

FILED
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NOEL K. DESSAINT
CLERK SUPREME COURT
BY

SUPREME COURT OF ARIZONA

ORDER ADOPTING REVISIONS TO
STATEWIDE CHILD SUPPORT GUIDELINES

Administrative Order No. 94-22

The Supreme Court, having approved the attached statewide child support guidelines on December 1, 1993,

IT IS ORDERED THAT the guidelines shall be effective for all child support awards, whether they be original awards or modifications of pre-existing awards, made in actions FILED after May 31, 1994.

DATED AND ENTERED this 4th day of April, 1994, at the State Courts Building in Phoenix, Arizona.

FOR THE COURT

STANLEY G. FELDMAN
Chief Justice

**ARIZONA CHILD SUPPORT GUIDELINES
ADOPTED BY
THE ARIZONA SUPREME COURT
FOR
ACTIONS FILED AFTER MAY 31, 1994**

BACKGROUND: The Arizona Child Support Guidelines follow the Income Shares Model. The model was developed by the Child Support Guidelines Project of the National Center for State Courts. The total child support amount approximates the amount that would have been spent on the child(ren) if the parents and child(ren) were living together. Each parent contributes his/her proportionate share of the total child support amount.

1. Purposes

- a. To establish a standard of support for children consistent with the reasonable needs of children and the ability of parents to pay;
- b. To make child support awards consistent for persons in similar circumstances;
- c. To give parents and courts guidance in establishing child support orders and to promote settlements;
- d. To comply with state law (Arizona Revised Statutes Section 25-320) and federal law (42 United States Code Section 651 et seq., 45 Code of Federal Regulations Section 302.56) and any amendments thereto.

2. Premises

- a. These guidelines apply to all natural children, whether born in or out of wedlock, and to all adopted children.
- b. The child support award should permit the children a standard of living that as closely as possible approximates the one they would have had if the family remained together. However, because the model that underlies these guidelines is based on maintaining an intact family, adjustments should be considered as necessary to take into account a parent's contributions to a second primary residence.

NOTE: "Second Primary Residence" refers to the maintenance of a separate residence for each parent. It does not refer to vacation homes for either parent and it does not include expenses related to subsequent families or other dependents, which are addressed elsewhere in these guidelines. Since this adjustment affects the available financial resources in both residences, the court should exercise caution at low income levels to ensure that the basic needs of the child(ren) are met.

- c. The child support obligation has priority over all other financial obligations; the existence of non-support-related financial obligations is generally not a reason for deviating from the guidelines.
- d. The fact that a custodial parent receives child support does not mean that he or she may not also be entitled to spousal maintenance.

If the court is establishing both child support and spousal maintenance, the court shall determine the appropriate amount of spousal maintenance first.

- e. A parent's legal duty is to support his or her natural or adopted children. Support of "other children" as defined in Section 6.a. may result in an adjustment pursuant to Section 6.b.

The "support" of other persons such as stepchildren or parents is deemed voluntary and is not a reason for an adjustment pursuant to Section 6.b.

- f. Duration of support is governed by Arizona Revised Statutes Section 25-320.

- g. Any adjustments to the child support amount shall be annualized so that each month's support obligation is increased or decreased in an equal amount, instead of the obligation for particular months being abated, increased, or decreased.
- h. If a parent ordered to pay child support has an adjusted gross income at or below federal poverty guidelines, the child support schedule will not apply and the court will determine the appropriate amount of child support to be ordered.

3. Presumption

In any action to establish or modify child custody, and in any action to establish or modify child support, whether temporary or permanent, local or URESA (Uniform Reciprocal Enforcement of Support Act), the amount resulting from application of these guidelines shall be the amount of child support ordered. However, if application of the guidelines would be inappropriate or unjust in a particular case, the court may deviate from the guidelines in accordance with Section 15.

4. Multiple Children, Divided Custody

When each parent is awarded custody of at least one of the parties' children, each parent is obligated to pay support to the other parent. However, the amount of support to be paid by the parent having the greater support obligation shall be reduced by the amount of support owed to that parent by the other parent.

EXAMPLE: Combined Adjusted Gross Income is \$3000 per month. Father's gross income is \$1000 per month (33.3%) and he has custody of one child. Mother's gross income is \$2000 per month (66.6%) and she has custody of two children.

Prepare a Parent's Worksheet to determine support for children in the mother's household. Locate the Combined Adjusted Gross Income figure of \$3000 on the Schedule. Select the support figure in the column for the two children in this household, \$672. The father's share is 33% of \$672, or \$224.

Prepare a Parent's Worksheet to determine support for the child in the father's household. Locate the Combined Adjusted Gross Income figure of \$3000. Select the support figure in the column for the one child in this household, \$434. The mother's share is 66.6% of \$434, or \$289.

The mother is obligated to pay the father \$289 for child support. This amount is reduced by the \$224 obligation owed by the father to the mother. Thus, the mother shall pay \$65 per month.

5. Determination of the Gross Income of the Parents

NOTE: Terms such as "Gross Income" and "Adjusted Gross Income" as used in these guidelines do not have the same meaning as when they are used for tax purposes.

- a. Gross income includes income from any source, and may include, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits (subject to Section 22), worker's compensation benefits, unemployment insurance benefits, disability insurance benefits, gifts, prizes, and spousal maintenance. Cash value shall be assigned to in-kind or other non-cash benefits. Seasonal, overtime, or fluctuating income shall be averaged. When income from a full-time job is consistent with income during the marriage, income earned as the result of overtime hours or a second job may be disregarded.

