

Child Care Variance Step-by-Step Guide

by Alft & Wilson Publishing, Publishers of the Iowa Support Master Software

1. Will the parties have joint (equally shared) physical care of the children? If yes, stop. A variance not allowed. Rule 9.11A(7)(a).
2. Is the NCP's adjusted net monthly income in the shaded area of the guidelines table (low-income)? If yes, stop. A variance will not be granted. Rule 9.11A(7)(b).
3. How many children are in child care? _____
 - a. Oldest child's name: _____
 - b. Month/Year the child will no longer be in child care: _____
 - c. Younger child's name: _____
 - d. Month/Year the child will no longer be in child care: _____
4. Cost of child care per child per month: \$ _____
5. Do you anticipate the cost changing? (Summer break, school starting) Explain:
6. Do you receive reimbursements for child care? If so, how much?
7. Do you have a child care contract (terms)? _____ If yes, provide a copy.

Notes:

- A. If only one child is in child care, no need for a step-down unless you have other factors in play, ie. a QAD. Do make sure the court's order sets out both amounts and the date on which the variance will end/change.
- B. If you don't seek a variance or if the variance request is denied, you may then deduct the custodial parent's cost of child care to arrive at net income. Rule 9.5(2). Do step-downs.
- C. The court may consider each parent's proportional share of income in fixing the amount of the variance. The amount of the child care expense variance allowed should not exceed the NCP's proportional share. Rule 9.11A(3). The court has flexibility.
- D. A change in the amount of child care expense incurred by the CP is a factor to be considered in determining if there has been a change in circumstances. Rule 9.11A(6).