

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 32.

Child-support guidelines.

Preface Relating to Scope. This rule, as amended effective January 1, 2009, shall apply to all new actions filed or proceedings instituted on or after January 1, 2009. Any actions or proceedings instituted before January 1, 2009, shall be governed by Rule 32 as it read before January 1, 2009.

(A) *Child-support guidelines established.* Guidelines for child support are hereby established for use in any action to establish or modify child support, whether temporary or permanent. There shall be a rebuttable presumption, in any judicial or administrative proceeding for the establishment or modification of child support, that the amount of the award that would result from the application of these guidelines is the correct amount of child support to be awarded. A written finding on the record indicating that the application of the guidelines would be unjust or inappropriate shall be sufficient to rebut the presumption if the finding is based upon:

(i) A fair, written agreement between the parties establishing a different amount and stating the reasons therefor; or

(ii) A determination by the court, based upon evidence presented in court and stating the reasons therefor, that application of the guidelines would be manifestly unjust or inequitable.

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

(a) Shared physical custody or visitation rights providing for periods of physical custody or care of children by the obligor parent substantially in excess of those customarily approved or ordered by the court;

(b) Extraordinary costs of transportation for purposes of visitation borne substantially by one parent;

(c) Expenses of college education incurred prior to a child's reaching the age of majority;

(d) Assets of, or unearned income received by or on behalf of, a child or children;

(e) The assumption under the Schedule of Basic Child-Support Obligations 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;

(f) The actual child-case costs incurred on behalf of the children because of the employment or job search of either parent exceeds the costs allowed under subsection (B)(8) of this rule by twenty percent (20%) or more; and

(g) Other facts or circumstances that the court finds contribute to the best interest of the child or children for whom child support is being determined.

The existence of one or more of the reasons enumerated in this section does not require the court to deviate from the guidelines, but the reason or reasons may be considered in deciding whether to deviate from the guidelines. The court may deviate from the guidelines even if no reason enumerated in this section exists, if evidence of other reasons justifying deviation is presented.

(2) STIPULATIONS. Stipulations presented to the court shall be reviewed by the court before approval. No hearing shall be required; however, the court shall use the guidelines in reviewing the adequacy of child-support orders negotiated by the parties and shall review income statements that fully disclose the financial status of the parties. The court, however, may accept from the parties and/or their attorneys of record a Child-Support Guidelines Notice of Compliance (Form CS-43) that indicates compliance with this rule or, in the event the guidelines have not been followed, the reason for the deviation therefrom.

(3) MODIFICATIONS. The guidelines shall be used by the parties as the basis for periodic updates of child-support obligations.

(a) The provisions of any judgment respecting child support shall be modified only as to installments accruing after the filing of the petition for modification.

(b) A party seeking a modification of child support must plead and prove that there has occurred a material change in circumstances that is substantial and continuing since the last order of child support.

(c) There shall be a rebuttable presumption that child support should be modified when the difference between the existing child-support award and the amount determined by application of these guidelines varies more than ten percent (10%), unless the variation is due to the fact that the existing child-support award resulted from a rebuttal

of the guidelines and there has been no change in the circumstances that resulted in the rebuttal of the guidelines.

(d) The existence of the guidelines or periodic changes to the guidelines in and of themselves do not constitute proof of a material change in circumstances that is substantial and continuing.

(e) A trial court has discretion and authority to modify a child-support obligation even when there is not a ten percent (10%) variation between the current obligation and the guidelines when a petitioner has proven a material change in circumstances that is substantial and continuing. Likewise, a trial court has discretion to deny a modification even when the ten percent (10%) variation is present, based on a finding that the application of the guidelines in that case would be manifestly unjust or inequitable.

(4) HEALTH-CARE NEEDS. All orders establishing or modifying child support shall, at a minimum, provide for the children's health-care needs through health-insurance coverage, through cash medical support, or other means. Normally, health insurance covering the children should be required if it is available to either parent through his or her employment or pursuant to any other group plan at a reasonable cost and is accessible to the children.

(B) *Definitions.*

(1) INCOME. For purposes of the guidelines established by this rule, "income" means actual gross income of a parent, if the parent is employed to full capacity, or the actual gross income the parent has the ability to earn if the parent is unemployed or underemployed.

(2) GROSS INCOME.

(a) "Gross income" includes income from any source, and includes, but is not limited to, salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, Social Security benefits, workers' compensation benefits, unemployment-insurance benefits, disability-insurance benefits, gifts, prizes, and preexisting periodic alimony.

(b) "Gross income" does not include child support received for other children or benefits received from means-tested public-assistance programs, including, but not limited to, Temporary Assistance for Needy Families, Supplemental Security Income, food stamps, and general assistance.

(3) SELF-EMPLOYMENT INCOME.

(a) For income from self-employment, rent, royalties, proprietorship of business, or joint ownership of partnership or closely held corporation, "gross income" means gross receipts minus ordinary and necessary expenses required to produce this income, as allowed by the Internal Revenue Service, with the exceptions noted in subsection (B)(3)(b).

(b) "Ordinary and necessary expenses" does not include amounts allowable by the Internal Revenue Service for the accelerated component of depreciation expenses, investment tax credits, or any other business expenses determined by the court to be inappropriate for determining gross income for purposes of calculating child support.

(4) OTHER INCOME. Expense reimbursements or in-kind payments received by a parent in the course of employment, self-employment, or operation of a business shall be counted as income if they are significant and reduce personal-living expenses.

(5) UNEMPLOYMENT; UNDEREMPLOYMENT. If the court finds that either parent is voluntarily unemployed or underemployed, it shall estimate the income that parent would otherwise have and shall impute to that parent that income; the court shall calculate child support based on that parent's imputed income. In determining the amount of income to be imputed to a parent who is unemployed or underemployed, the court should determine the employment potential and probable earning level of that parent, based on that parent's recent work history, education, and occupational qualifications, and on the prevailing job opportunities and earning levels in the community. The court may take into account the presence of a young or physically or mentally disabled child necessitating the parent's need to stay in the home and therefore the inability to work.

(6) PREEXISTING CHILD-SUPPORT OBLIGATION. The amount of child support actually being paid by a parent pursuant to an order for child support of other children shall be deducted from that parent's "gross income." If a parent is legally responsible for and is actually providing child support for other children, but not pursuant to an order of child support, a deduction for an "imputed preexisting child-support obligation" may be made from that parent's gross income. The imputed preexisting child-support obligation shall be that amount specified in the schedule of basic child-support obligations based on that parent's unadjusted gross income and the number of other children for whom that parent is legally responsible. "Other children" means children who are not the subject of the particular child-support determination being made. If the proceeding is one to modify an existing award of child support, no deduction should be made for other children born or adopted after the initial

award of child support was entered, except for child support paid pursuant to another order of child support.

(7) HEALTH-INSURANCE COVERAGE/CASH MEDICAL SUPPORT.

(a) Medical support in the form of health-insurance coverage and/or cash medical support shall be ordered provided that health-insurance coverage is available to either parent at a reasonable cost and/or cash medical support is considered reasonable in cost. The health-insurance coverage must be "accessible" to the children, as that term is defined in subsection (c).

(b) Cash medical support may be ordered in addition to health-insurance coverage. Cash medical support does not have to be a stand-alone amount. Cash medical support for uninsured medical expenses can be allocated between the parents.

(c) Definitions.

(1) Cash Medical Support. Cash medical support is an amount ordered to be paid toward the cost of health insurance provided by a public entity or by another parent through employment or otherwise, or for other medical costs not covered by insurance.

(2) Health Insurance. Health insurance includes the fee for service, health-maintenance organization, preferred-provider organization, and other types of coverage that is available to either parent, under which medical services could be provided to the dependent children.

