Client Alert: They're Here! – The 2025 Massachusetts Child Support Guidelines

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New Child Support Guidelines go into effect in Massachusetts on December 1, 2025. The 2025 Child Support Guidelines include significant changes to the 2023 Child Support Guidelines. Here are a few highlights of the most significant changes and how they may impact support payments:

INCREASE IN THE MAXIMUM LEVEL OF INCOME AND APPLICABLE PERCENTAGES

In the 2023 Child Support Guidelines, base child support was computed using the parents' combined incomes up to $400,000 per year. The 2025 Child Support Guidelines increase that threshold to $450,000 per year, resulting in more income being captured in the base child support amount. The Child Support Guidelines worksheet applies various percentages to income for purposes of the calculations, and those percentages have also been adjusted. For example, the 2023 Child Support Guidelines computed support for a family earning $2,000 per week as $302 plus 19% of income above $1,400. Under the 2025 Child Support Guidelines, for a family earning $2,000 per week support is computed as $346 plus 18% of income above $1,600. This can result in significantly different support depending on the incomes of the parties.

PARENTING SCHEDULES

While the Child Support Guidelines apply to all types of parenting schedules, the Child Support Guidelines worksheet itself provides options for only two types of parenting plans: (1) where the children live primarily with one parent and spend one-third of their time with the other parent; or (2) where the children live fifty percent with one parent and fifty percent with the other. When a parent has substantially less than one-third of the parenting time, the 2023 Child Support Guidelines allow the Court to consider ordering more child support to the primary parent. The 2025 Child Support Guidelines introduce a new wrinkle: where parenting time is substantially more than one-third, but still less than fifty percent for the parent with whom the children do not primarily reside, the Court can order a different amount from the presumptive Child Support Guidelines amount. Unfortunately, simply stating that deviation from the Child Support Guidelines may be warranted does not offer much guidance on what the support *should* be. That said, granting judges permission to deviate from the Child Support Guidelines under these circumstances gives parents the ability to argue for what may be best under the specific circumstances of their case. Further, the added flexibility may help parents and their attorneys resolve the issue of child support and a parenting plan in the best interests of the children and arrive at an appropriate compromise.

CHANGES TO SHARING OF CHILD-RELATED EXPENSES

The 2025 Child Support Guidelines offer Courts and parents new guidance on child-related expenses including childcare and camp expenses, post-secondary educational expenses, healthcare expenses and extracurricular activity

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expenses.

First, the 2025 Child Support Guidelines clarify that reasonable out-of-pocket childcare costs factored into child support are only those costs that are paid out-of-pocket by a parent, not by third parties. The 2025 Child Support Guidelines also offer guidance in determining whether a summer camp or activity qualifies as a childcare cost (and thus whether it factors into the amount of child support) or an extracurricular activity expense (and thus does not impact the amount of child support). Specifically, the following factors should be considered: "the need for and purposes of the services provided by the camp or activity, including whether the camp or activity is necessary to provide the child with supervision so the parent claiming those costs may work, attend school, or participate in job training, the age and maturity of the children participating, the time during which the services are provided, and the nature of services provided."

Second, the 2025 Child Support Guidelines clarify that the Court can order *or decline to order* a parent to contribute to the cost of a child's college education, which contributions could be in addition to *or instead of* child support. "Affordability" of college expenses, including whether parents must use assets or obtain loans to pay for them, is now a consideration in determining whether a parent should be ordered to contribute toward college expenses. College expenses in this context formerly included "room and board" as well as tuition and mandatory fees, and now include "housing, meal plan and books" (as well as tuition and mandatory fees). This makes affordability an explicit consideration in the 2025 Child Support Guidelines.

As relates to uninsured medical expenses, the Child Support Guidelines have long required the parent receiving child support to pay the first $250 of out-of-pocket uninsured medical expenses annually, before the other parent is required to contribute. Often, parents agreed or were ordered to share uninsured medical expenses equally after the support recipient paid the first $250. The 2025 Child Support Guidelines change this by providing that courts "may consider the percentages of each party's share of combined available income to support the child" when allocating additional expenses. Interestingly, the 2025 Child Support Guidelines suggest considering the income available to each parent *before* payment or receipt of child support. In other words, the Court is still required to allocate uninsured medical expenses as between the parties, but rather than defaulting to equally sharing these expenses, the 2025 Child Support Guidelines suggest that uninsured medical expenses could be shared in proportion to the parents' incomes without factoring in child support paid or received by them.

The 2025 Child Support Guidelines also emphasize that ordering a parent to contribute toward child-related expenses is "discretionary and determined on a case-by-case basis." Previously, the Child Support Guidelines required the Courts to consider the best interests of the children in ordering a parent to pay for expenses such as private school, summer camps and extracurricular activity expenses. Now, the Courts are also required to consider whether those expenses are affordable in addition to whether they are in a child's best interests.

FAMILIES WITH MORE THAN TWO LEGAL PARENTS

The Massachusetts Parentage Act ("MPA") became effective on January 1, 2025, and explicitly recognized that more than two persons may be the legal parent of a child (read more about the MPA). Consistent with the MPA, the 2025 Child Support Guidelines recognize that more than two persons may be a child's parent for the purposes of child support. However, rather than issuing a Child Support Guidelines worksheet that allows for more than two parents' incomes to be inputted in computing child support, the 2025 Child Support Guidelines require Courts ordering child support in a situation where a child has more than two parents to "consider the financial circumstances and parenting time of the legal parents to determine the most equitable result for the children and the legal parents." This offers little guidance in how to address support in families with three or more parents and gives judges wide latitude to determine what is equitable for those families.

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The 2025 Child Support Guidelines have brought some significant changes that may affect the child support paid to you or by you. Under relevant case law, if the current order of child support is inconsistent with the Child Support Guidelines, that alone is a basis for modifying the order. If you have questions about whether and how the 2025 Child Support Guidelines affect your family, contact an experienced family law attorney.

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