MEMORANDUM DECISION

ATTORNEY FOR APPELLANT

April L. Edwards
Boonville, Indiana

ATTORNEY FOR APPELLEE

Kelly A. Lonnberg
Evansville, Indiana

IN THE COURT OF APPEALS OF INDIANA

Tara Lucas,
Appellant-Petitioner,

v.

Christopher Lucas,
Appellee-Respondent

July 13, 2023

Court of Appeals Case No. 22A-DC-2158

Appeal from the Gibson Superior Court

The Honorable Robert D. Krieg, Judge

The Honorable Roman J. Ricker, Magistrate

Trial Court Cause No. 26C01-1811-DC-1695

Memorandum Decision by Chief Judge Altice
Judges Riley and Pyle concur.

Altice, Chief Judge.

Case Summary

[1] Tara Lucas (Mother) and Christopher Lucas (Father) divorced in 2015 with two minor children, ages ten and seven. Based on a significant income disparity, Father paid substantial child support to Mother, the custodial parent. A custody dispute eventually arose and, after an agreed modification to equal parenting time in April 2020, the trial court modified custody in September 2020, awarding primary physical custody to Father and vacating the existing support obligation. The court directed the parties to review whether negative child support applied and to seek a hearing if they could not agree. The court specified that any negative support obligation would be made retroactive to the date of the custody modification order.

[2] Mother had a significant health event about three months later, which left her unable to work for some time. Then in January 2022, Mother filed motions to modify parenting time and to determine Father's retroactive negative support obligation. Following a three-day hearing, the trial court denied Mother's motion to modify parenting time, granted her retroactive child support of $68 per week, denied child support going forward, and denied her request for attorney's fees.

[3] On appeal, Mother challenges the order with respect to child support and the denial of attorney's fees. She presents the following restated issues for review:

1. Did the trial court clearly err in determining retroactive support by using improper gross income figures derived from

the parties' 2020 income rather than other years and including certain deductions from Father's income?

2. Did the trial court clearly err by awarding no prospective child support to Mother, which decision was based in part on imputing minimum wage to Mother and determining that the resulting support obligation would be offset by other expenses paid by Father?

3. Was it an abuse of the trial court's discretion to deny Mother's request for attorney's fees?

[4] We affirm in part, reverse in part, and remand.

Facts & Procedural History

[5] Mother and Father were married for over ten years and had two children born of the marriage, M.L. (Daughter), born in July 2004, and J.L. (Son), born in March 2007. The marriage was dissolved with a mediated summary dissolution decree in April 2015. As for custody of the children, the decree provided for joint legal custody with Mother designated as the primary physical custodian and Father receiving parenting time in excess of the Indiana Parenting Time Guidelines (Parenting Guidelines). Father was ordered to pay $1500 per month in child support.

[6] In late 2018, Mother filed a petition to modify custody, parenting time, and support and a petition for contempt. Father swiftly filed a competing petition to modify based in part on an alleged deterioration in the relationship between Mother and Daughter. Hearings and additional motions followed for more

than a year. On April 16, 2020, the trial court entered an agreed order that addressed all pending issues. Relevant here, the parties agreed to equal parenting time of one week on/one week off and for Father's child support obligation to be increased to $2615 per month, with Father also paying all the children's controlled expenses.

[7] On August 17, 2020, Mother, pro se, filed a petition for rule to show cause in which she argued that Father had refused to comply with the parenting time order. The trial court scheduled a hearing for August 21. The day before the hearing, Father petitioned to modify physical custody, alleging that the relationship between the children and Mother had continued to deteriorate and that the children wished to reside primarily with Father.

[8] The trial court held a contested hearing on August 21, 2020, at which both pending petitions were addressed. Daughter and Son testified at the hearing, along with other witnesses. The evidence established, among other things, that Mother and Daughter had engaged in a physical and verbal altercation earlier in the month when Mother came to Father's residence to pick up the children. Arguments between Mother and Daughter were not uncommon, and Daughter and Son both testified that they would prefer to live with Father. At the end of the hearing, the trial court took the matters under advisement.

