Child Support Recalculation Program

General Information

The Child Support Recalculation Program (RP) helps parents with child support orders maintain a fair standard of support for their children. RP annually recalculates child support based on current income tax information. Our goal is to help parents keep child support levels in line with income, so families can avoid the time and expense of asking the courts to review their child support orders.

RP can recalculate both table (monthly) amounts of child support and proportionate shares of special or extraordinary expenses.

Who is eligible for this program?

You may be eligible for RP if your child support order or agreement sets child support amounts based on the tables in the child support guidelines and if your order or agreement **does not:**

- state that RP **shall not** recalculate;
- state that income is "imputed";
- set a future court date for review of child support; or
- use the words "pre-disclosure" or "without prejudice" to refer to income or child support
 amounts. An exception is made if the order also contains a clause specifically stating that RP
 can recalculate.

In most cases, both the recipient and the payor must also live in Alberta.

How can I register for RP?

Either parent may register by submitting a completed registration application and copy of your current child support order. Registration forms are available on RP's website or can be requested by phoning RP. We will review your order to make sure it is eligible for recalculation. Once registered, both parties become RP clients, with obligations to give RP income information and keep RP informed of all changes in their contact information.

How is child support recalculated?

RP uses income information from the previous year's tax return to determine child support amounts. Payors of child support must provide RP with income information each year. Recipients also must provide income information if RP is recalculating proportionate shares of special expenses, or if the recipient's income was used to set the table amount of support in shared or split parenting situations.

To recalculate child support, RP follows a simple administrative timeline and process. It then issues a Recalculation Decision, which contains the new child support amounts. By law, the recalculated child support amounts must be paid as if they were stated in your original order.

What happens if the other parent doesn't cooperate?

If a parent does not send RP the required income information on time, RP may be able to complete the recalculation by assuming the parent's income has increased to be the higher of:

- what the parent would earn working 40 hours a week for minimum wage; or
- the parent's current guideline income increased by up to 25 per cent.

Is there a fee?

A service fee of \$77 per parent, per recalculation helps RP provide a service that would otherwise require you to bring an application through the court system.

What if I don't agree with the recalculated child support amounts?

Every Recalculation Decision has a 30 day objection period. To object to a Recalculation Decision, you must apply to court to vary, suspend or terminate your child support order by the objection deadline stated in the Decision. This will stop the recalculated amounts from taking effect, and a court will decide on your child support amounts.

Is the recalculation done automatically each year?

Once you are registered with RP, the program will assess your file for recalculation each year about three months before the anniversary date of your court order.

Can RP reduce my child support arrears? Can it award arrears?

No, RP does not have authority to reduce or award arrears; this can only be done by a judge through a variation application.

If you have a change of financial circumstance during the year, such as a loss of a job or an increase in income, RP cannot review your file before your annual recalculation date. Parents have the option of applying to court in these cases.

If I am registered with RP, can I still apply to court to change my child support?

Yes, either parent has the right, at any time, to apply to the court to vary their child support.

How to contact Alberta's Child Support Recalculation Program

Mail: Telephone: 780-401-1111 (toll-free: 310-0000)

Recalculation Program **Fax:** 780-644-3674

8009 J.E. Brownlee **E-mail:** recalculation@gov.ab.ca
Building **Website:** <u>www.recalculation.alberta.ca</u>

10365 97 Street

Edmonton AB T5J 3W7

RP is unable to see clients in person. Please contact us by mail, phone, fax or e-mail.