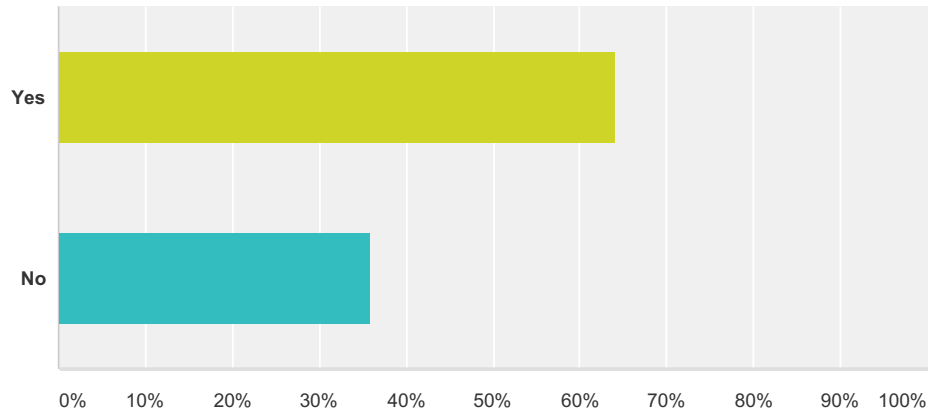


### Q1 When joint physical custody has been ordered, do you have a specific formula or method that you generally utilize to determine the correct amount of child support for each parent to pay?

Answered: 64 Skipped: 2



Answer Choices	Responses
Yes	64.06% 41
No	35.94% 23
<b>Total</b>	<b>64</b>

#	If YES, what is the formula or method that you generally utilize?	Date
1	I compute the amount each would pay to the other for one half a year, subtract the smaller amount from the larger, divide that figure by 12 and have the parent with the greater child support amount pay the calculated amount to the other parent every month.	8/10/2016 3:38 PM
2	Typically you figure the child support to each parent and subtract the lesser from the greater and the remainder is paid to the parent with the lower income. Some time that changes depending on what actual expenses for the child/children are paid directly by each of the parents such as daycare, medical insurance and expenses, private school tuition, extra curricular expenses etc..	8/10/2016 12:47 PM
3	Calculate guidelines to both parents. Subtract lower from greater. Parent with lower obligation gets difference.	8/10/2016 8:23 AM
4	In Baldwin County it depends upon which Judge you have. With one you do an off-set and with the other you do the off-set and then divide by 2	8/10/2016 7:21 AM
5	Calculate CS for number of children involved, subtract one amount from the other, Parent with lower income receives some amount, if over \$100, from other parent.	8/9/2016 3:33 PM
6	Split custody formula.	8/9/2016 1:04 PM
7	DETERMINE CHILD SUPPORT AS IT WOULD EXIST FOR ONE PARTY THEN THE OTHER, THEN SUBTRACT THE DIFFERENCE.	8/9/2016 11:27 AM
8	If true joint physical custody, calculate like split custody and subtract the recommended child support obligation from the lower earning parent from the higher earning parent.	8/9/2016 11:24 AM
9	The difference between what each parent would be ordered to pay the other if either had full custody, divided by the percentage differential.	8/9/2016 10:59 AM
10	Using the CS-42 form, I use the difference between Plaintiff's amount and Defendant's amount on line 10. I adjust by letting the SS or disability amount be taken into account on line 7, subtracting that from the obligation.	8/9/2016 8:35 AM