[9] On September 15, the trial court issued an order with findings of fact and conclusions (the September 2020 Order). The court rejected Mother's claims that Father was in contempt of the agreed order and granted Father's petition to

modify custody. Under the September 2020 Order, Father became the primary physical custodian of the children, Mother received parenting time in accordance with the Parenting Guidelines, and Father's existing child support obligation was terminated. Recognizing the significant financial disparity between the parties, the order provided:

> At this time, it is unclear if Mother would be entitled to negative child support as no evidence of the parties' income levels was presented at the hearing. The Court will set this matter for a future hearing on the issue of negative child support should the parties be unable to agree upon the same. If Mother is found to be entitled to negative child support, said order will be retroactive back to the date of this entry.

Appellant's Appendix at 66. The trial court also relieved Mother of all financial obligations related to the children's extracurricular activities, ordered Father to pay for the children's private schooling to the extent not covered by vouchers obtained by Mother, and ordered that Father was "not eligible for a refund of excess child support payments, if any, from the time he filed his most recent petition(s)." *Id*. at 68.

[10] On December 18, 2020, Mother suffered a brain aneurysm, which resulted in her hospitalization followed by in-patient rehabilitation therapy until January 23, 2021. Then she continued with treatment, therapy, and doctor care as insurance benefits allowed. Mother applied for disability benefits in March 2021 and was rejected. She reapplied in August 2021 with the help of an attorney, which determination remained pending. Mother received

unemployment benefits in 2021 in the amount of $17,354, as well as $1585.90 from her prior job.

[11] In 2021, Father paid Mother's February and March mortgage payments to help during her period of rehabilitation. He also contributed $1000 for the children's airfare to travel with Mother on a trip to California in August 2021 to visit some of Mother's family.

[12] On January 6, 2022, now represented by counsel, Mother filed two motions with the trial court seeking (1) negative child support retroactive to the September 2020 Order and (2) modification of parenting time back to the week on/week off arrangement. Mother also requested an award of attorney's fees.

[13] The evidentiary hearing on Mother's motions was held on April 8, April 22, and May 2, 2022. Aside from custody, much of the parties' dispute at trial centered on what income figures should be used for each of them in the child support worksheets and what, if any, credits Father should receive toward any negative child support awarded retroactive to the September 2020 Order. At the time of the hearing, Mother was still not working, though she had substituted at school a couple of days in March and was seeking employment. As a partner of a national commercial real estate law firm, Father earned income, as reflected on his Schedule K-1s, of $399,112 in 2020 and $469,594 in 2021. By the hearing, he had begun working in-house for his biggest client at an annual salary of $285,000.

[14] On August 29, 2022, the trial court entered an order refusing Mother's request for equal parenting time and leaving the custody provisions of the September 2020 Order in effect to Son. As for Daughter, the court noted that she was eighteen years old and heading to college and therefore would not have a required parenting time schedule. While the court encouraged Mother to seek counseling to continue to address her strained relationship with the children, it did not order counseling. The court denied Mother's request for an award of attorney fees.

[15] As for Mother's request for negative child support, the main issue in this appeal, the court's order separately addressed retroactive support and ongoing support. For retroactive support, the trial court used Father's Exhibit C, a child support worksheet based on the parties' income from 2020 and included certain deductions from Father's gross earnings. Father's Exhibit C listed a recommended negative support obligation of about $68 per week. The court also found that Father's Exhibit J was "the appropriate arrearage calculation." *Id*. at 111. This exhibit indicated that Father owed $5780 in retroactive negative support but then subtracted from this an amount calculated in another exhibit – Father's Exhibit A that is a summary exhibit of checks written by Father – resulting in a purported overpayment of $3125.94. The trial court's findings suggest that it disagreed with the overpayment amount set out in Father's Exhibit J and that the court was only adopting the arrearage calculation. This is further evidenced by the trial court's ultimate ruling that "Retroactive Support shall be consistent with Exhibit C … and shall cover from

September 15, 2020 through and including April 8, 2022 (the first day of trial)." *Id*. at 114-15. Thus, the trial court ordered Father to pay retroactive child support in the amount of $68 per week for the stated period.[1]

[16] In determining whether to award negative support to Mother going forward, the trial court found that Father's current annual income was $285,000, Mother should be imputed minimum wage, and Father agreed to be exclusively responsible for Daughter's upcoming college expenses and all uninsured medical expenses for the children. Despite the income disparity between Mother and Father, the court found that a negative support award was "not justified" because such support was "more than offset by Father paying for all college expenses for [Daughter] (age 18) and all the basic necessities for [Son]." *Id*. at 112. Thus, the court ordered:

> Current Support shall be effective as of April 8, 2022 reflecting that Father shall not owe a negative support and shall be zero ($0.00) dollars per week and in lieu thereof shall be ordered to pay for all post-secondary expenses of [Daughter], and also uninsured medical, and all expenses related to extracurricular activities for [Son]. As such the 6% rule shall not apply.