- b. Gross income does not include benefits received from means-tested public assistance programs including, but not limited to, aid to families with dependent children, supplemental security income, food stamps, general assistance, or sums received as child support.
- c. For income from self-employment, rent, royalties, proprietorship of a business, or joint ownership of a partnership or closely held corporation, gross income means gross receipts minus ordinary and necessary expenses required to produce income. "Ordinary and necessary expenses" does not include amounts determined by the court to be inappropriate for determining gross income for purposes of child support.
- d. Expense reimbursements or benefits received by a parent in the course of employment or self-employment or operation of a business shall be counted as income if they are significant and reduce personal living expenses.
- e. If a parent is unemployed or working below full earning capacity, the court may consider the reasons. If earnings are reduced as a matter of choice and not for reasonable cause, the court may attribute income to a parent up to his or her earning capacity. Pursuant to Arizona Revised Statutes Section 25-320.G, income of at least minimum wage shall be attributed to a parent ordered to pay child support. If income is attributed to the parent receiving child support, appropriate child care expenses shall also be attributed.
- f. Income of a parent's new spouse is not treated as income of that parent under these guidelines.
- g. The court shall not take into account the impact of the disposition of marital property except as provided in Arizona Revised Statutes Section 25-320.A.6. ("...excessive or abnormal expenditures, destruction, concealment or fraudulent disposition of community, joint tenancy and other property held in common.") or to the extent that such property generates income to a parent.
- h. The payment of income taxes has been considered in the Schedule.

6. Adjustments to Gross Income

- a. The amount of court-ordered spousal maintenance actually paid and the amount of court-ordered child support of other children actually paid, shall be deducted from the gross income of the payor. "Other children" means natural or adopted children who are not the subject of this particular child support determination.
- b. As authorized in Section 2.e, support of natural or adopted children not covered by a court order may be considered as an adjustment factor. Any adjustment will be made to gross income and the amount of any adjustment will be determined by a simplified application of the guidelines to determine the basic amount of support that would be ordered for the other children in question.

7. Determining the Adjusted Gross Income of the Parents

Adjusted Gross Income is gross income minus the adjustments provided in Section 6 of these guidelines. The Adjusted Gross Income for each parent shall be established. These amounts shall be added together. The sum is the Combined Adjusted Gross Income.

8. Determining the Basic Child Support Obligation

Locate the Combined Adjusted Gross Income figure on the Schedule of Basic Child Support Obligations, and select the column for the number of children involved. This number is the Basic Child Support Obligation.

9. Determining the Total Child Support Obligation

To determine the Total Child Support Obligation, the court:

- a. **Must** add to the Basic Child Support Obligation the cost of the children's medical insurance coverage, which will be paid as ordered pursuant to Section 14 of these guidelines.
- b. **May** add to the Basic Child Support Obligation amounts for any of the following:

1. **Child Care Costs:**

Child care expenses appropriate to the parents' financial abilities and to the lifestyle of the children had the family remained intact.

2. **Education Expenses:**

Any reasonable and necessary expenses for attending private or special schools or necessary expenses to meet particular educational needs of a child, when such expenses are incurred by agreement of both parents or ordered by the court.

3. **Older Child Adjustment:**

The average expenditures for children over age twelve exceed the average expenditures for all children by approximately ten percent. Therefore, the court may increase child support for an older child by an amount up to ten percent of the support shown on the Schedule. If the court chooses to make an adjustment, the following method of calculation shall be used.

EXAMPLE: Award for one child, age 13, is \$300. The court could award up to \$30 extra for a total of \$330. If not all children subject to the order are over age 12, the increase will be prorated as follows: Assume the award for three children is \$300. If one of the three children is over age 12, assign 1/3 of the total support award to the older child (\$100) and increase that portion of the award by 10%, to \$110. The total award would then be \$310. NOTE: This proration method is limited to this section and should not be followed in Section 20.

4. **Extraordinary Child Adjustment:**

These guidelines are designed to fit the needs of most children. The court may increase the Basic Child Support Obligation to provide for the special needs of gifted or handicapped children.

10. Determining Each Parent's Proportionate Share of the Total Child Support Obligation

The Total Child Support Obligation shall be divided between the parents in proportion to their Adjusted Gross Incomes. The obligation of each parent is computed by multiplying each parent's share of their Combined Adjusted Gross Income by the Total Child Support Obligation.

11. Determining the Child Support Award

The court shall order the noncustodial parent to pay child support in an amount equal to his or her proportionate share of the Total Child Support Obligation. The custodial parent shall be presumed to spend his or her share on the children.

EXAMPLE: One child, age 15. Combined Adjusted Gross Income is \$1,000. The father's Adjusted Gross Income is \$600. Divide the father's Adjusted Gross Income by the

Combined Adjusted Income. The result is the father's share of the Combined Adjusted Gross Income. ($\$600$ divided by $\$1000 = 60\%$) So, the father's share is 60%; the mother's share is 40%.

On the Schedule, the Basic Child Support Obligation for a Combined Adjusted Gross Income of $\$1000$ for One Child is $\$178$. To this the judge adds $\$12$ because the child is over twelve years of age (approximately 7% in this example). The Total Child Support Obligation is $\$190$.

The father's share is 60% of $\$190$, or $\$114$. The mother's share is 40% of $\$190$, or $\$76$. Custody is awarded to the mother. The father shall pay the child support amount of $\$114$ per month. The value of the mother's contribution is $\$76$, and she spends it directly on the child.

12. Visitation Expenses

The court may allocate visitation expenses. In doing so, the court shall consider the means of the parents and may consider how their conduct (such as a change of residence) has affected the costs of visitation.

13. Gifts in Lieu of Money

The child support award is to be paid in money. Gifts of clothing, etc. in lieu of money are not to be offset against the support award except by court order.

14. Medical Insurance

An order for child support shall assign responsibility for providing medical insurance for the children who are the subject of the support award. The court shall also specify the percentage of uninsured medical expenses for the children that each parent shall pay. The apportionment should reflect each parent's respective ability to pay.

