# Economic Review of the Massachusetts Child Support Guidelines 2024–2025

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#### NOTICE

This report was prepared for the Commonwealth of Massachusetts Executive Office of the Trial Court and the 2024–2025 Child Support Guidelines Task Force. All data, statements, and results are the responsibility of the authors and do not represent the opinions of The Brattle Group or its clients.

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# I. Executive Summary

The Massachusetts Child Support Guidelines Task Force conducted its mandated four-year review of the Commonwealth's child support guidelines over the course of 2024 and 2025. Our team provided objective economic advice, data, and information in the form of conversations, presentations, analysis, modeling, and comparative research necessary to evaluate and help the Task Force recommend any revisions to, the guidelines text, worksheet, and chart. The economics are only one part of the Task Force's final recommendations, which reflect its considered balance of legal compliance, economic rationale, policy priorities, and practical implementation.

As a matter of economics, it is important for child support guidelines to yield a level of financial support for children that is both efficient and equitable. The guidelines amounts are presumptively correct, so there should be a clear relationship between them and the economics of child costs, both in principle and in practice.

Appropriately in our view, Massachusetts' guidelines are not based on a single economic study or data source. The available economic data on child costs have known, inherent limitations. Most child costs are not directly observable because they are for things shared by adults and children within a household, like housing and food. Therefore, most economic data on child costs are only estimates, not actual expenditures. The data are informative, but they are not determinative in a policy context.

During the Task Force's year-long review process, we presented economic information and data on the full range of issues the Task Force considered. This included the economic approaches used to estimate child costs, the most current estimates from economic studies and data sources, and data on incomes, labor market conditions, and actual spending on child care, health care, and housing in Massachusetts. It also included a review of case-specific outcomes under the current guidelines, including the amounts of payments actually being made for child support in real cases with different characteristics and the frequency and reasons for deviations from the guidelines.

Extensive data analysis supported these recommendations. Our review of both Department of Revenue (DOR) data and case records from the Probate and Family Court found the majority of orders established under the current guidelines were paid in full regardless of location or case type, and deviation from the guidelines amounts was relatively rare. Where deviations

occurred, they were typically downward and supported by clear justifications, such as income disparities or economic hardship. This suggests that the existing guidelines are working well in most cases and the Court is able to exercise discretion as appropriate. Based on case data from the DOR and the Court filed between October 4, 2021, when the current guidelines originally took effect (prior to being amended on July 31, 2023) and September 30, 2024, the latest data available at the time we received it):

- The average child support payment under the current guidelines in IV-D cases (where DOR provides a range of child support services) ranges from \$133 per week (in Hampden County) to \$231 per week (in Nantucket County), and averages \$174 per week for the Commonwealth overall. The IV-D case data show relatively consistent rates of compliance with child support orders: 77% of orders are fully paid across all case types. Only a relatively small percentage of IV-D cases (13%) have no payments. This overall trend reflects favorably on Massachusetts' guidelines and on the Court's use of its discretion in setting appropriate amounts of child support.
- In a universe of over 80,000 cases, more than 20,000 (25.5%) had findings, but that percentage varied widely by county, from a low of 12.3% (Nantucket County) to a high of 40.2% (Franklin County). Overall, Probate and Family Court judges deviated from the current guidelines, imputed or attributed income, or entered an order by default in 26% of all cases, and in 24% of cases after we adjusted for outliers in the data. In a representative sample of 259 cases under the current guidelines, 95% of cases with written findings were deviations (as opposed to attributed or imputed income or defaults). In 86% of deviation cases, child support was reduced from the guidelines amount and to zero in 32% of deviation cases. It is difficult to know very precisely what is driving deviations since deviations resulted from negotiated agreements in 50% of cases, for "other" reasons in 13% of cases, and with no reason given in 14% of cases.
- High payment rates and relatively low deviation rates indicate the current guidelines are broadly working well. In most cases, the guidelines are being followed, deviations are rare, and payors are paying the support amounts ordered.

We engaged with the Task Force in detail as it considered recommending revisions to the guidelines. It ultimately recommended four material changes to the guidelines amounts:

 Lower minimum order amounts for payors with income at or below 130% of the federal poverty guideline. A consequential revision in the 2025 guidelines is the adjustment to minimum child support orders for low-income payors. The Task Force recommended a significant increase to the income thresholds at the two lowest income levels (tranches) in Table A of the guidelines worksheet. The purpose for this revision was to realign the thresholds with the current (2025) federal poverty threshold of \$301 per week. The income threshold in the first tranche of Table A was revised upward to that income level, from \$210 to \$301 per week. The threshold for the second tranche was increased from \$249 to \$391 per week (130% of the poverty guideline). This means more payors will now qualify for the minimum order or a reduced amount so they have sufficient resources to self-support. This change brings Massachusetts in line with comparable self-support reserves used in similar states, but it also will significantly reduce child support in cases with a low-income payor. In tandem and partially offsetting, the minimum order was raised from \$12 to \$15 per week. These changes aim to ensure that support orders appropriately balance the financial needs of the children and the payors, as required by federal law.

- 2. Higher maximum income level. At the other end of the income spectrum, the Task Force recommended increasing the maximum combined available income level to which the guidelines apply from \$400,000 to \$450,000 annually (\$8,654 per week). This increase acknowledges both the rising cost of living and increases in Massachusetts household incomes since the prior review. It places the Massachusetts' guidelines maximum income level tenth among all states (80th percentile). This change impacts only a small proportion of all cases under the guidelines (those above \$400,000, or more than four times the median household income in Massachusetts). It increases child support in those cases by between 0% and 10%.
- 3. Changes to Table A for one child to minimize changes in current orders over the broad middle of the income distribution. With the two revisions above in mind, the Task Force in turn recommended revisions to the rest of the parameters in Table A of the guidelines worksheet, which determines support amounts for one child at various income levels. The Task Force adjusted the income tranches and corresponding marginal percentages to reflect the revisions at the low-income and high-income ends of Table A. Its object was to minimize unintended changes to child support amounts elsewhere in the income distribution. This was accomplished by (1) expanding the income ranges in three tranches and to effectively stretch them to meet the new higher income maximum, and then (2) recalibrating (downward by 1 percentage point) one of the marginal percentages to preserve the overall slope and logic of the declining percentage curve in Table A as income increases. These changes assure there is little to no change in support amounts across the majority of income levels, while preserving the progressivity and policy intent of the guidelines at the low and high ends.

Detailed comparisons of the Massachusetts guidelines amounts under the revised Table A relative to the guidelines amounts in nine benchmark states—comprising the five neighboring states and four other high-cost jurisdictions—affirmed the Task Force's recommended revisions to Table A. We found the Massachusetts guidelines amounts are generally higher than those in neighboring states, particularly at middle and high income levels, but more closely aligned with amounts in other high-cost states when child care and health care costs are included. The comparisons, which included numerous hypothetical scenarios across varying incomes, numbers of children, and cost-sharing arrangements, showed that Massachusetts' guidelines tend to fall near the upper end of the range, especially in cases where the recipient bears the full cost of child care. These findings confirm that while Massachusetts' guidelines amounts are relatively high, they are broadly consistent with expectations for a high-cost state and—while consistently higher in some cases—they seem economically sound in most cases when the full scope of child costs are considered.

4. Higher child care cost cap to account for increases in child care costs since the current guidelines were put into effect. The Task Force recognized the importance of child care to parents' ability to earn income to support their children, as well as the increase in child care costs since the prior guidelines review. Child care costs in Massachusetts have increased by 26% since 2021, compared to overall inflation of 15%. To reflect this significant increase in child care costs, the Task Force recommended raising the weekly child care cost benchmark in the guidelines from \$355 to \$430 per child. This 21% increase was based on a review of recent cost estimates from multiple sources, all of which consistently placed Massachusetts average weekly child care costs between \$430 and \$462, indicating that the current \$355 benchmark cost in the guidelines now covers significantly less cost than when the prior task force set that benchmark. The revised benchmark better reflects actual economic conditions today so that parents who incur substantial child care costs share an appropriate amount of those costs under the guidelines in proportion to their relative abilities to pay (relative incomes).

The Task Force considered, but ultimately did not recommend any other revisions to the current guidelines.

Health care cost will continue to be treated as a deduction from gross income.
 Although Massachusetts has among the highest health care costs in the nation, the current approach under the guidelines seems adequate and consistent with federal regulations and practices in other states.

- No change to the adjustment factors for the number of children in Table B of the worksheet. The Task Force reviewed data on the equivalent adjustments in other states for additional children to inform this decision.
- No change to the 25% nominal reduction for children 18 and over in Table C of the worksheet. The Task Force discussed this issue and concluded there was insufficient economic or legal justification to change this reduction, which reflects a considered policy decision reached by a prior task force that older children who are no longer in school and are living at home may be able to contribute to their own support and children who are away at college are likely to have reduced living expenses at home and their corresponding college costs are handled elsewhere in the guidelines.
- No changes to how taxes or tax-related child benefits are treated under the guidelines. However, the Task Force did discuss issues involving the use of gross income versus net income in the guidelines, and other tax considerations such as the Child Tax Credit and the Earned Income Tax Credit that can materially affect a household's available income, especially in lower-income families. The Task Force acknowledged the potential importance of these issues and they remain on the horizon for continued evaluation in the next guidelines review.

Massachusetts remains one of the highest-cost states in the country, with economic conditions that significantly affect the ability of families to meet basic living expenses. The median household income in Massachusetts is \$99,858—approximately 34% higher than the national median. Yet this higher income is offset by elevated living costs. For example, the median cost of a home in Massachusetts is 48% higher than the national median, and rent consumes a larger share of household income in many counties, particularly in Suffolk and Dukes counties. Health care costs are also well above average: Massachusetts employees contribute about \$146 per week on average toward family health insurance premiums, roughly 10% more than the national average and 6% more than the average across neighboring states. Child care costs are similarly high, accounting for up to 22% of income in a median household with one child. In the labor market, while Massachusetts continues to maintain a minimum wage of \$15 per hour—more than twice the federal level—the state's unemployment rate edged just above the 4% national average in early 2025.

These conditions underscore the importance of calibrating child support guidelines to reflect the real economic pressures families face, particularly in balancing the financial sustainability of orders for payors and adequate support for children.

## II. Introduction

The Massachusetts Trial Court selected The Brattle Group ("Brattle") as the economic consultant to the 2024–2025 Child Support Guidelines Task Force ("Task Force") in its quadrennial review of the Massachusetts Child Support Guidelines ("guidelines"), pursuant to a request for proposals issued in May 2024. Our team on this project was led by economists Mark Sarro, Christine Polek, and Shastri Sandy. Their profiles are included at the end of this report.

## A. Role of the Economists

The Task Force started its review process in June 2024. Our work with the Task Force started in August 2024 and has continued through the completion of this report in June 2025. In that time, we:

- Attended all three public forums and reviewed all written comments
- Participated in all Task Force meetings
- Responded to requests by members of the Task Force and the Trial Court
- Summarized the economic approaches used to estimate child costs
- Researched and developed child cost estimates from economic studies and data sources
- Analyzed available economic data on child costs, income, and household expenditures in Massachusetts relative to other states
- Compared components and results of the Massachusetts guidelines to other states' guidelines structures and amounts, including the five states neighboring Massachusetts and four other relatively high-income states
- Advised the Task Force on the potential impacts of proposed changes to the guidelines and on the implementation of those changes in the guidelines worksheet and chart
- Will assist the Trial Court in developing the interactive guidelines worksheet posted on the Trial Court's website

Our role was to assist the Task Force by providing objective information and advice on the economic issues the Task Force considered during the course of its review. We advised the Task Force on relevant economic issues and presented available economic data. As part of the Task Force's year-long review, we calculated child support amounts for thousands of hypothetical fact patterns under the guidelines in Massachusetts that became effective on October 4, 2021, and were amended on July 31, 2023 ("current guidelines"), possible updates to the current guidelines, and the final 2025 guidelines ("revised guidelines"). Importantly, the economics are not determinative in a child support context. The data and analyses we presented to the Task Force were only a part of the information it considered. Ultimately, the Task Force's recommendations are based on legal, policy, and practical considerations as well.

This report summarizes the information and analysis we presented to the Task Force in the course of our economic review of the guidelines formula, the impacts of the Task Force's proposed changes, and the resulting child support amounts relative to economic estimates of child costs and child support in other states.

## B. Role of the Task Force

Federal law and regulations require that each state review and possibly revise its child support guidelines at least every four years to assure their application results in appropriate child support amounts.<sup>1</sup> The Task Force's review of the current Massachusetts guidelines in 2024 and 2025 was completed within the required four-year window. While we provided the economic information and analysis for this review, deciding whether and how to revise the guidelines was solely the role of the Task Force.

As we noted in our report at the conclusion of the 2020-2021 Task Force review process, regularly reviewing child support guidelines is an important feature of getting both the process and the numbers "right." This is challenging because the guidelines establish a "one-size-fits-all" formula for calculating child support in any case throughout the Commonwealth. Despite this difficulty, it is imperative to regularly re-evaluate whether child support amounts under the guidelines are appropriate since the resulting child support amounts are "presumptive" in the absence of specific findings explaining why they would be inappropriate in a particular case. In other words, the guidelines amounts are assumed to be the legally correct amounts in a given case unless the Court explicitly finds otherwise. Of course, there is no objectively "correct"

<sup>&</sup>lt;sup>1</sup> 42 USC §667; 45 CFR §302.56 (e).

<sup>&</sup>lt;sup>2</sup> 45 CFR §302.56 (f) and (g).

amount of child support in a case. Spending on children varies widely, even in households with similar economic characteristics. The guidelines formula is designed to be flexible enough to yield appropriate amounts in most cases and to guide the Court in deviating from the formulaic amount of child support by exception, as appropriate.

As a matter of economics, an important goal of the guidelines is to yield an appropriate level of financial support for a child from both parents in an economically efficient and equitable proportion. Several of the principles listed upfront in the guidelines reflect this goal. A primary purpose of the Task Force's review process is to evaluate how well the guidelines meet this goal. Doing so requires analyzing both the structure of the guidelines worksheet and the resulting child support amounts relative to the best available indicators of current child costs in Massachusetts. Since the guidelines amounts are presumed to be appropriate, there should be a clear relationship between the resulting amounts and the basis for them, including specific economic data and clear policy considerations. To be valid, an economic presumption must have a sound theoretical and empirical basis that can be tested and put into practice. This is why, for more than 30 years, federal law has required each state to have a single set of guidelines for calculating child support in any case that accounts for all of the payor's income, provides health care coverage for the children, and can be rebutted and deviated from based on specific criteria.<sup>3</sup>

Federal law also requires each state's guidelines to consider a payor's ability to pay child support. Specifically, the guidelines must include a low-income adjustment so payors can cover their own basic costs as well as paying child support. In addition, each state's review must consider data on: local labor market conditions, the guidelines' impact on parents with relatively low incomes, and payments of, and deviations from, the guidelines amounts in different a range of cases to ensure the guidelines amounts are appropriate in most cases and deviations are limited.<sup>4</sup>

This report summarizes these analyses as well as the analyses noted in the bullet points above, which informed the Task Force's review and its recommendations to the Trial Court. In addition to reporting the analyses of the current guidelines presented to the Task Force during its review, this report also summarizes the changes the Task Force ultimately recommended and the Trial Court implemented in the revised guidelines.

<sup>&</sup>lt;sup>3</sup> 45 CFR §302.56 (a) through (g).

<sup>&</sup>lt;sup>4</sup> 45 CFR §302.56 (h).

## III. Massachusetts Current Guidelines

The current guidelines originally took effect on October 4, 2021 after a prior task force review. The guidelines were later amended on July 31, 2023 to ensure compliance with federal regulations but with no changes to the structure, parameters, or dollar amounts in the guidelines worksheet or chart. In developing the current guidelines, the prior (2020-2021) task force recommended five changes to the guidelines worksheet:

- Lower child support amounts for payors in the lowest two income levels (tranches) of Table A, from \$25 per week to \$12 per week for payors with weekly income of \$210 or less, and from \$25 per week to \$20 per week for payors with weekly income of \$211 to \$249
- Higher maximum level of combined available income to which the guidelines apply, from \$250,000 per year (\$4,808 per week) to \$400,000 per year (\$7,692 per week).
- Revised income thresholds and percentages in Table A above the two lowest tranches to successively widen the range of incomes at higher tranches, effectively stretching the percentages in Table A to reach the higher maximum level of combined income and adjusting the corresponding percentages at each tranche to minimize the impact on the resulting child support amounts.
- Higher adjustment factors in Table B for more than one child to reflect increases of 40%, 20%, 10%, and 5% for a second, third, fourth, and fifth child, respectively.
- Changes in how parents share child care costs by crediting each parent for the child care
  costs they cover in proportion to their respective share of combined available income
  up to a benchmark cap of \$355 per child per week, subject to a rebuttable presumption
  of substantial hardship justifying a deviation from the guidelines if the resulting child
  support amount is 40% or more of the payor's income.

