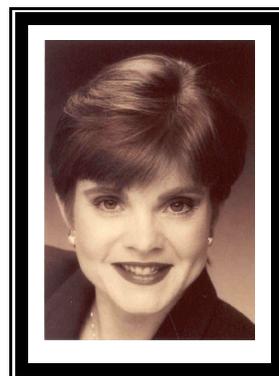


The Carol A. Wilson Newsletter

Board Certified Family Law, Texas Board of Legal Specialization

Of Counsel to Siebman, Reynolds, Burg & Phillips, L.L.P.,
Sherman & Plano, Texas
3131 Turtle Creek, Blvd., Suite 918, Dallas, Texas 75219
Phone: 214-303-0142; Fax: 214-599-2149
carol@cawilsonlaw.com



Taxes & Family Law

June, 2007

Dear Colleagues:

The Texas Legislature passed two bills this year raising the cap on net resources considered for purposes of calculating child support and revising the parenting plan parts of the Family Code.

House Bill 448 amends six sections of the Texas Family Code by raising the cap on monthly net resources of the payor (obligor) to \$7,500 per child as opposed to the previous \$6,000 per child limit. Additionally, this act stipulates that the dollar amount will be adjusted for inflation every six years by the Attorney General publishing the new amount in the Texas Register, as opposed to the Legislature changing the cap by proposing and passing a law.

As most of you know, the person who pays child support (obligor) gets credit for providing health insurance for their children. This bill changes the way that the cost of health insurance coverage is calculated. If the obligor has more than one child covered under the same health insurance plan, the bill states that the total cost of the children's insurance only must be divided by the total number of minor dependents covered, resulting in a cost per child for health insurance.

House Bill 555 amends Texas Family Code §153.007 so that if the Court finds that the agreed parenting plan is not in the best interest of the child, it can request the parties to submit a revised parenting plan. If the court does not find the revision to be satisfactory, it may order a parenting plan that it sees as optimal. Prior to this, if the court was unsatisfied with the parenting plan, it could only request a revised parenting plan, but had no authority to order one itself.

There is no longer a requirement for a temporary parenting plan in temporary orders as previously required by Texas Family Code §153.602. Furthermore, a Court may not require one through local rules or practice.

If both parties request and agree to the removal of the parenting coordinator or one party shows good cause for such removal, the court will require, rather than permit, that removal according to revised §153.607. Texas Family Code §153.0071 extends the confidentiality of the alternative dispute resolution procedures to the parenting coordinator and to all parties involved in this process.

For more details, you can find the house bills at www.capitol.state.tx.us.