(3) Reasonable Cost. Cash medical support or the cost of private health insurance is considered reasonable in cost if the cost to the parent responsible for providing medical support does not exceed 10% of his or her gross income. For purposes of applying the 10% standard, the cost is the cost of adding the child or children to existing coverage or the difference between self-only and family coverage, whichever is greater.

(4) Accessible. Health-insurance coverage shall be deemed "accessible" if ordinary medical care is available to the children within a 100-mile radius of their residence.

(d) The actual cost of a premium to provide health-insurance benefits for the children shall be added to the "basic child-support obligation" and shall be divided between the parents in proportion to their adjusted gross income in the percentages indicated on the Child-Support Guidelines form (Form CS-42).

(e) The amount to be added to the "basic child-support obligation" and inserted in Line 6 ("Health-Insurance Costs") of the Child-Support Guidelines form (Form CS-42) shall be the pro rata portion of the medical-insurance premium attributable to the child or children who are the subject of the support order, which shall be calculated by dividing the total medical-insurance premium actually paid by, or on behalf of, the parent ordered to provide the coverage by the total number of persons (adult and/or children) covered and then multiplying the result by the number of children who are the subject of the support order.

(f) After the "total child-support obligation" is calculated and divided between the parents in proportion to their "monthly adjusted gross income," the amount added pursuant to subsection (e) shall be deducted from the obligor's share of the total child-support obligation, provided the obligor actually pays the premium. If the obligee is actually paying the premium, no further adjustment is necessary.

(g) If, at any time while a child-support order providing for an insurance adjustment is in effect, the insurance coverage is allowed to lapse, is terminated, or otherwise no longer covers the children for whose benefit the order was issued, the court (i) may find the amount deducted from the obligor's child-support obligation therefor to be an arrearage in the obligor's total child-support obligation; (ii) may find the obligor liable for medical expenses that would otherwise have been covered under the insurance; and/or (iii) may enter such other order as it shall deem appropriate.

(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 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.

(9) SPLIT CUSTODY. In those situations where each parent has primary physical custody of one or more children, child support shall be computed in the following manner:

(a) Compute the child support the father would owe to the mother for the children in her custody as if they were the only children of the two parties; then

(b) Compute the child support the mother would owe to the father for the children in his custody as if they were the only children of the two parties; then

(c) Subtract the lesser child-support obligation from the greater. The parent who owes the greater obligation should be ordered to pay the difference in child support to the other parent, unless the court determines, pursuant to other provisions of this rule, that it should deviate from the guidelines.

(C) Determination of Recommended Child-Support Obligation.

(1) 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.

(2) COMPUTATION OF CHILD SUPPORT. A total child-support obligation is determined by adding the basic child-support obligation, work-related child-care costs, and health-insurance costs. 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 the total child-support obligation by each parent's percentage share of their combined adjusted gross income. The custodial parent shall be presumed to spend his or her share directly on the child.

(3) ROUNDING. All dollar amounts used in child-support calculations under this rule, including the recommended child-support order, shall be rounded to the

nearest dollar, and all percentages shall be rounded to the nearest one percent.

(4) **ADDITIONAL AWARDS FOR CHILD SUPPORT.** In addition to the recommended child-support order, the court may make additional awards for extraordinary medical, dental, and educational expenses if (i) the parties have in writing agreed to these awards or (ii) the court, upon reviewing the evidence, determines that these awards are in the best interest of the children and states its reasons for making these additional awards.

(D) *Schedule of basic child-support obligations.* A schedule of basic child-support obligations appears as an appendix to this Rule 32.

(E) *Standardized child-support guidelines form, child-support-obligation income statement/affidavit form, and child-support guidelines notice of compliance form.* A standardized Child-Support Guidelines form (Form CS-42 as appended to this rule) and a Child-Support-Obligation Income Statement/Affidavit form (Form CS-41 as appended to this rule) shall be filed in each action to establish or modify child-support obligations and shall be of record and shall be deemed to be incorporated by reference in the court's child-support order. In conformance to section (A)(2) of this rule, in stipulated cases the court may accept the filing of a Child-Support Guidelines Notice of Compliance form (Form CS-43 as appended to this rule). The form, content, and numbering schemes of the Child-Support Guidelines form, the Child-Support-Obligation Income Statement/Affidavit form, and the Child-Support Guidelines Notice of Compliance form shall be prescribed by the ADC.

(F) *Income statements.* Income statements of the parents shall be verified with documentation of both current and past earnings. Suitable documentation of current earnings includes pay stubs, employer statements, or receipts and expenses if self-employed. Documentation of current earnings shall be supplemented with copies of the most recent tax return to provide verification of earnings over a longer period or shall be supplemented with other documentation as the court directs. Intentional falsification of information presented on the Child-Support-Obligation Income Statement/Affidavit form shall be deemed contempt of court. Documentation of earnings used in preparing the Child-Support-Obligation Income Statement/Affidavit form shall be maintained by the parties and made available as directed by the court.

(G) *Review of guidelines.* The Advisory Committee on Child-Support Guidelines and Enforcement (hereinafter "the Committee"), appointed by the Supreme Court, shall, at least once every four years, review the child-support guidelines and the schedule of basic child-support obligations to ensure that their application results in appropriate child-support determinations. Any recommendations concerning the child-support guidelines and/or the schedule of basic child-support obligations shall be reduced to writing and sent by the

chairman of the Committee to the clerk of the Supreme Court for review by the Supreme Court. Any proposed changes to the child-support guidelines and/or the schedule of basic child-support obligations that are approved by the Supreme Court shall be sent by the clerk of the Supreme Court to the ADC for distribution to the trial courts.

[Amended 9-28-87, eff. 10-1-87; Amended 8-29-89, eff. 10-9-89; Amended 8-24-93, eff. 10-4-93; Amended 11-19-2008; eff. 1-1-2009; Amended 2-25-2009; eff. 3-1-2009; Amended 2-11-2015, eff. 4-1-2015.]

Comment

(As amended to conform to amendments effective October 4, 1993)

Rule 32 establishes guidelines as a rebuttable presumption for the ordering of child support awards. These guidelines were adopted in response to requirements set forth in the Child Support Enforcement Amendments of 1984 (P.L. 98-378) and the Family Support Act of 1988 (P.L. 100-485). The guidelines will provide an adequate standard support for children, subject to the ability of their parents to pay, and will make awards more equitable by ensuring more consistent treatment of persons in similar circumstances.

These guidelines are based on the income shares model developed by the National Center for State Courts and are founded on the premise that children should not be penalized as a result of the dissolution of the family unit but should continue to receive the same level of support that would have been available to them had the family unit remained intact. Under the guidelines, attorneys for the plaintiff and defendant will be required to submit a Child Support Guidelines form and Child Support Obligation Income Statement/Affidavit form in each action to establish or modify child support. The Child Support Guidelines form will set forth the combined income available to the family unit, the basic child support obligation as determined from the Schedule of Basic Child Support Obligations (Appendix to Rule 32), and adjustments to the basic obligation for work-related child care expenses and health insurance premiums. A portion of the adjusted total child support obligation is then ascribed to each parent based on his/her percentage share of the combined family income. The Child Support Guidelines form sets forth the recommended child support obligation for the noncustodial parent, which includes an adjustment for the cost of the health insurance premium if such a premium is paid by the noncustodial parent. The guidelines assume that the custodial parent will directly provide his/her proportionate share of support to the children. In addition to the recommended child support obligation, the court may make additional awards for extraordinary medical, dental, and educational expenses if the court finds such awards to be in the children's best interest or if the parents have agreed to such awards.

The Schedule of Basic Child Support Obligations was developed through research sponsored by the National Center for State Courts and is based on extensive economic research on the cost of supporting children at various income levels. This schedule is based on gross income and has been adjusted for Alabama's income distribution relative to the U.S. income distribution. It also incorporates the 1987 federal income tax provisions as well as the withholding schedule for Alabama state income tax.

