

**TRAINING SESSION  
ON  
REVISED CHILD-SUPPORT GUIDELINES**

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Child Support Guidelines and Enforcement

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# Rule 32

## Child-Support Guidelines

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# Federal Law Background

- The Social Security Act passed in 1935.
- It had nothing to do with child support.
- In the 1950's the federal government began to exercise jurisdiction over child support.
- Previously, child support was exclusively in the state's domain.
- In the mid to late 60's, amendments to the Social Security Act began to establish the framework for a child support enforcement program in the local welfare agencies to help with establishing paternity and child support.

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## Background (cont'd)

- In 1975, Congress added Part D to Title IV of the Social Security Act, creating the Child Support Enforcement Program.
- States were required to establish separate organizational units to operate the IV-D program in conformance with federal law.
- Maintaining a child support program in compliance with federal law became a requirement to receive federal matching funds.
- Effective October 13, 1989, each state had to develop one set of guidelines to be uniformly applied as a rebuttable presumption in setting all child support awards.

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## Background (cont'd)

- Federal statutes and regulations govern child support.
- Title IV-D of the Social Security Act at 42 U.S.C.A. § 651 through § 669b governs Alabama's child support program, which is operated by the Alabama Department of Human Resources (DHR).
- Federal statute 42 U.S.C.A. § 667 and federal regulation 45 C.F.R. § 302.56 govern child support guidelines for all child support orders in Alabama, not just DHR cases.
- Compliance with federal law is a requirement to receive federal funds.

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## “Rule 32 Committee”

- Pursuant to 42 U.S.C.A. § 667(a) and 45 C.F.R. § 302.56(e) the child-support guidelines must be reviewed at least once every four years.
- The purpose of the review is to ensure that the application of the guidelines and the schedule results in appropriate child-support determinations.
- Rule 32(G), Alabama Rules of Judicial Administration, provides that the Advisory Committee on Child-Support Guidelines and Enforcement (“the Committee”) conducts these reviews.
- The Committee members are appointed by the Alabama Supreme Court.

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## “Rule 32 Committee” (cont’d)

- Any Committee recommendations concerning the child-support guidelines and/or the schedule of basic child-support obligations are reduced to writing and sent to the Alabama Supreme Court for review and approval.
- Any proposed changes to the child-support guidelines and/or the schedule of basic child-support obligations that are approved by the Supreme Court are then sent by the clerk of the Supreme Court to the Administrative Director of Courts for distribution to the trial courts.
- During the last four-year review, the Committee met a total of 16 times between April 2020 and November 2021.
- The Administrative Office of Courts contracted with the Center for Policy Research in Denver, Colorado to assist the Committee in its review.

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## Revised Schedule

- The revised schedule is based on the latest extensive economic research on the cost of supporting children at various income levels.
- Specifically, the revised schedule is based on estimates of child-rearing that were developed by applying the fifth Betson-Rothbarth study (which is the most current) to 2013-2019 expenditures data and updated to September 2021 price levels.
- The revised schedule uses gross income and has been adjusted for Alabama's income distribution relative to the income distribution for the United States.

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## Effective Date

- Rule 32 was amended to address certain issues and to make technical changes.
- Changes are effective May 1, 2022.
- Applies to all **new** actions filed or proceedings instituted on or after May 1, 2022.
- Any actions or proceedings instituted before May 1, 2022, are governed by Rule 32 as it read before May 1, 2022.

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## Incorporated Assumption

### •Tax assumptions.

- Assumes that all income is taxed at the rate of a single taxpayer based on federal and state income-tax withholding formulas;

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## Incorporated Assumption

### Health-care costs.

- Assumes unreimbursed medical costs up to \$250 per child per year and includes expenses not covered or reimbursed by health insurance, Medicaid, All Kids, or insurance from another public entity; and

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## Incorporated Assumption

### • Visitation.

- 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.

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## Zero to \$30,000

- The revised schedule includes combined gross incomes ranging from **\$0 to \$30,000 a month.** The previous schedule addressed only combined monthly gross-income amounts up to \$20,000.
- Because the revised schedule addresses combined monthly gross income amounts down to \$0, **Rule 32(C)(1)** has been amended to no longer give courts "discretion in determining child support in circumstances where combined adjusted gross income is below the lowermost levels ... of the schedule."

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## Zero to \$30,000 (cont'd)

- However, Rule 32(C)(1) still provides that the court may use its **discretion** in determining child support when the combined adjusted gross income is above the uppermost levels of the revised schedule.
- When the combined adjusted gross income exceeds the uppermost limit of the revised schedule, the amount of child support should not be extrapolated from the figures in the revised schedule but should be left to the **discretion** of the court.

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## Technical Text Change

- Rule 32(A)(1)(e) has been amended to reflect that the assumption that the custodial parent will claim the federal and state income-tax exemptions for the child or children in that parent's custody is not based on the revised schedule but, instead, on the Internal Revenue Code. See Rule text below.
- “(e) The assumption under the ~~Schedule of Basic Child-Support Obligations~~ Internal Revenue 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;”

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## Child-Care Costs

- Rule 32(B)(8)(b) has been added to provide for an adjustment for the payment of work-related child-care costs.
- Rule 32(B)(8)(b) provides as follows:
- “(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 costs.**”
- This adjustment has been added to the Form CS-42.

