

Announcement
Revisions made to Rules 16.1 and 500 through 509 of the
Family Court Rules of Civil Procedure

By Order dated December 6, 2022 and effective February 1, 2023, the Delaware Family Court has amended Rules 16.1 and 500 through 509 of the Family Court Rules of Civil Procedure (the “Rules”).

Federal Regulations require all States to have guidelines for establishing and modifying child support obligations within the State. The State must review, and, if appropriate, revise the guidelines at least once every four years to ensure that their application results in the determination of appropriate child support amounts. On August 31, 2021, Chief Judge Michael K. Newell convened the Ad Hoc Committee for Child Support Guideline Review (the “Committee”) to conduct the review. The Committee was comprised of representatives of the Family Court, General Assembly, Division of Child Support Services, Department of Justice, Family Law Commission, and the Family Law Section of the Delaware State Bar Association.

Following its review, the Committee issued a report and recommendations to the Family Court Judiciary. The report and recommendations were reviewed by the Family Court Judiciary and approved on October 13, 2022. Consistent with the recommendations of the Committee, Family Court published its Final Report on the Delaware Child Support Formula Evaluation and Update. The Final Report is available on Family Court’s website at the following link: [2022 Final Report](#).

A summary of the approved recommendations can be found on pages 4 through 6 of the Final Report. The approved recommendations were formalized as amendments to the Rules, which were then approved by the Family Court Judges on December 6, 2022 and will be available at <https://courts.delaware.gov/rules/>.

The 2022 Review occurred during a period of global economic upheaval caused by the COVID-19 pandemic and aggravated by the Russian invasion of Ukraine. Economic inflation unseen in 40 years, including the doubling of the price of gasoline, has significantly challenged the ability of parents to provide for their children. The unprecedented shutdown of the economy forced millions out of the workforce and re-entry into the job market has presented new opportunities for some parents but new obstacles to others. While the Final Report provides comprehensive information on the amended Rules, the 2022 Review may be best described as a collection of incremental adjustments focused on equity, the needs of children, and practical issues to facilitate the just determination and enforcement of child support obligations.