Having consulted with the prior task force in its review, we know these changes were made based on economic and policy considerations to incrementally improve the guidelines, not to either increase or decrease guidelines amounts across the board. A universal directional impact was neither the intent of the prior task force's recommendations nor their actual impact.

## A. Child Support as a Percentage of Income

Table A in the current guidelines worksheet lists the marginal percentages of available income used to determine the amount of child support for one child as the combined income of a payor and recipient increases up to \$400,000 per year (\$7,692 per week). The resulting child support amount at a given level of combined available income is the income-weighted average of the series of marginal percentages up to that income level. The marginal percentages in the current guidelines start at 22% of the lowest combined income levels (from \$250 per week up to \$750 per week), and steadily decline to 10% at the highest combined income levels (above \$5,000 per week).

**Figure 1** depicts the marginal percentages in Table A of the current guidelines. The downward-sloping curve reflects the economic reality of covering child costs subject to a budget constraint and a declining propensity to spend as income rises. Child costs account for a higher percentage of parents' available income at relatively low income levels and are an increasingly smaller share of income at higher income levels. At the lowest income levels, most household spending covers fixed costs shared by children and adults, such as housing and utilities. At higher income levels, more money is available to cover child-specific costs, such as children's clothing or their own bedroom. As income continues to increase, spending on child-specific items represents a smaller and smaller share of overall income.<sup>5</sup>



FIGURE 1: CURRENT GUIDELINES MARGINAL INCOME PERCENTAGES (1 CHILD)

Source: Table A of current guidelines

Economic estimates of child costs show the proportion of income spent on children decreasing as income increases. This relationship reflects the economic principle of the decreasing marginal propensity to consume out of additional income at middle and high income levels.

The percentages in Table A of the current guidelines start at combined available income of \$250 per week, or just \$13,036 per year. This is below the current (2025) federal poverty guidelines amount of \$15,650 per year (\$300 per week) for one person. While the guidelines yield relatively low child support in dollars at that income level (between \$12 and \$20 per week for one child), it may still be difficult or infeasible for the payor to pay. The current minimum order (\$12 per week) establishes a presumptive lower bound on the amount of money available to cover child costs. Realistically, however, at such low income levels, there simply is not enough income to fully cover costs. The emphasis in the federal rules regarding a payor's ability to self-support and pay child support means even \$12 per week may be a substantial hardship, justifying a deviation from the guidelines.

# B. Adjustment for the Number of Children

Table B in the guidelines worksheet takes the child support amounts for one child in Table A and adjusts them upward for more children. Table B lists five adjustment factors to be applied to the Table A amounts for one, two, three, four, or five children covered by an order, respectively. This adjustment factor is applied by multiplying it by the amount from Table A for the level of combined available income in a given case. Since the child support amounts in Table A are for one child, the adjustment factor in Table B for one child is simply 1.00, leaving the amount from Table A unchanged. The adjustment factors for more than one child are greater than 1.00, so multiplying them by the amount from Table A yields more child support for more children.

The adjustment factors in Table B of the current guidelines are 1.40 for two children, 1.68 for three children, 1.85 for four children, and 1.94 for five children. The adjustment factor for two children represents a 40% increase in child support to cover the cost of a second child (that is, 1.40 is 40% higher than 1.00). The adjustment factors for more than two children represent increases of 20% for a third child (1.68 relative to 1.40), 10% for a fourth child (1.85 relative to 1.68), and 5% for a fifth child (1.94 relative to 1.85).

**Figure 2** shows the resulting shape of the adjustment factors for one to five children under the current guidelines.

<sup>&</sup>lt;sup>6</sup> See https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines.

2.2 **Multiplier Above One Child** 1.94 2.0 1.85 1.8 1.68 1.6 1.40 1.4 1.2 1.00 1.0 **Number of Children** 

FIGURE 2: ADJUSTMENT FACTORS FOR ADDITIONAL CHILDREN

Source: Table B of current guidelines

# C. Adjustment for the Ages of Children

As a matter of law in Massachusetts, children may be covered under the guidelines – even after they have graduated from high school – until age 23. Including children ages 18 or over in a state's guidelines is not unusual. Only three states (Hawaii, Pennsylvania and South Carolina) explicitly limit child support to children under age 18. In all other states, child support may be awarded for a child over age 18 subject to certain conditions, usually when the child is still in school. **Figure 3** summarizes the maximum age under the child support guidelines in all 50 states and Washington DC, with shading to highlight variations in the data.

**Standard Maximum Child Age (Conditional) Child Age Total** Total 12% 2%

FIGURE 3: MAXIMUM AGE FOR CHILD SUPPORT, NUMBER OF STATES

Source: State Child Support Guidelines.

Note: For states that allow child support for children up to 18 years old or until they graduate high school, this report sets 19 as the maximum child age.

The child support guidelines in a majority of states (34) may be conditionally applied up to age 19.7 Guidelines in seven other states (Georgia, Michigan, Minnesota, North Carolina, Oklahoma, West Virginia, and Wyoming) can apply up to age 20. Six guidelines can apply up to age 21 (Colorado, Mississippi, Missouri, New York, Oregon, and Washington DC). Louisiana's guidelines can apply to age 22. Guidelines in two states other than Massachusetts (Connecticut and New Jersey) can also apply up to age 23.

The economic data on how child costs vary by age is limited and mixed. The current guidelines maintain the 25% reduction in child support for children ages 18 or over, which was added to the guidelines in 2017 (and amended in 20188) along with a provision regarding parents sharing college costs and based on the view that children no longer in school can work to help cover their costs. Table C of the guidelines worksheet implements this 25% reduction through adjustment percentages (reductions) applied to the guidelines amounts resulting from Tables A and B reflecting the mix of children's ages in a given case. **Figure 4** below shows these percentages under the current guidelines.

FIGURE 4: TABLE C OF CURRENT GUIDELINES WORKSHEET

TABLE C: ADJUSTMENT FOR CHILDREN 18 YEARS OR OLDER								
CHILDREN	CHILDREN 18 OR OLDER							
UNDER 18	1	2	3	4	5			
0	25%	25%	25%	25%	25%			
1	7%	11%	13%	14%				
2	4%	6%	7%					
3	2%	3%						
4 1%								
5								

Source: Table C of Current Guidelines

The percentages in Table C below the first row range from 1% to 14% (well below the nominal 25% specified in the guidelines), since only the guidelines amounts for the children age 18 or older are reduced – not the total guidelines amount in cases with younger children. These percentages are a combination of the 25% nominal reduction to the guidelines amount for a

The standard age is 18 in Hawaii, Pennsylvania, and South Carolina. The 31 states with standard age of 18 and maximum of 19 are: Alaska, Arizona, Arkansas, California, Delaware, Florida, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wisconsin.

This 2018 memo explains the rationale and mechanics for changing the calculation of the percentages in Table C. https://www.mass.gov/doc/memo-regarding-amendments-to-child-support-guidelines/download

child age 18 or over and the incremental increases for the number of children in Table B. To preserve the full child support amount for children under age 18, the nominal 25% reduction for older children is applied only after calculating the guidelines amount for all younger children. For example, in a case with one child under age 18 and one child age 18 or older, the reduction in Table C is 5%. This represents the percentage change between the adjustment factor of 1.25 listed in Table B for two children under age 18 and the corresponding adjustment factor of 1.19 for one child under age 18 and one child age 18 or older. That is, 1.19 is 5% less than 1.25. For cases with more children age 18 or older, the percentages in Table C are calculated in the same way. Because the 25% reduction for an older child is applied only to the incremental increases for additional children from Table B, the adjustments in Table C are smaller in cases with more younger children and are larger in cases with more older children.

## D. Analysis of Case Data

Pursuant to the requirements of federal law noted above regarding deviations, early in the 2024–2025 guidelines review we analyzed available case data on child support payments over a range of cases with different characteristics under the current guidelines from their effective date of October 4, 2021 through September 30, 2024. We used anonymized case data from the Child Support Services Division of the Massachusetts Department of Revenue ("DOR") for cases where the orders were established or modified in that time period. We also analyzed data from a sample of Probate and Family Court cases with findings and deviations in the same time period. In this section, we summarize our analysis of payments, findings, and deviations overall, for each of the 14 divisions of the Court, and by case characteristics.

## 1. Case Data on Payments

DOR is the single state agency designated as the IV-D agency pursuant to Title IV, Part D of the Social Security Act (42 USC §651, et seq.) G.L. c. 119A, §1. As the IV-D agency, DOR is responsible for the administration of the Commonwealth's child support program. In IV-D cases, DOR provides a full range of child support services, including assisting parents in establishing, enforcing, and modifying child and medical support orders. There are three subsets of IV-D cases: (1) public assistance cases, where DOR receives referrals from the Department of Transitional Assistance ("DTA"), MassHealth, and the Department of Children and Families ("DCF") when parents receive assistance on behalf of their children from these

For one child under age 18 and one child age 18 or older, the adjustment factor is 1.00 for the younger child from Table B multiplied by the 25% increase in Table B for a second child reduced by 25% because the second child is age 18 or over. So, 1.00 x (0.25 x (1-0.25)) = 1.19.

agencies; (2) former assistance cases, where parents continue to receive DOR services when their public assistance cases close; (3) never-assistance cases, where custodial parents and noncustodial parents who never received public assistance apply for DOR services to help establish, modify, or enforce child support orders.

DOR provided us with case data for IV-D cases where a child support order was established or modified between October 4, 2021 and August 30, 2024. These IV-D cases use the Massachusetts guidelines to establish child support orders by mandate absent a deviation at the discretion of the Court. Figure 5 summarizes the actual child support payments made by payors in the 24,109 cases for which we received DOR data. It lists the data for each of the 14 divisions of the Court, sorted from most cases to fewest.

FIGURE 5: IV-D CHILD SUPPORT PAYMENTS BY DIVISION, OCTOBER 2021 - AUGUST 2024

		Average Payment	Percent of Child Support Order Actually Paid		Percent of Cases With No Payments
County	Count	(\$/week)	Average	Median	Average
Worcester	3,678	\$180	63%	78%	12%
Hampden	3,521	\$133	56%	68%	15%
Middlesex	3,292	\$207	64%	78%	11%
Bristol	3,057	\$166	64%	80%	12%
Essex	2,730	\$182	62%	78%	12%
Suffolk	2,548	\$156	57%	69%	15%
Plymouth	1,793	\$196	66%	83%	11%
Norfolk	1,469	\$206	65%	81%	11%
Barnstable	664	\$175	65%	82%	11%
Berkshire	636	\$143	62%	78%	11%
Hampshire	411	\$168	66%	83%	11%
Franklin	264	\$146	63%	80%	16%
Dukes	26	\$199	79%	92%	4%
Nantucket	19	\$231	70%	87%	0%
Overall	24,109	\$174	62%	77%	13%

The highest number of cases are in Worcester, Hampden, Middlesex, and Bristol Counties, each with over 3,000 cases. Two counties (Essex and Suffolk) have between 2,000 and 3,000 cases, and two counties (Plymouth and Norfolk) have between 1,000 and 1,800 cases. All other counties have far fewer cases. The average child support payments range from \$133 per week

(in Hampden County) to \$231 per week (in Nantucket County). Across all counties, the average payment is \$174 per week. Despite the variation in the number of cases and payment amounts, the data show relatively consistent rates of compliance in paying child support orders. Overall, an average of 56% to 79% of orders are fully paid in counties across Massachusetts, with 62% fully paid on average statewide. The median compliance rate statewide is higher, with 77% of child support orders being paid in full. Only a relatively small percentage of cases in most counties have no payments – less than 15% in 11 of the 14 counties. **Figure 6** summarizes the compliance rates for each of the five types of IV-D cases.

FIGURE 6: IV-D CHILD SUPPORT PAYMENTS BY CASE TYPE, OCTOBER 2021 - SEPTEMBER 2024

Case Type Count		Average Payment (\$/week)	Percent of C Order Act Average	• •	Percent of Cases With No Payments Average
NPA	11,793	\$221	72%	87%	7%
FORMER TANF	6,278	\$147	60%	73%	12%
TANF	5,227	\$94	41%	33%	26%
TITLE XIX	805	\$211	74%	89%	5%
FOSTER CARE	2	\$404	55%	55%	0%
Overall	24,109	\$174	62%	77%	13%

#### In this figure:

- IV-A (IV-D/TANF): Children are eligible for Temporary Assistance for Needy Families ("TANF") under Title IV-A of the Social Security Act, and their support rights are assigned to the Commonwealth and referred to DOR by DTA
- IV-E (IV-D/Foster Care): Children are entitled to foster care maintenance payments under Title IV-E of the Social Security Act and have been referred to DOR by DCF
- XIX (Title XIX): Children are receiving medical support through MassHealth, and their support rights are assigned to the Commonwealth and referred to DOR by MassHealth
- FTF (IV-D/Former TANF): Children formerly received Title IV-A (AFDC or TANF) or Title IV-E foster care services
- NPA (IV-D/NPA): Children are receiving services under the Title IV-D program but are not eligible for, and have not previously received, assistance under Titles IV-A or IV-E of the Social Security Act

Most of the 24,109 cases for which we reviewed child support payments involve children who currently do not receive public assistance. A majority are NPA cases where the children have never received public assistance (11,793 cases, or 49%), and another 26% are former TANF cases (6,278 cases). The remaining 25% are current TANF, Title XIX, or foster care cases (6,038 cases). The average child support payment is the same as reported in **Figure 5** above (\$174 per week), but with a wider range across the five case types. Payments are lowest, on average, in TANF cases (\$94 per week). While the average payments are highest in the two cases where the children are in foster care (\$404 per week), this small sample size limits broader conclusions. A more representative comparison shows that payments are highest for children who have never received public assistance (\$221 per week). The compliance rates also reflect more variation around the average and median rates statewide. Not surprisingly, compliance is lowest in TANF cases, with child support orders being fully paid in approximately just 41% of cases. Compliance rates are highest in Title XIX, with full payment in 74% of cases, on average. Only a small percentage of case types other than TANF have no payments, on average (12% or less). However, 26% of TANF cases on average have no payments.

Overall, our review of the data on actual child support payments under the current guidelines confirms that payors are making their child support payments in full in most cases, regardless of location or case type. Moreover, cases with no child support payments being made are relatively rare. Those results reflect favorably on the guidelines and on the Court's effective exercise of its discretion in setting child support orders under the guidelines or deviating as appropriate. The exceptions seem to be in families with recipient incomes low enough to qualify for TANF. Our analysis of written findings and deviations summarized in the next section indicates the Court is applying its discretion in cases where the child support amount under the guidelines may be a substantial hardship for a payor, justifying a deviation from the guidelines.

## 2. Case Data on Findings and Deviations

In addition to the DOR data on actual payments under the current guidelines, we analyzed case data on the application of the guidelines. Specifically, we analyzed data collected by the Massachusetts Probate and Family Court from its MassCourts database for all cases with an entry of child support guidelines in each of the Court's 14 divisions for cases filed between October 4, 2021, and September 30, 2024. <sup>10</sup> The Court issues findings when a judge deviates from the guidelines or imputes or attributes income to a parent.

Includes the following classifications: Domestic Relations, Domestic Relations/Other, DR Custody, Support and Parenting Time, Joint Petition, and Paternity Managed; and the following docket codes: CSG, CSGJ and FCSG.

Deviations may occur as a result of a variety of circumstances. For example, a payor and recipient may voluntarily agree to a child support amount different from the guidelines amount. The Court is not bound to approve an alternative amount of support just because the parties request it, but it may deviate from the guidelines in consideration of such a request. The Court also may deviate in cases where the parties have not agreed on a child support amount but where the judge finds an alternative amount is in the best interest of the child. That said, frequent deviations from the presumptive orders under the guidelines may indicate a need to revise the guidelines so they yield appropriate child support amounts more broadly. Courts should deviate from the guidelines in exceptional circumstances. But if the guidelines are well-constructed, deviations will be just that— exceptions, and the guidelines will be the rule.

In addition to deviating from the results of applying the guidelines, the Court may impute or attribute income to one or both of the parents in running the guidelines worksheet. The Court may impute income when "a parent has, in whole or in part, undocumented or unreported income," whereas "income is attributed to a parent when the Court determines a parent is capable of earning more than is currently being earned and assigns a hypothetical amount of income to the parent." Imputed or attributed income are findings made by the Court, but are not, themselves, deviations from the guidelines. Rather, imputed or attributed income findings are instances where the guidelines are used based on the Court's assumptions about income.

Default orders are issued because the payor did not appear at the case conference or Court hearing, or failed to provide income information.

