

Common Mistakes of Self-Represented Litigants in Paternity, Custody, Visitation, and Child Support Actions

Child Support in Idaho

- ◆ If your case involves child support, it must be calculated based upon the Idaho Child Support Guidelines (Idaho Rules of Family Law Procedure, Rule 126) and that amount must be given to the Judge.
- ◆ This means that child support must be calculated prior to initially filing and the child support worksheets must be attached to the Petition as well as with the final decree as Schedule B.
- ◆ If child support was ordered in a different case and you are not changing it, you will attach that child support order to the Petition and final Decree as Schedule B.
- ◆ *What if we agree to no child support?* If you want to deviate from the Guidelines, you must calculate child support based upon the Guidelines, provide the child support worksheets, and a **reason for the deviation**. **Ultimately it is up to the Judge whether they will grant the deviation.**
- ◆ The Court Assistance Office can help with calculating child support and providing you with the necessary worksheets to submit with your forms!

Parenting Plan/Child Custody

- ◆ **Joint Legal Custody vs. Sole Legal Custody**

Joint legal custody means each parent has decision-making rights, responsibilities and authority relating to the health, education and general welfare of the child/ren.

Sole legal custody is in the best interest of the minor child/ren that the other parent not have decision-making rights.
- ◆ **Joint Physical Custody vs. Sole Physical Custody**

Joint physical custody means each parent has significant periods of time in which a child resides with or is under his/her care and supervision.

Sole Physical Custody is when it is not in the child's best interest for one parent to have periods of time when the child/ren resides with or in under their supervision.
- ◆ If you are asking for joint physical custody, you will need to complete and attach a Parenting Plan to your Petition and final Decree . Also make sure that the box is checked on your Petition and Decree for joint physical custody on the terms and as described in the Parenting Plan attached as Schedule A.

Have questions about completing the Parenting Plan? Having trouble filling out the forms? Or other questions involving divorce? Join us every Wednesday from 10 am-12 pm via Zoom for our Family Law Workshops! Contact the Court Assistance Office to register.

Warning: These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. We always recommend you talk to a lawyer about your problem before filing paperwork. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork at a lesser cost. Contact the Idaho State Bar Lawyer Referral Service (208-334-4500) for the name of an attorney in your area who will provide an initial half-hour consultation for \$35. Contact the Court Assistance Office in your area for information about resources for low-income people, or visit the Idaho Supreme Court's Self-Help Center at <http://>

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Serving the counties of Kootenai, Bonner, Boundary, Shoshone, and Benewah