Other assumptions incorporated in the Schedule of Basic Child Support Obligations include:

(1) Tax Exemptions. The Schedule of Basic Child Support Obligations assumes that the custodial parent will take the federal and state income tax exemptions for the children in his or her custody;

(2) Health Care Costs. In respect to health care costs, the Schedule of Basic Child Support Obligations assumes unreimbursed medical costs of \$200 per family of four per year. These assumed costs include medical expenses not covered or reimbursed by health insurance or Medicaid or Medicare; and

(3) Visitation. The Schedule of Basic Child Support Obligations is premised on the assumption that the noncustodial parent will exercise customary visitation rights, including summer visitation. Any abatement of child support because of extraordinary visitation should be based on visitation in excess of customary visitation.

The schedule of basic child support obligations includes combined gross incomes ranging from \$550 to \$10,000 a month. Rule 32(C)(1) provides that the court may use its discretion in determining child support where the combined adjusted gross income is below the lowermost levels or above the uppermost levels of the schedule. To further the consistency of awards, a court may wish to issue an order establishing minimum child support obligations for combined adjusted gross incomes of less than \$550. Where the combined adjusted gross income exceeds the uppermost limit of the schedule, the amount of child support should not be extrapolated from the figures given in the schedule, but should be left to the discretion of the court.

Rule 32(B)(8) provides an adjustment for work-related child care costs, provided such costs do not exceed those on the schedule of guidelines for licensed child care costs published by the Alabama Department of Human Resources (DHR). The rule requires that copies of the DHR schedule of guidelines for child care costs be available through the office of the clerk or register of each court where child support actions are filed. Copies of the schedule of guidelines for child care costs should also be available in the county offices of the Department of Human Resources.

The Alabama child support guidelines do not specifically address the problem of establishing a support order in joint legal custody situations. Such a situation may be considered by the court as a reason for deviating from the guidelines in appropriate situations, particularly if physical custody is jointly shared by the parents. Shared physical custody, regardless of "legal custodial arrangements," is an appropriate reason for deviation, Section (A)(1)(a). "Shared physical custody" refers to that situation where the physical placement is shared by the parents in such a manner as to assure the child frequent and continuing contact and time with both parents. Because of the infinite possibilities that exist in terms of time spent with each parent and other considerations associated with such custody, a determination of support is to be made on a case-by-case basis and is left to the sound discretion of the trial court, to be based on findings made at or after trial or upon a fair written agreement of the parties. When a shared physical custody situation results in a support award that deviates from the award that would result from application of the guidelines, the trial court's order, or the written agreement of the parties, must specify and explain the reason for the deviation.

The guidelines also do not address the problem of subsequent children or families. While no deduction may be made for children born or adopted after an initial award of support, unless made pursuant to another order of support or as otherwise provided in this rule, a court may consider evidence of support provided by a party for after-born or adopted children offered in an attempt to rebut the guidelines' presumptions. See *Loggins v. Houk*, 595 So.2d 488 (Ala.Civ.App.1991).

The Schedule of Basic Child Support Obligations assumes that a family of four will have approximately \$200 in unreimbursed medical expenses each year. In providing for the payment of deductibles and/or other noncovered medical expenses by the parties, it should be assumed that those expenses are in excess of this amount. Courts and parties may wish to consider whether noncovered medical and/or dental expenses should be allocated in the same percentages as the health insurance premiums are allocated pursuant to this rule and as entered on the Child Support Guidelines form (Form CS-42).

When provisions for payment of a health insurance premium are made as provided in Rule 32, the court, or the parties drafting an agreement, should also consider requiring proof that the children have been enrolled in the health insurance plan and proof of the actual cost of dependent coverage. The court should, in its order of child support, require the parent providing dependent insurance coverage to submit annually proof of continued coverage to the other parent, the court, or the designated child support enforcement agency, and should further require provision of an identification card or other evidence of insurance sufficient for the children to be afforded benefits of such insurance coverage by service providers.

The Supreme Court's Advisory Committee on Child Support Guidelines and Enforcement, which assisted in drafting this rule, has recommended that child support obligations be determined before the court considers spousal support or other obligations.

**Comment to Amendments
Effective January 1, 2009**

Rule 32 was amended effective January 1, 2009, to address certain issues and to make technical changes.

The first paragraph of this rule, entitled, "Preface Relating to Scope," provides that the amended rule is effective January 1, 2009, and will apply to all new actions filed or proceedings instituted on or after that date. Any actions or proceedings instituted before January 1, 2009, will be governed by Rule 32 as it read before that date.

Rule 32(A)(2), entitled "Stipulations," was amended to delete the last sentence, which is also found in Rule 32(E).

Rule 32(A)(3), entitled "Modifications," was amended by adding subsection (b), which emphasizes that under current Alabama case law a party seeking a modification of child support must plead and prove that a material change in circumstances has occurred since the entry of the last order of child support that is substantial and continuing.

Former subsection (b) of Rule 32(A)(3) was moved to subsection (c). Subsections (d) and (e) were added to Rule 32 (A)(3). Subsection (d) clarifies that the mere existence of the guidelines or any periodic changes to the guidelines, including these latest changes, do not, in and of themselves, constitute proof of a material change in circumstances that is substantial and continuing to warrant the filing of a modification of child support. Subsection (e) restates that a trial court may modify a child-support obligation even when there is not a 10 percent variation between the current obligation and the guidelines when a petitioner has proven a material change in circumstances that is substantial and continuing, or it may deny a modification even when the 10 percent variation exists based on a finding that the application of the guidelines in that case would be manifestly unjust or inequitable.

In Rule 32(B)(2)(b), the definition of "Gross Income" was amended to change the term "Aid to Families with Dependent Children," which is no longer used, to "Temporary Assistance for Needy Families."

The Supreme Court's Advisory Committee on Child-Support Guidelines and Enforcement considered the issue of allowing a deduction beyond what is provided in Rule 32(B)(6) for a parent paying child support if that parent has

other children who are not the subject of the particular child-support determination being made. After many discussions, the Advisory Committee decided not to recommend an amendment to Rule 32(B)(6), which allows a parent paying child support to deduct from that parent's gross income the amount of child support actually being paid by the person pursuant to a child-support order for other children or an imputed amount if the parent is legally responsible for and is actually providing child support for other children not covered by a child-support order.

The Advisory Committee also decided not to recommend an amendment to the guidelines to address the issue of subsequent children or families. Although no deduction may be made for children born or adopted after an initial award of support unless the deduction is made pursuant to another order of support or as otherwise provided in this rule, a court may consider evidence of support provided by a party for after-born or adopted children offered in an attempt to rebut the presumptions in the guidelines. See *Loggins v. Houk*, 595 So. 2d 488 (Ala. Civ. App. 1991). A decision regarding an issue raised concerning subsequent children or families is to be made on a case-by-case basis and is left to the sound discretion of the trial court, to be based on findings made at or after trial or upon a fair written agreement of the parties. If a deduction for subsequent children or families results in a support award that deviates from the award that would result from application of the guidelines, the trial court's order, or the written agreement of the parties, must specify and explain the reason for the deviation.

In Rule 32(B)(8), the definition of "Child-Care Costs" was amended to delete reference to registers receiving copies of the Department of Human Resources' schedule of child-care-cost guidelines because there are no longer any registers.

Rule 32(G) was amended to provide that the Advisory Committee on Child-Support Guidelines and Enforcement appointed by the Supreme Court, instead of the administrative director of courts, shall, at least once every four years, review the child-support guidelines and the schedule of basic child-support obligations to ensure that their application results in appropriate child-support determinations. Language was also added to provide that any recommendations concerning the child-support guidelines and/or the schedule of basic child-support obligations shall be reduced to writing and sent by the chairman of the Committee to the clerk of the Supreme Court for review by the Supreme Court. Any proposed changes to the child-support guidelines and/or the schedule of basic child-support obligations that are approved by the Supreme Court shall be sent by the clerk of the Supreme Court to the administrative director of courts for distribution to the trial courts.