Id. at 113.

---

[1] Curiously, on appeal, both parties proceed on the premise that the trial court determined Mother was not owed any retroactive child support. The trial court's judgment, however, does not bear this out. Further, the order does not state that the court was giving any credits against Father's retroactive support arrearage. And while Mother stipulated at trial that Father was entitled to some credit for overpayments of support made in August and September 2020, we note that the September 2020 Order stated that Father was not entitled to a refund of any excess support payments, if any, made before the order.

[17] Mother now appeals. Additional information will be provided below as needed.

Standards of Review

[18] A trial court's calculation of child support is presumptively valid and is subject to reversal on appeal only for clear error. *See Bogner v. Bogner*, 29 N.E.3d 733, 738 (Ind. 2015). That is, we will reverse a support order, even if it deviates from the appropriate guideline amount, only where the trial court's determination is clearly against the logic and effect of the facts and circumstances before the trial court. *Id*. Further, our review is limited to the evidence and reasonable inferences favorable to the judgment. *Id*.

[19] The trial court's denial of Mother's request for attorney's fees is also at issue. Trial courts are granted wide discretion in this regard. *In re Marriage of Gertiser*, 45 N.E.3d 363, 372 (Ind. 2015). And while they must consider certain factors when determining whether to award attorney's fees, it is not required to give reasons for its determination. *Connolly v. Connolly*, 952 N.E.2d 203, 208 (Ind. Ct. App. 2011).

Discussion & Decision

[20] The Indiana Child Support Guidelines (Support Guidelines) provide for what the trial court called negative support, which occurs when the custodial parent is ordered to pay child support to the non-custodial parent. Support Guideline 1 provides: "Absent grounds for a deviation, the custodial parent should be required to make monetary payments of child support, if application of the

parenting time credit would so require." And Support Guideline 3(F)(1) recognizes:

> When there is near equal parenting time, and the custodial parent has significantly higher income than the noncustodial parent, application of the parenting time credit should result in an order for the child support to be paid from a custodial parent to a noncustodial parent, absent grounds for a deviation.

Of course, a trial court may deviate from the negative support amount reached through application of the Support Guidelines if the court determines that the award would be unjust and enters supporting factual findings.[2] *See* Ind. Child Support Rule 3 ("If the court concludes from the evidence in a particular case that the amount of the award reached through application of the guidelines would be unjust, the court shall enter a written finding articulating the factual circumstances supporting that conclusion."). The findings "need only articulate the judge's reasoning" and need not be as formal as special findings and conclusions under Ind. Trial Rule 52. Child Supp. G. 1 Cmt.; *see also Bogner*, 29 N.E.3d at 739.

[21] In this case, the parties and the trial court addressed two periods of potential support: (1) retroactive support dating back to the September 2020 order that

[2] Father incorrectly asserts that a negative support award is generally only warranted when there is near equal parenting time. This is a plain misstatement of the law.

left the door open to such support and (2) prospective support. We will address each in turn.

1. Retroactive Child Support

[22] Mother first challenges the worksheet used by the trial court – Father's Exhibit C – in determining the amount of retroactive child support under the Guidelines. She contends that it was error to adopt Father's Exhibit C because that worksheet used the parties' 2020 income and included certain adjustments to Father's gross income. Mother notes, correctly, that her gross weekly income dropped substantially in 2021 after her brain aneurism in December 2020, going from $854.77 to $364.23. Father's gross weekly income was also, by Father's own numbers, about $1000 higher in 2021 than 2020.

[23] In its order, the trial court explained its decision to rely on the 2020 income figures rather than the actual income the parties earned in 2021. That is, in the September 2020 Order, the parties were instructed to review if negative support applied and to seek a hearing if they could not agree. The expectation, therefore, according to the trial court, was that a hearing would be held "shortly after if no agreement was reached" and that "the appropriate financial information to use would be from the calendar year 2020." *Appellant's Appendix* at 110. Because of circumstances outside of her control, which the trial court recognized, Mother did not seek such a hearing until January 2022. She then asked the court to use "financial information of partnership draws that were not available to Father until long after the time period of evidence from which the

September 2020 order was derived." *Id.* at 111. Under the circumstances, the trial court declined Mother's request.

