

Qualified Additional Dependent Guide

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If you have a case where one of the parties has a child (18 or younger – not emancipated – child can be 19 but must be in high school). See *Guidelines Rules 9.7 and 9.8*.

1. Does the child belong to one party in your case, not both parties?

Yes, go to step 2.

No, the child is not a QAD. No deduction may be taken.

2. Is the party under court or administrative order to pay child support for the child?

YES: Click on “Other Deductions” and indicate the amount of child support and/or cash medical support actually being paid in the Cash medical support and prior obligation of child support...” field. If they are not paying it, leave the field blank. They get no deduction for support paid and they are not allowed to claim a QAD.

“A qualified additional dependent deduction cannot be claimed for a child for whom there is a prior court or administrative support order.” Rule 9.8(2) Child Support Guidelines.

No: The party may claim the child as a QAD. (You should perform step-down calculations as the QAD child(ren) will age out before the child(ren) in your case).

General Rules:

1. The deduction for payments for prior support actually paid apply to the current support due on the order. You may not deduct payments on delinquent support. If paying \$300 per month in current support for a “prior order” plus \$50 on arrears, the party may claim \$300, not the \$50 for delinquent debt. *State Ex Rel. DHS v. Burt*, 469 N.W.2d 669 (Iowa 1991).
2. The prior obligation of child support applies to other child support orders where the initial obligation of the other child pre-dates the obligation where you are calculating child support. Example: a party has an obligation from an order entered 2/10/2010. The party has another order entered 6/01/2015. The party wants to modify the order entered on 2/10/2010. The order entered on 06/01/2015 is NOT a prior order and cannot be used in the modification of the 2/10/2010 order.
3. The application of a QAD is not allowed to be used for the 10% deviation in modification actions. You must first determine if support will change by 10%. If so, then you may apply a QAD. Rule 9.8(2)
4. The party seeking to claim a QAD must demonstrate a legal obligation to the child. The child does not have to reside with the party seeking to claim the child as a QAD. The girlfriend’s child living with the party is not a QAD. Code 252A.3 and Rule 9.7
5. We know of no rule that requires a party to claim a QAD.