The original schedule of basic child-support obligations was developed through research sponsored by the National Center for State Courts. The

revised schedule of basic child-support obligations was updated and is based on the latest extensive economic research on the cost of supporting children at various income levels. Specifically, the revised schedule of basic child-support obligations is based on estimates of child-rearing expenditures that were developed applying the Rothbarth methodology to 1998-2004 expenditures data and updated to 2007 price levels. The revised schedule of basic child-support obligations is also based on gross income and has been adjusted for Alabama's income distribution relative to the income distribution for the United States. It also incorporates the 2007 federal and State of Alabama personal income-tax withholding formulas.

Other assumptions incorporated in the revised schedule of basic child-support obligations include:

(1) Tax exemptions. The schedule of basic child-support obligations assumes that the custodial parent will take the federal and state income-tax exemptions for the children in his or her custody;

(2) Health-care costs. In respect to health-care costs, the schedule of basic child-support obligations assumes unreimbursed medical costs of \$250 per child per year. These assumed costs include medical expenses not covered or reimbursed by health insurance, Medicaid, or All Kids, or insurance from another public entity up to \$250 per child per year;

(3) Visitation. The schedule of basic child-support obligations is premised on the assumption that the noncustodial parent will exercise customary visitation rights, including summer visitation. Any abatement of child support because of extraordinary visitation should be based on visitation in excess of customary visitation; and

(4) Self-support reserve. The schedule of basic child-support obligations incorporates a self-support reserve of \$851 per month. It is based on the 2007 federal poverty guidelines for one person but is also realigned to consider Alabama incomes in the same manner as the revised schedule. The adjustment is incorporated into the schedule for combined gross incomes below: \$1,100 for one child; \$1,350 for two children; \$1,550 for three children; \$1,700 for four children; \$1,900 for five children; and \$2,100 for six children. The evidence on child-rearing expenditures indicates a higher amount is expended on children below these income levels than what is shown in the schedule of basic child-support obligations.

The entire revised schedule of basic child-support obligations includes combined gross incomes ranging from \$0 to \$20,000 a month. Rule 32(C)(1) provides that the court may use its discretion in determining child support when the combined adjusted gross income is below the lowermost levels or above the uppermost levels of the schedule. To further the consistency of awards, a court

may wish to issue an order establishing minimum child-support obligations for combined adjusted gross incomes of less than \$800. When the combined adjusted gross income exceeds the uppermost limit of the schedule, the amount of child support should not be extrapolated from the figures given in the schedule, but should be left to the discretion of the court.

The revised schedule of basic child-support obligations assumes that each child will have \$250 in unreimbursed medical expenses each year up to \$750 for three children per year and \$75 per each additional child thereafter. This includes ordinary medical expenditures such as over-the-counter medicines, Band-Aids, and co-pays for well visits. In providing for the payment of deductibles and/or other noncovered medical expenses by the parties, it should be assumed that those expenses are in excess of this amount.

Comment to Amendments Effective March 1, 2009

Rule 32(A)(4), "Health-Care Needs," was amended to state that health-insurance coverage may be provided through cash medical support and that the coverage must be accessible to the children. These provisions are required in state child-support guidelines pursuant to federal medical-support regulations. See 45 C.F.R. § 302.56(c)(3).

The title to Rule 32(B)(7) was changed from "Health-Insurance Premiums" to "Health-Insurance Coverage/Cash Medical Support" to more accurately describe the rule once the new provisions have been added.

Subsection (a) was added to ensure that the State's child-support guidelines are in compliance with 45 C.F.R. § 302.56(c)(3). The provisions that the health insurance be available to a parent at reasonable cost and that coverage be accessible to the children were included pursuant to 45 C.F.R. § 303.31(b)(1).

Subsection (b) was added to provide that cash medical support may be ordered in addition to health-insurance coverage, that cash medical support does not have to be a stand-alone amount, and that cash medical support can be allocated between the parents for responsibility for uninsured medical expenses.

Subsection (c) was added to define certain terms. The definition of "cash medical support" tracks the language of 45 C.F.R. § 303.31(a)(1). The definition of "health insurance" tracks the language of 45 C.F.R. § 303.31(a)(2). The definition of "reasonable cost" tracks the language of 45 C.F.R. § 303.31(a)(3). The Supreme Court's Advisory Committee on Child-Support Guidelines and Enforcement voted to provide that cash medical support or the cost of private health insurance is considered reasonable if the cost to the parent responsible

for providing medical support does not exceed 10% of his or her gross income. For purposes of applying the 10% standard, the cost is the greater of the cost of adding the child to existing coverage or the difference between self-only and family coverage. A definition of "accessible" was added to comply with 45 C.F.R. § 303.31(b)(1). The federal government allows states to define "accessible." The Advisory Committee chose to define this term as health-insurance coverage for ordinary medical care to children available to the children within a 100-mile radius of their residence.

Former subsection (a) was renumbered as subsection (d).

Former subsections (b), (c), and (d) were renumbered subsections (e), (f), and (g), respectively. Only technical changes were made to these subsections.

Comment to Amendments Effective April 1, 2015

Rule 32 was amended effective April 1, 2015, to add two additional specific reasons for the court to deviate from the child-support guidelines and to provide a more equitable manner of treating the inclusion of health-insurance premiums in the calculation of child support.

A new subsection (A)(1)(e) was added to specifically permit the court to deviate from the guidelines if the custodial parent is not claiming the federal and state income-tax exemptions for the child or children, as is assumed under the Schedule of Basic Child-Support Obligations.

Subsection (A)(1)(f) was added to specifically permit the court to deviate from the guidelines in the instances in which the actual child-care costs exceed the costs allowed under subsection (B)(8) of the rule by at least 20 percent (20%). This addition will allow the court to consider all the factors surrounding the child-care arrangements in each individual case, including the acceleration in child-care costs. Also, this change furthers the policy of encouraging both parents to seek and maintain employment to help support their child.

Former subsection (A)(1)(e) was redesignated as subsection (A)(1)(g) in light of the additions of the two new subsections.

Subsection (B)(7)(e) was amended to provide a more equitable determination of the actual cost of the health-insurance premiums for a child in the calculation of child support. The former rule required the inclusion of the actual amount of the total insurance premium for family/dependent coverage, regardless of which children were included under that coverage. That method of calculation was based on outdated modes of dependent health-insurance coverage and had the potential to lead to inequitable results, as demonstrated in *Hein v. Fuller*, 93 So. 3d 961 (Ala. Civ. App. 2012). The inclusion of the pro rata

portion of the medical-insurance premium attributable to a child who is the subject of the support order will more fairly represent the true cost of medical coverage for the child. The addition of the language that allows the court to base the calculations on the premium paid "by, or on behalf of, the parent" reflects the existing practice of stepparents' providing medical insurance for their stepchildren under their dependent-coverage policies and fosters the goal of promoting health coverage for children.

Note from the reporter of decisions: The order amending Rule 32, effective January 1, 2009, and adopting the Comment to Amendments Effective January 1, 2009, is published in that volume of *Alabama Reporter* that contains Alabama cases from 994 So. 2d.

Note from the reporter of decisions: The order amending Rule 32(A)(4) and Rule 32(B)(7), effective March 1, 2009, and adopting the Comment to Amendments Effective March 1, 2009, is published in that volume of *Alabama Reporter* that contains Alabama cases from 999 So. 3d.

