

**In re Marriage of Rocha (12/9/98 - 68 Cal.App.4th 514)**

Student loans in excess of books and tuition are not income available for support. Loans may be considered income available for support if there is no expectation of repayment or reimbursement.

Husband was a law student. The parties married in 1989 and their marriage was dissolved in 1994. The parties had two children. Husband entered law school and obtained loans in excess of books and tuition of approximately \$9,000. Trial court had found the student loans in excess of books and tuition was income. Appellate court reversed.

The logic of the case seems to apply to loans for other purposes as well. If loans are not expected to be repaid, they may be included in income available for support.