11	I run the guidelines, subtract the difference between the two parties' obligations, and have the person with the higher obligation pay that difference.	8/9/2016 8:09 AM
12	Figure both ways, as if the kids live with Mom and then as if the kids live with Dad, and then net the difference.	8/9/2016 12:33 AM
13	Generally we calculate what each parent would pay if awarded custody and then subtract the lower from the higher. The difference is what is paid.	8/8/2016 7:35 PM
14	Calculate what each parent would pay if they were the NCP, then subtract one from the other. The difference is what the parent with the larger support would pay.	8/8/2016 7:29 PM
15	I calculate the child support to be paid by each party as if he or she did not have joint custody, and then I deduct the lower child support figure from the higher. I require the higher income parent to pay the lower income parent the difference between their respective child support obligations.	8/8/2016 6:06 PM
16	Alabama Child Support Guidelines	8/8/2016 5:31 PM
17	The difference between CS-42 calculations. For instance, if one parent is ordered to pay \$700 and the other parent \$500, then the higher earning parent would pay the \$200 to the other parent. But this varies by judge; some judges will not order this. And some judges will even take the difference and divide it by 50%. So in the formula above, the higher earning parent would only pay \$100.	8/8/2016 4:35 PM
18	I calculate the amount of child support each parent would pay to the other for the child or children at issue. The parent who would be paying the most to the other parent gets a credit for the amount that would have been paid by the other parent, and he or she pays the difference to the other parent.	8/8/2016 4:31 PM
19	Like split custody. Calculate it both ways, then have the parent with the greater obligation pay the difference to the other.	8/8/2016 4:11 PM
20	Calculate how much each party owes the other if they had sole physical custody, then subtract the smallest from the largest.	8/8/2016 4:05 PM
21	I calculate the child support that would be due in an ordinary situation for each parent if that particular parent had physical custody of the child. Then, I offset it by the lesser amount, and the recommended child support order is usually the difference, paid to the parent with the lower income.	8/8/2016 4:05 PM
22	After completing the CS-42 the parent with the larger amount's obligation is reduced by the other parent's obligation and that amount is the child support to be paid by such parent.	8/8/2016 4:03 PM
23	We generally use two methods: 1. If the parents are agreeing to true joint physical custody, like a week-on, week-off schedule, we will suggest that no child support be paid by one parent to the other, rather each parent pay for the child's expenses while they have them in their custody. Other expenses are then shared 50/50. 2. If the parents will not agree to the above, then we use the deviation suggested in the Guidelines. We calculate what the obligation would be for each party, subtract them, then the person with the highest income pays the difference to the person with the lowest income. Then, extracurriculars and non-covered medical expenses are generally split 50/50. Sometimes daycare is also split, but that depends on the circumstances. I personally think that method number 1 above is more fair, and most of the parties we deal with seem to agree.	8/8/2016 4:00 PM
24	I use the same method as the "split" formula.	8/8/2016 3:59 PM
25	Comment from this Question - "Do not know."	8/8/2016 2:00 PM
26	From CS-42: High Earner's Share - Low Earner's Share Divided by 2 This is amount high earner pays so that child has same amount available in both houses. Example: Fathers Duty (CS42): \$1,000 Mothers Duty (CS42): \$ 500 _____ Difference \$ 500 1/2 1/2 Diff = \$ 250 F pays \$250 Result is \$750 in each home.	8/7/2016 7:34 PM
27	Comparing the CS-42 amounts for each and determining the difference.	8/7/2016 7:28 PM
28	I generally computer C/S as if each parent has custody, then subtract the amounts from each other and require the parent with the larger C/S obligation to pay the deficiency to the lesser. Use this as starting point & modify if circumstances warrant same.	8/7/2016 7:23 PM
29	The "split custody" formula as set forth in Rule 32.	8/7/2016 7:19 PM
30	- Calculate support per Rule 32 - Calculate difference between each parents amount, divide difference by 2, order parent making higher income to pay the other parent the resulting sum.	8/7/2016 7:18 PM
31	Do the CS forms. Subtract the lower number from the higher #. Difference is what is ordered to pay.	8/7/2016 7:16 PM
32	Computer CS support and subtract the difference. The difference equals the amount ordered to pay.	8/7/2016 7:13 PM

33	CS as if only children are with custodial parent of those children - then CS as if only children are one's with other parent - order difference	8/7/2016 7:05 PM
34	Calculate CS + offset against each other.	8/7/2016 6:56 PM
35	Calculate support due from each party as if they received custody, subtract the greater from the lesser and pay the parent with less income the difference.	8/5/2016 2:50 PM
36	Guideline CS-41/42	8/5/2016 2:04 AM
37	I calculate child support, per the guidelines, twice. Once as if the father is the payor and once as if the mother is the payor. Then I order the one who has the highest amount to pay the difference between that amount and the lowest amount. For example, if the father's guideline amount was \$400.00 and the mother's guideline amount was \$300.00, I would order the father to pay \$100.00 per month.	8/4/2016 5:06 PM
38	I run support numbers as if 1 parent has primary custody, and then do the same for the other parent. Whichever parent has higher obligation, that parent pays the other the difference.	8/4/2016 3:46 PM
39	I tend to calculate the child support in a manner similar to the calculation of split custody under Rule 32. This is not a rock-solid rule, and I don't mind deviating from it.	8/4/2016 2:20 PM
40	I calculate what the child support amount would be for each of the parents if they were noncustodial parents paying child support to the other. I then compare the two numbers. The parent who has the greater amount of child support due under hypothetical would pay the difference between the two amounts to the other as child support.	8/4/2016 2:10 PM
41	IF IT IS JOINT CUSTODY, SOMEONE HAS TO BE PRIMARY PHYSICAL CUSTODIAN. GENERALLY WE JUST RUN THE GUIDELINES. ARE WE SPEAKING OF JOINT PHYSICAL OR SHARED CUSTODY	8/4/2016 2:06 PM
42	I calculate what one parent would owe the other if they were the NCP and vice versa and then determine if there is enough of a difference to order support. In true 50/50 splits of custody I may not order support at all depending on the parties relative earnings. I usually order an equal split of medical, dental and extra-curricular fees or expenses.	8/4/2016 1:43 PM
43	If there is any disparity in income (or one parent is providing day care or insurance) I will run the child support guidelines and then offset the amount of the parent that would pay more by the amount the parent with the lower payment and order the offset amount to be paid. Usually if the parents have very similar incomes and there is no day care or insurance to factor in then I will say no support.	8/4/2016 1:38 PM

## Q2 If the answer to Question Number 1 is NO, how do you determine the amount of child support that each parent should pay?