The MassCourts data show the number of such cases by division and with findings. **Figure 7** shows these totals sorted by the percent of cases with findings between October 2021 and September 2024, and shaded to highlight the Court divisions with the highest rates of findings.

The most cases were in the most populous counties (Middlesex, Worcester, and Essex), but the highest proportion of findings (between 30% and 40%) were in western Massachusetts (Berkshire, Franklin, Hampden, and Hampshire), although Bristol County in the southeast also ranked among the top. <sup>12</sup> On average, Massachusetts Probate and Family Court judges deviated from the current guidelines, imputed or attributed income, or entered an order by default in 26% of cases filed between October 4, 2021, and September 30, 2024. The median deviation rate (the middle rate, eliminating the effect of high and low outliers) was 24%.

<sup>&</sup>lt;sup>11</sup> See <a href="https://www.mass.gov/info-details/2021-child-support-guidelines-section-i-income-definition#d-imputation-of-income-">https://www.mass.gov/info-details/2021-child-support-guidelines-section-i-income-definition#d-imputation-of-income-</a>.

<sup>&</sup>lt;sup>12</sup> The higher deviation rates in western Massachusetts counties likely reflect the local case mix and relatively small caseloads.

FIGURE 7: DISPOSITIONS AND FINDINGS BY COUNTY, OCTOBER 4, 2021 - SEPTEMBER 30,2024

County	Dispositions	Findings	% Dispositions with Findings
1 Franklin	1,148	462	40.2%
2 Hampden	8,643	3,175	36.7%
3 Berkshire	2,176	755	34.7%
4 Bristol	8,345	2,866	34.3%
5 Hampshire	2,032	692	34.1%
6 Essex	11,366	3,147	27.7%
7 Suffolk	8,006	2,021	25.2%
8 Plymouth	5,640	1,286	22.8%
9 Worcester	10,496	2,126	20.3%
10 Dukes	124	25	20.2%
11 Barnstable	2,529	462	18.3%
12 Middlesex	14,819	2,394	16.2%
13 Norfolk	5,158	745	14.4%
14 Nantucket	65	8	12.3%
Overall	80,547	20,164	25.5%

Source: Data from the Massachusetts Probate and Family Court.

Thus, the data on cases with findings, in isolation, did not indicate a need to revise the guidelines. However, the Court not issuing written findings does not necessarily mean findings were not economically appropriate. It is unclear from the MassCourts data and documents we reviewed whether the findings form is used consistently within a given division or across different divisions of the Court.

## 3. Overview of Findings

In addition to noting how many cases under the new guidelines had findings, we applied a sampling methodology to profile measurable trends. We obtained a random sample of 259 new cases or modifications filed between October 4, 2021, and September 30, 2024, with findings. <sup>13</sup>

This sample is approximately 1.3% of all cases with findings, and 0.3% of case dispositions in each of the Court's 14 divisions.

We randomly selected the sample cases from each of the Court's 14 divisions. <sup>14</sup> For each case, the Court pulled from the MassCourts database case files the guidelines worksheet, financial statements, support orders, judgments, stipulations, and separation agreements. We then extracted and structured those data.

#### a. Findings Overview

**Figure 8** below reports the number of sample cases with findings reflecting defaults, attributed or imputed income, and deviations.

FIGURE 8: SAMPLE OF FINDINGS BY TYPE AND YEAR

	Deviations	Defaults	Imputed	Total Fi	ndings
	Deviations	Delautto	Income	#	%
202	1 21	0	1	22	8%
202	2 83	6	7	90	35%
202	3 75	2	3	78	30%
202	4 66	2	3	69	27%
Total	245	10	14	259	100%
	95%	4%	5%	100%	

Source: MassCourts case file review.

The imputed income column includes attribution, and either may coincide with default. Thus, the number of total findings is less than the sum of deviations, defaults, and imputed/attributed income cases.

Most (95%) of the cases with findings were deviations. In addition to the 95% of sample cases with deviations, relatively few sample cases reflect attributed or imputed income or defaults. We observe attributed or imputed income in only 5% of cases, and defaults in 4% of cases.

The low incidence of income attribution/imputation and default cases may reflect well on the guidelines, as well as inconsistent use of the findings form and, in turn, incomplete information from the form. The findings form is intended to record any instance of default, attribution and imputation, or deviation. However, since virtually all our sample cases with findings were for deviations, the true number of defaults and cases with attributed/imputed income may be higher than the number with findings. Since the findings form is the only source of these data, we cannot know the extent of any unobserved case findings.

To ensure representativeness, we determined sample sizes for each division based on proportional case volumes, then applied random sampling to select individual cases. This approach was intended to yield a reliable overview of both deviation and non-deviation decisions. The Court supplied us with the underlying case data for deviation matters.

#### b. Deviations Overview

**Figure 9** below profiles the proportion of cases with deviations in our sample by Court division, as well as the percent of cases by number of children and parenting plan. The table is sorted by the divisions with the highest proportion of deviations.

FIGURE 9: CASE FILE OVERVIEW

		Number of Children			Worksheet Type		
County	% Findings	% One	% Two	%> Two	Box 1	Box 2	Box 3
1 Franklin	2%	50%	33%	17%	50%	33%	17%
2 Hampden	16%	51%	36%	13%	15%	82%	3%
3 Berkshire	4%	40%	50%	10%	10%	80%	0%
4 Bristol	13%	45%	32%	19%	10%	87%	0%
5 Hampshire	4%	20%	70%	10%	50%	50%	0%
6 Essex	13%	48%	19%	23%	23%	61%	3%
7 Suffolk	11%	64%	14%	18%	11%	86%	0%
8 Plymouth	7%	39%	56%	6%	17%	72%	0%
9 Worcester	10%	54%	38%	8%	21%	67%	4%
10 Dukes	0%	100%	0%	0%	0%	100%	0%
11 Barnstable	2%	60%	40%	0%	40%	60%	0%
12 Middlesex	12%	47%	40%	10%	10%	87%	0%
13 Norfolk	5%	42%	33%	17%	17%	75%	0%
14 Nantucket	0%	N/A	N/A	N/A	N/A	N/A	N/A
Overall	100%	49%	35%	14%	18%	76%	2%

Source: MassCourts case file review

Roughly half (49%) of all cases with deviations are for one child, 35% are for two children, and 14% are for three or more children. The children primarily live with the recipient (Box 2 in Line 1b of the worksheet) in 76% of deviation cases, and parents share financial responsibilities and parenting time approximately equally (Box 1 in the worksheet) in 18% of deviation cases.

Figure 10 shows that in a large majority (86%) of deviation cases, the orders deviated downward from the guidelines amounts: it ordered some child support in 41% of cases, but 31% lower than the guidelines amounts on average, and it entered zero orders in 32% of deviation cases. It deviated upward in 11% of cases, by 24% on average. Average combined gross income was lowest in cases with downward deviations to non-zero support amounts (\$2,195 per week) and was highest in cases with no support ordered (\$2,678 per week). These relative results suggest the Court is deviating in relatively few cases and in expected ways: deviating downward in cases with lower combined incomes, and deviating upward in cases with relatively high combined incomes where the ability to pay child support is greatest.

FIGURE 10: SUMMARY OF SAMPLE DEVIATIONS

	Total		Average			Deviation/
Deviation Type	#	%	Deviation	Guideline	Income	Guideline
No Support Ordered	78	32%	\$0	\$141	\$2,678	-100%
Decrease	132	54%	\$211	\$307	\$2,195	-31%
Increase	26	11%	\$386	\$311	\$2,610	24%
Unclear	9	4%	\$271	N/A	N/A	N/A
Any	245	100%	\$164	\$252	\$2,404	-35%

Source: MassCourts case file review. Income is Combined Gross Income (Parent A + Parent B).

**Figure 11** summarizes the reasons for deviation reported in the findings form, "Findings and Determinations for Child Support and Post-Secondary Education," which must be filled out and signed by the judge upon deviating from the guidelines. The form provides a list from which to mark "[t]he specific circumstance of the case which justify departure from the guidelines." Based on our review, we grouped the deviation rationale into twelve separate categories.

FIGURE 11: DEVIATION RATIONALE

Reason (Checked or Written)	Frequency	%
AGREED-NEGOTIATED	122	50%
NO REASON	34	14%
SELF SUPPORT	33	13%
OTHER	32	13%
UNJUST	17	7%
DISPARITY	2	1%
INCARCERATED	2	1%
EXTRAORDINARY EXPENSE	2	1%
PARENTING TIME	1	0%
CHILD CARE	0	0%
>40% OF INCOME	0	0%
SPECIAL NEEDS	0	0%
Total	245	100%

Source: MassCourts case file review

**Figure 11** shows that in a majority (50%) of deviation cases, the Court cited agreement between the parties ("AGREED-NEGOTIATED). Collectively, the payor's ability to self-support ("SELF SUPPORT"), unjust guidelines amounts ("UNJUST"), and gross disparity in standard of living between the parents ("DISPARITY") were cited in 21% of deviation cases (13%, 7%, and 1%, respectively). Notably, none of the sampled cases explicitly identified child-care costs, the special needs of a child or orders greater than 40% of income as grounds for deviation in the written record. However, there is substantial variation in how deviations are documented. In many cases, reasons for deviation are omitted or presented ambiguously. As a result, the sampling statistics presented may not fully capture the range or frequency of justifications used for deviations from the guideline amounts.

#### c. Income and Costs Overview

The sample of MassCourts case files also allowed us to profile parents' incomes, child care costs, and health care costs reported in the guidelines worksheet. **Figure 12** reports average weekly combined gross income and child care and health care costs for case files reporting them, sorted by the Court divisions with the highest reported weekly combined incomes.

FIGURE 12: WEEKLY INCOME, CHILD CARE COSTS, AND HEALTH CARE COSTS

County	<b>Average</b> Income Health Care Child Care							
County	IIICOIIIE	rieditii Care	Cilità Cale					
1 Middlesex	\$3,279	\$93	\$398					
2 Plymouth	\$3,114	\$166	\$343					
3 Hampshire	\$3,066	\$93	\$350					
4 Norfolk	\$2,650	\$136	\$200					
5 Essex	\$2,561	\$122	\$135					
6 Suffolk	\$2,395	\$140	\$365					
7 Franklin	\$2,295	\$104	\$66					
8 Worcester	\$2,018	\$167	\$151					
9 Barnstable	\$1,929	\$173	N/A					
10 Berkshire	\$1,836	\$102	\$193					
11 Bristol	\$1,824	\$131	\$174					
12 Dukes	\$1,600	N/A	N/A					
13 Hampden	\$1,565	\$103	\$101					
14 Nantucket	N/A	N/A	N/A					
Overall	\$2,239	\$126	\$213					

Source: MassCourts case file review

This table shows that, on average, combined weekly gross incomes in cases with findings were highest in Middlesex (\$3,279 per week) and lowest in Hampden (\$1,565 per week). Average child care costs were \$213 per week, ranging from \$398 per week in Middlesex to \$66 per week in Franklin. Average health care costs (for family coverage) were \$126 per week, ranging from \$173 per week in Barnstable County to \$93 per week in Middlesex and Hampshire Counties.

### d. Summary of Case File Review

Based on the case files we received from the MassCourts database, we observed relatively few defaults or cases with attributed or imputed income. This is an encouraging result, if the case files accurately reflect the universe of cases with findings. Existing studies analyzing payment patterns, default rates, and imputed income indicate child support payments are less likely to be paid when income is imputed to the payor. However, it is unclear whether the case files we reviewed are truly representative of all defaults and attributed/imputed income, or whether the findings form the Court introduced to track these outcomes under the guidelines is being used in all cases with findings, rather than primarily in deviation cases. Improved case tracking and data recording in an automated system – instead of scanned documents – would allow for a broader and more conclusive review of these issues in future guidelines reviews.

Even with the known limitations of the case data available for this analysis, our results suggest the rates of default, income attribution or imputation, and deviation under the Massachusetts guidelines continue to be low and appropriately reflect the types of characteristics we would expect in such cases. This result is similar to our analyses of deviation patterns in prior guidelines reviews, and it suggests the guidelines are working well overall. In Massachusetts, the guidelines amounts seem to be the rule in most cases, with written findings and deviations required only by relatively rare exception.

# IV. Massachusetts Revised Guidelines

In the 2024-2025 guidelines review, we discussed with the Task Force the public comments it received; economic approaches used to estimate child costs; current child cost estimates from economic studies; and economic data on labor market conditions, household income, and

US Department of Health and Human Services Office of Inspector General. (July 2000.) The Establishment of Child Support Orders for Low Income Non-custodial Parents. P. 16. Retrieved from The Establishment of Child Support Orders for Low Income Non-Custodial Parents (OEI-05-99-00390; 7/00) (hhs.gov).

household expenditures for housing, child care, and health care in Massachusetts relative to other states. We also discussed the structure of the current guidelines and the corresponding guidelines amounts relative to economic principles and to other states' guidelines, including the five states neighboring Massachusetts and four other relatively high-income states. We reported to the Task Force on the potential impacts of proposed changes to the guidelines and on their implementation in the guidelines worksheet and chart.

This section of our report discusses the nature and impact of changes to the guidelines worksheet the Task Force ultimately recommended and the Trial Court implemented in the 2025 revised guidelines. Subsequent sections summarize the underlying economic concepts and comparisons of the child support amounts under the revised guidelines with current child cost estimates and guidelines amounts in other states.

## A. Child Support as a Percentage of Income

As part of its 2024-2025 guidelines review, the Task Force considered changes to the income levels and marginal percentages in Table A of the guidelines worksheet used to determine the guidelines amounts for one child. We discussed the current guidelines amounts with the Task Force relative to available benchmarks, including estimates of child costs from economic studies and guidelines amounts in other states. Those data and comparisons are discussed in Section V.C of this report. To summarize, the Massachusetts current guidelines amounts are lower than economic estimates of child costs for parents with low incomes and are increasingly higher than the estimates at middle- and high-income levels. The Massachusetts guidelines amounts are also higher than in the five neighboring states and the four high-cost states in almost all scenarios with one child and in most cases with multiple children, before considering child care and health care costs or when the parents split those costs. When the recipient pays all of the child care and health care costs, the current guidelines amounts in Massachusetts are within the range of amounts in the nine benchmark states.

We had an ongoing conversation with the Task Force throughout its review about the income thresholds and percentages in Table A of the worksheet and the resulting child support amounts for one child. This conversation focused on three elements of Table A: the minimum order at low incomes, the maximum income level to which the guidelines should apply, and the income tranches and marginal percentages in between those endpoints.

## 1. Minimum Orders and Payor Self-Support

As mentioned above, federal law explicitly requires state child support guidelines to account for a payor's ability to pay in some way that:

"Takes into consideration the basic subsistence needs of the noncustodial parent (and at the State's discretion, the custodial parent and children) who has a limited ability to pay by incorporating a low-income adjustment, such as a self-support reserve or some other method determined by the State..."

This is an especially difficult economic problem to solve since, by design, this requirement presents competing objectives with too little resources to fully meet them. In low-income cases, there is simply not enough money to cover the basic costs of both the children and the parents, especially in a relatively high-cost state like Massachusetts. So, assuring a payor's ability to pay for both their own basic costs and child support creates a trade-off for the too few dollars a low-income payor has to cover both costs.

The \$12 per week minimum order in the current guidelines was decreased from \$25 per week as a result of the prior (2020–2021) guidelines review. The prior task force recommended this decrease because a \$25 per week minimum order was high relative to the 2021 federal poverty guideline amount of (\$249 per week) and a \$12 per week minimum order was more aligned with benchmark states.

Setting the first two (payor income only) tranches in Table A relative to the federal poverty guideline is intended to allow a payor to retain enough income to meet essential living expenses while also helping to cover child costs. It is also intended to avoid child support orders beyond a low-income payor's ability to pay, which are uncollectible and can lead to lower compliance, accumulating arrears, labor force withdrawal, or incarceration.

The low-income tranches in most states' guidelines are set relative to the federal poverty guideline, reducing or waiving child support from a payor with income below some percentage of the poverty guideline amount. Research shows low-income noncustodial parents who pay even a token amount of child support are more likely to be involved in their children's lives,

<sup>&</sup>lt;sup>16</sup> 45 CFR §302.56 (c)(ii).

which is linked to better academic, behavioral, and emotional outcomes.<sup>17,18</sup> Research affirms child support is an important source of income for low-income recipients.<sup>19</sup> One study estimates that without child support the national child poverty rate would be 5 percentage points higher.<sup>20</sup> That said, empirical findings also consistently indicate that child support orders exceeding 30% to 50% of a payor's income substantially reduce compliance, resulting in fewer dollars actually reaching children and creating financial instability in custodial households.<sup>21</sup>

The \$249 per week income limit for the low-income tranches in Massachusetts' current guidelines no longer reflects the poverty guideline threshold. The 2025 poverty guideline is \$15,560 per year (\$301 per week) or 17% higher than this income limit, which is the lowest limit among the nine benchmark states. **Figure 13** shows the income limits for each of the seven benchmark states that have a self-support reserve (SSR) explicitly tied to the federal poverty guideline. The income limits for these SSRs range from 100% to 130% of the poverty guideline. The mean benchmark SSR is 128% of the poverty guideline and the median is 130%.<sup>22</sup>

Nepomnyaschy, Lenna, and Garfinkel, Irwin. (2010). "Child Support Enforcement and Fathers' Contributions to Their Nonmarital Children." https://pmc.ncbi.nlm.nih.gov/articles/PMC3060035

This may not be the case when income is imputed. Child support orders based on imputed income are strongly associated with lower compliance and higher arrears, especially for low-income payors.