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## Child-Care Costs (cont'd)

- Work-related **child-care costs** are still computed from the DHR child-day care rate chart.
  - Child-care costs are ***not* prorated.**
  - Rule 32(B)(8)
- There has been **no change** to the treatment of **health-care-coverage costs.**
  - Health-care-coverage costs ***are still prorated.***
  - Rule 32(B)(7)(e)

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## Self-Support Reserve

- **Federal** regulation 45 C.F.R. § 302.56(c)(ii) requires that child-support guidelines take into consideration the basic subsistence needs of the noncustodial parent.
- Alabama previously addressed that concern through the implementation of an SSR adjustment built into the schedule.
- **Rule 32(C)(5)** has been added to move the SSR adjustment out of the schedule and into the Form CS-42 calculation. This will add **transparency** and allow the amount of the SSR to be **updated in the future** without having to update the entire schedule.

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## Economic Incentive

- **Rule 32(C)(5)(c)** contains an economic incentive that is applied so that not all of the obligor's earnings exceeding the SSR amount are considered in determining his or her child-support obligation.
- **The federal and state payroll taxes on full-time minimum-wage earnings is 13%.**
- Rounding the percentage to 15%, **the 85% economic-incentive** adjustment takes into consideration the payroll taxes on the obligor's earnings exceeding the SSR amount and also allows the obligor to keep a small portion of those earnings.

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## Rule 32(C)(5) Text

- “(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 (Form CS-42); 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.”

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## Rule 32 (C)(5) Text (cont’d)

- “(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.**”

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## Zero-Dollar Order

- **Rule 32(C)(6)**, entitled “ZERO-DOLLAR ORDER” has been added to provide for a REBUTTABLE PRESUMPTION that an order requiring no child support from an obligor should be entered in specified limited situations.
- A zero-dollar order shall be entered when:
  - An obligor “has no gross income and receives only means-tested assistance.”
  - An obligor has no gross income and is incarcerated or institutionalized for a period of more than 180 consecutive calendar days.

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## Zero-Dollar Order (cont'd)

- The zero-dollar order applies in specified limited situations.
- **Example:** When an obligor’s only source of income is Supplemental Security Income (SSI), it is presumed the child support order should be zero.
- **Example:** When an obligor is incarcerated for five years and has no gross income, it is presumed the child support order should be zero.

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## Zero-Dollar Order (cont'd)

- The zero-dollar order is a rebuttable presumption.
- The **COURT'S DISCRETION** to find a party **voluntary unemployed or underemployed** and to then **IMPUTE INCOME** has not changed. Rule 32(B)(5)

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## Rule 32(C)(6) Text

- **“(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, i.e., an order requiring no child support from the obligor, 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 Child-Support Guidelines form (Form CS-42), the Child-Support-Obligation Income Statement/Affidavit form (Form CS-41), and the Child-Support Guidelines Notice of Compliance form (Form CS-43) specifying the reason for the zero-dollar child-support order is required.”

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# Case Scenarios

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## Case Scenario One

- Plaintiff's gross monthly income: \$2,600
- Defendant's gross monthly income: \$6,900
- Two minor children
- Work-related child-care costs: \$606
  - Paid by Plaintiff
- Health-care-coverage costs: \$220
  - Paid by Defendant

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## Case Scenario Two

- Plaintiff's gross monthly income: \$2,600
- Defendant's gross monthly income: \$6,900
- Two minor children
- Work-related child-care costs: \$606
  - Paid by Plaintiff
- Health-care-coverage costs: \$220
  - Paid by Plaintiff

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## Case Scenario Three

- Plaintiff's gross monthly income: \$1,200
- Defendant's gross monthly income: \$1,000
- One minor child
- Work-related child-care costs: \$20
  - Paid by Defendant
- Health-care-coverage costs: \$0

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## Case Scenario Four

- Plaintiff's gross monthly income: \$1,087
- Defendant's gross monthly income: \$1,622
- Two minor children
- Work-related child-care costs: \$53
  - Paid by Defendant
- Health-care-coverage costs: \$0

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## Case Scenario Five

- Plaintiff's gross monthly income: \$4,200
- Defendant's gross monthly income: \$691
- One minor child
- Work-related child-care costs: \$585
  - Paid by Plaintiff
- Health-care-coverage costs: \$0

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## Case Scenario Six

- Plaintiff's gross monthly income: \$4,500
- Defendant's gross monthly income: \$4,500
- Two minor children
- Work-related child-care costs: \$611
  - Paid by Plaintiff
- Health-care-coverage costs: \$412
  - Paid by Defendant

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## Questions and Discussion

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## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### ORDER

IT IS ORDERED that the preface relating to the scope of Rule 32, Rule 32(A)(1)(e), Rule 32(B)(8), and Rule 32(C)(1), Alabama Rules of Judicial Administration, be amended to read in accordance with Appendices A, B, C, and D, respectively, to this order;