Answered: 24 Skipped: 42

#	Responses	Date
1	I factor the circumstances and facts and attempt to balance the equities. However, it is a rarity for me to be faced with this circumstance. See below.	8/15/2016 10:45 AM
2	it is case specific depending on the circumstances of the parties	8/11/2016 10:53 AM
3	Sometimes a pro-rata division of expenses, or designate certain expenses to each parent. Sometimes the parties agree to calculate as if it were split custody, and net the respective Rule 32 amounts.	8/11/2016 8:52 AM
4	I determine child support based on the number of days in a month each parent has the child in their care with additional consideration of their financial resources.	8/10/2016 4:39 PM
5	In most joint physical custody cases, the case is uncontested and the parties have agreed to the amount. If I order joint physical custody in a contested case, I look at the incomes and decide what is equitable for the parents to pay and usually order a percentage of the expenses of the child based on their respective incomes. I do not normally order cs to be paid to the other parent.	8/10/2016 11:49 AM
6	I do not normally award child support when there is an order of true joint physical custody, unless there is a significant financial disparity between the parties.	8/9/2016 2:50 PM
7	General equitable principles ie whatever seems fair.	8/9/2016 1:22 PM
8	Based on needs of the child and ability to pay.	8/9/2016 7:42 AM
9	Depends on the parties' earnings. If relatively similar no support, if disparate then net out the respective amounts as set forth in rule for split custody. Always explain to client that gray area and rules don't address it.	8/8/2016 7:16 PM
10	Assuming the time is truly equal, we try to divide as many of the expenses between the parties apportioned by income. There may still be a payment from the higher income person to the lower if there are carrying additional costs for the child.	8/8/2016 5:24 PM
11	N/A	8/8/2016 4:31 PM
12	For joint physical custody, usually no support is ordered	8/8/2016 4:17 PM
13	We discontinue current support.	8/8/2016 3:31 PM
14	I look at the parents ability to pay as well as the needs of the child. I also look to see specifically what costs are being divided.	8/7/2016 7:36 PM
15	I look at the Guidelines, then the % of income and consider any necessary deviations.	8/7/2016 7:26 PM
16	Just an equity determination based on totality of financial circumstances of both parties	8/7/2016 7:12 PM
17	Calculate guidelines. Deviate according to need on case by case basis.	8/7/2016 7:07 PM
18	Look at the facts of each case.	8/7/2016 7:03 PM
19	Guidelines, incomes of parties	8/7/2016 7:02 PM
20	Take into consideration their respective incomes, the relative amounts of time the child will spend with each parent during a month, the child's needs, the Rule 32 computation and then make what appears to be a fair or equitable adjustment in the amount of child support.	8/5/2016 5:13 PM
21	I look at Rule 32, and consider along with income of the parties, lifestyle that children have and ability of the parties to maintain the lifestyle	8/5/2016 10:39 AM
22	using rule 32 guidelines	8/5/2016 8:20 AM
23	WHO IS THE PRIMARY CUSTODIAN	8/4/2016 2:06 PM

24	Almost always by agreement, but otherwise, case by case, determined by the amount of time child spends with each parent beyond that incorporated in the guidelines ("standard visitation") but also amended by some extraordinary expenses (braces, long term lessons, etc.) borne by either party that will continue more than 2 years (i.e. NOT little league, football, swim lessons) .	8/4/2016 1:23 PM
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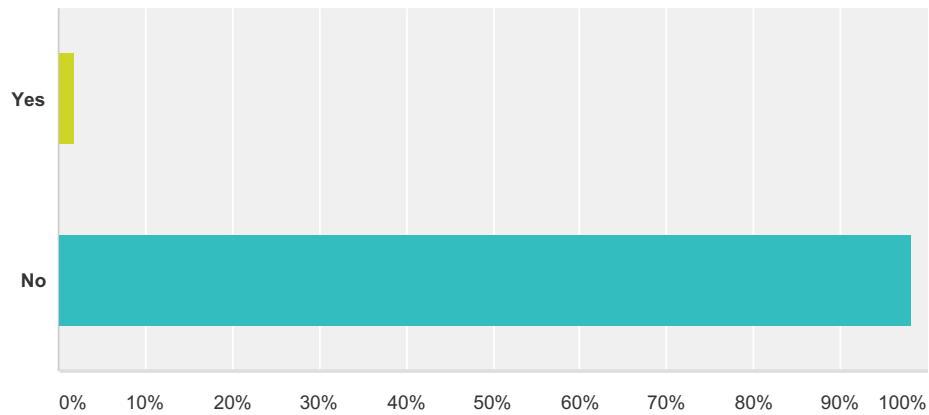
**Q3 Please add any comments related to  
Question Number 1 that you think would be  
helpful to the Committee.**

