

~~"Equal Shared 50% Physical Custody Adjustment" (ESPCA).~~

Draft 8-19-2022 [as amended by Penny]

- (a) Solely for purposes of child support calculations ^{pursuant to this} under Rule 32, ~~"Equal Shared 50% Physical Custody"~~ shall be defined as ~~a court order providing for 50% (or approximately 50%) physical custody of a child with each parent,~~ ^{pursuant to a written court order.}
- (b) ~~"Equal Shared 50% Physical Custody Adjustment" (ESPCA).~~

When ~~"Equal Physical Custody" is ordered by the court orders~~ any custody arrangement which provides for 50% (or approximately 50%) physical custody of a child with each parent, the ~~"Equal Shared 50% Physical Custody Adjustment"~~

shall apply as described herein. The basic child support obligation shall first be multiplied by one and one-half, ^{before} the remaining calculations, on the appropriate ~~CS~~ form shall be

^{are already made} ~~determined in the same manner as if "Equal Shared 50% Physical Custody" had not been ordered.~~

Then, the parent owing the larger amount of child support shall pay the other parent ^{the amount.} the difference between the total monthly child support amount owed and the monthly child support owed by the

^{as provided above} ~~other parent.~~ When ~~"Equal Shared 50% Physical Custody" is ordered,~~ child support shall be calculated using ~~the~~ Form CS-42(ES), instead of ~~the~~ Form CS-42.

- (c) When the child support ordered by a court ^{includes a} applies ~~"Equal Shared 50% Physical Custody Adjustment"~~, ^{his/her} pursuant to subparagraph (b) above, and a parent fails to exercise ~~their~~ physical custody of a child for more than ~~14~~ days in the calendar year in which ^{this} a party files a petition with the court, the court may consider such failure to exercise ^{physical custody} parenting time as a material change of circumstances sufficient to support a

the total child-care and health-care coverage costs paid by each parent and

the credit for "Shared 50% Physical Custody" the basic child-support obligation multiplied

shall be deducted from each parent's child support obligation. Then

by one-and-one-half

the child-support order was issued?

modification of child support. ^{This} Such modification ^{of child support} may be made retroactively to the date of the filing of ^{the} such petition.

- (d) If the court finds that a parent willfully failed to exercise ^{his or her} their physical custody of a child for more than ~~(14)~~ days in a calendar year, the court has the discretion to award attorney fees and costs to the other custodial parent in the child support modification proceeding.

in which the child support order was issued?

CHILD SUPPORT GUIDELINES

Case Number

IN THE _____ COURT OF _____ COUNTY, ALABAMA
 (Circuit or District) (Name of County)

_____ v. _____
 Plaintiff Defendant

Children	Date of Birth	Children	Date of Birth

Number of Children

Line	Item	Plaintiff	Defendant	Combined
1	MONTHLY GROSS INCOME	\$	\$	\$
1a	Minus Preexisting Child Support Payments	-	-	-
1b	Minus Preexisting Periodic Alimony Payments	-	-	-
2	MONTHLY ADJUSTED GROSS INCOME (Line 1 - Line 1a - Line 1b)	\$	\$	\$
<i>Child-Support Obligation Calculations</i>				
3	PERCENTAGE SHARE OF INCOME (Income on Line 2 divided by Combined Income)	%	%	100 %
4	BASIC CHILD SUPPORT OBLIGATION (Apply Line 2 Combined to Schedule of Basic Child Support Obligations)			\$
5	SHARED PARENTING TIME OBLIGATION (150% of Basic Obligation) (1.5 x Line 4 Combined)			\$
6	WORK-RELATED CHILD-CARE COSTS (Paid by Either Parent)	\$	\$	
7	HEALTH-CARE-COVERAGE COSTS (Paid by Either Parent)	+	+	
8	TOTAL CHILD-CARE AND HEALTH-CARE-COVERAGE COSTS (Line 6 + Line 7)	\$	\$	\$
9	TOTAL CHILD-SUPPORT OBLIGATION (Combined Line 5 + Line 8)			\$
10	EACH PARENT'S CHILD-SUPPORT OBLIGATION (Line 3 x Line 9)	\$	\$	
<i>Shared-Custody Calculations</i>				
11	TOTAL COSTS PAID BY EACH PARENT (Line 8)	-	-	
12	CREDIT FOR SHARED-CUSTODY TIME (50% of Line 5 Combined)	-	-	
13	ADJUSTED SHARED-CUSTODY CHILD SUPPORT OBLIGATION (Line 10 - Line 11 - Line 12)	\$	\$	
<i>Recommended Child-Support Order</i>				
14	RECOMMENDED CHILD-SUPPORT ORDER (Higher of amounts in Line 13 placed in column of parent with higher amount.)	\$	\$	

50% PHYSICAL CUSTODY

50% Physical Custody

50% PHYSICAL CUSTODY

PHYSICAL CUSTODY

Comments, Calculations, or Rebuttals to Guidelines:

Prepared By:

Date: