

Education Expenses
RE: Child care

Proposal Rejected by Alabama Supreme Court
[2017]

(1) REASONS FOR DEVIATING FROM THE GUIDELINES.
Reasons for deviating from the guidelines may include, but are not limited to, the following:

(g) In an appropriate case, the court may consider the child-care costs associated with the training or education of a parent necessary to obtain a job or enhance earning potential, not to exceed a reasonable time as determined by the court, if the parent proves by a preponderance of the evidence that the job training, or education will benefit the child being supported; and

COMMENT TO AMENDMENTS EFFECTIVE

The addition of subdivision (g) to subsection (A) (1), for consideration by the court, in deviating from the guidelines reflects the policy of encouraging parents to be self-supporting and to develop the necessary skill set to support their children. This provision is similar to Section 19-6-15(a) (24), Ga. Code. Ann., Georgia's child-support guidelines statute. Former subdivision (g) of subsection (A) (1) became new subdivision (h).

2018 Proposal #1

(8) CHILD-CARE COSTS. Child-care costs, incurred on behalf of the children because of employment or job search of either parent or because of the training or education of a parent necessary to obtain a job or enhance earning potential of either parent, shall be added to the "basic child-support obligation." Child-care costs shall not exceed the amount required to provide care from a licensed source for the children, based on a schedule of guidelines developed by the Alabama Department of Human Resources. Before the Alabama Department of Human Resources implements any revision to the schedule of child-care-cost guidelines, it shall provide the administrative director of courts ("the ADC") a copy of the revised schedule. The ADC shall, as soon as reasonably practicable thereafter, disseminate the revised schedule to all circuit and district court judges and clerks and the Family Law Section of the Alabama State Bar. The clerk shall maintain the current schedule in his or her office, shall make it available for review, and shall provide copies of it on request, at the customary cost for copies of documents.

2018 Proposal #2

(8) CHILD-CARE COSTS. Child-care costs, incurred on behalf of the children because of employment or job search of either parent, shall be added to the "basic child-support obligation." Child-care costs, incurred on behalf of the children because of the training or

education of a parent necessary to obtain a job or enhance earning potential, not to exceed a reasonable time as determined by the court, if the parent proves by a preponderance of the evidence that the job training, or education will benefit the child being supported shall be added to the "basic child-support obligation." Child-care costs shall not exceed the amount required to provide care from a licensed source for the children, based on a schedule of guidelines developed by the Alabama Department of Human Resources. Before the Alabama Department of Human Resources implements any revision to the schedule of child-care-cost guidelines, it shall provide the administrative director of courts ("the ADC") a copy of the revised schedule. The ADC shall, as soon as reasonably practicable thereafter, disseminate the revised schedule to all circuit and district court judges and clerks and the Family Law Section of the Alabama State Bar. The clerk shall maintain the current schedule in his or her office, shall make it available for review, and shall provide copies of it on request, at the customary cost for copies of documents.