Answered: 10 Skipped: 56

#	Responses	Date
1	I have never in ten years awarded "true joint custody" or "50/50 custody" in a case. I do it when that it the parties' agreement, but I do not believe that such instability is ever in any child's best interests. Therefore, I do not do it of my own accord.	8/15/2016 10:45 AM
2	So many factors come into play that it would be extremely difficult to have a set formula. Each family is different and the differences must be considered in determining what is equitable and fair. For example, one parent may have children from other relationships for which they are providing support. Other dynamics within the family come in to play as well.	8/10/2016 11:49 AM
3	I think the Committee should also consider presumptions for payment of other expenses such as school/extracurricular and non-covered medical -- just by percentage of income? Or something else? What about the dependency exemption(s) -- alternate? As the Committee is likely aware, the more particularly we address these issues the easier it will be to settle cases.	8/9/2016 1:04 PM
4	I am not sure how this is so complicated.	8/9/2016 8:35 AM
5	Often times we will state that neither party shall pay child support to the other but that each parent shall support the child while in his or her care. Sometimes they equally divide school related expenses.	8/8/2016 4:05 PM
6	Some guidance so that every circuit is consistent.	8/7/2016 7:36 PM
7	I don't like having children have to go back & forth. I really think some stability is in every child's best interest. Don't want the children to think parents are competing.	8/7/2016 7:26 PM
8	I sometimes take into consideration the transportation expense if there is a considerable distance between the parents' homes and if one parent will bear a disproportionate share of the transporting to and from custodial exchanges.	8/5/2016 5:13 PM
9	Many of the attorneys if a case is settled will automatically say no support if true joint custody regardless of any disparities in income.	8/4/2016 1:38 PM
10	If you folks actually want to make an all-encompassing rule, bless your hearts, I pray for you all . . .	8/4/2016 1:23 PM

**Q4 When joint physical custody has been ordered, do you utilize a different formula or method for determining the amount of child support that each parent should pay for Title IV-D cases than you do for non-Title IV-D cases?**

Answered: 55 Skipped: 11



Answer Choices	Responses
Yes	1.82% 1
No	98.18% 54
<b>Total</b>	<b>55</b>

#	If YES, what is the formula or method that you generally utilize?	Date
1	I don't handle those cases.	8/8/2016 5:24 PM
2	Answer to this Question - "N/A"	8/8/2016 2:00 PM
3	WEIGH THE PARTIES INCOME, IF ONE PARTY MAKES A HUGH DIFFERENCE IN INCOME RUN THE GUIDELINES AND SUBTRACT THE LESSER FROM THE GREATER	8/4/2016 2:06 PM

**Q5 If the answer to Question Number 4 is NO, please explain what formula or method you generally use.**

Answered: 38 Skipped: 28

#	Responses	Date
1	I do not do it.	8/15/2016 10:45 AM
2	same as above	8/11/2016 10:53 AM
3	I do not have a set formula.	8/10/2016 4:39 PM
4	Same formula as above	8/10/2016 3:38 PM
5	Same method	8/10/2016 12:47 PM
6	Same as 1	8/10/2016 8:23 AM
7	Same as #1 above	8/9/2016 3:33 PM
8	I evaluate the award of child support in a joint custody order on a case by case situation.	8/9/2016 2:50 PM
9	see above	8/9/2016 11:24 AM
10	I haven't had any cases like this.	8/9/2016 10:59 AM
11	Same as 1	8/9/2016 8:35 AM
12	I don't generally do any cases with Title IV-D.	8/9/2016 8:09 AM
13	Needs of the child and ability to pay.	8/9/2016 7:42 AM
14	Generally the same formula as provided in question one.	8/8/2016 7:35 PM
15	Same as original formula	8/8/2016 7:29 PM
16	I think the same formula should be applied regardless of the category (private v. IV-D)	8/8/2016 6:50 PM
17	Alabama Child Support GuidelinesN	8/8/2016 5:31 PM
18	See answer to Question 1 above.	8/8/2016 4:31 PM
19	see 1 above	8/8/2016 4:11 PM
20	Per Rule 32 for Joint physical custody.	8/8/2016 4:05 PM
21	Don't you mean if the answer is YES??	8/8/2016 4:03 PM
22	We still use the above methods, unless the judge calculates differently.	8/8/2016 4:00 PM
23	Same as prior answer.	8/7/2016 7:36 PM
24	1/2 (High CS42 - Low CS42)	8/7/2016 7:34 PM
25	I use the same method as explained in Question No. 1.	8/7/2016 7:26 PM
26	Same as 1.	8/7/2016 7:23 PM
27	Equity based on totality of circumstances of finances of both parents - just because one parent gets public assistance doesn't automatically make the other parent have to pay - they may also have dire financial circumstances or receiving public assistance themselves.	8/7/2016 7:12 PM
28	Case by case.	8/7/2016 7:07 PM
29	Calculate CS + offset.	8/7/2016 6:56 PM
30	See 2 above.	8/5/2016 5:13 PM
31	same as number two	8/5/2016 10:39 AM
32	same	8/5/2016 8:20 AM