Per Solomon-Fears, Carmen, Eugene Henry Falk, and Adrienne L. Fernandes. Child well-being and noncustodial fathers. Congressional Research Service, 2019. <a href="https://www.ncsea.org/wp-content/uploads/2013/02/CRS-Child-Well-Being-Noncustodial-Fathers-2.12.13.pdf">https://www.ncsea.org/wp-content/uploads/2013/02/CRS-Child-Well-Being-Noncustodial-Fathers-2.12.13.pdf</a>: "For low-income, TANF-receipt families, child support payments may not reach the children. This may be a disincentive to pay child support. In brief, TANF families are required to assign their child support rights to the state. As long as the child support payment collected on the TANF family's behalf is smaller than the state's TANF benefit for a family of the relevant size, the family remains on the TANF program and the child support collected for the family is divided between the state and the federal government, with the state having the authority to "pass through" some, all, or none of its share of the child support collected to the family without it affecting the family's TANF benefit and with the federal government sharing in some of the costs of giving the money to the family."

Notably, TANF cases have the lowest average compliance rate in the data DOR provided to the Task Force.

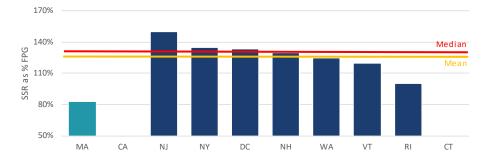
Sorensen, Elaine, and Chava Zibman. "Child Support Offers Some Protection against Poverty. New Federalism: National Survey of America's Families, Series B, No. B-10. Assessing the New Federalism: An Urban Institute Program To Assess Changing Social Policies." (2000). <a href="https://www.urban.org/sites/default/files/publication/62111/309440-Child-Support-Offers-Some-Protection-Against-Poverty.pdf">https://www.urban.org/sites/default/files/publication/62111/309440-Child-Support-Offers-Some-Protection-Against-Poverty.pdf</a>

See, e.g., Hodges, Leslie, Daniel R. Meyer, and Maria Cancian. What Happens When the Amount of Child Support Due Is a Burden? Revisiting the Relationship Between Child Support Orders and Child Support Payments. Institute for Research on Poverty, University of Wisconsin-Madison, 2020

Each state's approach in low-income cases is unique and can be difficult to interpret. For example: CA applies a sliding-scale adjustment for payors below minimum wage (40 hours per week x \$16.50 per hour = \$660), not a minimum order per se; NJ adjusts the minimum order owed by the noncustodial parent if the custodial parent's income is also below its SSR threshold. NY caps child support at the difference between the payor's income and the SSR amount when the payor's income only slightly exceeds its SSR threshold; RI set its SSR at 100% of FPG in 2022, so it is now below 100% of the current FPG; CT has not updated its SSR relative to FPG since 2015; VT adjusts its SSR annually to reflect the change in FPG each year.

FIGURE 13: MINIMUM ORDERS BY STATE

State	MA	CA	NJ	NY	DC	NH	WA	VT	RI	CT	Mean	Median
Minimum Order (\$/week)	\$12	\$0-12	\$5	\$6	\$0-18	\$12	\$12	\$0	\$12	\$ 5-70		
Income Measure	Gross	Net	Net	Gross	Gross	Net	Net	Net	Gross	Gross		
SSR (Gross equiv. ~\$/week)	\$249	\$705	\$471	\$406	\$400	\$404	\$387	\$370	\$308	\$280	\$415	\$400
Stated SSR as % FPG	83%	N/A	150%	135%	133%	130%	125%	120%	100%	N/A	128%	130%



Source: Child support guidelines for each state

After discussing this issue, the Task Force recommended increasing the weekly income thresholds in the two low-income tranches of Table A from \$210 to \$301 and from \$249 to \$391. These thresholds represent an increase of 43% and 57%, respectively. They also represent 100% and 130% of the 2025 poverty guideline amount. This puts Massachusetts' SSR at the median level of the seven benchmark states whose SSRs are explicitly tied to the poverty guideline. This change to the low-income tranches of Table A results in a significant change to the child support amounts in cases with low-income payors.

Expanding the income range for minimum orders under the revised guidelines means lower child support amounts in more cases than under the current guidelines. Specifically, this difference will be observed in cases with payors whose income is between \$250 per week and \$391 per week (i.e., above the current low-income limit but within the revised low-income limit). In those cases, the child support amounts will be significantly lower because the minimum order amounts are lower by design.

The Task Force extensively considered the economic impact of this revision. Ultimately, it decided the limited available income has a higher marginal benefit in the payor's household since custodial parents with very low incomes who receive public assistance often receive little direct child support (as the state may retain most of the child support payments). The Task Force's intent in increasing the SSR is to maximize the value of the limited dollars available across both parents' households, balancing the financial needs of payors and children, as federal law requires, and bringing Massachusetts' guidelines more in line with (to the median, of) the SSRs in the benchmark states in **Figure 13**, rather than having the lowest SSR.

Partially offsetting the resulting decrease in child support amounts in this income range, the Task Force also recommended increasing the minimum order from \$12 per week to \$15 per week, a 25% increase, to mitigate the impact of the higher SSR and to account for the increase in costs from 2021 to today. Therefore, under the revised guidelines the minimum order in the is \$15 per week for a payor with income up to the federal poverty guideline level of \$301 per week. For a payor with income between \$301 per week and \$391 per week (130% of the poverty guideline), the revised guidelines amount is \$15 per week plus 20% of the payor's available income between \$301 and \$391 per week. For example, the revised guidelines amount is \$33 per week for a payor with \$391 per week of income.<sup>23</sup>

As in the current guidelines (at just above \$249 per week), the child support amounts for payors with incomes just above the (increased) low-income threshold of \$391 per week in the revised guidelines will be a clear step higher than the amounts for payors with incomes within the low-income adjustment range. For example, the maximum guidelines amount for a payor at the top of the new low-income range at \$391 per week of available income is \$33 per week for one child. The corresponding guidelines amount for a payor with an additional \$1 of available income (\$392 per week) and therefore not within the low-income range could be as high as \$86 per week (calculated as 22% of \$392).<sup>24</sup>

While the lower guidelines amounts within the revised low-income range create this wide gap for payors with available incomes just above that range, those payors will not experience any change relative to the current guidelines amounts because the Task Force did not change the percentage in Table A of the guidelines worksheet at that income level. The first tranche of Table A in the revised worksheet just beyond the shaded area remains 22% of combined available income. Therefore, a payor with income just beyond the revised SSR will pay more child support than a payor at the top of the SSR, but will not pay more under the revised guidelines than they already pay under the current guidelines.

#### 2. Maximum Income Level

The Task Force also extensively discussed the maximum level of combined available income to which the revised guidelines should apply. This income maximum is implemented in the guidelines worksheet as the highest income level listed in the last tranche in Table A. The current income maximum is \$400,000 per year (\$7,692 per week).

<sup>&</sup>lt;sup>23</sup> That is,  $$15 + 20\% \times ($391 - $301) = $33$ .

<sup>&</sup>lt;sup>24</sup> This assumes the recipient has \$0 of available income.

In considering whether to revise the maximum income level, the Task Force considered both the observed increases in incomes and costs in Massachusetts, as well as the maximum income levels in other states' guidelines.

**Figure 14** shows the distribution of maximum income levels specified in other states' guidelines, stated in dollars per year. They vary widely, from as low as \$50,000 per year (in Mississippi) to as high as \$1.2 million per year (in Utah). In addition, two states' guidelines (California and Montana) do not have any limit on the income to which their guidelines apply.

The current \$400,000 per year income maximum places Massachusetts in the upper third of all states. It is the twelfth-highest state in the distribution and is 22% above the median (\$329,292 per year) and 11% above the mean (\$360,000 per year). Massachusetts' current maximum income level is lower than one neighboring state (Rhode Island at \$480,000 per year), is just higher than another (New Hampshire at \$373,068 per year), and is significantly higher than Vermont (\$360,000 per year), Connecticut (\$208,000 per year), and New York (\$183,000 per year). The most common income maximum is \$360,000 per year, which is specified in 12 economically and geographically diverse states.

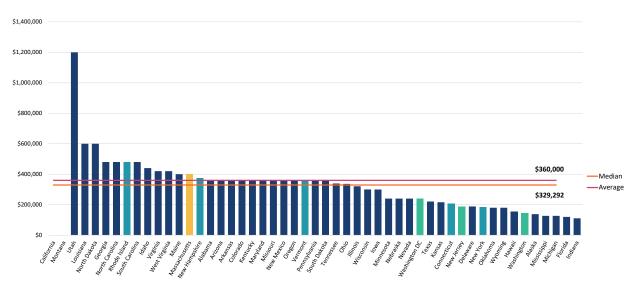


FIGURE 14: MAXIMUM INCOME LEVELS BY STATE

Source: Child support guidelines for each state

Note: California and Montana have no maximum income level to which their guidelines apply

Based on these data, and understanding that both incomes and costs have increased since the prior review and will continue to increase before the next review, the Task Force recommended increasing the income maximum in the revised guidelines to \$450,000 of combined available income per year. This is an increase of \$50,000, or 12.5%. This increase is roughly consistent

with (slightly less than) the observed increase in overall inflation since the \$400,000 maximum was set four years ago. **Figure 15** shows the change in the Consumer Price Index (CPI) from October 2021, when the current guidelines originally became effective, to today. In that time, the national CPI increased from 276.6 to 319.08, or by 15%. The local CPI (for the Boston MANH metropolitan area) increased from 299.7 to 343.5 over the same time period, also by 15%.



FIGURE 15: CPI (ALL ITEMS), US & MA-NH

The revised Massachusetts guidelines apply to all available income in almost all cases in the Commonwealth, since \$450,000 per year is roughly four times the level of median household income and more than double the highest income level reported by the US Census Bureau for the income distribution in Massachusetts. The impact of this change to Table A of the guidelines will be to increase the guidelines amounts in cases where the parents have combined available income between \$400,000 and \$450,000. Based on the percentages the Task Force recommended for the revised Table A (see below), this increase will be 10% of the income between \$400,000 and \$450,000. So overall, the revised guidelines amount is \$104 per week higher than the current guidelines amount in a case with \$450,000 per year of combined available income. The increase is less in cases with less income above the current \$400,000 per year limit. The amount of this overall increase a particular payor ends up paying will depend on the payor and recipient's relative shares of combined available income.

According to the US Census Bureau, the median household income in Massachusetts was \$99,858 per year in 2023, and 78.9% of all households have incomes below \$200,000 per year. (2023 ACS 1-Year Estimates Data Profiles, Table S1901, <a href="https://data.census.gov/table/ACSST1Y2023.S1901?t=Income+(Households,+Families,+Individuals)&g=040XX00US25.">https://data.census.gov/table/ACSST1Y2023.S1901?t=Income+(Households,+Families,+Individuals)&g=040XX00US25.)</a>

<sup>&</sup>lt;sup>26</sup> In such a case, the additional child support on the incremental \$50,000 of income above the current \$400,000 maximum under the revised Table A (see below) is 10%, or \$96 per week. Minor changes to the lower tranches of the revised Table A account for the other \$8 per week.

The economic data are scant on child costs as a percentage of higher and higher levels of income. Clearly, the share of income required to cover child costs at very high income levels is lower than at lower levels of income. Basic child costs account for the highest share of available income in households with the least income, and are a smaller share of available income as income increases. At middle-income levels, households may spend more on children in absolute dollars as the children share in their parents' higher standard of living. But child costs still account for a lower share of household income as it increases. This is the reason the marginal percentages in Table A take the shape illustrated in **Figure 1** above. Child costs as a percentage of income are highest at low incomes, decrease at an increasing rate at middle and high incomes, and decrease more slowly at very high incomes because, by then, they already account for a relatively low share of income.

In recommending an increase in the income maximum under the revised guidelines, the Task Force discussed a range of economic, legal, and policy considerations regarding what amount of child support is appropriate after covering a child's basic costs. Its recommendation ultimately underscores the first two principles stated in the current guidelines of "1. promoting parental financial responsibility for children; [and] 2. meeting the child's needs in the first instance, and, to the extent a parent enjoys a higher standard of living, allowing the child to enjoy that higher standard."<sup>27</sup>

## 3. Income Tranches and Nominal Percentages

Having decided to recommend changes to both the minimum order and maximum income level in Table A of the guidelines worksheet, the Task Force considered how to adjust the income tranches and marginal percentages in the rest of the table. The corresponding percentages are higher than the Massachusetts percentages at a particular income level in some benchmark states and are lower at the same income level in others. Broadly, the percentages tend to be lower in the neighboring states and higher in the high-cost states.

Having decided to recommend changes to both the minimum order and maximum income level in Table A of the guidelines worksheet, the Task Force considered how to adjust the income tranches and marginal percentages in the rest of the table. The corresponding percentages are higher than the Massachusetts percentages at a particular income level in some benchmark states and are lower at the same income level in others. Broadly, the percentages tend to be lower in the neighboring states and higher in the high-cost states.

<sup>&</sup>lt;sup>27</sup> Massachusetts guidelines, "Principles."

Throughout this review, we also presented to the Task Force, and revisited, child cost estimates from economic data, studies, and comparisons to guidelines amounts in neighboring and high-cost states by running thousands of hypothetical scenarios under the current and revised Massachusetts guidelines. Specifically, we compared the child support amounts from the benchmark states' guidelines, economic studies, and the current Massachusetts guidelines discussed below to the child support amounts under the guidelines over a wide range of scenarios. This helped the Task Force understand where, by how much, and why the Massachusetts guidelines amounts are lower or higher than a given benchmark. Together with other economic data and policy considerations, these comparisons helped inform the Task Force's recommendations on any changes to the guidelines text and worksheet.

The 2024-2025 Task Force ultimately decided to change the income thresholds and marginal percentages in the six income tranches in Table A above the two initial SSR tranches to: (1) minimize the impact of revising the SSR income level on child support amounts outside of that income range (beyond \$391 per week) up to the current maximum level (\$7,692 per week), and (2) extend the range of combined available income covered by Table A up to the higher revised maximum income level (\$8,654). Its objective was to change the income thresholds and marginal percentages together to minimize changes in the resulting guidelines amounts due to that re-tranching. In effect, the Task Force wanted to replicate the curve of the percentages shown in **Figure 1** above, but reflecting the expanded SSR and the higher income maximum under the revised guidelines. Where the re-tranching would necessarily result in small changes in the guidelines amounts, the Task Force wanted those changes to be upward not downward, so the re-tranching itself did not decrease child support amounts at any income level.

This was done by increasing the income thresholds (i.e., widening the income ranges) in the three income tranches beyond the SSR. These increases were from \$750 per week to \$1,000 per week, \$1,400 per week to \$1,600 per week, and \$1,400 per week to \$2,400 per week, respectively. These revised tranches include more income in the lower tranches and successively wider income ranges in the higher tranches. This effectively stretches the percentages in Table A of the current guidelines to higher levels of income. To avoid material changes in the guidelines amounts from this re-tranching, one of the marginal percentages (in the third tranche beyond the SSR) was changed from 19% to 18%. While this percentage decreases by one percentage point, the corresponding guidelines amounts increase slightly, since more income has already been re-allocated to the lower tranches with higher marginal percentages.

The guidelines amounts do not materially change due to the re-tranching. In most cases, they change by 1% or less (a few dollars per week) within the current \$400,000 income maximum. The increases are higher (up to 10%) on any incremental income between \$400,000 and \$450,000, since the revised guidelines now cover that higher level of income.

**Figure 16** shows the resulting curve reflecting the revised guidelines percentages, and **Figure 17** shows the revised Table A on which it is based.



