

LIST OF CITATION/STATUTES FOR PRESENTATION:

DCSS Guideline Calculator Training (Beginning and Experienced)

Legal References

Family Code §§4050 et. seq., including in particular

§4053 (Principles of Statewide Uniform Guideline)

§4055 (Formula for determining support)

§4056 (Required findings on record)

§4057 (Guideline presumptively correct; authority for deviations from guideline)

FC §4057(b)(1)-(4): lists specific factors court can consider for departing from guideline

FC §4057(b)(5): lists special circumstances (list not exhaustive) court can consider for departing from guideline. One case law example not specifically listed in statute: *City and County of San Francisco v. Miller* (1966) 49 CA4th 866 (obligor's net disposable, if guideline imposed, is insufficient to meet his or her basic minimum monthly living expenses). [There are numerous other cases not listed here.]

§4052.5 (Statewide guideline applies in cases where child has more than two parents)

Must calculate accurate guideline before court may depart from it; cannot make an estimate. *Marriage of Hall* (2000) 81 CA4th 313, 316-17; *Marriage of Whealon* (1997) 53 CA4th 132, 144-45

California Rules of Court, Rule **5.275. Standards for computer software to assist in determining support**, including, in particular, subdivision (j) which states:

(j) Acceptability in the courts

- (1) In all actions for child or family support brought by or otherwise involving the local child support agency under title IV-D of the Social Security Act, the Department of Child Support Services' California Guideline Child Support Calculator software program must be used by:
 - (A) Parties and attorneys to present support calculations to the court; and
 - (B) The court to prepare support calculations.
- (2) In all non-title IV-D proceedings, the court may use and must permit parties or attorneys to use any software certified by the Judicial Council under this rule.

Resources

California Department of Child Support Services – link to Welcome Page for DCSS Guideline Calculator: <http://www.childsup.ca.gov/resources/calculatetechnicalsupport.aspx> [Has link to Download User Guide]

California Department of Child Support Services – link to Portal Page of Public Guideline Calculator: <https://www.cse.ca.gov/ChildSupport/cse/guidelineCalculator>
CCSASGC@dcss.ca.gov – State DCSS mailbox for questions regarding DCSS Guideline Calculator