



# Family Law

CALL US - BEFORE  
YOUR EX DOES!



Roxanne Shank  
LAWYER

## Q

I make much less than I made last year, but my ex keeps insisting that I have to continue to pay child and spousal support at my last year's income. And another thing: she expects me to pay most of the daycare and the benefits deductible, when I suspect we are earning the same money now. What can I do?

## A

Traditionally, child support, spousal support and contribution to extraordinary expenses (The daycare and benefits deductible you are talking about) was calculated and adjusted annually, on the basis of the previous year's income.

This occurred because historically it was a pretty safe bet to assume that people were going to earn the same or a little more than, they earned the previous year.

The events of this year have thrown that presumption out the window. Many payors like yourself are unsuccessfully seeking an agreement from their exes to adjust their current support obligations. The recipients are refusing to budge, expecting the payors to work miracles on an income that is substantially less than what they made last year.

What can you do? A strategy that has worked well for my

clients is to disclose your current year to date income from all sources, provide a new support calculation, and ask nicely in writing for an agreement to adjust support and extraordinary expense contribution to reflect your current levels of income.

If there is still no joy in Mudville, then you need to bring out the big guns and hire a Family Lawyer to start a Rule 15 Motion to adjust your support payments and extraordinary expense contribution to a realistic level.

I haven't had a Judge turn that request down yet, especially as most people recognize that the economic downturn and uncertainty will probably last for at least another year.

Your friends at Shank Law.



Phone: 705-435-5055  
Email: [lynn@shanklawoffice.com](mailto:lynn@shanklawoffice.com)  
Web: [shanklawoffice.com](http://shanklawoffice.com)