15. Deviations

a. The court may deviate from the guidelines, i.e., order support in an amount different from that which is provided pursuant to these guidelines, after considering all relevant factors, including those set forth in Arizona Revised Statutes Section 25-320, only if all of the following five criteria are met:

1. Application of the guidelines is inappropriate or unjust in the particular case,
2. Deviation is in the best interest of the child,
3. The court makes written findings regarding 1 and 2 above,
4. The court shows what the award would have been without the deviation, and
5. The court shows what the award is after deviating.

b. The court may deviate from the guidelines based upon an agreement of the parties only if all of the following criteria are met:

1. The agreement is in writing,
2. All parties have signed the agreement with knowledge of the amount of support that would have been ordered by the guidelines but for the agreement,
3. All parties have signed the agreement free of duress and coercion, and
4. The court complies with the requirements of Section 15.a.

16. Impact of Physical Custody Arrangements

In recognition of individual physical custody arrangements, the court may make an adjustment after considering:

- a. The percentage of time each parent has physical custody of the children,
- b. The extent, if any, to which the physical custody arrangements significantly reduce the expenses of the parent receiving support,
- c. The extent, if any, to which physical custody arrangements significantly increase the expenses of the parent paying support, and
- d. The historical practice of the parties if this information is available.

An adjustment may be made to allocate additional dollars to the parent paying support only after the basic needs of the children are met in the primary care home. Findings to support any adjustment shall be made by the court or shall be included in the written agreement of the parties.

When adjusting on the basis of physical custody arrangements, the court may specify all or part of certain expenses for the children and order that they be paid by the parent paying support.

If the time spent with each parent is essentially equal, and the expenses for the children are equally shared, the total child support amount shall be divided equally between the two households and the parent owing the greater amount shall be ordered to pay what is necessary to achieve that equal share in the other parent's household.

17. Judge's Findings

The court shall make findings in the record as to: gross income, adjusted gross income, basic child support obligation, total child support obligation, each parent's proportionate share of the child support obligation, and the child support award.

The findings may be made by incorporating a worksheet containing this information into the file.

18. Exchange of Information

The court shall order that every twenty-four months the parties exchange financial information such as tax returns, spousal affidavits, and earning statements.

Unless the court has ordered otherwise, at the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers.

19. Modification

- a. Standard Procedure

Pursuant to Arizona Revised Statutes Section 12-2453, either parent may ask the court to modify a child support order upon a showing of a substantial and continuing change of circumstance.

- b. Simplified Procedure

Either parent may request the court to modify a child support order if application of the guidelines results in an award that varies 15 percent or more from the existing amount. Such variation will be considered prima facie evidence of substantial and continuing

change of circumstances. Any such request for modification of child support must be accompanied by a completed and sworn "Parent's Worksheet for Child Support Amount," and documentation supporting the incomes if different from the court's most recent findings regarding income of the parents. If the party requesting the modification is unable to provide documentation supporting the other party's income, he/she shall check the box indicating the income amount is attributed/estimated and state the basis for the amount listed.

A copy of the request for modification of child support and the "Parent's Worksheet for Child Support Amount," including supporting documentation, showing that the proposed child support amount would vary 15 percent or more from the existing child support order shall be served on the other parent pursuant to Rule 4, Rules of Civil Procedure.

The parent receiving service has 20 days in which to request a hearing on the proposed modification. If Service of Process is made by an alternative method of service provided in Rule 4.1, Rules of Civil Procedure, the parent receiving service has 30 days in which to request a hearing on the proposed modification.

Upon proof of service and if no hearing is requested within the time allowed, the court will review the request and enter an appropriate order or set the matter for hearing.

If either party requests a hearing within the time allowed, the court shall conduct such hearing. No order shall be modified without a hearing if one is requested.

The notice provision of Rule 55, Rules of Civil Procedure, does not apply to this simplified modification procedure.

Any petition to modify child support pursuant to this subsection must be made using a form approved by the Arizona Supreme Court.

20. Effect of Cessation of Support for One Child

If support for more than one child was ordered under these guidelines and thereafter the duty to support one of the children stops, the award is not automatically reduced by that child's share. To obtain a modification to the support award, a request must be made in writing to the court to recalculate the support obligation pursuant to these guidelines. The procedure specified in Section 19 may be used for this purpose.

EXAMPLE: The award for an income of \$1,500, with four children is \$559. One child dies. In determining the new child support amount, do not deduct one-fourth of the award for a new award of \$419.25. Instead, refer to the Schedule for three children, whereunder the award is \$496. (NOTE: This method varies from the one used in Section 9.b.3.)

21. Income of a Child

Income earned or money received by a child from sources other than child support shall not relieve a parent of the support obligation established by these guidelines.

22. Credit for Benefits

Benefits, such as social security disability or insurance, received by a child as a result of contributions made by the parent paying support shall be credited as follows:

- a. Only the benefits received by the parent are included as part of that parent's gross income.

- b. If the amount of the child's benefit for a given month is equal to or greater than the parent's child support obligation, then the parent's obligation is satisfied. Any benefit received by the child for a given month in excess of the child support obligation is not treated as an arrearage payment nor as a future payment.
- c. If the amount of the child's benefit for a given month is less than the parent's child support obligation, the parent must pay the difference.

23. Federal Tax Exemptions and Credits

In any case in which the current child support obligation is at least \$1,200 per year, there should be an allocation of the federal tax exemptions applicable to the minor children which as closely as possible approximates the percentages of support being provided by each of the parents. The allocation of the exemptions shall be conditioned upon payment by December 31 of the total court-ordered child support obligation for the current calendar year and any court-ordered arrearage payments due during that calendar year for which the exemption is to be claimed. If these conditions have been met, the obligee shall execute the necessary Internal Revenue Service forms to transfer the exemptions. If the obligor has paid the current support, but has not paid the court-ordered arrearage payments, the obligor shall not be entitled to claim the exemption. These guidelines do not contemplate any adjustment for the child care tax credit, nor do they provide for a transfer or assignment of state tax exemptions or deductions.

