when there is a material and substantial change in circumstance.

To read statutes and related materials, please visit [www.janarbarnettesq.com](http://www.janarbarnettesq.com)

If you would like to speak with Attorney Jana R. Barnett about child support and learn how she can assist you, call her at 610-478-1860, or click here to send her an e-mail, and she will reply as quickly as possible.

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Attorney Jana R. Barnett's offices are located at 525 Kenhorst Boulevard, Reading, PA 19611 and 1238 Cleveland Avenue, Wyomissing, PA 19610-2102. Attorney Jana R. Barnett practices family law, employment law, and employment discrimination law in Reading, Wyomissing and the surrounding cities and towns, as well as in Berks County, Bucks County, Chester County, Delaware County, Lancaster County, Lehigh County, Montgomery County, Northampton County, Philadelphia County and in the United States District Court for the Eastern District of Pennsylvania and the United States District Court for the Middle District of Pennsylvania.