IT IS FURTHER ORDERED that Rule 32(C)(5) and Rule 32(C)(6), Alabama Rules of Judicial Administration, be adopted to read in accordance with Appendices E and F, respectively, to this order;

IT IS FURTHER ORDERED that the Committee Comments to Amendments to Rule 32 Effective May 1, 2022, be adopted to read in accordance with Appendix G to this order;

IT IS FURTHER ORDERED that Form CS-42, "Child-Support Guidelines," and the Schedule of Basic Child-Support Obligations be amended to read in accordance with Appendices H and I, respectively, to this order;

IT IS FURTHER ORDERED that the amendments to Rule 32, the adoption of Rule 32(C)(5) and Rule 32(C)(6), and the adoption of the Committee Comments are effective May 1, 2022; and

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 32:

"Note from the reporter of decisions: The order amending the preface relating to the scope of Rule 32, Rule 32(A)(1)(e), Rule 32(B)(8), Rule 32(C)(1), Form CS-42, and the Schedule of Basic Child-Support Obligations, adopting Rule 32(C)(5) and Rule 32(C)(6), and adopting the Committee Comments thereto, effective May 1, 2022, is published in that volume of Alabama Reporter that contains Alabama cases from \_\_ So. 3d."



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Parker, C.J., and Bolin, Shaw, Wise, Bryan, Sellers,  
Mendheim, Stewart, and Mitchell, JJ., concur.

Witness my hand this 14th day of January, 2022.

A handwritten signature in cursive script, reading "Julia Jordan Miller".

Clerk of Court,  
Supreme Court of Alabama

FILED  
January 14, 2022  
3:07 PM  
  
Clerk  
Supreme Court of Alabama



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

## APPENDIX A

Preface Relating to the Scope of Rule 32, Ala. R. Jud. Admin.

Preface relating to scope. This rule, as amended effective May 1, 2022, shall apply to all new actions filed or proceedings instituted on or after May 1, 2022. Any actions or proceedings instituted before May 1, 2022, shall be governed by Rule 32 as it read before May 1, 2022.



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

## APPENDIX B

Rule 32(A)(1)(e), Ala. R. Jud. Admin.

(e) The assumption under the Internal Revenue 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;



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### APPENDIX C

Rule 32(B)(8), Ala. R. Jud. Admin.

(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 costs.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### APPENDIX D

Rule 32(C)(1), Ala. R. Jud. Admin.

(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 income 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 exceeds the uppermost levels of the schedule.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### APPENDIX E

Rule 32(C)(5), Ala. R. Jud. Admin.

(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 (Form CS-42); 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.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### APPENDIX F

Rule 32(C)(6), Ala. R. Jud. Admin.

(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, i.e., an order requiring no child support from the obligor, 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 Child-Support Guidelines form (Form CS-42), the Child-Support-Obligation Income Statement/Affidavit form (Form CS-41), and the Child-Support Guidelines Notice of Compliance form (Form CS-43) specifying the reason for the zero-dollar child-support order is required.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

### APPENDIX G

#### Committee Comments to Amendments to Rule 32 Effective May 1, 2022

Rule 32 was amended effective May 1, 2022, 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 May 1, 2022. The amended rule applies to all new actions filed or proceedings instituted on or after that date. Any actions or proceedings instituted before May 1, 2022, will be governed by Rule 32 as it read before that date.

The appendix to Rule 32, the Schedule of Basic Child-Support Obligations, has been updated after a review conducted in compliance with Rule 32(G). The previous schedule was developed through research sponsored by the National Center for State Courts. The Alabama Administrative Office of Courts contracted with the Center for Policy Research ("CPR") to assist the Committee in its review. The revised schedule is based on the latest extensive economic research on the cost of supporting children at various income levels. Specifically, the revised schedule is based on estimates of child-rearing that were developed by applying the fifth Betson-Rothbarth study (which is the most current) to 2013–2019 expenditures data and updated to September 2021 price levels. The revised schedule uses gross income and has been adjusted for Alabama's income distribution relative to the income distribution for the United States.

Other assumptions incorporated in the revised schedule include:

(1) Tax assumptions. The revised schedule assumes that all income is taxed at the rate of a single taxpayer based on federal and state income-tax withholding formulas;



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

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

(3) Visitation. The revised schedule 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 revised schedule includes combined gross incomes ranging from \$0 to \$30,000 a month. The previous schedule addressed only combined monthly gross-income amounts up to \$20,000. The data to address combined monthly gross incomes up to \$30,000 is now available, and the revised schedule based on that data will aid parties, attorneys, and judges in setting an appropriate child-support obligation.

Because the revised schedule addresses combined monthly gross-income amounts down to \$0, Rule 32(C)(1) has been amended to no longer give courts "discretion in determining child support in circumstances where combined adjusted gross income is below the lowermost levels ... of the schedule." However, Rule 32(C)(1) still provides that the court may use its discretion in determining child support when the combined adjusted gross income is above the uppermost levels of the revised schedule. When the combined adjusted gross income exceeds the uppermost limit of the revised schedule, the amount of child support should not be extrapolated from the figures in the revised schedule, but should be left to the discretion of the court.

Rule 32(A)(1)(e) has been amended to reflect that the assumption that the custodial parent will claim the federal and state income-tax exemptions for the child or children in that parent's custody is based not on the revised schedule but, instead, on the Internal Revenue Code.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Rule 32(B)(8) has been amended to add subpart (b); that subpart provides for an adjustment for the payment of work-related child-care costs similar to the adjustment for the payment of the costs of health-care coverage found in Rule 32(B)(7)(f). The adjustment for the payment of work-related child-care costs has been added to Form CS-42 ("the Child-Support Guidelines form"). The Child-Support Guidelines form has been further amended so that the amounts for work-related child-care costs and health-care-coverage costs are required to be entered only once.

Rule 32(C), entitled "Determination of Recommended Child-Support Obligation," has been amended by adding subsection (5). Subsection (5) provides for a Self-Support Reserve ("SSR") Calculation in the Child-Support Guidelines form.

45 C.F.R. § 302.56(c)(ii) requires that child-support guidelines must "[t]ake[] into consideration the basic subsistence needs of the noncustodial parent." Alabama previously addressed that concern through the implementation of an SSR adjustment built into the schedule. By moving the SSR adjustment out of the schedule and implementing the SSR calculation as provided in Rule 32(C)(5), this rule change will aid in transparency and will allow the amount of the SSR to be updated in the future without having to update the entire schedule.

Rule 32(C)(5)(a) explains that the SSR calculation is used to ensure that the obligor's basic subsistence needs are met in accordance with 45 C.F.R. § 302.56.

Rule 32(C)(5)(b) explains that the amount of the SSR is \$981. The amount of the SSR that had been incorporated into the schedule was based on the 2007 federal poverty guidelines, adjusted for Alabama incomes. The amount of the SSR has been updated to reflect the 2021 federal poverty levels, adjusted for Alabama incomes, which is consistent with the revised schedule.



## IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Rule 32(C)(5)(c) explains how to perform the SSR calculation to determine the "Income Available After SSR." Rule 32(C)(5)(c) also addresses the application of an 85% economic incentive. To apply the economic incentive, the amount of income available for support after adjusting for the SSR will be multiplied by a factor of 0.85; the product will be entered on Line 12 of the Child-Support Guidelines form as the "Income Available for Support." The economic incentive is applied so that not all of the obligor's earnings exceeding the SSR amount are considered in determining his or her child-support obligation. The federal and state payroll taxes on full-time minimum-wage earnings is 13%. Rounding that percentage to 15%, the 85% economic-incentive adjustment takes into consideration the payroll taxes on the obligor's earnings exceeding the SSR amount and also allows the obligor to keep a small portion of those earnings.

Rule 32(C)(5)(d) explains that 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 or 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.

Rule 32(C) has been further amended by adding subsection (6), entitled "Zero-dollar order." That subpart provides for a rebuttable presumption that an order requiring no child support from an obligor should be entered in specified limited situations. The provision in Rule 32(C)(6)(a) that there is a rebuttable presumption that a zero-dollar order applies when an obligor "has no gross income and receives only means-tested assistance" is not intended to impede a court's discretion under Rule 32(B)(5) to impute income to a parent that the court finds is voluntarily unemployed or underemployed. Rule 32(B)(5) is unaffected by this provision.



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

## APPENDIX H

State of Alabama Unified Judicial System Form CS-42 Rev. 5/2022		<b>CHILD SUPPORT GUIDELINES</b>		Case Number
IN THE _____ COURT OF _____ COUNTY, ALABAMA <div style="display: flex; justify-content: space-between; font-size: small;"> <span>(Circuit or District)</span> <span>(Name of County)</span> </div>				
_____ v. _____ <div style="display: flex; justify-content: space-between;"> <span>Plaintiff</span> <span>Defendant</span> </div>				
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 <small>(Line 1 – Line 1a – Line 1b)</small>	\$	\$	\$
3	PERCENTAGE SHARE OF INCOME <small>(Income on Line 2 divided by Combined Income)</small>	%	%	100%
4	BASIC CHILD SUPPORT OBLIGATION <small>(Apply Line 2 Combined to Schedule of Basic Child Support Obligations)</small>			\$
5	WORK-RELATED CHILD-CARE COSTS (Paid by Either Parent)	\$	\$	+
6	HEALTH-CARE-COVERAGE COSTS (Paid by Either Parent)	\$	\$	+
7	TOTAL CHILD-SUPPORT OBLIGATION <small>(Combined Line 4 + Line 5 + Line 6)</small>			\$
8	EACH PARENT'S CHILD SUPPORT OBLIGATION (Line 3 x Line 7)	\$	\$	
9	TOTAL COSTS PAID BY EACH PARENT (Line 5 + Line 6)	—	—	
10	EACH PARENT'S ADJUSTED CHILD-SUPPORT OBLIGATION <small>(Line 8 – Line 9. If less than \$0, enter \$0.)</small>	\$	\$	
<b>Self-Support Reserve (SSR)</b>				
11	INCOME AVAILABLE AFTER SSR <small>(Line 2 – SSR of \$981. If less than \$0, enter \$0.)</small>	\$	\$	
12	INCOME AVAILABLE FOR SUPPORT <small>(85% of Line 11. If less than \$50, enter \$50 minimum obligation.)</small>	\$	\$	
<b>Recommended Child Support Order</b>				
13	RECOMMENDED CHILD-SUPPORT ORDER <small>(Lesser of Lines 10 and 12)</small>	\$	\$	
Comments, Calculations, or Rebuttals to Guidelines:				
Prepared By: _____ Date: _____				