Note from the reporter of decisions: The order amending Rule 32(A)(1) and Rule 32(B)(7)(e), effective April 1, 2015, and adopting the Comment to Amendments Effective April 1, 2015, is published in that volume of *Alabama Reporter* that contains Alabama cases from ____ So. 3d.

APPENDIX TO RULE 32

Alabama
Schedule of Basic Child-Support Obligations
 (shaded area is adjusted for the self-support reserve)

Combined Adjusted Gross Income	Number of Children due Support					
	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
0-800.00						
850.00						
900.00						
950.00						
1000.00						
1050.00						
1100.00						
1150.00	253					
1200.00	262					
1250.00	272					
1300.00	281					
1350.00	290					
1400.00	299	435				
1450.00	308	447				
1500.00	316	459				
1550.00	325	471				
1600.00	333	483	570			
1650.00	342	495	584			
1700.00	350	507	598			
1750.00	359	519	611	683		
1800.00	367	532	626	699		
1850.00	376	545	641	716		
1900.00	385	558	656	733		
1950.00	394	571	672	750	825	
2000.00	403	584	687	767	844	
2050.00	412	597	702	784	863	
2100.00	421	609	717	801	882	
2150.00	430	622	733	818	900	979
2200.00	439	635	748	835	919	999
2250.00	448	648	763	852	938	1019
2300.00	457	661	778	869	956	1040
2350.00	465	674	794	886	975	1060
2400.00	474	687	808	903	993	1079
2450.00	483	699	823	919	1011	1099
2500.00	491	712	837	935	1029	1119
2550.00	500	724	852	952	1047	1138

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
2600.00	509	737	867	968	1065	1158
2650.00	518	749	882	985	1083	1177
2700.00	526	762	896	1001	1101	1197
2750.00	535	774	911	1018	1119	1217
2800.00	544	787	926	1034	1137	1236
2850.00	552	799	940	1050	1155	1256
2900.00	561	812	955	1067	1173	1275
2950.00	570	824	970	1083	1191	1295
3000.00	579	837	984	1100	1210	1315
3050.00	587	849	999	1116	1228	1334
3100.00	596	862	1014	1132	1246	1354
3150.00	605	875	1028	1149	1264	1374
3200.00	613	887	1043	1165	1282	1393
3250.00	618	894	1052	1175	1292	1405
3300.00	623	902	1060	1184	1302	1416
3350.00	628	909	1068	1193	1313	1427
3400.00	633	915	1076	1202	1322	1437
3450.00	637	921	1083	1210	1331	1447
3500.00	642	928	1090	1218	1340	1456
3550.00	646	934	1098	1226	1349	1466
3600.00	650	940	1105	1234	1358	1476
3650.00	655	946	1112	1242	1367	1485
3700.00	659	953	1119	1250	1375	1495
3750.00	663	959	1127	1259	1384	1505
3800.00	668	965	1134	1267	1393	1514
3850.00	672	971	1141	1275	1402	1524
3900.00	677	977	1148	1283	1411	1534
3950.00	681	984	1156	1291	1420	1544
4000.00	685	990	1163	1299	1429	1553
4050.00	690	996	1170	1307	1438	1563
4100.00	694	1002	1178	1315	1447	1573
4150.00	698	1009	1185	1323	1456	1582
4200.00	703	1015	1192	1331	1464	1592
4250.00	707	1021	1199	1339	1473	1601
4300.00	712	1027	1206	1347	1482	1611
4350.00	716	1033	1213	1355	1490	1620
4400.00	720	1040	1220	1363	1499	1629
4450.00	725	1046	1227	1371	1508	1639
4500.00	729	1052	1234	1378	1516	1648

Alabama

Schedule of Basic Child-Support Obligations

(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
4550.00	734	1058	1241	1386	1525	1658
4600.00	738	1064	1248	1394	1534	1667
4650.00	743	1071	1255	1402	1542	1676
4700.00	747	1077	1262	1410	1551	1686
4750.00	752	1083	1269	1418	1559	1695
4800.00	756	1089	1276	1426	1568	1705
4850.00	759	1094	1281	1431	1574	1711
4900.00	762	1098	1285	1436	1579	1717
4950.00	765	1101	1289	1440	1584	1722
5000.00	769	1105	1293	1445	1589	1727
5050.00	772	1109	1297	1449	1594	1733
5100.00	775	1113	1301	1454	1599	1738
5150.00	778	1117	1305	1458	1604	1744
5200.00	781	1121	1309	1463	1609	1749
5250.00	784	1125	1314	1467	1614	1754
5300.00	787	1129	1318	1472	1619	1760
5350.00	790	1133	1322	1476	1624	1765
5400.00	793	1136	1326	1481	1629	1771
5450.00	796	1140	1330	1485	1634	1776
5500.00	798	1144	1333	1489	1638	1780
5550.00	800	1146	1336	1492	1642	1785
5600.00	802	1149	1339	1496	1645	1789
5650.00	804	1152	1342	1499	1649	1793
5700.00	806	1154	1345	1503	1653	1797
5750.00	808	1157	1348	1506	1656	1801
5800.00	810	1160	1351	1509	1660	1805
5850.00	812	1163	1354	1513	1664	1809
5900.00	814	1165	1357	1516	1668	1813
5950.00	816	1168	1360	1519	1671	1817
6000.00	818	1171	1363	1523	1675	1821
6050.00	820	1173	1366	1526	1679	1825
6100.00	822	1176	1369	1529	1682	1829
6150.00	824	1179	1372	1533	1686	1833
6200.00	826	1182	1375	1536	1690	1837
6250.00	828	1184	1378	1540	1693	1841
6300.00	830	1187	1381	1543	1697	1845
6350.00	832	1190	1384	1546	1701	1849
6400.00	834	1192	1387	1550	1705	1853
6450.00	836	1195	1390	1553	1708	1857

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
6500.00	839	1200	1396	1559	1715	1864
6550.00	843	1205	1401	1565	1722	1872
6600.00	847	1210	1407	1571	1729	1879
6650.00	850	1215	1412	1578	1736	1886
6700.00	854	1220	1418	1584	1742	1894
6750.00	857	1225	1424	1590	1749	1901
6800.00	861	1230	1429	1596	1756	1909
6850.00	864	1235	1435	1603	1763	1916
6900.00	868	1240	1440	1609	1770	1924
6950.00	872	1245	1446	1615	1777	1931
7000.00	875	1250	1452	1621	1784	1939
7050.00	879	1254	1457	1627	1790	1946
7100.00	882	1259	1462	1633	1797	1953
7150.00	886	1264	1468	1639	1803	1960
7200.00	889	1269	1473	1645	1810	1967
7250.00	892	1273	1478	1651	1816	1974
7300.00	896	1278	1484	1657	1823	1981
7350.00	899	1283	1489	1663	1829	1989
7400.00	903	1288	1494	1669	1836	1996
7450.00	906	1292	1500	1675	1843	2003
7500.00	910	1297	1505	1681	1849	2010
7550.00	913	1302	1510	1687	1856	2017
7600.00	916	1307	1516	1693	1862	2024
7650.00	920	1311	1521	1699	1869	2031
7700.00	923	1316	1526	1705	1875	2039
7750.00	927	1321	1532	1711	1882	2046
7800.00	930	1326	1537	1717	1889	2053
7850.00	934	1330	1542	1723	1895	2060
7900.00	937	1335	1548	1729	1902	2067
7950.00	940	1340	1553	1735	1908	2074
8000.00	944	1345	1558	1741	1915	2081
8050.00	947	1349	1564	1747	1921	2088
8100.00	951	1354	1569	1753	1928	2096
8150.00	954	1359	1575	1759	1935	2103
8200.00	957	1364	1580	1765	1941	2110
8250.00	961	1368	1585	1771	1948	2118
8300.00	964	1373	1591	1777	1955	2125
8350.00	967	1378	1596	1783	1961	2132
8400.00	971	1382	1602	1789	1968	2139