FIGURE 16: REVISED GUIDELINES MARGINAL INCOME PERCENTAGES (1 CHILD)

Sources and Notes: Current MA 2021 CSG

FIGURE 17: TABLE A OF REVISED GUIDELINES

All dollar amounts are weekly and rounded to the nearest dollar

Mi	INCOM nimum	E FROM W	ET ximum			CHILD SI	JPPORT AMOU	NT (1 CHILD)		
\$	-	$\longrightarrow$	\$ 301	\$	15		unless the co	ourt deviate	S	
\$	302	$\longrightarrow$	\$ 391	\$	15	+	20%	above	\$	301
\$	392	$\rightarrow$	\$ 1,000				22%			
\$	1,001	$\longrightarrow$	\$ 1,600	\$	220	+	21%	above	\$	1,000
\$	1,601	$\longrightarrow$	\$ 2,400	\$	346	+	18%	above	\$	1,600
\$	2,401	$\longrightarrow$	\$ 3,500	\$	490	+	14%	above	\$	2,400
\$	3,501	$\longrightarrow$	\$ 5,000	\$	644	+	11%	above	\$	3,500
\$	5,001	$\longrightarrow$	\$ 8,654	\$	809	+	10%	above	\$	5,000

Line 8a of the revised guidelines worksheet continues to calculate the amount by which each parent's available income exceeds the new \$450,000 per year (\$8,654 per week) income maximum, in case the Court decides to order additional child support on any incremental income above the maximum. Where combined available income exceeds the \$450,000 limit, Section II.C.2 of the revised guidelines states:

"...the Court should consider the award of support at the \$450,000 level as the minimum presumptive order. The child support obligation for the portion of combined available income that exceeds \$450,000 shall be at the discretion of the Court. However, any percentage applied to the payor's income above the maximum level, as listed in Line 8b of the guidelines worksheet, should be below the percentage applied to the maximum level in Table A (10%), appropriately adjusted for the number and ages of the children."

The last sentence of this statement is not entirely new, but it is important to correctly calculate any child support on income above the \$450,000 maximum consistent with the declining percentages in Table A. If the Court decides to order such support, the appropriate percentage is ultimately at the Court's discretion. But from an economic perspective, that percentage should be below the marginal percentage applied to the highest income tranche in Table A. Simply re-running the guidelines worksheet on income above the \$450,000 income maximum is objectively incorrect because that would apply the higher percentages in the lower income tranches of Table A to higher income amounts that are literally off the chart. As a matter of economics, any percentage applied to income above the maximum level, as listed in Line 8b of the revised guidelines worksheet, should be below the 10% already applied to the highest income level in the revised Table A.

Again, the downward-sloping curve of the percentages in Table A reflects the economic reality of covering child costs subject to a budget constraint combined with a lower propensity to spend as income rises. Child costs account for a higher percentage of available income at low income levels and an increasingly smaller share of income at high income levels. As income increases, all else equal, child costs represent a smaller share of overall income. Given the structure of Table A, any marginal percentage the Court decides to apply to available income beyond the \$8,654 weekly maximum should be less than the marginal percentage at that income level absent specific reasons to do differently. In the revised guidelines, that marginal percentage is 10%. In most cases, the marginal percentage applied to higher income levels should start below that percentage and continue to decline at some rate, essentially extending the curve in **Figure 16** above to even higher income levels beyond the guidelines maximum. Absent specific reasons, applying higher marginal percentages than this to higher levels of income is inconsistent with the economic principles underlying the guidelines.

# B. Adjustment for the Number of Children

The Task Force also considered changes to the adjustment factors listed in Table B of the guidelines worksheet used to adjust upward the guidelines amounts for one child from Table A in cases with more children. **Figure 18** shows that the adjustment factors for two to four additional children in Table B (40%, 20%, and 10%) are within the range of the benchmark states. Ultimately, the Task Force decided not recommend any revisions to Table B.

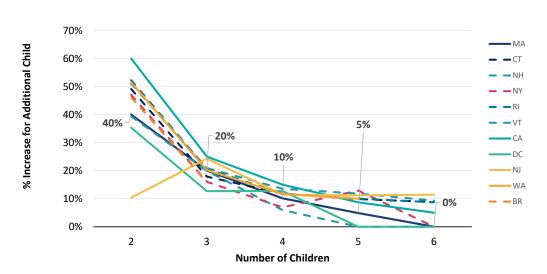


FIGURE 18: BENCHMARK ADJUSTMENT FACTORS FOR ADDITIONAL CHILDREN

	Number of Children							
Benchmark	2	3	4	5	6			
Child Cost Estimates								
Betson	46%	16%						
Neighboring States								
Connecticut	49%	18%	12%	10%	9%			
New Hampshire	39%	20%	6%	0%	0%			
New York	47%	16%	7%	13%	0%			
Rhode Island	52%	21%	12%	10%	9%			
Vermont	51%	21%	14%	12%	9%			
Average	48%	19%	10%	9%	5%			
High-Cost States								
California	60%	25%	15%	9%	5%			
Washington, DC	35%	13%	13%	0%	0%			
New Jersey	10%	24%	11%	11%	11%			
Washington	51%	20%	12%	10%				
Average	39%	21%	13%	7%	5%			
All Benchmarks								
Min	10%	13%	6%	0%	0%			
Max	60%	25%	15%	13%	11%			
Median	48%	20%	12%	10%	7%			
Average	44%	19%	11%	8%	5%			
MA guidelines	40%	20%	10%	5%				

# C. Adjustment for the Ages of Children

Likewise, the Task Force considered, but did not recommend any revisions to the Table C of the guidelines worksheet. It discussed and affirmatively decided it did not have a sufficient evidentiary basis to change the 25% nominal reduction in the guidelines amount for a child age 18 or over decided by a prior (2017) task force. We noted that the prior task force's recommendation for the 25% nominal reduction (as explained in the commentary embedded in the guidelines text) was a policy decision based on legal and practical considerations. There is little economic data and no clear consensus on the difference in cost for a child under 18 relative to a child 18 or over. The difference likely depends on a child's specific age and circumstances. Because the Task Force also did not recommend any revisions to the adjustment factors in Table B, the percentages in Table C are unchanged in the revised guidelines.

## D. College Costs

As part of the discussion of child costs for children over age 18, the Task Force also discussed economic considerations and data on college costs. Like the prior task force, the Task Force recognized that the cost of post-secondary education is frequently the most significant cost for a child. While there are fewer costs in the parent's household associated with a child who is living at college, the overall cost of college typically overwhelms any such cost savings.

Under Massachusetts law, the Court can require parents to cover college costs in addition to, or instead of, a child support order. Massachusetts' guidelines include the cost of post-secondary education as a factor the Court must consider in deciding whether to order child support for a child over age 18. The guidelines caps the amount a parent can be ordered to pay at 50% of undergraduate, in-state resident costs of the University of Massachusetts-Amherst ("UMass Amherst") as a cost benchmark, unless the Court finds the ability to pay more.<sup>28</sup>

To help inform the Task Force's discussion of college costs, we presented data on the range of currently-reported tuition, living costs, and other expenses at UMass Amherst for a in-state resident living on or near campus (not at home). **Figure 19** lists the costs for the four cost categories included in the guidelines: tuition, mandatory fees, housing, food, and books. These costs total \$37,015 for the 2025-2026 academic year, as reported on the UMass Amherst website at the time of writing this report.

<sup>&</sup>lt;sup>28</sup> Massachusetts guidelines, Section F, "Age of the Children."

FIGURE 19: COLLEGE COST BENCHMARK IN THE REVISED GUIDELINES

Categories	In-State
Tuition & Fees	\$18,487
Average Housing	\$9,336
Food	\$7,992
Books	\$1,200
Estimated Cost of Attendance	\$37,015

Source: University of Massachusetts-Amherst website at

https://www.umass.edu/financialaid/undergraduate/undergraduate-costs, accessed on June 27, 2025.

Figure 20 summarizes how the in-state, on-campus cost of attending UMass Amherst compares to the private Massachusetts college cost over the period the current guidelines have been effective, starting in 2021.<sup>29</sup>

FIGURE 20: MASSACHUSETTS COLLEGE COST TRENDS, 2021-2025

Year	Cost	% Increase Annual	Overall	Cost	% Increase Annual	Overall
		U Mass Amherst		MA Private (I	Non-Profit) 4-Ye	ar Colleges
2021-22	\$32,434	0.8%		\$61,364	2.4%	
2022-23	\$33,475	3.2%	3.2%	\$66,069	7.7%	7.7%
2023-24	\$34,666	3.6%	6.9%	\$69,242	4.8%	12.8%
2024-25	\$37,122	7.1%	14.5%	\$71,746	3.6%	16.9%

Source: CollegeTuitionCompare.com, accessed June 10, 2025.

Since 2021, the cost of UMass Amherst has increased by 15%, from approximately \$32,000 per year to over \$37,000 per year. The cost of UMass Amherst increased by 3.7% per year on average over this period. This increase is less than the growth in the cost of private colleges in Massachusetts – which increased by 4.6% per year on average and 17% overall in the same period – from approximately \$61,000 per year to \$72,000 per year. While future changes in college costs may differ, the trend suggests that the college cost benchmark in the guidelines will likely continue to increase by approximately 4% to 5% per year between now and the next guidelines review in 2029. If so, the benchmark cost under the guidelines could be more than \$45,000 per year or more by that time.

<sup>&</sup>lt;sup>29</sup> The UMass Amherst costs in **Figure 20** may differ slightly from the official benchmark guidelines cost reported on the University's website because it is from a different source that publishes historical data.

### E. Child Care and Health Care Costs

We discussed with the Task Force current economic data on the costs of child care and health care in Massachusetts, how the current guidelines handle these costs, and whether they warrant any revisions. Ultimately, the Task Force recommended: (1) increasing the benchmark weekly child care cost to \$430 per child, and (2) not changing how health care costs are accounted for (as a deduction from gross income) in the guidelines worksheet.

### 1. Child Care Costs

Massachusetts does not include child care costs in the guidelines amounts in Table A of the worksheet because not all parents incur them. Multiple sources consistently report the relatively high cost of child care in Massachusetts. For example:

<u>MIT Living Wage Calculator</u> reports the estimated average weekly child care costs for one child by state shown in **Figure 21**.<sup>30</sup> At \$430 per week, child care cost in Massachusetts is higher than in any other state except for Washington DC.

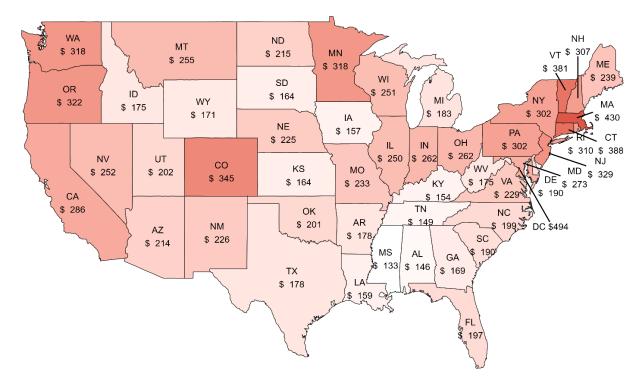


FIGURE 21: MIT LIVING WAGE ESTIMATE OF WEEKLY CHILD CARE COSTS

Source: MIT Living Wage Calculator

<sup>&</sup>lt;sup>30</sup> https://livingwage.mit.edu, accessed June 27, 2025.

Massachusetts Institute of Technology's (MIT's) Living Wage Calculator provides an annual estimate of the cost of living for low-wage families, considered as a "minimum cost threshold" for living in different communities in the US. It uses data from the USDA, the National Association of Child Care Resource and Referral Agencies, the US Department of Housing and Urban Development (HUD) Fair Market Rents, and the US Census Bureau's Consumer Expenditure Survey. The Calculator reports expenditure data by family size, composition, and location, using median childcare center cost where available and mean (average) otherwise. 31

<u>Massachusetts Department of Early Education (DOEE)</u>, a state-run agency, provides a market rate survey of child care costs every three years (Massachusetts Survey).<sup>32</sup> The most recent Massachusetts Survey, published in September 2022, reports child care costs for center-based child care for each of six regions across Massachusetts. **Figure 22** below shows the reported overall weekly child care costs.

FIGURE 22: COST OF FULL CHILD CARE (GSA) WEEKLY<sup>33</sup>

Region	Infant	Toddler	4 y/o
Region 1- Western	\$330	\$301	\$230
Region 2- Central	\$390	\$350	\$285
Region 3- Northeast	\$462	\$409	\$310
Region 4- Metro	\$555	\$520	\$420
Region 5- Southeast	\$352	\$320	\$270
Region 6- Metro Boston	\$590	\$493	\$350
Median	\$426	\$379	\$298
Average	\$446	\$399	\$311

Source: Massachusetts 2022 Market Rate Survey and Narrow Cost Analysis Final Report.

Amounts rounded to the nearest dollar.

https://livingwage.mit.edu/resources/living wage technical documentation.pdf, updated February 2025 and accessed June 27, 2025.

Available at <a href="https://www.mass.gov/doc/massachusetts-2022-market-rate-survey-and-narrow-cost-analysis-final-report/download">https://www.mass.gov/doc/massachusetts-2022-market-rate-survey-and-narrow-cost-analysis-final-report/download</a>. This federally-mandated study is intended to help states set their child care assistance programs subsidy reimbursement rates at a level sufficient to ensure equal access to comparable child care options for children eligible for subsidy as for children not eligible for subsidy. Federal guidance establishes the 75th percentile of market rates as the benchmark for providing equal access.

Consistent with other sources, the child care costs reported in the Massachusetts Survey are highest for infants and lowest for older children. It reports median and mean cost for infant care of \$426 per week and \$446 per week, respectively. These costs are consistent with the (\$430 per week) MIT Living Wage estimate, with three regions (Western, Southeast, and Central Massachusetts) below that estimate and three (Boston, Metro, and Northeast) above it.

<u>US Department of Labor</u> publishes state-level estimates of child care costs as part of the National Database of Childcare Prices (NDCP). The most current data reported are for costs through 2023. **Figure 23** shows these data for the US overall, Massachusetts, and each of the five neighboring states. The NDCP reports a national average cost for infant care of \$249 per week, which is lower than in any New England state. The corresponding cost in Massachusetts of \$446 per week is 79% higher than the national average and 40% higher than the \$319 per week average across the five neighboring states. This NDCP estimate for Massachusetts is within the range of regional costs reported in the Massachusetts Survey and matches the average cost in the Survey.

FIGURE 23: US DEPARTMENT OF LABOR, WOMEN'S BUREAU CHILD CARE COST ESTIMATES

State	Inf	ant		ge	
Massachusetts	\$ 446		\$	319	
United States	\$ 249	179%	\$	201	159%
Connecticut	\$ 369		\$	297	
New Hampshire	\$ 275		\$	227	
New York	\$ 393		\$	310	
Rhode Island	\$ 287		\$	246	
Vermont	\$ 274		\$	256	
Neighboring States	\$ 319	140%	\$	267	119%

Source: U.S. Department of Labor Women's Bureau National Database of Childcare Prices, State-Level Estimates 2018-2023, accessed June 27, 2025.

<u>Child Care Aware (CCA)</u> is a non-profit that also reports child care costs by state and age. Its 2023 Report estimates child care cost for the US overall, Massachusetts, and each of the five neighboring states. It reports an average cost of \$462 per week for infant care in Massachusetts. Consistent with the NDCP data, this cost is higher than both the national average or the corresponding cost in any neighboring state. The CCA infant care cost for Massachusetts is 68% higher than the \$274 per week national average and 34% higher than the \$345 per week average across the neighboring states.

FIGURE 24: CCA ESTIMATE OF WEEKLY CHILD CARE COSTS

State	Infant		Tod	dler	4-yea	r-old	Before Sch	e/After ool	Avera	age
Massachusetts	\$ 462		\$ 432		\$ 361		\$ 149		\$ 351	
United States	\$ 274	168%	\$ 248	174%	\$ 220	164%	\$ 110	136%	\$ 213	165%
Connecticut	\$ 344		\$ 316		\$ 283		\$ 149		\$ 273	
New Hampshire	\$ 332		\$ 308		\$ 281		\$ -		\$ 230	
New York	\$ 377		\$ 348		\$ 316		\$ 290		\$ 332	
Rhode Island	\$ 325		\$ 307		\$ 281		\$ 141		\$ 264	
Vermont	\$ 346		\$ 334		\$ 328		\$ 123		\$ 282	
<b>Neighboring States</b>	\$ 345	134%	\$ 322	134%	\$ 298	121%	\$ 176	85%	\$ 285	123%

Source: Child Care Aware of America, https://info.childcareaware.org/hubfs/2023 Affordability Analysis.pdf.

Taken together, the estimates of current child care costs reported by the four sources above reflect a significant increase in the four years since the prior guidelines review. For example, the \$355 per week child care benchmark cost in the current guidelines was based on the average cost reported in the Massachusetts Survey at that time. The change from \$355 per week to \$446 per week in the last four years is a 26% increase – a significantly higher rate of inflation than the 15% change in the overall CPI noted above (in **Figure 15**) over the same time period. Simply using the CPI to inflation-adjust the current benchmark of \$355 per week from 2021 to today suggests the equivalent benchmark today would be at least \$408 per week. <sup>34</sup> However, all four data sources above consistently show child care costs increasing even more quickly.