EXAMPLE: Non-custodial parent's percentage of gross income is approximately 67% and custodial parent's percentage is approximately 33%. All payments are current.

- If there are three children, the non-custodial parent would be entitled to claim two and the custodial parent would claim one.
- If there is only one child, the non-custodial parent would be entitled to claim the child two out of every three years, and the custodial parent would claim the child one out of every three years.

For purposes of this section only, an obligor shall be credited as having paid child support that has been deducted on or before December 31 pursuant to an order of assignment if the amount has been received by the court or clearinghouse by January 15 of the following year.

24. Effective Date

All child support awards in actions filed after May 31, 1994 shall be made pursuant to these guidelines, whether they be original awards or modifications of pre-existing awards.

INSTRUCTIONS FOR COMPLETING THE PARENT'S WORKSHEET FOR CHILD SUPPORT AMOUNT

This worksheet provides the information the court needs to determine child support amounts in accordance with Arizona's Child Support Guidelines. You may get a copy of the Guidelines from the Clerk of the Superior Court's office.

NOTE: THESE INSTRUCTIONS CAN BE MADE AVAILABLE IN LARGE FORMAT OR ON AUDIO TAPE UPON REQUEST.

COMPLETE THIS WORKSHEET IF:

- You are a party to a court action that might establish a child support obligation.
- You are a party to a court action to modify an existing order for child support.

NOTE: If each parent has or will have custody of one or more of the children, see section 4 of the Guidelines and complete a Parent's Worksheet for each household.

TO COMPLETE THIS WORKSHEET YOU WILL NEED TO KNOW:

- Your case number.
- Your monthly gross income and that of the other parent. You must attach documents to verify your income if this is a modification procedure and your income has changed from what was used to calculate the previous order.
- Monthly child care amounts paid to others.
- The monthly cost of medical insurance for the children who are the subject of this action.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal support.

FOLLOW THESE INSTRUCTIONS NUMBERED TO MATCH THE IDENTIFYING NUMBERS ON THE FORM. TYPE OR PRINT NEATLY USING BLACK INK. The number in brackets after the instructions tells you where to look in the Guidelines for this item, for example, [Guidelines 3].

BASIC INFORMATION

- (1) Fill in the name, address, and phone number of the person filing the form. (An attorney must also list the name of the person represented and the attorney's state bar number.)
- (2) Fill in the name of the county in which this worksheet is being filed. (This may already be printed on the form.)
- (3) If you are providing this information to establish a child support amount, fill in the name, date of birth (DOB), and social security number (SSN) of the person shown as the petitioner on the original petition filed in the case that might establish a support obligation.

If you are providing this information to modify your current support amount, fill in the name, date of birth (DOB), and social security number (SSN) of the person who is shown as the petitioner on the order that established the support obligation.

- (4) Fill in the name, date of birth (DOB), and social security number (SSN) of the person shown as the respondent on the document you used to answer number 3.
- (5) Fill in your case number. If you do not have a case number, leave this item blank.
- (6) Mark the appropriate box to indicate whether you are the Mother or Father of the children for whom support is requested. (If the form is completed jointly, mark both boxes.)

MONTHLY GROSS INCOME [Guidelines 5]

- NOTE: A. Terms such as "gross income" and "adjusted gross income" as used here do not have the same meaning as when they are used for tax purposes.
- B. "Gross income" is NOT the same as "take-home" pay (gross income is the higher number).
- C. There are 4.33 weeks in a month.

- (7) Fill in the total amount of your Gross Income each month. Also fill in the total monthly Gross Income for the other parent, to the best of your knowledge. If a parent is unemployed or underemployed, you may ask the court to attribute income to that parent by entering an estimate of what you think that parent would be earning if he or she worked at full earning capacity. Income of at least minimum wage must be attributed to a parent paying support. [Guidelines 5.e] If gross income is attributed to the parent receiving support, appropriate child care expenses must also be attributed on line 19.

If you are completing this Parent's Worksheet as part of a modification proceeding and your income is different from the court's most recent findings regarding income of the parents, you must attach documentation to verify your current income. The documentation should include: your most recent W-2 or 1099 form and your most recent paycheck stub showing year-to-date information. If these are not available, provide other documentation such as a statement of earnings from your employer showing year-to-date income.

If you are completing this Parent's Worksheet as part of a modification proceeding and the income you show for the other party is different from that listed on the court's most recent findings regarding income of the parents, you must attach documentation for it or mark the box in item 8 to show that the income amount is estimated/attributed and, on page 5 of the worksheet form, explain the basis for the amount shown.

Gross income means the amount before taxes and other deductions are taken out. For income from self-employment, rent, royalties, proprietorship of a business, etc., gross income means gross receipts minus ordinary and necessary expenses required to produce income.

Gross Income does not include benefits from public assistance programs such as AFDC, food stamps, General Assistance (GA), and SSI; and, it does not include child support payments you receive.

Gross Income **INCLUDES** monies from:

spousal maintenance	bonuses
social security	gifts
worker's compensation	prizes (including lottery winnings)
disability benefits (including social security disability)	rental income
severance pay	trust income
unemployment benefits	pensions
retirement plans	annuities
interest	dividends
self-employment	capital gains
	commissions

- (8) If you estimated or attributed income in item 7, **check** the box indicating which parent's income was estimated or attributed, and explain on page 5 of the worksheet. Examples of ESTIMATED income: He was promoted to supervisor and I know that position pays more; she has the same job as my sister, who works at the same place and makes this amount. Example of ATTRIBUTED income: My ex-wife was a secretary earning \$1500/month. Now she has remarried and is staying home as a homemaker.