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Combined Adjusted Gross Income	Number of Children due Support					
	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
8450.00	974	1387	1607	1795	1975	2147
8500.00	977	1392	1613	1801	1981	2154
8550.00	980	1396	1618	1807	1988	2161
8600.00	984	1401	1623	1813	1995	2168
8650.00	987	1406	1629	1819	2001	2176
8700.00	990	1410	1634	1826	2008	2183
8750.00	993	1415	1640	1832	2015	2190
8800.00	997	1420	1645	1838	2021	2197
8850.00	1000	1424	1651	1844	2028	2205
8900.00	1003	1429	1656	1850	2035	2212
8950.00	1006	1434	1661	1856	2041	2219
9000.00	1010	1438	1667	1862	2048	2226
9050.00	1013	1443	1672	1868	2055	2234
9100.00	1016	1448	1678	1874	2062	2241
9150.00	1020	1452	1683	1880	2068	2248
9200.00	1023	1457	1689	1886	2075	2255
9250.00	1026	1462	1694	1892	2082	2263
9300.00	1029	1466	1700	1898	2088	2270
9350.00	1033	1471	1705	1904	2095	2277
9400.00	1036	1476	1710	1910	2102	2284
9450.00	1039	1480	1716	1917	2108	2292
9500.00	1042	1485	1721	1923	2115	2299
9550.00	1046	1490	1727	1929	2122	2306
9600.00	1049	1494	1732	1935	2128	2313
9650.00	1052	1499	1738	1941	2135	2321
9700.00	1055	1504	1743	1947	2142	2328
9750.00	1059	1508	1748	1953	2148	2335
9800.00	1062	1513	1754	1959	2155	2342
9850.00	1065	1518	1759	1965	2162	2350
9900.00	1069	1522	1765	1971	2168	2357
9950.00	1072	1527	1770	1977	2175	2364
10000.00	1075	1532	1776	1983	2182	2371
10050.00	1078	1536	1781	1989	2188	2379
10100.00	1082	1541	1786	1995	2195	2386
10150.00	1085	1546	1792	2002	2202	2393
10200.00	1088	1550	1797	2008	2208	2400
10250.00	1091	1555	1803	2014	2215	2408
10300.00	1095	1560	1808	2020	2222	2415
10350.00	1098	1564	1814	2026	2228	2422

Alabama

Schedule of Basic Child-Support Obligations

(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
10400.00	1101	1569	1819	2032	2235	2429
10450.00	1104	1574	1824	2038	2242	2437
10500.00	1108	1578	1830	2044	2248	2444
10550.00	1111	1583	1835	2050	2255	2451
10600.00	1114	1588	1841	2056	2262	2458
10650.00	1117	1592	1846	2062	2268	2465
10700.00	1120	1596	1850	2067	2273	2471
10750.00	1123	1600	1854	2071	2279	2477
10800.00	1126	1603	1859	2076	2284	2483
10850.00	1128	1607	1863	2081	2289	2488
10900.00	1131	1611	1868	2086	2295	2494
10950.00	1134	1615	1872	2091	2300	2500
11000.00	1137	1619	1876	2096	2305	2506
11050.00	1140	1623	1881	2101	2311	2512
11100.00	1142	1627	1885	2106	2316	2518
11150.00	1145	1630	1889	2110	2321	2523
11200.00	1148	1634	1894	2115	2327	2529
11250.00	1151	1638	1898	2120	2332	2535
11300.00	1153	1642	1902	2125	2337	2541
11350.00	1156	1646	1907	2130	2343	2547
11400.00	1159	1650	1911	2135	2348	2552
11450.00	1162	1653	1915	2140	2354	2558
11500.00	1164	1657	1920	2144	2359	2564
11550.00	1167	1661	1924	2149	2364	2570
11600.00	1170	1665	1929	2154	2370	2576
11650.00	1173	1669	1933	2159	2375	2582
11700.00	1176	1673	1937	2164	2380	2587
11750.00	1178	1677	1942	2169	2386	2593
11800.00	1181	1680	1946	2174	2391	2599
11850.00	1184	1684	1950	2178	2396	2605
11900.00	1187	1688	1955	2183	2402	2611
11950.00	1189	1692	1959	2188	2407	2616
12000.00	1192	1696	1963	2193	2412	2622
12050.00	1195	1700	1968	2198	2418	2628
12100.00	1198	1704	1972	2203	2423	2634
12150.00	1200	1707	1976	2208	2428	2640
12200.00	1203	1711	1981	2213	2434	2646
12250.00	1206	1715	1985	2217	2439	2651
12300.00	1209	1719	1990	2222	2445	2657

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	Number of Children due Support					
	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
12350.00	1212	1723	1994	2227	2450	2663
12400.00	1214	1727	1998	2232	2455	2669
12450.00	1217	1730	2003	2237	2461	2675
12500.00	1220	1734	2007	2242	2466	2680
12550.00	1223	1738	2011	2247	2471	2686
12600.00	1225	1742	2016	2251	2477	2692
12650.00	1228	1746	2020	2256	2482	2698
12700.00	1231	1750	2024	2261	2487	2704
12750.00	1234	1754	2029	2266	2493	2710
12800.00	1236	1757	2033	2271	2498	2715
12850.00	1239	1761	2037	2276	2503	2721
12900.00	1242	1765	2042	2281	2509	2727
12950.00	1245	1769	2046	2286	2514	2733
13000.00	1248	1773	2050	2290	2519	2739
13050.00	1250	1777	2055	2295	2525	2744
13100.00	1253	1781	2059	2300	2530	2750
13150.00	1256	1784	2064	2305	2536	2756
13200.00	1259	1788	2068	2310	2541	2762
13250.00	1261	1792	2072	2315	2546	2768
13300.00	1264	1796	2077	2320	2552	2774
13350.00	1267	1800	2081	2324	2557	2779
13400.00	1270	1804	2085	2329	2562	2785
13450.00	1272	1807	2090	2334	2568	2791
13500.00	1275	1811	2094	2339	2573	2797
13550.00	1278	1815	2098	2344	2578	2803
13600.00	1281	1819	2103	2349	2584	2808
13650.00	1284	1823	2107	2354	2589	2814
13700.00	1286	1827	2111	2359	2594	2820
13750.00	1289	1830	2115	2363	2599	2825
13800.00	1290	1831	2116	2364	2600	2827
13850.00	1291	1833	2118	2365	2602	2828
13900.00	1292	1834	2119	2367	2603	2830
13950.00	1293	1835	2120	2368	2605	2831
14000.00	1294	1836	2121	2369	2606	2833
14050.00	1295	1838	2122	2370	2607	2834
14100.00	1296	1839	2123	2371	2609	2835
14150.00	1297	1840	2124	2373	2610	2837
14200.00	1298	1841	2125	2374	2611	2838
14250.00	1299	1842	2126	2375	2612	2840