33	Case by case depending on same factors but factoring in no parent has majority of time to provide for child.	8/5/2016 2:04 AM
34	The same as described in Question One.	8/4/2016 5:06 PM
35	Same one described in Question 1 answer	8/4/2016 2:10 PM
36	see answer to question 1 above	8/4/2016 1:43 PM
37	Same method as in non-IV-D cases.	8/4/2016 1:38 PM
38	The one noted above?	8/4/2016 1:23 PM

**Q6 Please add any comments related to Question Number 4 that you think would be helpful to the Committee.**

Answered: 2 Skipped: 64

#	Responses	Date
1	N/A	8/8/2016 4:31 PM
2	See #2	8/8/2016 3:31 PM

**Q7 Are there any special factors that should be considered when determining the amount of child support that each parent should pay when joint physical custody has been awarded?**

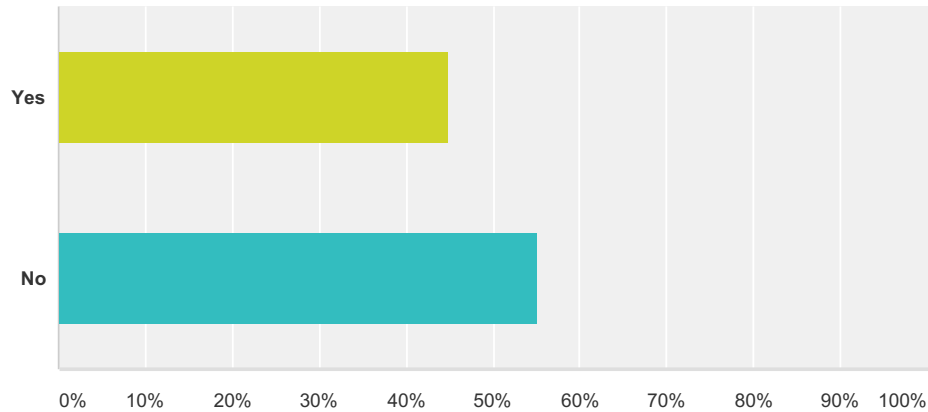
Answered: 39 Skipped: 27

#	Responses	Date
1	ability to pay and necessities of each child.	8/11/2016 10:53 AM
2	Who is actually paying the expenses.	8/11/2016 8:52 AM
3	I consider the parents financial resources, the distance between the parents homes, specific expenses that might be incurred in the care of one parent that would not occur in the home of the other parent, if a parent is paying for child care and the amount of child care and any medical needs of the child.	8/10/2016 4:39 PM
4	See above	8/10/2016 12:47 PM
5	Sure and the factors vary from family to family. There is no limit to the number of factors. The current rule is sufficient to cover the issues and allow the courts discretion in ordering cs in joint physical custody situations.	8/10/2016 11:49 AM
6	How other bills are allocated - ie; school supplies, extracurricular activities	8/10/2016 8:23 AM
7	While custody may be 50/50, incomes are rarely equal. Out of pocket medicals and the like are usually based on percentages of income as are extra curricular activity cost	8/9/2016 3:33 PM
8	The financial capabilities of the parties, any agreements reached by the parties regarding the payment of health or educational expenses and the relative duration of their custodial time.	8/9/2016 2:50 PM
9	Each party's income and division of school and extracurricular expenses	8/9/2016 1:22 PM
10	Whether the schedule is actually 50/50 or just the language; what percentage of time each parent has if not 50/50.	8/9/2016 1:04 PM
11	NEEDS OF THE CHILD AND RESPECTIVE MEANS OF THE PARTIES.	8/9/2016 11:27 AM
12	Extra curricular activities of the child.	8/9/2016 10:59 AM
13	Yearly school costs	8/9/2016 8:09 AM
14	Needs of the child and ability to pay.	8/9/2016 7:42 AM
15	Other expenses paid by parents, such as dance lessons, karate, football, 4-H, etc.	8/8/2016 7:29 PM
16	No	8/8/2016 5:31 PM
17	Disparity of incomes. The child should not be affected by the parents financial abilities.	8/8/2016 4:35 PM
18	N/A	8/8/2016 4:31 PM
19	Consider other direct obligations in the nature of support.	8/8/2016 4:11 PM
20	Each party's income.	8/8/2016 4:05 PM
21	Yes, I think the usual factors that are outliers in child support should still be considered. For example, extra medical expenses born substantially by one parent, travel expenses born by one parent that occur for visitation, health insurance paid by one parent, and so on and so forth.	8/8/2016 4:05 PM
22	I really think that the amount of time the child is with each parent, coupled with the income difference are the most important factors to be considered.	8/8/2016 4:00 PM
23	There needs to be a guideline and/or formula utilized when daycare is involved. For example split daycare equally.	8/8/2016 3:59 PM
24	No.	8/8/2016 3:31 PM
25	The Committee specifically rejected adjustments to C/S based on time sharing factors in previous discussions of model Alabama would follow. It appears we are shifting to an entirely new model without a change in rules permitted.	8/8/2016 2:00 PM
26	Division of other expenses.	8/7/2016 7:36 PM

27	None except what generally applies.	8/7/2016 7:34 PM