ADJUSTED MONTHLY GROSS INCOME

- (9) Fill in the total monthly amount of court-ordered spousal maintenance you and/or the other parent actually pay to former spouses and the amount that is paid or will be paid in this case each month. [Guidelines 2.d and 6.a]
- (10) Fill in the total amount of court-ordered child support you and/or the other parent actually pay each month for children from other relationships. [Guidelines 6.a]
- (11) For each parent, add the numbers entered for items 9 and 10 and enter the sums here.
- (12) For each parent, subtract the amount on line 11 from that listed on line 7.
- (13) You may ask the court to consider the financial obligation you have to support other natural or adopted children for whom there is no court order requiring you to pay support. If you choose to do this, the adjustment amount you may request is determined by a simplified application of the guidelines. [Guidelines 6.b] On the Schedule of Basic Child Support Obligations, find the amount that is closest to the amount shown on line 12. Go to the column for the number of children in question. Enter the amount shown there on line 13. Complete item 13 on page 5 of the Worksheet to explain why you are requesting an adjustment.
- (14) For each parent, subtract the number on line 13 from the number on line 12. Write the result on this line. This is the Adjusted Monthly Gross Income for each parent.

COMBINED ADJUSTED MONTHLY GROSS INCOME

- (15) Add the two numbers on line 14 together (the one for the Father and the one for the Mother). This total is the Combined Adjusted Monthly Gross Income.

BASIC CHILD SUPPORT OBLIGATION

- (16) Enter the number of children from this relationship for whom support is being sought in this court action.
- (17) On the Schedule of Basic Child Support Obligations, locate the amount that is closest to the Combined Adjusted Monthly Gross Income listed on line 15. Then go to the column for the number of children listed in Item 16. This amount is your Basic Child Support Obligation. Write it on line 17.

ADJUSTMENTS FOR NECESSARY EXPENSES

- (18) Fill in the monthly dollar amount of the share of insurance premiums that is or will be paid for court-ordered medical insurance for the children who are the subject of this order. [Guidelines 9.a] Mark the box to indicate which parent is providing the insurance.
- (19) If the parent with primary custody is working or if you have attributed income to that parent in item 7, fill in the monthly cost of work-related day care that parent pays. [Guidelines 9.b.1] If these costs vary throughout the year, add the amounts for each month together and divide by 12 to annualize the impact.

If the non-primary custodial parent pays for work-related day care during periods of physical custody, the amount paid by that parent may also be included here (each month's amount added together and divided by 12 to annualize the impact). The annualized amount paid directly by the non-primary custodial parent is then subtracted under the Physical Custody Adjustment section, item 31.

- (20) Fill in the monthly amount of reasonable and necessary expenses for special or private schools and special educational activities. These expenses must be agreed upon by both parents or ordered by the court. [Guidelines 9.b.2]
- (21) Average expenditures for children over age 12 are approximately 10% higher than those for younger children. Therefore, if support is being determined for children over 12, enter the number of children who are over 12 and the monthly dollar amount of increase you believe this warrants. The highest possible increase for one child would be 10% of the total child support obligation divided by the number of children for whom support is paid. Explain why you think more support is needed on page 5, number 21. [Guidelines 9.b.3]
- (22) If any of the children for whom support is being ordered are gifted or handicapped and have special needs that are not recognized elsewhere, the monthly cost of meeting those needs should be entered here. [Guidelines 9.b.4]
- (23) Add the amounts from lines 18, 19, 20, 21, and 22. Enter the total amount on this line.

TOTAL CHILD SUPPORT OBLIGATION

- (24) Add the amounts from lines 17 and 23. Write the sum on this line. This is the Total Child Support Obligation amount.

EACH PARENT'S PERCENTAGE (%) OF COMBINED INCOME

Complete the calculations in this section to the best of your knowledge and ability.

- (25) For each parent, fill in the amount shown on line 14.
- (26) For each parent, fill in the amount shown on line 15.
- (27) For each parent, divide the amount written on line 25 by the amount written on line 26. This will probably give you a decimal point answer less than 100%. However, if one parent earns all of the income for the family, this number will be 100%.

EXAMPLE: Line 25 = \$ 600
 Line 26 = \$1,000

$$\$600 \div \$1,000 = .60 \text{ or } 60\%$$

EACH PARENT'S PERCENTAGE (%) OF THE TOTAL CHILD SUPPORT OBLIGATION

Complete the calculations in this section to the best of your knowledge and ability.

- (28) For each parent, fill in the amount shown on line 24.
- (29) For each parent, fill in the amount shown on line 27.
- (30) For each parent, multiply the number on line 28 by the number for that parent on line 29. This equals the amount each parent should pay for child support.

EXAMPLE: Line 28 = \$189
 Line 29 = 60%

$$\$189 \times .60 = \$113.40$$

REQUESTED ADJUSTMENT FOR PHYSICAL CUSTODY ARRANGEMENTS

- (31) If the basic needs of the children are met in the primary care home, you may ask the court to make an adjustment in recognition of your physical custody arrangements. The court will consider the percentage of physical custody time and any related, significant reduction of expenses for the parent receiving support and significant increase in the expenses of the parent paying support. Complete item 31 on page 5. Fill in the amount you calculated on line 31. Enter a Ø for the other parent. [Guidelines 16]

REQUESTED ADJUSTMENT FOR SECOND PRIMARY RESIDENCE EXPENSE

- (32) If the basic needs of the children are met you may ask the court to make an adjustment in recognition of your demonstrated expenses in maintaining a second primary residence. The court will consider these demonstrated expenses. On line 32, fill in the amount you calculated should be deducted. Complete item 32 on page 5. [Guidelines 2.b]
- (33) For each parent, subtract the amount(s) entered on line 31 and/or 32 from the amount on line 30.

MEDICAL INSURANCE PREMIUM ADJUSTMENT

- (34) If the parent who will be ordered to make the child support payment is the same parent who will pay the children's medical insurance premium, enter the amount of that premium from line 18.