[24] In choosing to use the 2020 income figures, the trial court also noted that "Father contributed even more substantially to Mother's finances after her aneurysm, specifically to make a mortgage payment, to ensure that the children and Mother kept their home." *Id.* In fact, the undisputed evidence reveals that Father made two such mortgage payments, which totaled approximately $2290. Additionally, as recognized in the trial court's findings, Father paid $1000 toward the children's airfare for a trip with Mother to California in the summer of 2021, and Father sought credit for "other overpayments" against the support arrearage calculated based on Father's Exhibit C. *Id.* The trial court "considered Mother's serious illness, rehabilitation and inability to work after her illness" and denied reimbursement to Father for "any overpayment" through 2021. *Id.*

[25] The trial court also expressly rejected Mother's support calculations that were based on financial information from 2021 and not available until shortly before the factfinding hearing. The court found that "Mother's calculations [were] not justified by [the] facts" and noted that "Father pays 100% of school expenses, tuition, clothing, gas, car costs, cell phones, college applications, college visits, extracurricular expenses, etc." *Id.* at 112.

[26] Under the circumstances, we cannot say that the trial court's decision to rely on 2020 income figures, rather than 2021, was clearly erroneous. And Mother's

passing assertion – made for the first time on appeal – that the support worksheet should "reflect zero income for Mother from December 18, 2020 through April 8, 2022" is without merit and wholly unsupported by the record. *Appellant's Brief* at 21.

[27] In the alternative, Mother argues that even using Father's 2020 income, the trial court improperly allowed certain deductions in determining his gross weekly income from self-employment. Father's Schedule K-1 for 2020 reflected that his partnership income was $399,112. From this amount, the trial court deducted $13,711 in self-employment taxes, $12,771 for ordinary and necessary business expenses, and $63,794 due to Father's high effective tax rate. Mother has no quarrel with the first deduction, but she challenges the other two deductions used in calculating Father's weekly gross income from self-employment, as listed on Father's Exhibit C.

[28] We turn first to Mother's claims about the deduction for business expenses. Support Guideline 3(A)(2) provides:

> Weekly Gross Income from self-employment … is defined as gross receipts minus ordinary and necessary expenses. In general, these types of income and expenses from self-employment or operation of a business should be carefully reviewed to restrict the deductions to reasonable out-of-pocket expenditures necessary to produce income. These expenditures may include a reasonable yearly deduction for necessary capital expenditures. Weekly Gross Income from self-employment may differ from a determination of business income for tax purposes.

Thus, the income used to calculate support is "more inclusive than that reported for income tax purposes" and the trial court, ultimately, is "vested with discretion regarding the validity of business expenses and deductions taken for tax purposes by a business owner." *In re Paternity of C.B.*, 112 N.E.3d 746, 759 (Ind. Ct. App. 2018), *trans. denied*; *see also* Child Supp. G. 3(A) Cmt. (observing that calculating gross income for the self-employed "presents unique problems" and "calls for careful review of expenses" to determine "actual out-of-pocket expenditures … to the extent that they are reasonable and necessary for the production of income").

[29] In this case, Father provided the trial court with Schedule E of his 2020 federal tax return, reflecting $12,771 in total business expenses associated with his law practice. Father confirmed during his testimony that this amount represented his "ordinary necessary business expenses." *Transcript Vol. 2* at 115. Mother did not cross-examine Father regarding these expenses or otherwise delve into the details of the expenses included on his Schedule E. Rather, Mother simply excluded any business expenses in her calculation of Father's income from self-employment. As Mother presented no evidence or argument below to dispute the business expenses asserted by Father, she cannot now be heard to complain that the trial court accepted Father's numbers in this regard. Even on appeal, Mother does not provide cogent argument for her assertion that Father is not entitled to a deduction for any business expenses, nor does she direct us to the page(s) in the record setting forth these claimed expenses. In other words, she has not established clear error in this regard.

[30] The other deduction disputed by Mother is based on the high effective tax rate Father allegedly had in 2020. The commentary to Support Guideline 1 explains:

> In devising the Indiana Guidelines, an average tax factor of 21.88 percent was used to adjust the support column.
>
> Of course, taxes vary for different individuals. This is the case whether a gross or net income approach is used. Under the Indiana Guideline, where taxes vary significantly from the assumed rate of 21.88 percent, a trial court may choose to deviate from the guideline amount where the variance is substantiated by evidence at the support hearing.

"If a party produces substantiated evidence that he or she pays a tax rate very different from that presumed rate, the trial court may take that variation into account when calculating child support." *Bojrab v. Bojrab*, 786 N.E.2d 713, 740 (Ind. Ct. App. 2003), *aff'd in relevant part*, 810 N.E.2d 1008 (Ind. 2004).

[31] Here, the trial court made no express findings about Father's effective tax rate in 2020 except to note that Mother did not acknowledge that the rate exceeded the assumed tax rate. Mother's argument on appeal boils down to a claim that there was insufficient evidence presented at the hearing from which Father's tax rate could have been calculated. We agree.

[32] While Father presented evidence about state income taxes that he paid in Colorado, Kentucky, Pennsylvania, and West Virginia – totaling a tax rate of about five percent of his gross income – his federal tax return from 2020 was redacted to an extent that made it impossible to determine Father's effective

federal tax rate. The only mention of Father's total tax rate is a conclusory statement on a page appended to his proposed worksheet providing:

> Father pays taxes at a rate that is 17.12% higher than the rate assumed by the Guidelines. This results in $63,794 in taxes in excess of what the Guidelines assume in determining "Weekly Gross Income."

There is no evidence in the record, however, supporting this alleged excess tax rate, and the statement itself was admitted by the trial court purely for demonstrative purposes.[3] The trial court indicated that it would do its own calculations to determine Father's tax rate, but then it did not do so, nor could it have given the void in the necessary evidence. Accordingly, the trial court clearly erred by deducting $63,794 from Father's gross income.

[33] Without the erroneous deduction, Father's weekly gross income in 2020 was $7165.96, boosting his retroactive child support obligation from $68 to $101 per week. Accordingly, we direct the trial court to amend its order to reflect that Father's retroactive support obligation for September 15, 2020, though and including April 8, 2022, is $101 per week.

---

[3] We find it telling that Father has not provided us with calculations regarding how he arrived at the 17.12% figure in his demonstrative exhibit. And try as we might, we have been unable to reach any comparable number from the evidence of record.

2. Prospective Child Support

[34] Mother next challenges the trial court's decision not to award negative child support to her going forward. She contends that this was an abuse of discretion, but the proper standard of review, as set forth above, is whether the trial court's judgment was clearly erroneous. Specifically, in her relatively brief arguments, Mother claims that the trial court erred by imputing minimum wage to her and in determining that support was offset by Father paying college and other expenses for the children.

[35] Support Guideline 3(A)(3) permits a court to impute income to a parent who is voluntarily unemployed or underemployed, and where employment and earning history is unclear, "the facts of the case may indicate that Weekly Gross Income be set at least at the federal minimum wage level." Further, the commentary to Support Guideline 2 indicates that courts "should not automatically attribute minimum wage to parents who, for a variety of factors, are not capable of earning minimum wage."

[36] Without citing to the record, Mother references a doctor's note and her own testimony and argues that the evidence establishes she was unable to work, due to her "major health emergency," which began in December 2020. *Appellant's Brief* at 28. She notes that at the time of the hearing, eighteen months later, she was still undergoing physical therapy and follow-up physician appointments and had "a long road to attaining her pre-stroke health." *Id.* at 29.

[37] Mother has failed to establish clear error in this regard. Her claimed inability to work was disputed below, and the evidence she presented was minimal. For example, the note that she references simply indicates that she was seen by a nurse practitioner on March 8, 2022, and that she left with a vague work limitation indicating that she was "unable to work at this time due to continue [sic] therapies and limited endurance." *Exhibits Vol. 5* at 85. At that time, Mother had been substitute teaching at a local school.

[38] No medical evidence was presented that at the time of Mother's testimony in May 2022 she was unable to work in any capacity. In fact, she testified that she had applied for various jobs in the months leading up to the hearing, and other witnesses testified that Mother was actively seeking employment. Moreover, despite her claimed health limitations, Mother had traveled to California twice and attended multiple college football games in Alabama with family and friends in 2021. Finally, Mother's disability claim was denied in March 2021, and her health had continued to improve since that time.