28	Please see answer to No. 1.	8/7/2016 7:26 PM
29	Where parents are working together extremely well [& incomes are equal], I don't order a specific sum but direct them to share expenses equally.	8/7/2016 7:23 PM
30	Not really - other than if the incomes are fairly even - may not order support.	8/7/2016 7:19 PM
31	Whether it is "true" 50/50 joint physical.	8/7/2016 7:18 PM
32	I look at the difference - income. If equal, then child support is not the primary consideration. However, if there was a great discrepancy will divide.	8/7/2016 7:16 PM
33	None other than financial circumstances of both parents and needs of child.	8/7/2016 7:12 PM
34	Joint physical custody doesn't mean each parent will have the child an equal amount of time. When the amount of time is disproportionate, that is a factor that should be considered. Sometimes the parents' respective incomes are also disproportionate and if so, that should be considered regardless of the amount of time the child will spend with each parent.	8/5/2016 5:13 PM
35	Yes costs to each parent	8/5/2016 8:20 AM
36	Who will pay and does pay for extra-curricular activities?	8/5/2016 2:04 AM
37	maybe if the custodial periods are substantially different.	8/4/2016 3:46 PM
38	Quantifiable---I know of none other than the factors set forth now in Rule 32.	8/4/2016 2:10 PM
39	relative earnings of the parties and any special expenses of the child	8/4/2016 1:43 PM

### Q8 Do you have criteria for approving settlement agreements when the parties have agreed on joint physical custody and on a child support amount?

Answered: 58 Skipped: 8



Answer Choices	Responses
Yes	44.83% 26
No	55.17% 32
<b>Total</b>	<b>58</b>

#	If YES, what are the criteria?	Date
1	I review each settlement to insure that the amount of time each parent has the child in their care corresponds with the child support amount.	8/10/2016 4:39 PM
2	If parents knowingly and voluntarily agree that they have entered into an agreement that is best for the children and parties, then I approve. Why create issues for a couple that have agreed to share custody of their children? If you do, that would be more harmful for the children in my opinion.	8/10/2016 11:49 AM
3	Review CS sheets and apply as to 1 and also who pays other fees	8/10/2016 8:23 AM
4	I review the actual terms of the "joint" custody arrangement to be sure it is joint physical to ensure one party (usually the one with the attorney) actually has the children approximately 50% of the time if child support is going to be reduced or not provided at all due to the custodial arrangement. No child support awarded, per the agreement, review how medical, dental, pharmaceutical, school lunches, extra curricula activities are being paid by the parties for the benefit of the child.	8/9/2016 3:33 PM
5	Is this question just for judges?	8/9/2016 1:04 PM
6	It should be consistent with the guidelines, and if not there needs to be exceptional circumstances in writing.	8/9/2016 11:24 AM
7	Child support is not negotiable. It must follow the guidelines. If someone can show an unusual circumstance for non-monetary contributions, that might be taken into consideration. An example would be free housing provided to other custodial party for the benefit of the child, or free source of clothing and food. The reasons for taking this into account are that the child support money is supposed to go toward housing, food and clothing.	8/9/2016 8:35 AM
8	Needs of the child and ability to pay.	8/9/2016 7:42 AM
9	Approval of agreements that call for at least guideline child support and anything above it. Approval of agreements calling for informal sharing of expenses of children. Require rational defense of agreements calling for child support below the guidelines.	8/9/2016 12:33 AM
10	The amount of child support calculated and the obligations upon the parents for the children	8/8/2016 7:35 PM