Based on the full range of available data, the Task Force ultimately recommended increasing the child care cost benchmark in the revised guidelines by 21% (more than the overall rate of inflation, but less than the full change between the current benchmark and the latest estimates), from \$355 per week to \$430 per week.

### 2. Health Care Costs

Federal regulations require state child support guidelines to address how a child's health care needs will be met through insurance or out of pocket.<sup>35</sup> Most states account for health care costs in their guidelines formulas as a deduction from available income. as Massachusetts' guidelines do. Massachusetts' guidelines also require the Court to determine whether health care coverage for children is available at reasonable cost and accessible, and, if so, may order either parent to obtain and maintain such coverage.<sup>36</sup>

<sup>&</sup>lt;sup>34</sup> \$355 per week x 1.15 = \$408 per week.

<sup>35 45</sup> CFR §302.56(c)(2).

<sup>&</sup>lt;sup>36</sup> Massachusetts guidelines Section H, *Health Care Coverage*.

A key point in ordering medical support is the affordability of health care coverage. Federal regulations require establishing a definition of affordability, and offer guidance at 5% of the gross income of the parent paying for coverage.<sup>37</sup> Each state may create its own definition of affordability. Following the federal guidance, Massachusetts' guidelines deem health care costs to be reasonable if they do not exceed 5 per cent of a parent's gross income.<sup>38</sup>

Like child care costs, health care costs in Massachusetts are relatively high compared to neighboring states and the national average. For example, insurance premiums for health care coverage in Massachusetts are higher for both single and family coverage. **Figure 25** shows the average weekly cost for single and family premiums for employer-based health insurance for the US overall, Massachusetts, and each of the five neighboring states.

FIGURE 25: COST OF HEALTH CARE COVERAGE

		Single P	remium				Family Premium				
Location	Employee Contribution	Emplo Contrib	•		Total		Employee Contribution	(	Employer Contribution	Total	
Massachusetts	\$39		\$183		\$222		\$146		\$507	\$653	
United States	\$32	123%	\$157	116%	\$189	117%	\$132	110%	<b>\$460</b> 110%	\$593	110%
Connecticut	\$39		\$168		\$208		\$147		\$491	\$638	
New Hampshire	\$35		\$167		\$202		\$114		\$500	\$613	
New York	\$36		\$176		\$212		\$141		\$507	\$648	
Rhode Island	\$33		\$161		\$193		\$117		\$450	\$567	
Neighboring States	\$36	109%	\$168	109%	\$204	109%	\$130	113%	<b>\$487</b> 104%	\$616	106%

Source: Agency for Healthcare Research and Quality Insurance /Employer Component Data (Under the section: Private Sector - State) as of 2023, accessed May 7, 2025

The average annual health insurance premium in Massachusetts is \$11,531 (\$222 per week) for single coverage and \$33,952 (\$653 per week) for family coverage. Employers cover approximately 80% of that total cost, leaving Massachusetts employees to pay \$2,018 per year (\$39 per week) for single coverage and \$7,597 per year (\$146 per week) for family coverage. The employee share of health care premiums in Massachusetts is higher for single coverage by 23% relative to the US average and by 9% over the average of the five neighboring states. The employee share of premiums for family coverage in Massachusetts is 10% higher than the national average and 6% higher than the average in neighboring states.

<sup>&</sup>lt;sup>37</sup> 45 CFR §303.31(a).

<sup>38</sup> Massachusetts guidelines Section H.

Notably, the cost of private health care coverage is higher for lower-income Massachusetts residents.<sup>39</sup> **Figure 26** illustrates the Massachusetts average annual employee contributions for employer-based family coverage by wage quartile. While the average Massachusetts employee pays \$7,597 per year (\$146 per week) for family coverage, this cost varies widely by income level, with employees in the highest wage quartile paying the least (\$6,564 per year; \$126 per week) and employees in the lowest quartile paying 8% more (\$7,113 per year; \$137 per week). Massachusetts employees in the middle wage quartiles pay the most for health care coverage. These cost disparities are likely even wider on a quality-adjusted basis, since higher-income earners are likely to have better health care coverage.

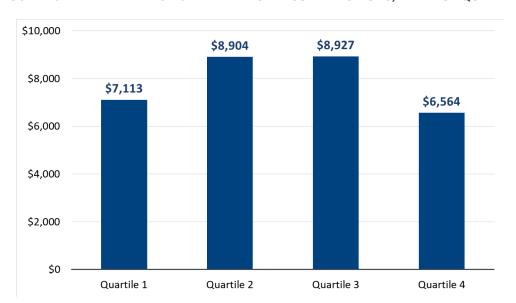


FIGURE 26: FAMILY PREMIUMS AND EMPLOYEE CONTRIBUTIONS, BY WAGE QUARTILE

Source: Agency for Healthcare Research and Quality, https://meps.ahrq.gov/survey\_comp/Insurance.jsp.

Again, the economic reality is that a given level of household income only goes so far. As health care cost continues to increase, a parent covering that cost has fewer dollars available to cover other child costs, especially in the lower-income tail of the distribution.

# 3. Accounting for Child Care and Health Care Cost

Child care costs and health care costs are a significant share of overall costs for parents in Massachusetts who pay them. Again, the Massachusetts median household income level is

<sup>39</sup> MassHealth provides free or low-cost health insurance to individuals and families with incomes up to 300% of the federal poverty level (FPL). See <a href="https://www.mass.gov/topics/masshealth">https://www.mass.gov/doc/masshealth</a>-and-the-health-safety-net-2025-annual-report/download.

approximately \$100,000 per year (approximately \$1,920 per week). <sup>40</sup> The revised child care cost benchmark of \$430 per week is over \$22,000 per child per year. This means child care for one child alone accounts for roughly 22% of all income in a median household and an increasingly higher wallet share in households at lower income levels. Similarly, the average employee cost of family health care coverage, at \$7,597 per year (\$146 per week) is roughly another 8% of median household income, and again is even higher in both relative terms and absolute dollars in households with lower incomes and less generous employer benefits.

Given the importance and relative magnitude of both child care and health care costs, it is an economic imperative for the guidelines to highlight these costs and handle them explicitly to ensure they are covered for children and are appropriately allocated between parents.

The child care cost benchmark introduced in the 2021 guidelines is consistent with the economic principle of parents sharing child costs in proportion to their ability to pay them per their relative incomes. It is also consistent with how child care costs are handled in most other states. As **Figure 27** shows, the five neighboring states and three of the four high-income benchmark states (all but California) also account for child costs as a proportional credit.

FIGURE 27: TREATMENT OF CHILD CARE COSTS BY STATE

	Income Share States										
Proportiona	al - Uncapped	Proportional -Capped	Not Proportional	States							
Arizona Arkansas Colorado Connecticut Florida Idaho Illinois Indiana Kansas Louisiana Maine Maryland Michigan Minnesota Missouri New Jersey Georgia	New Mexico New York North Carolina Oklahoma Pennsylvania Rhode Island South Carolina Tennessee Vermont Virginia Washington Guam New Hampshire Washington, D.C.	Ohio Oregon Massachusetts	Alabama Idaho Iowa Kentucky Nebraska South Dakota Utah Wyoming Mississippi Montana Wisconsin California	Alaska Hawaii Nevada North Dakota Texas Delaware							

Notes: Benchmark states highlighted blue; high-cost states highlighted red. Some states limit proportional cost sharing for low-income payors.

<sup>&</sup>lt;sup>40</sup> See **Figure 39** below.

Massachusetts' guidelines treat health care costs differently for two primary reasons. First, child care cost is an observable direct cost for a child. It is not a shared cost like family health care coverage, in which a child's part of the household's overall cost can be estimated but is not separately observed. Second, child care cost is significantly higher than health care cost in most cases, and is even higher than a child's part of a family's health care cost. At \$430 per week, the revised child care cost benchmark is nearly triple the \$146 per week average Massachusetts employee's share of health care coverage for an entire family.

Despite the high cost of child care and health care in Massachusetts, the guidelines appear to be appropriately accounting for them. In our analysis of the deviations data summarized above, there was no indication of child care costs or health care costs driving a material number of deviations. In **Figure 11** above, neither health care costs nor child care costs are mentioned in the findings form for a reportable number of cases; extraordinary costs are listed in only 1% of cases. Therefore, the Task Force decided not to recommend any changes to the way child care costs and health care costs are handled in the revised guidelines worksheet: child care cost continues to be credited up to a benchmark dollar amount, and health care cost is deducted from gross income at the top of the guidelines worksheet. The only change the Task Force recommended on these costs is to increase the child care cost benchmark to \$430 per week.

# V. Economic Estimates of Child Costs

Since federal law requires the guidelines to be reviewed every four years and for that review to consider economic data on child costs, most states' guidelines are based, to varying degrees, on specific economic studies. This section of our report summarizes the economic principles, approaches, and current estimates we discussed with the Task Force in the course of its review.

### A. Caveats

No economic study precisely measures child costs. All rely on assumptions, none is state-specific, and, therefore, none is definitive. First, the studies use national data. Second, the available economic data do not reflect actual spending on children; they are estimates of child costs with estimation error and various theoretical and practical limitations.

Some limitations are methodological while others are data driven. Two significant practical limitations are that most child costs are not directly observable, nor are they uniform across households – even households with otherwise similar economic and demographic characteristics. Costs, such as housing and food, are "indirect costs" shared by adults and children in a household. These costs cannot be directly attributed to a particular adult or child in a household because specific data are not available on each person's actual share of the overall cost. Economists deal with this practical limitation by making certain assumptions to estimate child costs. This section of our report discusses the most common assumptions underlying the economic models most states use to benchmark child costs.

There is wide variation, both across and within income groups, in what households typically spend on children. This reality notwithstanding, the economic research is based on average expenditures on children across households for a given level of household income and number of children. That means child cost estimates resulting from economic research, even if they are right on average, may or may not reflect an appropriate level of spending on children in any particular case. However, child support guidelines are presumptively correct in every case absent specific findings otherwise. So, the guidelines amounts are presumed to reasonably reflect typical child costs over the full range of relevant income (from \$0 to \$450,000 per year under the revised Massachusetts guidelines) using a uniform, administratively simple formula. In reality, actual child costs over the range of cases subject to the guidelines are not uniform or simple; they are quite complex. Without clearly identifying the economic data and estimation approaches on which guidelines amounts are based, it is difficult to rebut the presumption that they are appropriate when the facts of a given case differ from the facts and assumptions in the economic estimates underlying them.

The practical reality is that no simple child support guidelines formula, while presumptively correct as a policy matter, can be economically correct in all cases. A uniform formula based on credible but imperfect estimates of actual child costs simply cannot generate the precisely or objectively correct child support amount in every case. While the Task Force in this review and in prior reviews considered many factors and sources of economic data on child costs, there simply is not a definitive body of economic evidence to know with certainty whether the guidelines amounts will be appropriate in a given case. This is why presumptive awards are rebuttable based on case-specific facts that diverge from presumptive facts. The rest of this report summarizes the economic principles, approaches, and most current data we presented to the Task Force in its review of the current guidelines.

# B. Economic Approaches

Since guidelines are presumptive, they should reflect economically sound principles and amounts while still being rebuttable in a given case. Federal law does not specify the nature or structure of a state's child support guidelines, so child support guidelines differ across states to varying degrees. Currently, all state guidelines use one of three approaches: (1) Income Shares, (2) Percent of Payor Income, or (3) the Melson formula.

Figure 28 lists the guidelines approach currently used in each state and Washington DC.

FIGURE 28: GUIDELINES APPROACHES BY STATE

	Income	Shares		Percent of Payor Income	Melson Formula
Arkansas	Iowa	New Jersey	Utah	Nevada	Delaware
Alabama	Kansas	New Mexico	Vermont	North Dakota	Hawaii
Alaska	Kentucky	New York	Virginia	Texas	Montana
Arizona	Louisiana	North Carolina	Washington	Mississippi	
California	Maine	Ohio	Washington DC	Wisconsin	
Colorado	Maryland	Oklahoma	West Virginia		
Connecticut	Massachusetts	Oregon	Wyoming		
Florida	Michigan	Pennsylvania			
Georgia	Minnesota	Rhode Island			
Idaho	Missouri	South Carolina			
Illinois	Nebraska	South Dakota			
Indiana	New Hampshire	Tennessee			
All States		43 84%		5 10%	3 6%
Neighboring & High	-Cost States			0	0

Source: Review of current guidelines by state

The current guidelines in Massachusetts and in most other states at least nominally use an income shares approach. Guidelines in 43 states including Washington DC (84%) rely, at least in part, on the income shares estimates of child costs discussed below. Five states (10%) use the percent of payor income approach, and the remaining three states use the Melson formula. Like Massachusetts, the guidelines in all five neighboring states and all four high-cost benchmark states use an income shares approach.

### 1. Income Shares

Income shares guidelines are based on indirect estimates of a child's share of parents' combined income. The term "income shares" refers to the share of household income required to cover child costs, not how parents share those costs. However, since most household spending is for goods shared in some proportion by all members of the household, a child's actual income share is not directly observable. This is important because, to be clear, it means the income shares approach is not based on actual child costs that are directly observed or measured. Instead, the approach yields estimates of child costs by applying a specific model to what economic data are available. It compares equivalent households with and without children in order to back into the amount of household income spent on children. Specifically, the idea is to estimate the marginal cost of an additional child by comparing households with the same standard of living but different numbers of children. This requires a measure to proxy for a household's standard of living, and there is no perfect proxy.

### 2. Percent of Payor Income

As the name suggests, child support guidelines using this approach consider only the payor's income, not the relative incomes or combined income of both the payor and the recipient. Typically, percent of payor income guidelines establish child support as a percentage of a payor's income at all income levels. For some states, child support as a percentage of income does not vary by income level. That is, the resulting guideline amounts are simply a flat percentage of the payor's income. Other states use a varying percentage model.

#### 3. Melson Formula

The Melson formula calculates child support based on each parent's share of combined net income, after accounting for policy considerations like both parents' ability to self support, the child's ability to automatically share in changes in household income through a standard of living adjustment (as a percentage of income), and child care and health care costs.

The income shares approach is the most common of the three economic approaches and is most consistent with economic principles in estimating child costs. However, the income shares approach has the many known limitations noted above. With these limitations in mind, the available economic data on child costs are informative and, along with other economic data and principles, provided a credible basis for the Task Force to evaluate the appropriateness of the current guidelines amounts, as well as to consider possible revisions to the guidelines.

### C. Current Child Cost Estimates

In the prior Massachusetts guidelines review in 2021, we presented estimates of child costs from the MIT Living Wage Calculator, a 2017 USDA study, 41 a 2020 income shares study by Notre Dame Professor Emeritus David Betson, 42 and the guidelines amounts in neighboring and high-income benchmark states.

The USDA no longer publishes its estimates of expenditures on children, and the 2020 Betson study is still the most recent income shares study. Therefore, for this guidelines review, we presented the Task Force with child cost benchmarks from two primary sources: (1) current guidelines amounts in the nine benchmark states, and (2) Dr. Betson's 2020 income shares estimates updated to 2025.

### 1. Income Shares Estimates

To compare Dr. Betson's 2020 income shares estimates to the Massachusetts guidelines amounts, we first inflation-adjusted his results to today. **Figure 29** reports his estimates after using the CPI to adjust from 2020 to 2025 (done as of April 2025). On average, Dr. Betson estimates households spend 84% of their income, with child costs accounting for 25% of total spending in households with one child, 38% for two children, and 46% for three children.

Dr. Betson estimates child costs as a share of total spending (with spending capped at 100% of net income), rather than as a share of total income. Therefore, we restated his estimates on an income basis for comparability to the guidelines. **Figure 29** above reports child costs as a percent of household spending and, in turn, spending as a percent of household net income. Multiplying those percentages together yields child costs as a percent of net income.

Lino, M., Kuczynski, K., Rodriguez, N., and Schap, T. (2017). Expenditures on Children by Families, 2015. Miscellaneous Publication No. 1528-2015. US Department of Agriculture, Center for Nutrition Policy and Promotion.

<sup>42</sup> See, e.g., Betson, David M. (2021). "Appendix A: Parental Expenditures on Children: Rothbarth Estimates." In Venohr, Jane, & Matyasic, Savahanna. (Feb. 23, 2021). Review of the Arizona Child Support Guidelines: Findings from the Analysis of Case File Data and Updating the Child Support Schedule. Report to the Arizona Supreme Court Administrative Office of the Courts.

FIGURE 29: BETSON CPI-ADJUSTED CHILD COSTS AS A SHARE OF SPENDING

	CPI adjusted to 25 (\$/year)	Spending as a % of Net	Child Cost as % Spending					
Aprii 202	s (ş/year)	Income	1 Child	2 Children	3 Children			
Less than	\$25,022	100.0%	22.4%	34.7%	42.5%			
	\$37,533	100.0%	23.7%	36.6%	44.9%			
	\$43,789	100.0%	24.1%	37.1%	45.5%			
	\$50,045	100.0%	24.2%	37.4%	45.8%			
	\$56,301	100.0%	24.4%	37.6%	46.0%			
	\$62,556	97.2%	24.5%	37.7%	46.2%			
	\$68,812	92.7%	24.5%	37.8%	46.3%			
	\$75,068	90.5%	24.6%	37.9%	46.4%			
	\$81,324	86.1%	24.6%	37.9%	46.4%			
	\$87,579	84.0%	24.7%	38.0%	46.5%			
	\$93,835	82.7%	24.7%	38.1%	46.6%			
	\$106,347	82.7%	24.8%	38.2%	46.8%			
	\$112,602	78.7%	24.9%	38.3%	46.9%			
	\$125,114	76.2%	24.9%	38.4%	47.0%			
	\$137,625	75.5%	25.0%	38.5%	47.1%			
	\$150,137	73.1%	25.1%	38.6%	47.2%			
	\$175,160	71.7%	25.1%	38.7%	47.4%			
	\$200,183	70.7%	25.3%	38.9%	47.6%			
	\$250,229	62.8%	25.3%	39.0%	47.7%			
More than	\$250,230	58.4%	25.6%	39.4%	48.1%			
Maximum		100%	25.6%	39.4%	48.1%			
Minimum		58%	22.4%	34.7%	42.5%			
Average (Me	an)	84%	24.6%	37.9%	46.4%			

Source: Betson (2020), adjusted to April 2025 using CPI adjustments.

**Figure 30** below shows the corresponding child cost percentages: 21%, on average, in households with one child, 32% for two children, and 39% for three children.

FIGURE 30: BETSON CPI-ADJUSTED CHILD COSTS AS A SHARE OF NET INCOME

	ome CPI o April 2025	Child	Cost as % Net Ir	ıcome
(\$/	year)	1 Child	2 Children	3 Children
Less than	\$25,022	22.4%	34.7%	42.5%
	\$37,533	23.7%	36.6%	44.9%
	\$43,789	24.1%	37.1%	45.5%
	\$50,045	24.2%	37.4%	45.8%
	\$56,301	24.4%	37.6%	46.0%
	\$62,556	23.8%	36.6%	44.9%
	\$68,812	22.7%	35.0%	42.9%
	\$75,068	22.3%	34.3%	42.0%
	\$81,324	21.2%	32.7%	40.0%
	\$87,579	20.7%	31.9%	39.1%
	\$93,835	20.4%	31.5%	38.6%
	\$106,347	20.5%	31.6%	38.7%
	\$112,602	19.6%	30.1%	36.9%
	\$125,114	19.0%	29.3%	35.8%
	\$137,625	18.9%	29.1%	35.6%
	\$150,137	18.3%	28.2%	34.5%
	\$175,160	18.0%	27.8%	34.0%
	\$200,183	17.9%	27.5%	33.6%
	\$250,229	15.9%	24.5%	29.9%
More than	\$250,230	14.9%	23.0%	28.1%
Maximum		24.4%	37.6%	46.0%
Minimum		14.9%	23.0%	28.1%
Average (M	ean)	20.6%	31.8%	39.0%

Source: Figure 29.

Comparing these child cost percentages and implied dollar amounts to the Massachusetts guidelines amounts requires two further adjustments. First, we converted the CPI-adjusted annual income figures to weekly amounts, since the guidelines chart is based on weekly income. Second, we calculated the net income equivalents of gross weekly income amounts for Massachusetts, since the guidelines use gross income and Dr. Betson's study uses net income. We made this adjustment using state-specific income withholding tables for Massachusetts and

standard withholding for Social Security and Medicare.<sup>43</sup> This effectively restates the gross income amounts in Massachusetts' guidelines chart as net income for direct comparability to the income shares estimates.<sup>44</sup>

We used the income shares estimates of spending as a percent of net income to estimate total spending at each income level in the guidelines chart, and his percentages of child spending as a percent of total spending to calculate child costs for one to three children. Since the guidelines apply to up to five children (while Dr. Betson's study stops at three), we used the same approach to estimate child costs for four and five children by applying published estimates of scaling ratios to the income shares estimates for three children. The result is a set of Massachusetts-specific income shares estimates of child cost over the full range of incomes and number of children covered by Massachusetts' guidelines.

**Figure 32** below summarizes the resulting child cost estimates (excluding child care and extraordinary health care costs) over the range of incomes up to the revised maximum of \$450,000 per year, both in dollars per week and as a percent of gross income. The values show the minimum and maximum income shares estimates for a given number of children over the full range of combined available income covered in the revised guidelines chart, and at the median household income level in Massachusetts (\$99,858 per year). 45

**Figure 31** shows the child cost estimates underlying **Figure 32** as a percent of gross income over the full income range in the revised Table A beyond the two low-income tranches – so, from \$392 per week (\$20,380 per year) up to \$8,654 per week (\$450,000 per year), for one to three children. For one child, the percentages range from 8% of gross income at the highest income levels to 20% at the lowest incomes. Child costs range from 12% to 31% of gross income for two children, and higher percentages for more children. At the current median level of household income in Massachusetts (\$99,858 per year, or \$1,920 per week), child costs account for 13% to 22% of gross income, depending on the number of children.

<sup>&</sup>lt;sup>43</sup> For Massachusetts income withholding tables, see Massachusetts Circular M, effective January 1, 2025. The standard Social Security withholding is 6.2% up to \$176,100 of income. The standard withholding rate for Medicare is 1.45% of income. Under the Affordable Healthcare Act, there also is an additional Medicare tax of 0.9%, starting at \$200,000 per year.

<sup>&</sup>lt;sup>44</sup> Applying the Massachusetts income withholding tables to the income shares estimates results in estimates specific to Massachusetts. So, these estimates are different from, but consistent with, income shares estimates developed for other states for purposes of guidelines review.

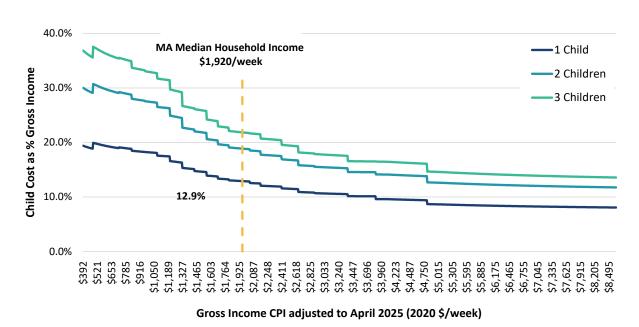
<sup>45</sup> See **Figure 32** below, op. cit.

FIGURE 31: BETSON (2020) CPI ADJUSTED CHILD COSTS FOR MASSACHUSETTS

Child Cost	Number of Children						
Child Cost		1	2			3	
	\$/week						
Minimum	\$	76	\$	118	\$	144	
Maximum	\$	698	\$	1,016	\$	1,174	
MA household median	\$	249	\$	363	\$	421	
			<b>%</b> G	Fross Income			
Minimum		8%		12%		14%	
Maximum		20%		31%		38%	
MA household median		13%		19%		22%	

Source: Betson (2020), adjusted for Massachusetts and inflation

FIGURE 32: BETSON CPI-ADJUSTED CHILD COSTS AS A PERCENTAGE OF GROSS INCOME



Source: Betson (2020) adjusted for inflation, Median income from U.S Census Data.

The income shares estimate for one child ranges from \$76 per week at the lowest income level beyond the revised guidelines low-income tranches (\$392 per week) to \$698 at the highest income level (\$8,645 per week), and is \$249 per week for one child at the current Massachusetts median income level. For the same income ranges, the revised guidelines amount for one child under age 18 ranges from \$86 per week to \$1,174 per week, and is \$404

per week at median income. The guidelines amounts are lower than the income shares estimates at low-income adjustment tranches (up to \$391 per week), but are higher otherwise. For one child age 18 or older, they are 25% lower, so they are lower up to approximately \$1,303 per week and then are higher. As the number of children increases, the income at which the guidelines amounts become larger than the income shares estimates increases.

Figure 33 illustrates the differences between the income shares estimates and the Massachusetts revised guidelines amounts for one child up to \$450,000 per year. <sup>46</sup> For a child under 18, at lower income levels, the guidelines amounts are lower than the income shares estimates. Since Dr. Betson caps expenses for lower-income groups, this difference is underestimated. As income increases, the revised guideline amounts are higher than the income shares estimates. For a child age 18 or older, the same pattern holds, but the crossover point between the income shares estimates and guidelines amounts is higher for children age 18 or older (approximately \$1,303 per week) than for children under age 18 (\$391 per week).

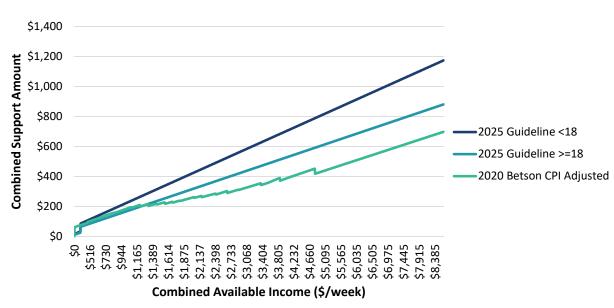


FIGURE 33: MASSACHUSETTS REVISED GUIDELINES V. BETSON (2020) (1 CHILD)

Source: Betson (2020), adjusted for Massachusetts

The guidelines amounts in **Figure 33** represent combined child support amounts, so they are not necessarily the amounts a payor will pay in any specific case. How much is allocated to a payor or recipient depends on their relative share of combined available income. Only when a recipient has no income will a payor pay the full guidelines amount shown in **Figure 33**.

The jagged pattern in the Betson-Rothbarth curve is due to shifts from one tax bracket to the next for income taxes and payroll taxes as income increases.

### 2. Guidelines in Neighboring and High-Cost States

In addition to the comparisons to the Betson 2020 study, we presented to the Task Force comparisons of the revised guidelines amounts to guidelines amounts in the five neighboring states (Connecticut, New Hampshire, New York, Rhode Island, and Vermont) and four other high-cost jurisdictions<sup>47</sup> (California, New Jersey, Washington, and Washington DC).

### a. Assumptions Used for Comparisons

Comparing guidelines amounts across states requires assumptions about items such as taxes, child care costs, and health care costs, since different states' guidelines handle them differently. **Figure 34** below summarizes the differences for each of the nine benchmark states and Massachusetts. For example, the table shows the guidelines in Massachusetts and four of the nine benchmark states (New Hampshire, New York, Rhode Island, and Washington DC) are based on gross income. <sup>48</sup> Guidelines in California, Connecticut, New Jersey, Vermont, and Washington are based on net income. For net income states, we converted the net income thresholds for lowest and highest thresholds to gross income.

FIGURE 34: NEIGHBORING AND HIGH COST STATES GUIDELINE OVERVIEW

	Income	Income Cutoff of Lowest Tranch		High Income Threshold		Child Care (CC) & Health Care (HC) Costs		
State	Measure	(\$/Year) all Gross	(\$/Week)	(\$/Year) all Gross	(\$/Week)	Income Deduction	Proportional Credit	
Massachusetts	Gross	\$15,652	\$301	\$450,000	\$8,654	HC only	CC only	
California	Net	\$10,450	\$201	NA	NA	CC, HC	-	
Connecticut	Net	\$2,810	\$54	\$144,000	\$2,769		CC, HC	
New Hampshire	Gross	\$19,608	\$377	\$187,200	\$3,600	CC, HC	-	
New Jersey	Net	\$10,280	\$198	\$208,000	\$4,000	-	CC, HC	
New York	Gross	\$10,099	\$194	\$183,000	\$3,519	-	CC, HC	
Rhode Island	Gross	\$16,200	\$312	\$373,068	\$7,174	-	CC, HC	
Vermont	Net	\$8,800	\$169	\$360,300	\$6,929	HC only	CC only	
Washington	Net	\$13,000	\$250	\$480,000	\$9,231	-	CC, HC	
Washington DC	Gross	\$12,382	\$238	\$240,000	\$4,615	-	CC, HC	

Source: Child support guidelines for each state. All income converted to gross income.

<sup>&</sup>lt;sup>47</sup> Based on MIT Living Wage Calculator cost of living estimates.

<sup>&</sup>lt;sup>48</sup> New York's guidelines are based on gross income but deduct Medicare, FICA, and local NYC taxes.

#### **'PAYOR AND RECIPIENT AVAILABLE INCOMES**

For all nine benchmark states and for Massachusetts, we calculated and discussed with the Task Force presumptive child support amounts for households with: (1) varying income amounts; (2) one, two, and three children; and (3) varying child care and health care costs. In this section of our report, we summarize some illustrative examples. In particular, we report comparisons for nine different income scenarios, representing all possible combinations of three available income levels (tier 1, tier 2, and tier 3) for each of a hypothetical payor and recipient. The corresponding available income levels for each parent in these comparisons are \$30,000, \$60,000, and \$90,000 per year. <sup>49</sup> **Figure 35** shows these annual income levels and their weekly equivalents.

FIGURE 35: INCOME LEVELS USED FOR BENCHMARK COMPARISONS

Level	\$/year	\$/week
Tier 1	\$30,000	\$577
Tier 2	\$60,000	\$1,154
Tier 3	\$90,000	\$1,731

#### NUMBER OF CHILDREN

We report the results of comparing the Massachusetts revised guidelines relative to neighboring and high-cost states for scenarios with one, two, and three children. In all scenarios, we assume the children primarily live with the recipient for approximately two-thirds of the time, so we run the scenarios as Box 2 cases in Line 1b of the revised guidelines worksheet.

As we have already noted above, both the current and revised Massachusetts guidelines amounts for one child are high relative to the income shares estimates derived above and guidelines amounts in other states, especially at middle and high incomes. However, these comparisons so far reflect only the percentages in Table A of the guidelines worksheet, *i.e.*, for one child under 18 years old. They do not reflect cases with more than one child, children 18 or older, child care costs, or health care costs.

<sup>49 \$30,000</sup> is slightly less than 40 hours per week for a year (52 weeks) at the Massachusetts minimum wage (\$15/hour): 40 hours/week x \$15/hour = \$600/week x 52 weeks/year = \$31,200 per year.

#### CHILD CARE AND HEALTH CARE COSTS

A payor's final child support amount under the guidelines can differ significantly depending on whether there are health care costs to deduct from gross income to determine available income, and whether there are child care costs to credit between the parents in proportion to their respective available incomes (up to the \$430 per week per child benchmark cost). To capture this variation in our comparisons to other states' guidelines, we report the results for three different cost profile scenarios:

- 1. No child care or health care costs (an income-only comparison): an income-only comparison avoids complexities about different treatment of child care and health care costs in different states' guidelines. However, it still indicates how a payor's basic child support obligation (before, or in the absence of, such costs) compares across states as absolute and relative incomes vary from case to case. The no-cost scenarios result in the lowest child support amounts for the payor for a given income level and number of children in the scenarios we report here, because the other scenarios we report assume the recipient pays some or all of the child care costs and health care costs.
- 2. Split child care and health care costs: Specifically, in this section we report the results for scenarios where a recipient pays all of the child care costs and a payor pays all of the health care costs. The split-cost scenarios result in higher child support amounts than the no-cost scenarios for the payor for a given income level and number of children, because the child care costs paid by, and at least partially credited back to, the recipient are greater than the health care costs paid by, and deducted from the available income of, the payor.
- 3. Recipient pays both child care costs and health care costs: These scenarios result in the highest child support amounts we report in this section, since the recipient is covering all of both costs before the child support is determined.

To determine the level of costs we used in a given scenario, we relied on the MIT Living Wage Calculator estimates of average weekly child care and health care costs in Massachusetts households with one, two, and three children. **Figure 36** lists the amounts we used for each type of cost, stated on an annual and weekly basis.

