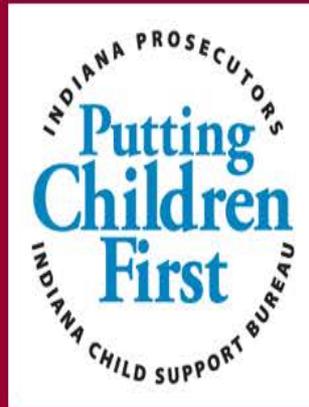


**40 Years**

**Working Together for Children**  
**1976 - 2016**



**June 14 – 17, 2016**

**Merrillville, Indiana**

**Indiana Child Support Conference**

# IRREGULAR INCOME

BRUCE WELLS

ELKHART COUNTY PROSECUTOR'S OFFICE

CHILD SUPPORT CONFERENCE 2016



1976-2016

# DEFINITION OF WEEKLY GROSS INCOME

# THREE POTENTIAL SOURCES FOR WEEKLY GROSS INCOME

# TYPES OF WEEKLY GROSS INCOME

# WHAT IS IRREGULAR INCOME?

# EXAMPLES OF TYPES OF IRREGULAR INCOME

# FACT SENSITIVE

# LIMITATIONS ON THE INCLUSION OF IRREGULAR INCOME

# VERIFICATION OF INCOME

# BALANCE OF FACTORS



1976-2016

# METHODS FOR DEALING WITH IRREGULAR INCOME

# FIXED PERCENTAGE OF THE IRREGULAR INCOME

# FIXED PERCENTAGE

- DETERMINE THE RATIO OF THE BASIC CHILD SUPPORT OBLIGATION (LINE 4 OF THE WORKSHEET)
- TO THE COMBINED WEEKLY ADJUSTED INCOME (LINE 3 OF THE WORKSHEET)
- APPLY THIS RATIO TO THE IRREGULAR INCOME DURING A FIXED PERIOD OF TIME

# INCOME AVERAGING

# INCOME AVERAGING

- TAKE THE TOTAL INCOME FOR A PERIOD OF TIME
- DIVIDE BY NUMBER OF WEEKS DURING THAT PERIOD
- YIELDS AVERAGE WEEKLY GROSS INCOME

# CASE LAW

# BONUSES

ASHWORTH V. EHRGOTT

982 N.E.2D 366

(IND. APP. 2013)

COMMISSIONS AND OVERTIME

RATLIFF V. RATLIFF

804 N.E.2D 237

(IND. APP. 2004)

# FIXED PERCENTAGE METHOD

EBRAHIM V. OTEFI

14 N.E.3D 892

(IND. APP. 2014)

FACT SENSITIVE  
ANDERSON V. ANDERSON  
878 N.E.2D 541  
(IND. APP. 2007)

STRUCTURED SETTLEMENT  
PATERNITY OF D.A. AND A.A.  
31 N.E. 3D 36  
(IND. APP. 2015)



1976-2016