

### A Change in the “Cap” in Child Support Calculations

There has recently been an amendment to the statutory formula used to calculate parents’ child support obligations in New York State. When determining child support in New York, the court follows the guidelines set forth in the Child Support Standards Act ([https://newyorkchildsupport.com/pdfs/cssa\\_2010.pdf](https://newyorkchildsupport.com/pdfs/cssa_2010.pdf)). This amendment revises the child support “cap” which may be utilized to limit the annual obligation of the parents.

Prior to January 31, 2010, the child support obligation was statutorily capped at a combined annual income of both parents up to \$80,000.

As of February 1, 2010, the statute has been amended to reflect that the new “cap” will be increased to a combined parental income of \$130,000 to keep up with the increase in the cost of living.

Furthermore, the amendment states that the “cap” will increase every two years pursuant to the consumer price index for all urban consumers (CPIU) as published by the United States department of labor bureau of labor statistics.

Note that this amendment does not preclude the court from making an award of support on a combined income over the “cap.”