

LAW OFFICE OF
SUSAN CASTLETON RYAN, P.C.

December 2008 Newsletter

Issue: 1



Rachel Stauff, Paralegal (Far Left), Susan C. Ryan, Esq. (Center),
Paula Gallagher, Office Manager/Legal Assistant (Far Right)

Welcome to the Newsletter of the Law Office of Susan Castleton Ryan, PC

Welcome to the first monthly newsletter from the [Law Office of Susan Castleton Ryan, P.C.](#) My practice focuses on family law and probate matters, which are often complex, sensitive, and always challenging. There have been significant changes in family law during the past few years. New child support guidelines will be implemented in January 2009. The newsletter is intended to keep readers informed and educated about changes in the law, and within the probate court.

If you have any questions and/or comments about this newsletter, or suggestions for future topics, please contact the office via our [website](#) or [email](#).

Best wishes for a safe and happy holiday season!

NEW CHILD SUPPORT GUIDELINES

As of January 1, 2009, new Massachusetts child support guidelines will take effect. The guidelines will apply to all child support orders and judgments entered after the



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HAPPY HOLIDAYS!

The most festive time of year is here. It is a time for family gatherings, gift exchanges, and of course, delicious food. Normally at this time, the office sends holiday cards and greetings to our families, clients, colleagues, and others. This year we decided not to send cards, but donated the cost of cards and postage to the Abington Food Pantry. The Food Pantry serves the Abington community, providing food and toiletry items for those in need. We hope our donation will help others who need assistance at this time. If you wish to support this worthy organization, or others on the South Shore, please [click here](#) for information. In the alternative, there are donation cans located in the office.

Paula, Rachel and I wish you and your families Happy Holidays, and hope the New Year brings health and prosperity to everyone.

effective date. Existing orders and judgments less than three (3) years old as of the effective date will not be modified unless the income of one or both parties has changed, or there has been a change in circumstances warranting modification.

The new guidelines differ significantly from those currently in effect. They consider the combined income of both parties, and eliminate the \$20,000 deduction for the custodial parent. The current guidelines apply only in cases where the combined income is \$135,000 or less. The new guidelines will apply up to \$250,000 of combined annual income for both parties. Additionally, the new guidelines provide clarification about overtime and secondary jobs; income from self employment and unreported "under the table" income; shared physical custody arrangements; adjustments as children age; income attribution; prior child support orders; and subsequent families, etc.

One of the most significant changes is the inclusion of ten (10) circumstances in which judges may consider in deviating from the guidelines. These factors include, but are not limited to, situations involving a child(ren) with special needs or aptitudes; a child with extraordinary medical expenses; a parent with extraordinary medical expenses; a parent with extraordinary travel or other expense related to parenting; payor is incarcerated; absent deviation the application of the guidelines would lead to an order that is unjust, inappropriate, or not in the best interests of the child, etc.

While the guidelines are not effective until January 1, 2009, many judges and court personnel seem to be considering them on a case-by-case basis prior to the effective date.

The new child support guidelines are available online at: <http://www.mass.gov/courts/childsupport/guidelines.pdf>.

The new guidelines are a result of more than two years' work by the twelve member task force composed of attorneys, judges, doctors, and others. Probate & Family Court Chief Justice Paula M. Carey chaired the task force. The Task Force's report is available at www.mass.gov/courts/childsupport.

HAVE YOU FILED A DECLARATION OF HOMESTEAD?

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Helpful Links

[Plymouth Probate & Family Court](#)

[Long Form Financial Statement](#)

[Short Form Financial Statement](#)

[Financial Statement - Schedule A](#)

[Financial Statement - Schedule B](#)

[Child Support Enforcement](#)

[Child Support Payment Stubs](#)

[Plymouth County Registry of Deeds](#)

[Norfolk County Registry of Deeds](#)

[Need a Speaker?](#)

Questions? Comments?

Feel free to visit our [website](#) or [email](#) the office.

COMING IN NEXT MONTH'S ISSUE . . .

Meet the Staff

Many Massachusetts residents are unaware that they may file a "Declaration of Estate of Homestead" to protect their residence, in the Registry of Deeds in the county in which the property is located. By filing the simple form, homeowners are able to protect their property up to \$500,000.00 of the equity value of their primary residence. Those who own mobile homes may file a similar declaration at their town or city hall.

The law states that only one person under the age of 62 can file a Homestead Declaration on behalf of his/her family. However, under Massachusetts General Law Ch. 188, section 1A, the protection of \$500,000 is for each person's ownership in the residence. If a non-elderly homestead exemption is already on record, and the other spouse attains the age of 62, he/she may file for the homestead protection as well.

More information related to the Homestead Declaration, including eligibility and filing fees, may be found at the Secretary of States' website: www.sec.state.ma.us/rod/rodhom/homidx.htm. Information is also available at individual Registry of Deeds throughout the Commonwealth. Plymouth County's website: plymouthdeeds.org, has information related to the Homestead Declaration, and to interesting facts about Plymouth County. There are three locations serving Plymouth County, including the main registry in Plymouth, and satellite offices in Rockland and Brockton.

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This newsletter is designed to keep you up-to-date with changes in the law. For help with these or any other legal issues, please call our firm today. The information in this newsletter is intended solely for your information. It does not constitute legal advice, and it should not be relied on without a discussion of your specific situation with an attorney.

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