11	is it reasonable?	8/8/2016 7:29 PM
12	Fairness. Virginia has a formula that is used in jt custody situations. If I recall, AL used the VA format in formulating the present guidelines. I have successfully utilized the formula in settlements.	8/8/2016 6:50 PM
13	Amounts must be in compliance with Alabama Child Support Guidelines unless there is an acceptable deviation from the guidelines.	8/8/2016 5:31 PM
14	I let the parties dictate this and advise my client on all of his/her options and the long term implications.	8/8/2016 4:35 PM
15	It depends on the income of both parties, medical expenses, etc.	8/8/2016 4:05 PM
16	When joint physical custody is to be ordered, and child-support is calculated in the manner is indicated hereinabove, what I usually do is add some substantial language about how the child support amount sat in the agreement and subsequent order is based entirely on the sharing of the physical custody of the children. I think this helps with the enforcement of the physical custodial arrangement, and helps to prevent the situation where one parent has the majority physical custody of the child is receiving child support as if he or she only has half physical custody.	8/8/2016 4:05 PM
17	The method above is used in cases where the physical custody is equal - every other week or something as equal.	8/8/2016 4:03 PM
18	personally, i like to make sure that the joint physical custody is not a ploy for a deadbeat parent from getting out of paying child support. it's a case by case evaluation. I believe that there needs to be a formula regarding computation of child support. If not, you will see an influx of "i want joint physical custody so that i don't have to pay child support."	8/8/2016 3:59 PM
19	Overall fairness based on income - time shared and sharing of expenses.	8/7/2016 7:36 PM
20	Is it enforceable? Is it adequately providing for child? Is more money more important than parents working together?	8/7/2016 7:34 PM
21	Same as earlier described, or if true equal time and (rough?) income parity, then I would approve neither paying the other.	8/7/2016 7:28 PM
22	We have a form that parties must complete which identifies necessary forms (C/S forms particularly) certifying they have submitted all info. required by law.	8/7/2016 7:23 PM
23	Any settlement agreement the parties enter into I approve - unless it is repugnant to public policy - for which I have had none.	8/7/2016 7:12 PM
24	Amount of CS & custody time must be specific.	8/7/2016 7:07 PM
25	Must (?) comply w/ 32	8/7/2016 7:05 PM
26	So often I see supposed joint physical custody agreements with no child support to be paid by either parent or a nominal amount of child support. I look at the ages of the children involved, consider their needs, the parents' respective incomes, the Rule 32 computation and the amount of time the children will spend with each parent in a month. I then decide whether to accept or reject the no child support agreement or to accept or reject the proposed amount of child support if it doesn't comply with Rule 32.	8/5/2016 5:13 PM
27	Only that each parent (in most cases ) shall have an exact amount that is a minimum for future judgment purposes.	8/5/2016 2:04 AM
28	I generally follow the guidelines with a calculation similar to split custody. Pursuant to a settlement agreement, I will deviate generously if the parties can articulate a reason and/or if the party who is receiving less than the guideline amount is represented by an attorney.	8/4/2016 2:20 PM
29	THAT IT IS FAIR.	8/4/2016 2:06 PM
30	Typically if all parties are in agreement I will not "overrule" the parties and will approve what they as adults have chosen to do for their child(ren).	8/4/2016 1:38 PM
31	If both parties are represented, I review generally for reasonableness (i.e., "enforceableness"). If either parent is pro se, I set it for a hearing.	8/4/2016 1:23 PM