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
14300.00	1300	1843	2127	2376	2614	2841
14350.00	1301	1845	2128	2377	2615	2842
14400.00	1302	1846	2129	2378	2616	2844
14450.00	1303	1847	2130	2379	2617	2845
14500.00	1304	1848	2131	2381	2619	2846
14550.00	1305	1849	2132	2382	2620	2848
14600.00	1306	1850	2133	2383	2621	2849
14650.00	1307	1851	2134	2384	2622	2850
14700.00	1308	1853	2135	2385	2624	2852
14750.00	1309	1854	2136	2386	2625	2853
14800.00	1310	1855	2137	2387	2626	2855
14850.00	1311	1856	2138	2388	2627	2856
14900.00	1312	1857	2139	2390	2629	2857
14950.00	1313	1858	2140	2391	2630	2859
15000.00	1314	1859	2141	2392	2631	2860
15050.00	1315	1861	2142	2393	2632	2861
15100.00	1316	1862	2143	2394	2634	2863
15150.00	1317	1863	2144	2395	2635	2864
15200.00	1318	1864	2145	2396	2636	2865
15250.00	1319	1865	2146	2398	2637	2867
15300.00	1320	1866	2147	2399	2639	2868
15350.00	1321	1867	2148	2400	2640	2869
15400.00	1322	1869	2149	2401	2641	2871
15450.00	1323	1870	2150	2402	2642	2872
15500.00	1324	1871	2151	2403	2644	2873
15550.00	1325	1872	2152	2404	2645	2875
15600.00	1326	1873	2153	2405	2646	2876
15650.00	1327	1874	2155	2407	2647	2878
15700.00	1328	1875	2156	2408	2648	2879
15750.00	1329	1877	2157	2409	2650	2880
15800.00	1330	1878	2158	2410	2651	2882
15850.00	1331	1879	2159	2411	2652	2883
15900.00	1332	1880	2160	2412	2653	2884
15950.00	1333	1881	2161	2413	2655	2886
16000.00	1334	1882	2162	2415	2656	2887
16050.00	1335	1883	2163	2416	2657	2888
16100.00	1336	1885	2164	2417	2658	2890
16150.00	1337	1886	2165	2418	2660	2891
16200.00	1338	1887	2166	2419	2661	2892

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
16250.00	1339	1888	2167	2420	2662	2894
16300.00	1340	1889	2168	2421	2663	2895
16350.00	1341	1890	2169	2422	2665	2897
16400.00	1342	1891	2170	2424	2666	2898
16450.00	1343	1893	2171	2425	2667	2899
16500.00	1344	1894	2172	2426	2668	2901
16550.00	1345	1895	2173	2427	2670	2902
16600.00	1346	1896	2174	2428	2671	2903
16650.00	1347	1897	2175	2429	2672	2905
16700.00	1348	1898	2176	2430	2673	2906
16750.00	1349	1899	2177	2432	2675	2907
16800.00	1350	1901	2178	2433	2676	2909
16850.00	1351	1902	2179	2434	2677	2910
16900.00	1352	1903	2180	2435	2678	2911
16950.00	1353	1904	2181	2436	2680	2913
17000.00	1354	1905	2182	2437	2681	2914
17050.00	1355	1906	2183	2438	2682	2916
17100.00	1357	1910	2187	2442	2687	2920
17150.00	1360	1914	2191	2448	2692	2927
17200.00	1363	1918	2196	2453	2698	2933
17250.00	1366	1921	2200	2458	2704	2939
17300.00	1368	1925	2205	2463	2709	2945
17350.00	1371	1929	2210	2468	2715	2951
17400.00	1374	1933	2214	2473	2721	2957
17450.00	1377	1937	2219	2479	2726	2964
17500.00	1380	1941	2224	2484	2732	2970
17550.00	1382	1945	2228	2489	2738	2976
17600.00	1385	1949	2233	2494	2743	2982
17650.00	1388	1953	2237	2499	2749	2988
17700.00	1391	1957	2242	2504	2755	2994
17750.00	1394	1961	2247	2509	2760	3000
17800.00	1396	1965	2251	2515	2766	3007
17850.00	1399	1969	2256	2520	2772	3013
17900.00	1402	1973	2260	2525	2777	3019
17950.00	1405	1977	2265	2530	2783	3025
18000.00	1408	1981	2270	2535	2789	3031
18050.00	1410	1985	2274	2540	2794	3037
18100.00	1413	1989	2279	2545	2800	3044
18150.00	1416	1993	2283	2551	2806	3050

Alabama
Schedule of Basic Child-Support Obligations
(shaded area is adjusted for the self-support reserve)

Number of Children due Support

Combined Adjusted Gross Income	Number of Children due Support					
	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
18200.00	1419	1997	2288	2556	2811	3056
18250.00	1422	2001	2293	2561	2817	3062
18300.00	1424	2005	2297	2566	2823	3068
18350.00	1427	2009	2302	2571	2828	3074
18400.00	1430	2013	2306	2576	2834	3080
18450.00	1433	2017	2311	2581	2840	3087
18500.00	1436	2021	2316	2587	2845	3093
18550.00	1438	2025	2320	2592	2851	3099
18600.00	1441	2029	2325	2597	2857	3105
18650.00	1444	2033	2329	2602	2862	3111
18700.00	1447	2037	2334	2607	2868	3117
18750.00	1450	2041	2339	2612	2874	3124
18800.00	1453	2045	2343	2617	2879	3130
18850.00	1455	2049	2348	2623	2885	3136
18900.00	1458	2053	2352	2628	2891	3142
18950.00	1461	2057	2357	2633	2896	3148
19000.00	1464	2061	2362	2638	2902	3154
19050.00	1467	2065	2366	2643	2907	3160
19100.00	1469	2069	2371	2648	2913	3167
19150.00	1472	2073	2376	2653	2919	3173
19200.00	1475	2077	2380	2659	2924	3179
19250.00	1478	2081	2385	2664	2930	3185
19300.00	1481	2085	2389	2669	2936	3191
19350.00	1483	2089	2394	2674	2941	3197
19400.00	1486	2093	2399	2679	2947	3203
19450.00	1489	2097	2403	2684	2953	3210
19500.00	1492	2101	2408	2689	2958	3216
19550.00	1495	2105	2412	2695	2964	3222
19600.00	1497	2108	2417	2700	2970	3228
19650.00	1500	2112	2422	2705	2975	3234
19700.00	1503	2116	2426	2710	2981	3240
19750.00	1506	2120	2431	2715	2987	3247
19800.00	1509	2124	2435	2720	2992	3253
19850.00	1511	2128	2440	2725	2998	3259
19900.00	1514	2132	2445	2731	3004	3265
19950.00	1517	2136	2449	2736	3009	3271
20000.00	1520	2140	2454	2741	3015	3277

CHILD-SUPPORT-OBLIGATION INCOME STATEMENT/AFFIDAVIT

Case Number _____

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

Plaintiff _____ v. Defendant _____

AFFIDAVIT

I, _____, being duly sworn upon my oath, state as follows :
(Name of Affiant)

1. I am the Plaintiff Defendant Other (please specify): _____ in the above matter.
My Social Security number is: _____

2. I am currently employed. My employer's name and address are:

not currently employed.

My last employer's name and address are: _____

Last position title: _____

Average monthly salary in the last year of employment: \$ _____

3. My monthly gross income includes:

(For example of income that must be included, see back of this form. If income varies by month, enter the estimated average monthly gross income.)

Employment income	\$ _____
Self-employment income	\$ _____
Other employment-related income	\$ _____
Other non-employment-related income	\$ _____
Total	\$ _____

4. I incur the following amount monthly for work-related child-care: \$ _____
(if none, write "None")

5. The child(ren) of the parties is/are

not covered by health insurance from me and/or my employer.

covered by health insurance, and (1) I pay \$ _____ each month, or that amount is paid on my behalf each month by my _____, for the family policy coverage under which the child(ren) is/are covered; and (2) the total number of persons covered under that policy is _____.

The pro rata portion of the medical insurance premium attributable to the child or children who are the subject of the support order (which shall be calculated by dividing the total medical insurance premium actually paid by, or on behalf of, the parent ordered to provide the coverage by the total number of persons (adult and/or children) covered and then multiplying the result by the number of children who are the subject of the support order) is the sum of \$ _____.

6. I pay the following total amount for child support alimony in [a] prior case(s) as follows:
[List case number(s) and county(ies) and state(s) here]:
_____ \$ _____
(if none, write "None")

I understand that I will be required to maintain all income documentation used in preparing this Income Statement/Affidavit (including my most recent income-tax return) and that such documentation shall be made available as directed by the court. I also understand that any intentional falsification of the information presented in this Income Statement/Affidavit may subject me to the penalties of perjury.