AMOUNT TO BE ORDERED BASED ON THESE CALCULATIONS

- (35) Subtract the amount on line 34 from the amount listed on line 33 for the parent who will be ordered to pay support. (This avoids duplicate payments to the insurance carrier and the clerk.) The amount on this line is the amount of child support that should be ordered based on your calculations. Complete item 35 on page 6 if you believe a deviation is warranted. [Guidelines 15]

RESPONSIBILITY FOR VISITATION-RELATED TRAVEL EXPENSES

- (36) The court may allocate the costs of visitation-related travel. On page 6, item 36, describe the expected visitation plan and related travel/transportation expenses. On this line, list the dollar amount or percentage you think each parent should pay toward the travel/transportation costs. The court will decide how to allocate the expense. [Guidelines 12]

RESPONSIBILITY FOR MEDICAL EXPENSES NOT PAID BY INSURANCE

- (37) The court must specify each parent's proportionate share of uninsured medical expenses for the children. Based on each parent's ability to pay, indicate what you think this percentage should be for each parent. The court will make the final decision. [Guidelines 14]

SIGNATURE LINE

- (38) The person completing the worksheet must sign here before a Notary Public or Court Clerk affirming the correctness of the information. (If both parents complete the form together, both should sign here.)

WHEN YOU HAVE COMPLETED THIS WORKSHEET:

If you are completing this worksheet to establish a child support obligation:

- Make a copy of the worksheet for your records,
- Make a copy to send or deliver to the other party prior to the hearing, and

- Take the original to court at the time of your hearing.

If you are completing this worksheet to modify a child support obligation:

- Attach any documentation required for item 7 or 8,
- Make a copy of the worksheet for your records,
- Make a copy of the worksheet to serve on the other party, and
- Attach the original worksheet to the Request for Modification of Child Support Pursuant to Guidelines' Simplified Procedure and file it with the Clerk of Superior Court.

SCHEDULE OF BASIC CHILD SUPPORT OBLIGATIONS

This schedule is only part of the overall Guidelines and must be used together with the accompanying information.

Child support awards based upon income of less than \$700 per month or greater than \$12,000 per month shall be based on the facts of the individual case and shall be consistent with the theory of these Guidelines and the factors set forth in A.R.S. Section 25-320.

The discretion of the court must be used in determining child support for families with more than six children.

<u>COMBINED ADJ. GROSS INCOME</u>	<u>ONE CHILD</u>	<u>TWO CHILDREN</u>	<u>THREE CHILDREN</u>	<u>FOUR CHILDREN</u>	<u>FIVE CHILDREN</u>	<u>SIX CHILDREN</u>
700	55	56	56	57	57	58
800	121	123	124	125	127	128
900	162	190	192	194	196	198
1000	178	256	259	262	265	268
1100	193	299	327	330	334	338
1200	209	324	395	399	403	407
1300	224	347	435	465	470	475
1400	240	372	465	525	538	544
1500	256	396	496	559	607	613
1600	271	420	526	593	647	683
1700	287	444	556	627	685	731
1800	300	465	582	656	716	764
1900	313	485	607	684	747	797
2000	326	505	632	712	778	830
2100	338	525	657	741	808	863
2200	350	543	680	767	837	894
2300	361	560	700	790	862	921
2400	372	576	721	813	887	948
2500	382	592	741	836	913	975
2600	392	608	761	858	936	1000
2700	403	624	781	881	961	1026
2800	413	640	801	904	986	1053
2900	423	656	821	926	1011	1080
3000	434	672	842	949	1035	1106
3100	445	689	863	974	1062	1134
3200	456	707	886	999	1089	1164
3300	468	725	908	1024	1116	1193
3400	479	742	930	1048	1143	1222
3500	491	760	952	1073	1170	1251
3600	502	778	974	1098	1197	1280
3700	513	795	996	1123	1224	1309
3800	525	813	1018	1148	1252	1338
3900	536	830	1040	1173	1279	1367
4000	548	848	1062	1198	1306	1396
4100	559	866	1085	1223	1333	1425
4200	570	883	1107	1248	1360	1454
4300	582	901	1129	1273	1387	1483
4400	593	918	1151	1298	1414	1512
4500	605	937	1174	1324	1443	1543
4600	618	956	1198	1351	1472	1575
4700	628	973	1219	1375	1498	1602
4800	640	991	1242	1401	1526	1632
4900	652	1009	1265	1426	1554	1662
5000	663	1026	1286	1449	1579	1689
5100	673	1042	1305	1471	1603	1714
5200	683	1057	1325	1493	1627	1740
5300	693	1073	1345	1516	1651	1766
5400	703	1089	1365	1538	1675	1792
5500	713	1105	1384	1560	1699	1818
5600	723	1120	1404	1582	1724	1844
5700	733	1136	1424	1605	1748	1870

SCHEDULE OF BASIC CHILD SUPPORT OBLIGATIONS (Continued)

This schedule is only part of the overall Guidelines and must be used together with the accompanying information.

