

**Appendix B**  
**Proposed Amendments to Rule 32, Ala. R. Jud. Admin.**

**Amendment to Rule 32(A)(1)(e)**  
(addition redlined; deletion struck-out)

(e) The assumption under the ~~Schedule of Basic Child-Support Obligations~~ Internal Revenue Service tax code that the custodial parent will claim the federal and state income-tax exemptions for the children in his or her custody will not be followed in the case;

**Amendment to Rule 32(B)(8)**  
(additions redlined; deletions struck-out)

(8) Child-care costs. =

(a) 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 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.

(b) After the total child-support obligation is calculated, the amount added pursuant to subsection (B)(8)(a) shall be deducted from the share of the total child-support obligation of the parent who actually pays the child-care cost.

**Amendment to Rule 32(C)(1)**  
(deletion struck-out)

Basic child-support obligation. The basic child-support obligation shall be determined by using the schedule of basic child-support obligations. The category entitled “combined adjusted gross income” in the schedule means the combined monthly adjusted gross incomes of both parents. “Adjusted gross income” means gross income less preexisting child-support obligations, less preexisting periodic alimony actually paid by a parent to a former spouse. For combined adjusted gross-income amounts falling between amounts shown in the schedule, the lower value shall be used if the combined adjusted gross income falls less than halfway between the amounts shown in the schedule. Where the combined adjusted gross income falls halfway or more than halfway between two amounts, the higher value shall be used. The category entitled “number of children due support” in the schedule means children for whom the parents share joint legal responsibility and for whom child support is being sought. The court may use its discretion in determining child support in circumstances where combined adjusted gross income is ~~below the lowermost levels or exceeds the uppermost levels of the schedule.~~

**Amendment to Rule 32(C)**  
**(Adds completely new subsections (5) and (6))**

**(5) SELF-SUPPORT RESERVE ("SSR") CALCULATION.**

**(a) The SSR calculation is used to ensure that the obligor's basic subsistence needs are met.**

**(b) The amount of the SSR, \$981, is based on the 2021 federal poverty levels, adjusted for Alabama incomes.**

**(c) To perform the SSR calculation, first determine the "Income Available After SSR" by subtracting the SSR amount from the "Monthly Adjusted Gross Income" entered on Line 2 of the Child-Support Guidelines**

form; the difference should be entered on Line 11 of the Child-Support Guidelines form. Next, calculate the "Income Available for Support," by entering 85% of the amount entered on Line 11 of the Child-Support Guidelines form onto Line 12 of the Child-Support Guidelines form.

(d) The "Recommended Child-Support Order" on Line 13 of the Child-Support Guidelines form is the lesser of "Each Parent's Adjusted Child-Support Obligation" on Line 10 of the Child-Support Guidelines form and the "Income Available for Support" entered on Line 12 of the Child-Support Guidelines form. If the amount entered on Line 12 is less than \$50, there is a rebuttable presumption that a \$50 minimum amount should be entered.

(6) ZERO-DOLLAR ORDER. If the obligor has no gross income and receives only means-tested assistance, there is a rebuttable presumption that a zero-dollar order shall be entered. If the obligor has no gross income and is incarcerated or institutionalized for a period of more than 180 consecutive calendar days, there is a rebuttable presumption that a zero-dollar order shall be entered. Completion of the standardized Child-Support Guidelines form, Child-Support-Obligation Income Statement/Affidavit form, and Child-Support Notice of Compliance form specifying the reason for the zero-dollar child support order is required.

### **Preface Relating to Scope**

*Preface ~~r~~Relating to ~~s~~Scope.* This rule, as amended effective ~~July 1~~January ~~1~~1, 20~~19~~22, shall apply to all new actions filed or proceedings instituted on or after ~~July 1~~January ~~1~~1, 20~~19~~22. Any actions or proceedings instituted before ~~July 1~~January ~~1~~1, 20~~19~~22, shall be governed by Rule 32 as it read before ~~July 1~~January ~~1~~1, 20~~19~~22.