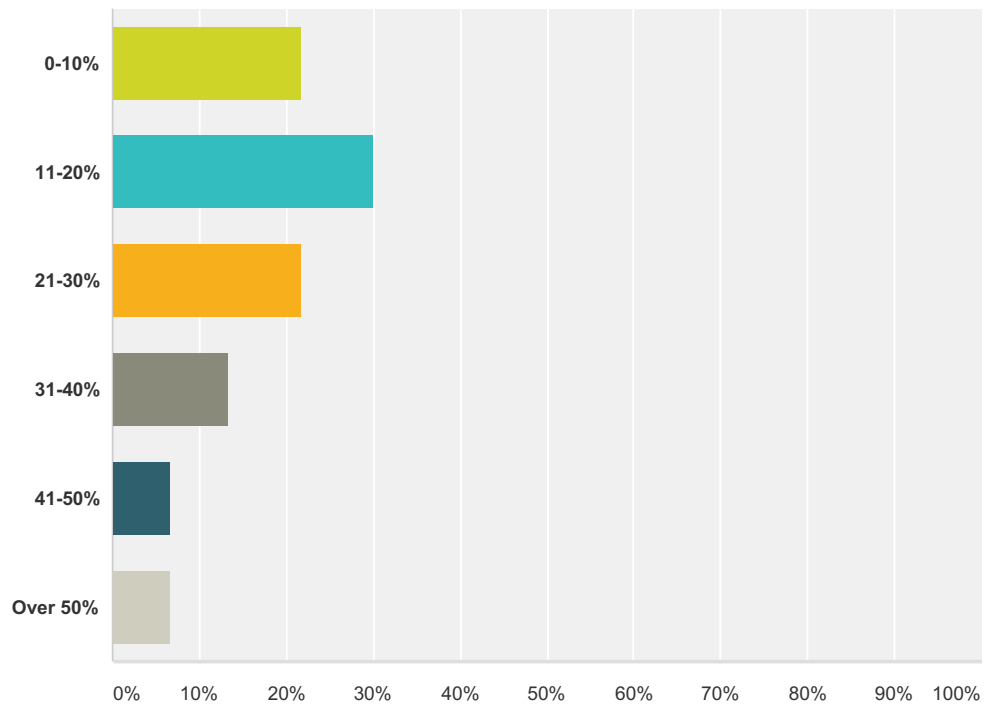
**Q9 Please include any additional comments that you feel would be helpful to the Committee regarding child support when joint physical custody has been awarded.**

Answered: 13 Skipped: 53

#	Responses	Date
1	This is often in my orders where "true joint custody" is requested: Additionally and philosophically, the undersigned judge firmly believes that children need, and crave, stability in their lives, which, in this court's opinion, means one primary residence, one primary school, one primary place to do homework, one primary bedroom, one primary table for meals, one primary set of rules, one primary homework venue, one primary community, one place of worship, one primary set of doctors, dentists, optometrists and the like, along with all the other things attendant to a home. The court reckons this gives children the very best opportunity to grow up to be good citizens and contributing members of society. A split custody arrangement, especially one changing as often as every week, is rarely—and may be never—in any child's best interest.	8/15/2016 10:45 AM
2	case specific	8/11/2016 10:53 AM
3	In regards to question 10: I have no idea of the percentage but during my twenty years plus on the bench, I have witnessed a steady increase in couples agreeing to share joint physical custody. It is a rare situation where I would order joint physical custody in a hotly contested custody dispute. The parties have to get along for the arrangement to be in the best interests of the child. If they get along, they usually agree on the child support amount. For this reason, I think the current Rule 32 sufficiently covers a joint physical custody order.	8/10/2016 11:49 AM
4	Many people seek joint custody to get out of paying child support or to pay less.	8/9/2016 1:22 PM
5	Court should look at income of parents to determine disparity.	8/9/2016 10:59 AM
6	Joint physical custody arrangements are an arrangement ripe for abuse of the circumstances. A stronger party could overpower a weaker party, for example in cases where there was unrecognized domestic violence in an imbalance of power. Domestic violence is tragically unrecognized by our poorly trained judiciary, who must be the ones who are watchdogs for the occurrence of abuse. The stronger party could easily coerce the weaker to agree to this arrangement for the purpose of allowing a de facto noncustodial party to skirt the law in paying their fair share.	8/9/2016 8:35 AM
7	A formula is needed as many try to use "joint" custody as a method to escape payment of child support. A clearly defined formula would establish that "joint " alone does not circumvent payment of child support.	8/8/2016 6:50 PM
8	N/A	8/8/2016 4:31 PM
9	Additional comment to Question 10 below: "By Agreement Only. Have not had it awarded/ordered after a trial.	8/8/2016 2:00 PM
10	None. Comment to Question 10 below: "Not entirely sure" on top two choices.	8/7/2016 7:26 PM
11	Comments to Question 10 below: 11-20% - "By trial" 31-40% - "By agreement"	8/7/2016 7:13 PM
12	Comment to Question 10 below - "Estimated - I'm not really sure. It's a lot."	8/7/2016 7:12 PM
13	Actual comment to Question 10: "Unknown. Less than 10% if contested. Can't really quantify how many on agreements.	8/7/2016 6:56 PM

### Q10 In what percent of your cases is joint physical custody awarded?

Answered: 60 Skipped: 6



Answer Choices	Responses
0-10%	21.67% 13
11-20%	30.00% 18
21-30%	21.67% 13
31-40%	13.33% 8
41-50%	6.67% 4
Over 50%	6.67% 4
<b>Total</b>	<b>60</b>