FIGURE 36: CHILD CARE COSTS AND HEALTH CARE COSTS USED FOR BENCHMARK COMPARISONS

	Child Care		MA Childcare Cap	Health Care		
Children	\$/year	\$/week	\$/week	\$/year	\$/week	
1	\$22,352	\$430	\$430	\$9,687	\$186	
2	\$39,767	\$765	\$860	\$9,778	\$188	
3	\$49,051	\$943	\$1,290	\$9,873	\$190	

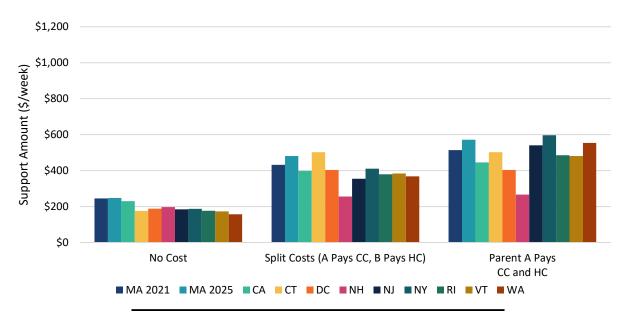
#### b. Results

The Massachusetts revised guidelines amounts for one child, two children, and three children under age 18 are comparable to the guidelines amounts in the neighboring states and high-cost states for some income combinations and are different for others. This is due to differences in both the structure of, and income percentages in, each state's guidelines.

Figure 37 below shows how the Massachusetts revised guidelines amounts for one child compare to the benchmark states. Specifically, it reports a payor's (Parent B) final child support obligation in each state for a case where the child primarily lives with the recipient (Parent A) — a Box 2 case in the Massachusetts guidelines worksheet. The comparison assumes a tier 2-income payor (\$60,000 per year, or \$1,154 per week) and a tier 1-income recipient (\$30,000 per year, or \$577 per week). It reports results for each of the three cost scenarios described above: (1) no child care costs or health care costs, (2) split costs (recipient pays child care costs (CC)); payor pays health care costs (HC), and (3) recipient pays all costs. The costs are as reported in Figure 36 above, \$430 per week for child care and \$186 per week for health care.

The marginal percentages in Table A of Massachusetts' current guidelines worksheet (equivalent to the no-cost scenario in **Figure 37**) are typically higher than the corresponding benchmark percentages – especially in the neighboring states – at certain income tranches. This is true of the revised guidelines percentages in **Figure 17** as well. **Figure 37** reflects such a case. With combined available income of \$1,731 per week, this case is in the fifth income tranche in Massachusetts' revised Table A (\$1,601 - \$2,400 per week). The revised guidelines amount for this income combination has Parent B paying \$248 per week, which is higher than the corresponding no-cost amount in any of the benchmark states.

FIGURE 37: BENCHMARK COMPARISONS: TIER 1 INCOME RECIPIENT, TIER 2 INCOME PAYOR (1 CHILD)



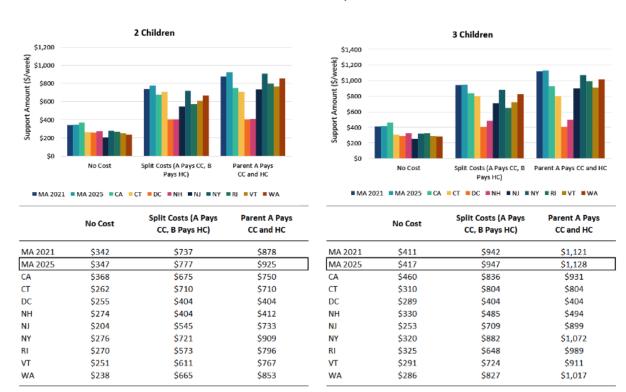
	No Cost	Split Costs (A Pays CC, B Pays HC)	Parent A Pays CC and HC			
MA 2021	\$245	\$432	\$514			
MA 2025	\$248	\$481	\$572			
CA	\$230	\$398	\$445			
CT	\$176	\$502	\$502			
DC	\$188	\$404	\$404			
NH	\$197	\$256	\$267			
NJ	\$185	\$355	\$541			
NY	\$187	\$411	\$597			
RI	\$177	\$380	\$486			
VT	\$173	\$384	\$481			
WA	\$157	\$368	\$554			

Source: Child support guidelines of each state.

However, this result shifts when we add child care costs. When the recipient pays for child care and the payor pays for health care for the child in the amounts noted above, the child support amount paid by Parent B, under the revised guidelines, increases to \$481 per week. This child support amount is now lower than Connecticut's and higher than all of the remaining benchmarks. If the recipient pays all of the child care costs and health care costs, the Massachusetts child support amount increases to \$572 per week. Massachusetts' child support amount is higher than the amounts in all of the benchmark states except New York.

The results are similar for comparisons to the benchmark states in cases with more than one child. **Figure 38** below shows the results for a payor and a recipient with the same incomes as in the prior comparisons, but with two and three children, respectively.

FIGURE 38: BENCHMARK COMPARISONS: TIER 1 INCOME RECIPIENT, TIER 2 INCOME PAYOR (2&3 CHILDREN)



Source: Child support guideline of each state.

In the case with two children and no child care or health care costs, the revised guidelines amount of \$347 per week is higher than all of the benchmarks except California. When the recipient pays for child care and the payor pays for health care for the child in the amounts noted above for two children, the child support amount under the revised guidelines increases to \$777 per week. In this scenario, the revised child support amount is higher than the benchmark states. If the recipient pays all of the child care costs and health care cost, the Massachusetts child support amount increases to \$925 per week, and is higher than all the benchmark states.

Adding a third child to this hypothetical case further illustrates this trend. In that case, the Massachusetts revised guidelines amount increases to \$417 per week, \$947 per week, and \$1,128 per week in the scenarios with no child care and health care costs, split costs, or costs paid by the recipient, respectively. In each scenario, those amounts are higher than the child

support amounts in all of the benchmark states, other than California in the no-cost scenario. Massachusetts' guidelines are higher than all of the neighboring states and are higher than, but generally more consistent with, the high-cost states. The comparisons in the nine scenarios summarized in the two figures above (three cost scenarios for each of three family sizes) are illustrative of only one income scenario (tier 1-income recipient and tier 2-income payor).

However, we calculated and discussed with the Task Force the results of all 81 unique combinations of relative incomes (tier 1, tier 2, and tier 3), costs (no cost, split cost, and recipient cost), and number of children (one, two, and three) scenarios. Broadly, the Massachusetts revised guidelines amounts for families with one child are either in line with, or slightly higher than, guidelines amounts in the neighboring states in most cases, and are more consistent with guidelines amounts in high-cost states.

# VI. Other Economic Considerations

In addition to the economic approaches, studies, and child cost estimates we have already described, we also discussed with the Task Force several other economic considerations, including the relatively high cost of living in Massachusetts and its implications for child costs; current labor market conditions, especially for individuals at relatively low incomes; and the practical importance of tax considerations in determining economically appropriate child support amounts.

# A. Cost of Living

Both household income and expenses in Massachusetts are above the national average. The combination of higher incomes and higher costs manifests itself differently for different households. Not all households in Massachusetts have similarly higher incomes relative to the national average. However, all households – regardless of income – face the higher cost of living in the Commonwealth. This means household costs in Massachusetts may be disproportionately higher than income for some households. There are competing economic ideas on the impact of above-average household costs on child costs. Higher adult "overhead" (such as housing and utilities) may reduce income available for spending on children. Alternatively, parents may choose to spend relatively more on their children and less on other things. Different families react differently to a binding budget constraint.

**Figure 39** summarizes household income and housing costs for the US and Massachusetts based on the US Census Bureau's 2023 American Community Survey.

FIGURE 39: INCOME AND HOUSING COSTS, US & MASSACHUSETTS

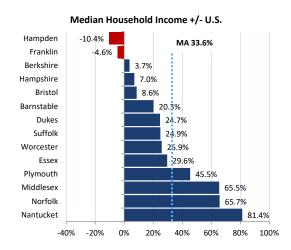
			HH Income		Gross Rent			Owner Costs		
	Population	% Total	\$/year	+/- US	\$/month	% Income	+/- US	\$/month	% Income	+/- US
U.S.	333,287,562	2.1%	\$74,755	33.6%	\$1,300	20.9%	25 20/	\$1,775	28.5%	40 40/
MA	7,001,399	2.1%	\$99,858	33.0%	\$1,757	21.1%	35.2%	\$2,629	31.6%	48.1%
Difference			\$25,103		\$457			\$854		
Barnstable	231,735	3.3%	\$89,893	20.3%	\$1,604	21.4%	23.4%	\$2,404	32.1%	35.4%
Berkshire	126,818	1.8%	\$77,498	3.7%	\$1,074	16.6%	-17.4%	\$1,797	27.8%	1.2%
Bristol	581,841	8.3%	\$81,148	8.6%	\$1,269	18.8%	-2.4%	\$2,296	34.0%	29.4%
Dukes	20,592	0.3%	\$95,621	27.9%	\$1,784	22.4%	37.2%	\$3,250	40.8%	83.1%
Essex	810,089	11.6%	\$96,874	29.6%	\$1,726	21.4%	32.8%	\$2,759	34.2%	55.4%
Franklin	70,836	1.0%	\$71,296	-4.6%	\$1,164	19.6%	-10.5%	\$1,793	30.2%	1.0%
Hampden	460,291	6.6%	\$66,997	-10.4%	\$1,136	20.3%	-12.6%	\$1,926	34.5%	8.5%
Hampshire	162,502	2.3%	\$79,969	7.0%	\$1,355	20.3%	4.2%	\$2,048	30.7%	15.4%
Middlesex	1,623,952	23.2%	\$123,705	65.5%	\$2,193	21.3%	68.7%	\$3,086	29.9%	73.9%
Nantucket	14,098	0.2%	\$139,075	86.0%	\$2,237	19.3%	72.1%	\$3,863	33.3%	117.6%
Norfolk	727,473	10.4%	\$123,903	65.7%	\$2,081	20.2%	60.1%	\$3,038	29.4%	71.2%
Plymouth	535,308	7.6%	\$108,742	45.5%	\$1,762	19.4%	35.5%	\$2,715	30.0%	53.0%
Suffolk	768,425	11.0%	\$93,360	24.9%	\$2,114	27.2%	62.6%	\$2,794	35.9%	57.4%
Worcester	866,866	12.4%	\$94,099	25.9%	\$1,449	18.5%	11.5%	\$2,329	29.7%	31.2%

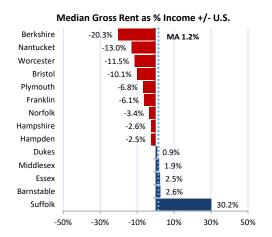
Source: US Census Bureau, 2023 1-YR American Community Survey.

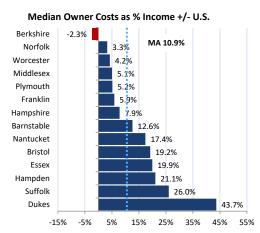
Median household income in Massachusetts (\$99,858 per year in 2023) is 33.6% higher than in the US overall. Rent is higher in Massachusetts in dollars and is 35% above the national median as a percent of income. Higher rent and higher income results in a rent to income ratio that is closer to the national median. Rent relative to income is higher than the national median in Massachusetts overall, but holds true in only five of the 14 counties (Barnstable, Dukes, Essex, Middlesex, and Suffolk). Median home ownership cost in Massachusetts is 48% higher than in the US overall and is higher in all 14 counties. Even relative to higher income in Massachusetts, home ownership cost exceeds the national median ratio for all but one county (Berkshire).

**Figure 40** illustrates the relatively disparity in income and housing costs across counties in the Commonwealth. Household income is highest in Nantucket, Norfolk, Middlesex, and Plymouth counties. Suffolk has, by far, the highest housing costs as a percent of household income and relative to the national median costs of renting, while Dukes has the highest percentage, relative to national median, for owning a home.

FIGURE 40: INCOME AND HOUSING COSTS, MASSACHUSETTS V. U.S.







Source: Figure 39

### B. Labor Market Conditions

In addition to being a relatively high-cost state, Massachusetts is also one of the 30 states plus Washington DC with a minimum wage rate above the federal minimum wage. By law, Massachusetts' minimum wage must be at least \$0.50 above the federal minimum wage, 50 but is significantly higher than this legal requirement. Massachusetts' current minimum wage is \$15 per hour, more than double the current federal minimum wage in the US of \$7.25 per hour.

Donovan, Sarah A.; Lechman, Ellen M. "State minimum wages: An overview." (2024). https://www.congress.gov/crs-product/R43792

**Figure 41** illustrates the unemployment rates in the US, New England overall, and each New England state as of March 2025 and the year prior. The unemployment rate in New England in both years is below the US rate. The rates vary widely across the region and uniformly from year to year. In both years, Rhode Island and Massachusetts have the highest unemployment rates and New Hampshire and Vermont have the lowest. The Massachusetts unemployment rate was just under the national rate in 2024 but is just above the US rate in 2025.

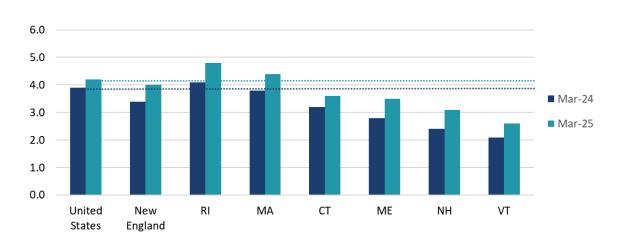


FIGURE 41: UNEMPLOYMENT RATES IN THE US AND NEW ENGLAND STATES, 2024 AND 2025

Sources and Notes: US Bureau of Labor Statistics, Northeast Labor Force Statistics, <a href="https://www.bls.gov/regions/new-england/data/xg-tables/ro1xg02.htm">https://www.bls.gov/regions/new-england/data/xg-tables/ro1xg02.htm</a>.

# C. Tax Impacts

In addition to the cost categories discussed so far, taxes are an additional significant cost with important implications for how much money a household with children has available to spend on child costs.

Massachusetts' guidelines consider the *gross* available income of each parent, not their *net* income after taxes and tax-related child benefits. A majority of the 43 states listed in **Figure 28** whose guidelines are based on the income shares model, including Massachusetts, base child support amounts on gross income. That said, the distinction between gross and net income in this context is not clear-cut, as the underlying tax assumptions and formulas vary widely. Indeed, the income shares estimates from Dr. Betson's 2020 study, themselves, relate child costs to *net* income. Again in this review, as prior task forces have done, the Task Force discussed the use of gross versus net income in the guidelines. Ultimately, it decided not to recommend a change from gross income to net income at this time. We expect this issue will once again be considered as part of the next guidelines review.

There are also other material tax considerations in the child support context. Households with children are eligible for several important tax benefits that can significantly reduce their overall tax burden. One of the most valuable is the Child Tax Credit, which reduces an eligible parent's federal income tax by thousands of dollars per qualifying child. A parent also may qualify for the Child and Dependent Care Credit, which helps cover a portion of child care expenses for children under 13 for a parent working or looking for work. Additionally, the Earned Income Tax Credit offers substantial benefits to low- and moderate-income working parents, with a higher credit for a parent with more children. There are also tax-advantaged savings options for parents, like 529 plans, for future education costs. These child-related savings are subject to income limits and phaseouts, so eligibility and dollar amounts vary based on a parent's specific circumstance. But the magnitude of these benefits are material enough to impact the amount of child support a parent receives or pays if they were accounted for in determining a parent's available income under the guidelines, especially for parents with lower incomes. From an economic perspective, they are worth considering in a future guidelines review.

# VII. Conclusion

Based on our discussion of economic concepts with the Task Force in the course of its review, and our analysis of current economic data and information, including the latest economic estimates of child costs and guidelines amounts in neighboring and high-cost states, the Massachusetts revised guidelines amounts are higher than available child cost benchmarks before considering child care and health care costs, but are more similar to child support amounts in benchmark states when accounting for those costs, especially high-cost states. This result is consistent with the clear empirical evidence of a higher overall cost of living in Massachusetts than nationally or in neighboring states. Many of these costs, such as housing, child care, and health care costs are primary components of child costs and therefore are reflected in economically appropriate, relatively high, child support amounts.

Increasing the maximum income level to \$8,654 per week and increasing the child care cost benchmark to \$430 per week per child will, all else equal, result in slightly higher support amounts for some children. At the same time, the higher income thresholds at the lowest two tranches of the revised Table A will significantly reduce child support for children of payors with incomes at and below \$391 per week. Outside of the extreme low-and high-income scenarios, the revised guidelines should result in little or no change to the child support amounts under the current guidelines.

Ultimately, the directional impact of revisions to the guidelines is an important practical matter. It is also important for the Massachusetts guidelines to have their foundation in fundamentally sound economic principles and actual data on child costs. By having a strong economic foundation, the guidelines can better establish the appropriate amount of support for a child and create positive economic incentives for both payors and recipients. The economic principles, facts, and comparisons in this report provided the Task Force with current information and data to help inform its recommendations with that objective in mind. In the end, the Task Force's recommendations are policy decisions. In deliberating them, we know it gave careful consideration to, and placed strong weight on, the underlying economic factors. As a result, the Task Force's relatively modest recommended revisions to the revised guidelines are broadly economically sound in principle, have predictable expected impacts, and improve the guidelines text, worksheet, and chart in practice.

Respectfully submitted,

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June 30, 2025

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