<u>COMBINED ADJ. GROSS INCOME</u>	<u>ONE CHILD</u>	<u>TWO CHILDREN</u>	<u>THREE CHILDREN</u>	<u>FOUR CHILDREN</u>	<u>FIVE CHILDREN</u>	<u>SIX CHILDREN</u>
5800	743	1152	1444	1627	1772	1896
5900	753	1168	1464	1649	1796	1922
6000	763	1183	1483	1672	1820	1948
6100	773	1199	1503	1694	1845	1974
6200	783	1215	1523	1716	1869	2000
6300	793	1231	1543	1738	1893	2026
6400	803	1246	1563	1761	1917	2052
6500	813	1262	1582	1783	1941	2078
6600	823	1278	1602	1805	1965	2104
6700	833	1294	1622	1828	1990	2130
6800	843	1309	1642	1850	2014	2156
6900	851	1321	1657	1867	2033	2176
7000	859	1334	1672	1885	2053	2197
7100	868	1346	1688	1903	2072	2218
7200	876	1359	1704	1920	2092	2238
7300	885	1372	1719	1938	2112	2259
7400	893	1385	1735	1956	2131	2280
7500	901	1397	1751	1973	2151	2300
7600	910	1410	1767	1991	2170	2321
7700	918	1423	1782	2009	2190	2342
7800	926	1435	1798	2026	2210	2362
7900	935	1448	1814	2044	2229	2383
8000	943	1461	1829	2062	2249	2404
8100	951	1473	1845	2080	2268	2425
8200	956	1482	1855	2091	2280	2438
8300	962	1492	1867	2104	2295	2453
8400	968	1500	1878	2117	2309	2468
8500	974	1509	1890	2130	2323	2483
8600	980	1519	1902	2143	2337	2499
8700	986	1528	1913	2156	2352	2514
8800	992	1537	1925	2169	2366	2529
8900	998	1546	1937	2182	2380	2544
9000	1004	1555	1948	2195	2394	2559
9100	1010	1565	1960	2208	2408	2574
9200	1015	1574	1972	2221	2423	2589
9300	1021	1583	1983	2234	2437	2605
9400	1026	1590	1993	2245	2449	2617
9500	1030	1597	2001	2254	2459	2628
9600	1035	1603	2009	2263	2469	2639
9800	1043	1617	2026	2282	2490	2661
10000	1051	1630	2042	2300	2510	2682
10200	1059	1643	2059	2319	2530	2704
10400	1068	1656	2076	2337	2551	2726
10600	1076	1669	2093	2356	2572	2748
10800	1085	1682	2110	2375	2592	2771
11000	1093	1696	2127	2394	2613	2793
11200	1102	1709	2144	2413	2634	2816
11400	1110	1723	2161	2432	2655	2838
11600	1119	1736	2178	2451	2676	2860
11800	1127	1749	2195	2470	2697	2883
12000	1136	1763	2212	2489	2718	2905

(1) Person Filing: _____
 Address: _____
 Phone: _____
 Representing: _____
 State Bar Number: _____

SUPERIOR COURT OF ARIZONA, COUNTY OF(2) _____

(3) _____
 Petitioner,

 DOB _____ SSN _____
 vs.
 (4) _____
 Respondent,

 DOB _____ SSN _____

Case No. (5) _____

**PARENT'S WORKSHEET FOR
 CHILD SUPPORT AMOUNT**

Prepared By
 (6) [] Father [] Mother [] Court

Adopted by Court Yes No

MONTHLY GROSS INCOME

	<u>Father</u>	<u>Mother</u>	<u>Father</u>	<u>Mother</u>
Total Monthly Gross Income				
Estimated/Attributed to:				(7) _____
(8) <input type="checkbox"/> Father <input type="checkbox"/> Mother				

ADJUSTED MONTHLY GROSS INCOME

Deductions from Monthly Gross Income:

Spousal Maintenance Paid	_____ (9) _____		
Child Support Actually Paid for <u>Other</u> Children	_____ (10) _____		
Add amounts from line 9 and line 10			_____ (11) _____
Income After Deducting Court Ordered Obligations			_____ (12) _____
Cost of Supporting Other Children (Explain on page 5)			_____ (13) _____
Adjusted Monthly Gross Income for Each Parent			_____ (14) _____

**COMBINED ADJUSTED MONTHLY
 GROSS INCOME** (15) _____

BASIC CHILD SUPPORT OBLIGATION

Number of children for whom support is requested: (16) _____
Basic Child Support Obligation (from the Schedule) (17) _____

ADJUSTMENTS FOR NECESSARY EXPENSES

Medical Insurance Premium for Children paid by (You may also need to complete item 33) Mother Father (18) _____
Child Care Costs (19) _____
Extra Education Expenses (20) _____
_____ Child(ren) Over 12 (Explain on page 5) (21) _____
(Number)
Extraordinary Child (22) _____
Total Adjustments for Necessary Expenses (23) _____

TOTAL CHILD SUPPORT OBLIGATION

Total Child Support Obligation (add lines 17 and 23) (24) _____

EACH PARENT'S PERCENTAGE (%) OF COMBINED INCOME

Calculate for each parent:

	<u>Father</u>	<u>Mother</u>
Adjusted gross income (from line 14)	_____	(25) _____
Combined adjusted gross income (from line 15)	_____	(26) _____
Adjusted gross income DIVIDED BY combined adjusted gross income EQUALS	_____ %	(27) _____ %

EACH PARENT'S PERCENTAGE (%) OF THE TOTAL SUPPORT OBLIGATION

Calculate for each parent:

	<u>Father</u>	<u>Mother</u>
Total child support obligation (from line 24)	_____	(28) _____
Percentage of combined adjusted gross income (from line 27)	_____ %	(29) _____ %
Percentage TIMES the total obligation EQUALS the amount of the parent's support obligation	_____	(30) _____

REQUESTED ADJUSTMENTS:

Physical Custody Arrangements (Explain on page 5) _____ (31) _____

Second Primary Residence Adjustment
(Explain on page 5)

_____ (32) _____

Subtract the amount(s) on line 31 and/or 32 from those on line 30

_____ (33) _____

MEDICAL INSURANCE PREMIUM ADJUSTMENT

Complete this item ONLY IF the parent who will be ordered to pay support is also the parent who will pay the medical insurance premium.

Premium amount paid directly to insurance carrier by parent ORDERED to pay support (from line 18).

(34) _____

AMOUNT TO BE ORDERED BASED ON THESE CALCULATIONS

Subtract the amount on line 34 from the amount listed on line 33 for the parent who will be ordered to pay support. This is the Total Amount of Child Support To Be Ordered unless there is a deviation. (Complete item 35 on page 6 if you believe a deviation is warranted in your case.)

