

Minimum Support Orders

As stated in Dr. Venohr’s brief on low-income obligated parents from March 2018, whether to have a minimum order, and if so, the amount of the minimum order are policy decisions.¹ In Minnesota, if the obligated parent’s income is below the self-support reserve, a minimum basic support amount is ordered. See the table below for the amounts of current minimum basic support orders.

Current Minnesota Minimum Support Order Amounts

Combined Monthly Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
\$0-\$799	\$50	\$50	\$75	\$75	\$100	\$100

Other States’ Approaches to Minimum Support Orders

Most states that have adopted a self-support reserve (SSR) provide that if the income of the obligated parent is equal to or less than the SSR, there is either a requirement or a rebuttable presumption that a minimum basic support amount be ordered.

Specific Examples from Other States

State	Minimum Basic Support Order Amount
Idaho	\$50 per month per child
Iowa	\$30 per month for 1 child and \$50 per month for 2 or more
Massachusetts	\$25 per week /\$108 per month
Michigan	10% of after-tax income
Montana	Sliding-scale minimum order

¹ For the full text of the brief, please visit https://mn.gov/dhs/assets/2018-03-28-Workgroup-Low-Income-Adjustment-Brief_tcm1053-336860.pdf

Nebraska	\$50 per month or 10% of net income, whichever is greater
New York	\$25 per month if obligor's income is less than 100% FPG. \$50 per month, if obligor's income is less than the SSR (135% FPG), or the difference between obligor's income and the SSR, whichever is greater
North Dakota	\$0 if obligor's income is less than \$700 per month
Ohio	\$50 per month
Rhode Island	\$50 per month
South Dakota	\$79 per month
Washington	\$50 per month
Wisconsin	\$85 per month for 1 child, \$125 per month for 2 children, \$145 for 3 children, \$155 for 4 children, and \$170 per month for 5 children

Should the Task Force recommend changing the amounts of MN's minimum support orders?

Advantages

- Minnesota's minimum support amounts are in line with other states' guidelines.
- Minimum orders acknowledge as a matter of policy that both parents have a duty to support their child(ren), even if it is a nominal amount.
- Decreasing the amount to \$0 may provide relief to low-income obligors, but may negatively impact the other parent and the child(ren).
- Increasing the amount of the minimum order may make the support more difficult to collect and would likely result in unrealistic support amounts for obligors at or below the SSR.

Disadvantages

- If the obligor is at or below the SSR, he or she may not be able to afford even a nominal support amount.
- Minimum support amounts may be difficult collect from low income obligors. As a result, not only does the other parent go without support, the obligated parent is negatively impacted as past due support accrues.