[39] Before her aneurism, Mother was working as a full-time office administrator with a gross income of over $800 per week. The trial court did not impute Mother's pre-aneurism income to her but imputed only minimum wage of $290 per week. The trial court's determination that Mother could work and make at least that minimum amount was not clearly erroneous.

[40] Although we find no error in the gross income numbers used by the trial court, we observe that the trial court did not include a child support worksheet with

respect to this portion of its order, nor did it even specify what the negative support amount would be under the Support Guidelines. Further, if the trial court relied on one of the two worksheets proposed by Father – Father's Exhibit G or H – this would have been erroneous because his worksheets were based on Mother receiving 52 overnights rather than 98 overnights. In fact, Father incorrectly directs us to the weekly support obligations derived from these two exhibits and argues that the resulting support obligations of $3 and $5, respectively, are "negligible" and justifiably offset by the other expenses paid by him, including for college, uninsured medical expenses, and extracurricular activities. *Appellee's Brief* at 14. But when the proper number of overnights is included on the worksheets proposed by Father, the resulting amounts - $120 and $84 – are no longer negligible.

[41] Because we cannot determine whether the trial court considered the proper amount of child support under the Support Guidelines, we remand for the trial court to complete a support worksheet based on Mother receiving 98 overnights. The trial court must then determine, based on the resulting amount, whether its order requiring Father to pay for college expenses,[4]

[4] The trial court on remand should consider that funds existing in the 529 accounts at the time of the parties' divorce, when the children were ages seven and ten, will be used to pay for Daughter's college expenses. Further, there is evidence in the record that Father continued to fund accounts after the divorce. *See Exhibits Vol. 4* at 97 (reflecting contributions totaling $6300 in 2019); *Exhibits Vol. 4* at (reflecting contributions totaling $10,000 in 2021).

uninsured medical expenses, and Son's extracurricular activities sufficiently offset the negative support obligation.

3. Attorney's Fees

[42] Finally, Mother challenges the trial court's denial of her request for an order requiring Father to pay her attorney's fees. She directs us to Ind. Code § 31-17-4-3, which provides:

> (a) In any action filed to enforce or modify an order granting or denying parenting time rights, a court may award:
>
> (1) reasonable attorney's fees;
>
> (2) court costs; and
>
> (3) other reasonable expenses of litigation.
>
> (b) In determining whether to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation, the court may consider among other factors:
>
> (1) whether the petitioner substantially prevailed and whether the court found that the respondent knowingly or intentionally violated an order granting or denying rights; and
>
> (2) whether the respondent substantially prevailed and the court found that the action was frivolous or vexatious.

When awarding attorney's fees in parenting time actions, we have further held that "the trial court *must* consider the resources of the parties, their economic condition, the ability of the parties to engage in gainful employment and to earn adequate income, and such factors that bear on the reasonableness of the

award." *In re B.J.N.*, 19 N.E.3d 765, 771 (Ind. Ct. App. 2014) (quoting *A.G.R. ex rel. Conflenti v. Huff*, 815 N.E.2d 120, 127 (Ind. Ct. App. 2004), *trans. denied*) (emphasis added in *B.J.N.*).

[43] Here, Mother did not prevail in her pursuit of additional parenting time, which she sought just over a year after the previous custody order and after only two counseling sessions with Daughter. Finding that Mother and the children still had a strained relationship and that both children, in fact, testified that they wanted less parenting time with her, the trial court left in place the custody arrangement set out in the September 2020 Order and encouraged Mother to "seek counseling to continue to address her relationship with her children." *Appellant's Appendix* at 115. Further, the court's findings note Daughter's testimony that she believed Mother is more concerned about finances and "makes decisions based on wanting more child support from Father." *Id*. at 107. While there existed a clear economic disparity between the parties, of which the trial court was keenly aware, we cannot say that the trial court abused its discretion in denying Mother's request for attorney's fees.

[44] Judgment affirmed in part, reversed in part, and remanded for modification of the retroactive support award to reflect a weekly support obligation of $101 and reconsideration of prospective support based on consideration of the proper child support worksheet.

Riley, J. and Pyle, J., concur.