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

## APPENDIX I

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
0-250	52	80	96	107	118	128
300	63	95	115	129	142	154
350	73	111	134	150	165	179
400	83	127	153	171	188	204
450	93	142	171	191	210	229
500	103	157	190	212	233	253
550	113	172	208	232	255	278
600	123	187	226	253	278	302
650	133	203	244	273	300	326
700	143	218	263	293	323	351
750	153	233	281	314	345	375
800	163	248	299	334	367	399
850	173	263	317	354	390	423
900	183	278	335	374	412	448
950	193	293	353	395	434	472
1000	203	308	371	415	456	496
1050	212	323	389	435	479	520
1100	221	336	406	453	498	542
1150	230	350	422	471	518	563
1200	239	363	438	489	538	585
1250	248	376	454	507	558	607
1300	257	390	470	525	578	628
1350	265	403	487	544	598	650
1400	274	417	503	562	618	671
1450	283	430	519	580	638	693
1500	292	444	535	598	658	715
1550	301	457	551	616	677	736
1600	309	470	567	634	697	758
1650	318	484	584	652	717	780
1700	327	497	600	670	737	801
1750	336	511	616	688	757	823
1800	345	524	632	706	777	844
1850	354	537	648	724	797	866
1900	362	551	664	742	816	887
1950	371	564	680	760	836	908
2000	379	577	696	777	855	929



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
2050	388	590	712	795	874	950
2100	397	603	727	812	894	971
2150	405	616	743	830	913	993
2200	414	629	759	848	932	1014
2250	422	642	775	865	952	1035
2300	431	655	790	883	971	1056
2350	440	668	806	900	990	1077
2400	448	681	822	918	1010	1098
2450	457	694	838	936	1029	1119
2500	465	707	853	953	1048	1140
2550	474	720	869	971	1068	1161
2600	482	733	885	988	1087	1182
2650	491	746	900	1006	1106	1203
2700	500	759	916	1023	1126	1224
2750	508	772	932	1041	1145	1245
2800	517	786	948	1059	1164	1266
2850	525	799	964	1076	1184	1287
2900	534	812	979	1094	1203	1308
2950	543	825	995	1112	1223	1329
3000	551	838	1011	1129	1242	1350
3050	560	850	1026	1146	1260	1370
3100	568	862	1039	1161	1277	1388
3150	576	874	1053	1176	1293	1406
3200	584	885	1066	1191	1310	1424
3250	592	897	1080	1206	1326	1442
3300	600	909	1093	1221	1343	1460
3350	608	920	1106	1236	1360	1478
3400	616	932	1120	1251	1376	1496
3450	624	944	1133	1266	1393	1514
3500	632	956	1147	1281	1409	1532
3550	640	967	1160	1296	1426	1550
3600	648	979	1174	1311	1442	1568
3650	654	987	1183	1321	1454	1580
3700	658	994	1191	1330	1463	1590
3750	663	1000	1198	1338	1472	1600
3800	667	1007	1206	1347	1481	1610
3850	672	1013	1213	1355	1491	1620
3900	676	1020	1221	1364	1500	1630



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
3950	681	1026	1228	1372	1509	1641
4000	685	1033	1236	1380	1518	1651
4050	690	1039	1243	1389	1528	1661
4100	694	1046	1251	1397	1537	1671
4150	699	1053	1258	1406	1546	1681
4200	703	1059	1266	1414	1556	1691
4250	710	1069	1278	1427	1570	1707
4300	717	1080	1290	1441	1585	1723
4350	725	1090	1302	1454	1600	1739
4400	732	1100	1314	1468	1614	1755
4450	738	1110	1325	1480	1628	1770
4500	744	1119	1335	1492	1641	1784
4550	751	1128	1346	1503	1654	1798
4600	757	1137	1356	1515	1667	1812
4650	763	1146	1367	1527	1679	1826
4700	769	1156	1377	1539	1692	1840
4750	776	1165	1388	1550	1705	1854
4800	782	1174	1398	1562	1718	1868
4850	787	1182	1408	1572	1730	1880
4900	790	1186	1412	1578	1735	1886
4950	793	1190	1417	1583	1741	1893
5000	796	1194	1422	1588	1747	1899
5050	799	1198	1427	1593	1753	1905
5100	801	1202	1431	1599	1759	1912
5150	804	1206	1436	1604	1764	1918
5200	807	1210	1441	1609	1770	1924
5250	810	1215	1445	1615	1776	1931
5300	813	1219	1450	1620	1782	1937
5350	816	1223	1455	1625	1788	1943
5400	818	1227	1460	1630	1794	1950
5450	821	1231	1464	1636	1799	1956
5500	824	1235	1469	1641	1805	1962
5550	827	1239	1473	1645	1810	1967
5600	830	1242	1477	1650	1814	1972
5650	832	1246	1480	1654	1819	1977
5700	835	1250	1484	1658	1824	1982
5750	838	1253	1488	1662	1828	1987
5800	840	1257	1491	1666	1833	1992