(35) _____

RESPONSIBILITY FOR VISITATION-RELATED TRAVEL EXPENSES

Enter on this line the amount or percentage you think each parent should pay towards the travel/transportation expenses associated with visitation. Explain on page 6.

_____ (36) _____
(Father) (Mother)

RESPONSIBILITY FOR MEDICAL EXPENSES NOT PAID BY INSURANCE

Percentage of uninsured medical expenses that each parent should pay.

_____ % (37) _____ %

I have read this document, and the facts are true and correct to the best of my knowledge or belief.

(38)

Persons Filing

STATE OF ARIZONA)
County of) ss.
_____)

Subscribed and sworn or affirmed and acknowledged before me this date: _____

Notary Expiration Date

Notary Public or Clerk

BASIS FOR AMOUNTS SHOWN ON WORKSHEET

- (8) **Estimated/Attributed Income** - Explain why you believe the other party is or could be earning the amount you indicated. Be as specific as possible. See the instructions for item 8 for examples.
- (13) **Cost of Supporting Other Children** - Follow the instructions for item 13. List the names and ages of the natural or adopted children for whom you are requesting an adjustment and describe the support you provide for these children.
- (21) **Child Over 12** - Follow the instructions for item 21. On this page tell why you need extra money to support the child(ren) over age 12. Enter the monthly dollar amount of the increase you are requesting on line 21.
- (31) **Physical Custody Adjustment** - If you believe the basic needs of the children are met in the primary care home and you want the court to make an adjustment in recognition of your physical custody arrangements, explain why. See Guidelines Section 16. No adjustment will be made unless reasons are given to justify the adjustment.
- (32) **Second Primary Residence Adjustment** - The court may reduce the child support amount based upon demonstrated expenses related to maintaining a second primary residence. Indicate here what reduction, if any, you believe should be made and the reasons why the reduction should be made.

- (35) **Deviation From the Guidelines Support Amount** - If you believe the Guidelines support amount is too high or too low in your case, explain why. **READ THE GUIDELINES GENERALLY AND SECTION 15 IN PARTICULAR.** (This does not include physical custody adjustments; those are considered in item 31.) Show the total support amount you believe should be ordered. A deviation can only be ordered if the court makes appropriate findings.

Requested Support Amount: \$ _____

- (36) **Visitation-Related Travel Expenses** - Describe the anticipated visitation plan and related travel/transportation costs. The court may consider how the conduct of each parent has contributed to such costs. Explain how you think the cost should be divided between the parents. Enter the amount or percentage you think each parent should pay on line 36.

OTHER REQUESTS

Identify and explain any additional issues you want the court to address.

SUPERIOR COURT OF ARIZONA, COUNTY OF (1) _____

(2) _____
 Petitioner,

_____ DOB _____ SSN _____

vs.

(3) _____
 Respondent,

_____ DOB _____ SSN _____

Case No. (4) _____

CHILD SUPPORT ORDER

THE COURT FINDS THAT:

1. The parties owe a duty to support the following children:

<u>Name</u>	<u>Date of Birth</u>	<u>Social Security Number</u>
(5) _____		

2. The parties' circumstances are as follows:

	<u>FATHER</u>	<u>MOTHER</u>	<u>COMBINED</u>
Gross Income	_____ (7) _____	_____	
Spousal Maintenance Paid	_____ (9) _____	_____	
Child Support Paid	_____ (10) _____	_____	
Adjustment for Supporting Other Children	_____ (13) _____	_____	
Adjusted Gross Income	_____ (14) _____	_____	(15) _____
Basic Child Support Obligation			(17) _____
Medical Insurance Premium			(18) _____
Child Care			(19) _____
Extra Education			(20) _____
Child(ren) Over 12			(21) _____
Extraordinary Child			(22) _____
Total Child Support Obligation			(24) _____
Proportionate Share of Income	_____ % (27) _____ %		
Each Parent's Support Obligation	_____ (30) _____	_____	
Adjustment for Physical Custody	_____ (31) _____	_____	
Second Primary Residence Adjustment	_____ (32) _____	_____	
Medical Insurance Premium Adjustment	_____ (34) _____	_____	
Support Amount	_____ (35) _____	_____	

3. Obligor's employer/payor is:

Name:

Payroll Dept. Address:

4. Written Findings for Physical Custody Adjustment, Second Primary Residence Adjustment and/or Other Adjustments:

5. Written Findings for Deviation Pursuant to Guidelines Section 15:

IT IS ORDERED THAT:

A. Petitioner Respondent shall pay child support of \$ _____ per month. If this is a modification of child support, all other prior orders of this court not modified herein remain in full force and effect.

The first payment is due ___/___/____. Payments shall be made through the Clerk of the Court/Clearinghouse pursuant to an Order of Assignment signed this date.

At any time the obligor's employer/payor is not paying pursuant to an Order of Assignment, the obligor must make full and timely payment directly to the Clerk of the Court/Clearinghouse.

Payments not made through the Clerk of the Court/Clearinghouse shall be considered gifts unless otherwise ordered. Payments must include the case number.

B. Unless the court has ordered otherwise, the parties affected by this order shall notify the Clerk of the Court/Clearinghouse of their addresses and shall notify the Clerk/Clearinghouse of any change of address within ten (10) days. The obligor shall also notify the Clerk/Clearinghouse of the names and addresses of the obligor's employers or other payors and, within 10 days, of any changes thereof.

- C. Petitioner Respondent is responsible for providing medical insurance for the children.
- Petitioner Respondent shall pay _____% of any uninsured medical expenses and the other party shall pay the remainder.
- D. The costs of visitation-related travel/transportation shall be shared by the parents as follows:
Father: _____ Mother: _____
- E. Every 24 months the parties shall exchange financial information such as copies of the Parent's Worksheet, tax returns, or earnings statements, etc.
- Every 24 months the parties shall exchange residential addresses and the names and addresses of their employers.
- Other Orders

Date

Judge or Commissioner

Document submitted by: