

Deviating from WI Child Support Guidelines

When a court sets child support, it must look at the child support guidelines in the State of Wisconsin laws and the Administrative Code, Department of Children and Families (DCF) Chapter 150. These guidelines set a standard child support that's a specific percentage of a parent's income. However, the court can also decide on a different amount of support than the guidelines suggest. Before it can set a different amount for child support than the standard percentage, the court must consider the following factors:

- The financial resources of the child
- The financial resources of both parents
- Maintenance (spousal support) received by either party
- The needs of each parent in order to support themselves at a level greater than the poverty level set by the federal government
- If the parents were married, the standard of living the child would have enjoyed if the marriage had not ended
- The desirability that a parent remain in the home as a full time parent
- The cost of child care
- Any unusual (extraordinary) travel expenses the paying parent must pay in order to visit the child
- The physical, mental and emotional health needs of the child, including costs for health insurance
- The child's educational needs
- The tax consequences to each parent
- The best interests of the child
- The earning capacity of each parent, based on each parent's education, training and work experiences and the availability of work where the parent lives

When a court decides that using the percentage standard for child support is unfair to the child or parent, it must write a decision explaining why. The court also has to say how much the difference is between the percentage standard and the new

amount, and why the amount it decided is the right one.

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