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
5850	843	1260	1495	1670	1837	1997
5900	846	1264	1499	1674	1842	2002
5950	848	1267	1502	1678	1846	2007
6000	851	1271	1506	1682	1851	2012
6050	854	1275	1510	1687	1855	2017
6100	856	1278	1514	1691	1860	2021
6150	859	1282	1517	1695	1864	2026
6200	862	1286	1521	1699	1869	2032
6250	866	1290	1526	1704	1875	2038
6300	869	1295	1530	1709	1880	2044
6350	873	1299	1535	1715	1886	2050
6400	876	1304	1540	1720	1892	2056
6450	880	1309	1544	1725	1897	2062
6500	883	1313	1549	1730	1903	2068
6550	887	1318	1553	1735	1909	2075
6600	891	1322	1558	1740	1914	2081
6650	894	1327	1562	1745	1920	2087
6700	898	1332	1567	1750	1925	2093
6750	901	1336	1572	1756	1931	2099
6800	905	1341	1576	1761	1937	2105
6850	908	1346	1581	1766	1942	2111
6900	914	1353	1590	1776	1954	2124
6950	919	1362	1599	1786	1965	2136
7000	925	1370	1609	1797	1977	2149
7050	931	1378	1618	1807	1988	2161
7100	936	1386	1628	1818	2000	2174
7150	942	1394	1637	1828	2011	2186
7200	947	1402	1646	1839	2023	2199
7250	953	1410	1656	1849	2034	2211
7300	958	1418	1665	1860	2046	2224
7350	964	1426	1674	1870	2057	2236
7400	969	1435	1684	1881	2069	2249
7450	975	1443	1693	1891	2080	2261
7500	980	1451	1703	1902	2092	2274
7550	986	1459	1712	1912	2104	2287
7600	992	1467	1721	1923	2115	2299
7650	997	1475	1731	1933	2127	2312
7700	1003	1483	1740	1944	2138	2324



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
7750	1008	1491	1750	1954	2150	2337
7800	1014	1499	1759	1965	2161	2349
7850	1019	1508	1768	1975	2173	2362
7900	1022	1512	1773	1981	2179	2369
7950	1024	1515	1778	1986	2184	2374
8000	1027	1519	1782	1990	2189	2380
8050	1029	1522	1786	1995	2194	2385
8100	1031	1526	1790	2000	2200	2391
8150	1034	1529	1794	2004	2205	2396
8200	1036	1533	1798	2009	2210	2402
8250	1038	1536	1803	2014	2215	2408
8300	1040	1539	1807	2018	2220	2413
8350	1042	1543	1811	2023	2225	2418
8400	1045	1546	1815	2027	2230	2424
8450	1047	1549	1819	2032	2235	2429
8500	1049	1553	1823	2036	2240	2435
8550	1051	1556	1827	2041	2245	2440
8600	1054	1559	1831	2045	2250	2446
8650	1056	1563	1835	2050	2255	2451
8700	1058	1566	1839	2054	2260	2456
8750	1060	1570	1843	2059	2265	2462
8800	1062	1573	1847	2063	2270	2467
8850	1065	1576	1851	2068	2275	2473
8900	1067	1581	1856	2073	2281	2479
8950	1072	1587	1863	2081	2289	2488
9000	1076	1593	1870	2088	2297	2497
9050	1080	1599	1876	2096	2305	2506
9100	1085	1605	1883	2103	2314	2515
9150	1089	1611	1890	2111	2322	2524
9200	1093	1617	1896	2118	2330	2533
9250	1097	1623	1903	2126	2338	2542
9300	1102	1629	1910	2133	2347	2551
9350	1106	1635	1916	2141	2355	2560
9400	1110	1641	1923	2148	2363	2569
9450	1114	1647	1930	2156	2371	2577
9500	1119	1653	1936	2163	2379	2586
9550	1123	1659	1943	2171	2388	2595
9600	1127	1664	1949	2177	2394	2603



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
9650	1130	1668	1953	2181	2400	2608
9700	1134	1673	1957	2186	2405	2614
9750	1137	1677	1962	2191	2410	2620
9800	1141	1682	1966	2196	2416	2626
9850	1144	1686	1970	2201	2421	2632
9900	1148	1691	1975	2206	2426	2638
9950	1151	1695	1979	2211	2432	2643
10000	1155	1700	1984	2216	2437	2649
10050	1158	1704	1988	2220	2443	2655
10100	1162	1708	1992	2225	2448	2661
10150	1165	1713	1997	2230	2453	2667
10200	1169	1717	2001	2235	2459	2672
10250	1172	1722	2005	2240	2464	2678
10300	1176	1726	2010	2245	2469	2684
10350	1179	1731	2014	2250	2475	2690
10400	1183	1735	2018	2255	2480	2696
10450	1186	1740	2023	2259	2485	2702
10500	1190	1744	2027	2264	2491	2707
10550	1193	1749	2031	2269	2496	2713
10600	1196	1753	2036	2274	2501	2719
10650	1200	1758	2041	2279	2507	2726
10700	1203	1762	2046	2285	2514	2732
10750	1206	1767	2051	2291	2520	2739
10800	1209	1771	2056	2296	2526	2746
10850	1213	1776	2061	2302	2532	2752
10900	1216	1780	2066	2307	2538	2759
10950	1219	1785	2071	2313	2544	2766
11000	1222	1789	2076	2318	2550	2772
11050	1226	1794	2081	2324	2556	2779
11100	1229	1798	2086	2330	2563	2786
11150	1232	1803	2091	2335	2569	2792
11200	1235	1807	2096	2341	2575	2799
11250	1239	1812	2101	2346	2581	2806
11300	1242	1816	2106	2352	2587	2812
11350	1245	1821	2111	2357	2593	2819
11400	1248	1825	2116	2363	2599	2826
11450	1252	1830	2121	2369	2606	2832
11500	1255	1835	2126	2374	2612	2839



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
11550	1258	1839	2131	2380	2618	2846
11600	1261	1844	2135	2385	2624	2852
11650	1265	1848	2140	2391	2630	2859
11700	1268	1853	2145	2396	2636	2865
11750	1271	1857	2150	2402	2642	2872
11800	1274	1862	2155	2408	2648	2879
11850	1277	1866	2160	2413	2655	2885
11900	1281	1871	2165	2419	2661	2892
11950	1284	1876	2171	2425	2667	2899
12000	1288	1881	2177	2432	2675	2908
12050	1293	1888	2185	2441	2685	2918
12100	1298	1895	2193	2450	2695	2929
12150	1303	1902	2201	2458	2704	2940
12200	1308	1909	2209	2467	2714	2950
12250	1313	1916	2217	2476	2724	2961
12300	1317	1923	2225	2485	2734	2971
12350	1322	1930	2233	2494	2743	2982
12400	1327	1937	2241	2503	2753	2992
12450	1332	1944	2248	2512	2763	3003
12500	1337	1951	2256	2520	2772	3014
12550	1342	1958	2264	2529	2782	3024
12600	1347	1965	2272	2538	2792	3035
12650	1352	1972	2280	2547	2802	3045
12700	1356	1979	2288	2556	2811	3056
12750	1361	1986	2296	2565	2821	3067
12800	1366	1993	2304	2573	2831	3077
12850	1371	2000	2312	2582	2841	3088
12900	1376	2007	2320	2591	2850	3098
12950	1381	2014	2328	2600	2860	3109
13000	1386	2021	2336	2609	2870	3119
13050	1390	2028	2344	2618	2880	3130
13100	1395	2035	2351	2627	2889	3141
13150	1400	2042	2359	2635	2899	3151
13200	1405	2049	2367	2644	2909	3162
13250	1410	2056	2375	2653	2918	3172
13300	1415	2063	2383	2662	2928	3183
13350	1420	2070	2391	2671	2938	3193
13400	1424	2077	2399	2680	2948	3204



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
13450	1429	2084	2407	2689	2957	3215
13500	1434	2091	2415	2697	2967	3225
13550	1439	2098	2423	2706	2977	3236
13600	1444	2105	2431	2715	2987	3246
13650	1449	2112	2439	2724	2996	3257
13700	1454	2119	2447	2733	3006	3268
13750	1459	2126	2454	2742	3016	3278
13800	1463	2133	2462	2750	3025	3289
13850	1468	2140	2470	2759	3035	3299
13900	1473	2147	2478	2768	3045	3310
13950	1478	2154	2486	2777	3055	3320
14000	1483	2161	2494	2786	3064	3331
14050	1488	2167	2502	2795	3074	3342
14100	1493	2174	2510	2804	3084	3352
14150	1497	2181	2518	2812	3094	3363
14200	1502	2188	2526	2821	3103	3373
14250	1506	2194	2533	2830	3113	3384
14300	1509	2200	2541	2838	3122	3394
14350	1513	2206	2549	2847	3132	3404
14400	1516	2212	2556	2855	3141	3414
14450	1520	2217	2564	2864	3150	3424
14500	1523	2223	2572	2873	3160	3435
14550	1527	2229	2579	2881	3169	3445
14600	1530	2235	2587	2890	3179	3455
14650	1534	2241	2595	2898	3188	3465
14700	1537	2247	2602	2907	3198	3476
14750	1541	2252	2610	2915	3207	3486
14800	1544	2258	2618	2924	3216	3496
14850	1547	2263	2624	2931	3225	3505
14900	1550	2269	2631	2939	3233	3514
14950	1553	2274	2638	2947	3241	3523
15000	1557	2279	2645	2954	3250	3533
15050	1560	2284	2652	2962	3258	3542
15100	1563	2289	2659	2970	3267	3551
15150	1566	2295	2666	2977	3275	3560
15200	1569	2300	2672	2985	3284	3569
15250	1572	2305	2679	2993	3292	3578
15300	1575	2310	2686	3000	3300	3587



