

TITLE 42 - THE PUBLIC HEALTH AND WELFARE
CHAPTER 7 - SOCIAL SECURITY
SUBCHAPTER IV - GRANTS TO STATES FOR AID AND SERVICES TO NEEDY
FAMILIES WITH CHILDREN AND FOR CHILD-WELFARE SERVICES
Part D - Child Support and Establishment of Paternity

§ 667. State guidelines for child support awards

(a) Establishment of guidelines; method

Each State, as a condition for having its State plan approved under this part, must establish guidelines for child support award amounts within the State. The guidelines may be established by law or by judicial or administrative action, and shall be reviewed at least once every 4 years to ensure that their application results in the determination of appropriate child support award amounts.

(b) Availability of guidelines; rebuttable presumption

(1) The guidelines established pursuant to subsection (a) of this section shall be made available to all judges and other officials who have the power to determine child support awards within such State.

(2) There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of such guidelines is the correct amount of child support to be awarded. A written finding or specific finding on the record that the application of the guidelines would be unjust or inappropriate in a particular case, as determined under criteria established by the State, shall be sufficient to rebut the presumption in that case.

(c) Technical assistance to States; State to furnish Secretary with copies

The Secretary shall furnish technical assistance to the States for establishing the guidelines, and each State shall furnish the Secretary with copies of its guidelines.

(Aug. 14, 1935, ch. 531, title IV, § 467, as added Pub. L. 98-378, § 18(a), Aug. 16, 1984, 98 Stat. 1321; amended Pub. L. 100-485, title I, § 103(a), (b), Oct. 13, 1988, 102 Stat. 2346.)

Amendments

1988—Subsec. (a). Pub. L. 100-485, § 103(b), inserted “, and shall be reviewed at least once every 4 years to ensure that their application results in the determination of appropriate child support award amounts” before period at end.

Subsec. (b). Pub. L. 100-485, § 103(a), designated existing provisions as par. (1), struck out “, but need not be binding upon such judges or other officials” after “within such State”, and added par. (2).

Effective Date of 1988 Amendment

Amendment by Pub. L. 100-485 effective one year after Oct. 13, 1988, see section 103(f) of Pub. L. 100-485, set out as a note under section 666 of this title.

Effective Date

Section 18(b) of Pub. L. 98-378 provided that: “The amendment made by subsection (a) [enacting this section] shall become effective on October 1, 1987.”

Study of Child-Rearing Costs

Section 128 of Pub. L. 100-485 directed Secretary of Health and Human Services, by grant or contract, to conduct a study of patterns of expenditures on children in 2-parent families, in single-parent families following divorce or separation, and in single-parent families in which parents were never married, giving particular attention to the relative standards of living in households in which both parents and all of the children do not live together, and submit to Congress no later than 2 years after Oct. 13, 1988, a full and complete report of results of such study, including recommendations for legislative, administrative, and other actions.