

Section 4 below contains the proposed language change to include situations where each party may have primary custody of one or more, but not all, of the children. I believe this section already adequately addresses the Miller v Miller case.

NAC 425.115 Determination of child support obligation in accordance with guidelines if no stipulation; adjustment of obligation based upon type of custody held by parent. ([NRS 425.620](#))

1. If the parties do not stipulate to a child support obligation pursuant to [NAC 425.110](#), the court must determine the child support obligation in accordance with the guidelines set forth in this chapter.

2. If a party has primary physical custody of a child, he or she is deemed to be the obligee and the other party is deemed to be the obligor, and the child support obligation of the obligor must be determined.

3. If the parties have joint physical custody of a child, the child support obligation of each party must be determined. After each party's respective child support obligation is determined, the child support obligations must be offset so that the party with the higher child support obligation pays the other party the difference.

4. If the parties have two or more children and **a) each party has joint physical custody of at least one, but not all, of the children, or b) each party has primary physical custody of one or more, but not all, of the children,** the total child support obligation of each party must be determined based on the number of children to whom each party owes a child support obligation. After each party's respective child support obligation is determined, the child support obligations must be offset so that the party with the higher child support obligation pays the other party the difference.