Affiant

Sworn to and subscribed before me this _____ day of _____,

Notary/Clerk

EXAMPLES OF INCOME THAT MUST BE INCLUDED IN YOUR GROSS MONTHLY INCOME

1. Employment Income – shall include, but not be limited to, salary, wages, bonuses, commissions, severance pay, worker's compensation, pension income, unemployment insurance, disability insurance, and Social Security benefits.
2. Self-Employment Income – shall include, but not be limited to, 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 this income.
3. Other Employment-Related Income – shall include, but not be limited to, the average monthly value of any expense reimbursements or in-kind payments received in the course of employment that are significant and reduce personal living expenses, such as a furnished automobile, a clothing allowance, and a housing allowance.
4. Other Non-Employment-Related Income – shall include, but not be limited to, dividends, interest, annuities, capital gains, gifts, prizes, and pre-existing periodic alimony.

RULE 32, ALABAMA RULES OF JUDICIAL ADMINISTRATION, PROVIDES THE FOLLOWING DEFINITIONS:

Income. For purposes of the guidelines specified in this Rule, "Income" means the actual gross income of a parent, if the parent is employed to full capacity, or if the parent is unemployed or underemployed, then it means the actual gross income the parent has the ability to earn.

Gross Income.

"Gross income" includes income from any source, and includes, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, Social Security benefits, workers' compensation benefits, unemployment-insurance benefits, disability-insurance benefits, gifts, prizes, and preexisting periodic alimony.

"Gross income" does not include child support received for other children or benefits received from means-tested public-assistance programs, including, but not limited to, Temporary Assistance for Needy Families, Supplemental Security Income, food stamps, and general assistance.

Self-employment Income.

For income from self-employment, rent, royalties, proprietorship of business, or joint ownership of a partnership or closely held corporation, "gross income" means gross receipts minus ordinary and necessary expenses required to produce such income, as allowed by the Internal Revenue Service, with the exceptions noted in Rule 32 (B)(3)(b).

Under those exceptions, "ordinary and necessary expenses" does not include amounts allowable by the Internal Revenue Service for the accelerated component of depreciation expenses, investment tax credits, or any other business expenses determined by the court to be inappropriate for determining gross income for purposes of calculating child support.

Other Income. Expense reimbursements or in-kind payments received by a parent in the course of employment of self-employment or operation of a business shall be counted as income if they are significant and reduce personal living expenses.

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

Plaintiff _____ v. _____ Defendant

Based upon the income and expenditures supplied by parties in Form CS-41, "Child-Support Obligation Income Statement/Affidavit," the child-support guidelines, as set out in Rule 32, Alabama Rules of Judicial Administration, have been followed and applied.

The child-support guidelines, as set out in Rule 32, Alabama Rules of Judicial Administration, have not been followed and applied because of the following reasons:

Date: _____

Date: _____

 Signature of Plaintiff

 Signature of Defendant

 Signature of Plaintiff's Attorney

 Signature of Defendant's Attorney

 Address of Plaintiff or Plaintiff's Attorney

 Address of Defendant or Defendant's Attorney

 Telephone No. of Plaintiff or Plaintiff's Attorney

 Telephone No. of Defendant or Defendant's Attorney

State of Alabama Provider Rate Chart
Maximum Weekly Full-time Rates
for Child Care Subsidy Program Services
08/14/2016 - 09/30/2017

Regions	Child Care Provider Type and Care Level									
	Center Infant/Toddler	Center Pre-School	Center School	GFDC Infant/Toddler	GFDC Pre-School	GFDC School	FDC Infant/Toddler	FDC Pre-School	FDC School	FDC
Huntsville	\$107.00	\$98.00	\$92.00	\$99.00	\$91.00	\$80.00	\$96.00	\$91.00	\$84.00	\$84.00
Mobile	\$107.00	\$96.00	\$90.00	\$87.00	\$83.00	\$78.00	\$93.00	\$89.00	\$89.00	\$89.00
Birmingham	\$118.00	\$108.00	\$100.00	\$100.00	\$95.00	\$91.00	\$94.00	\$88.00	\$89.00	\$89.00
Montgomery	\$101.00	\$88.00	\$84.00	\$82.00	\$78.00	\$70.00	\$86.00	\$84.00	\$83.00	\$83.00
Opelika	\$96.00	\$92.00	\$85.00	\$72.00	\$71.00	\$69.00	\$86.00	\$85.00	\$85.00	\$85.00
Tuscaloosa	\$91.00	\$87.00	\$84.00	\$68.00	\$67.00	\$67.00	\$73.00	\$71.00	\$71.00	\$71.00
Ft. Payne	\$78.00	\$74.00	\$72.00	\$71.00	\$69.00	\$68.00	\$67.00	\$64.00	\$64.00	\$64.00
Talladega	\$77.00	\$74.00	\$74.00	\$86.00	\$70.00	\$70.00	\$68.00	\$66.00	\$64.00	\$64.00
Dothan	\$80.00	\$77.00	\$73.00	\$68.00	\$68.00	\$69.00	\$70.00	\$68.00	\$67.00	\$67.00

Full-time Rates - The above rates reflect the maximum full-time rates for child care services averaging more than 25 hours per week. The maximum full-time rate applicable to informal care providers shall not exceed \$40 per week.

Part-time Rates - The maximum rate for child care services averaging 25 hours per week or less shall not exceed one-half of the applicable full-time rate.

Key To Provider Type

- Center - a child care facility licensed by the Department or otherwise legally authorized, which receives more than 12 children during the day or night, as applicable.
- GFDC - Group Family Day Care, an individual licensed by the County Department to provide care in a private residence, other than the eligible child's residence, for at least seven (7), but not more than twelve (12), children during the day or night, as applicable.
- FDC - Family Day Care, an individual licensed by the County Department to provide care as the sole caregiver in a private residence, other than the eligible child's residence, for no more than six (6) children during the day or night, as applicable.

Key to Care Level

- Infant/Toddler - Birth to age 30 months
- Pre-School - 30 months to 5 years
- School Age - 5 years through age 12 (or through age 18 if the child has a physical or mental disability documented by a licensed physician, psychologist or psychiatrist)

Regions and Counties Served	Tuscaloosa
Huntsville	Tuscaloosa
17 Colbert	04 Bibb
22 Cullman	12 Choctaw
30 Franklin	29 Fayette
39 Lauderdale	32 Greene
40 Lawrence	33 Hale
42 Limestone	38 Lamar
45 Madison	46 Marengo
52 Morgan	47 Marion
67 Winston	53 Perry
54 Pickens	54 Pickens
60 Sumter	60 Sumter
63 Tuscaloosa	63 Tuscaloosa
02 Baldwin	
13 Clarke	
18 Conecuh	Ft. Payne
27 Escambia	10 Cherokee
49 Mobile	25 DeKalb
50 Monroe	28 Etowah
65 Washington	36 Jackson
48 Marshall	
Birmingham	
05 Blount	Talladega
37 Jefferson	08 Calhoun
58 St Clair	14 Clay
59 Shelby	15 Cleburne
64 Walker	19 Coosa
56 Randolph	
61 Talladega	
Montgomery	
01 Autauga	
06 Bullock	
07 Butler	Dothan
11 Chilton	03 Barbour
20 Covington	16 Coffee
24 Dallas	21 Crenshaw
26 Elmore	23 Dale
43 Lowndes	31 Geneva
51 Montgomery	34 Henry
66 Wilcox	35 Houston
55 Pike	
Opelika	
09 Chambers	
41 Lee	
44 Macon	
57 Russell	
62 Tallapoosa	