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
15350	1578	2315	2693	3008	3309	3597
15400	1582	2321	2700	3016	3317	3606
15450	1585	2326	2707	3023	3326	3615
15500	1588	2331	2713	3031	3334	3624
15550	1591	2336	2720	3039	3342	3633
15600	1594	2342	2727	3046	3351	3642
15650	1597	2347	2734	3054	3359	3652
15700	1600	2352	2741	3062	3368	3661
15750	1603	2357	2748	3069	3376	3670
15800	1607	2362	2755	3077	3385	3679
15850	1610	2368	2761	3084	3393	3688
15900	1613	2373	2768	3092	3401	3697
15950	1616	2378	2775	3100	3410	3706
16000	1619	2383	2782	3107	3418	3716
16050	1622	2388	2789	3115	3427	3725
16100	1625	2394	2796	3123	3435	3734
16150	1629	2399	2802	3130	3443	3743
16200	1632	2404	2809	3138	3452	3752
16250	1635	2409	2816	3146	3460	3761
16300	1638	2414	2823	3153	3469	3770
16350	1641	2420	2830	3161	3477	3780
16400	1644	2425	2837	3169	3485	3789
16450	1647	2430	2844	3176	3494	3798
16500	1650	2435	2850	3184	3502	3807
16550	1654	2441	2857	3192	3511	3816
16600	1657	2446	2864	3199	3519	3825
16650	1660	2451	2871	3207	3528	3834
16700	1663	2456	2878	3214	3536	3844
16750	1666	2461	2885	3222	3544	3853
16800	1669	2466	2891	3230	3552	3862
16850	1672	2472	2898	3237	3561	3871
16900	1675	2477	2905	3245	3569	3880
16950	1678	2482	2912	3252	3577	3889
17000	1681	2487	2918	3260	3586	3898
17050	1685	2492	2925	3267	3594	3907
17100	1688	2497	2932	3275	3602	3916
17150	1691	2502	2939	3282	3611	3925
17200	1694	2508	2945	3290	3619	3934



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
17250	1697	2513	2952	3297	3627	3943
17300	1700	2518	2959	3305	3635	3952
17350	1703	2523	2966	3312	3644	3961
17400	1706	2528	2972	3320	3652	3970
17450	1709	2533	2979	3328	3660	3979
17500	1712	2538	2986	3335	3669	3988
17550	1715	2544	2993	3343	3677	3997
17600	1719	2549	2999	3350	3685	4006
17650	1722	2554	3006	3358	3694	4015
17700	1724	2558	3011	3363	3700	4022
17750	1727	2562	3016	3368	3705	4028
17800	1729	2565	3020	3374	3711	4034
17850	1732	2569	3025	3379	3716	4040
17900	1734	2573	3029	3384	3722	4046
17950	1737	2577	3034	3389	3728	4052
18000	1739	2581	3038	3394	3733	4058
18050	1742	2584	3043	3399	3739	4064
18100	1744	2588	3048	3404	3745	4070
18150	1747	2592	3052	3409	3750	4076
18200	1749	2596	3057	3414	3756	4083
18250	1752	2599	3061	3419	3761	4089
18300	1754	2603	3066	3425	3767	4095
18350	1757	2607	3070	3430	3773	4101
18400	1759	2611	3075	3435	3778	4107
18450	1761	2615	3080	3440	3784	4113
18500	1764	2618	3084	3445	3789	4119
18550	1766	2622	3088	3450	3795	4125
18600	1769	2626	3093	3455	3800	4131
18650	1771	2629	3097	3460	3806	4137
18700	1773	2633	3102	3464	3811	4142
18750	1776	2636	3106	3469	3816	4148
18800	1778	2640	3110	3474	3822	4154
18850	1781	2644	3115	3479	3827	4160
18900	1783	2647	3119	3484	3832	4166
18950	1785	2651	3123	3489	3838	4172
19000	1788	2654	3128	3494	3843	4177
19050	1790	2658	3132	3499	3848	4183
19100	1792	2662	3136	3503	3854	4189



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Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
19150	1795	2665	3141	3508	3859	4195
19200	1797	2669	3145	3513	3865	4201
19250	1800	2672	3150	3518	3870	4207
19300	1802	2676	3154	3523	3875	4212
19350	1804	2680	3158	3528	3881	4218
19400	1807	2683	3163	3533	3886	4224
19450	1809	2687	3167	3538	3891	4230
19500	1811	2691	3171	3542	3897	4236
19550	1814	2694	3176	3547	3902	4241
19600	1816	2698	3180	3552	3907	4247
19650	1819	2701	3184	3557	3913	4253
19700	1821	2705	3189	3562	3918	4259
19750	1823	2709	3193	3567	3923	4265
19800	1826	2712	3198	3572	3929	4271
19850	1828	2716	3202	3577	3934	4276
19900	1830	2719	3206	3581	3940	4282
19950	1833	2723	3211	3586	3945	4288
20000	1835	2727	3215	3591	3950	4294
20050	1838	2730	3219	3596	3956	4300
20100	1840	2734	3224	3601	3961	4306
20150	1842	2737	3228	3606	3966	4311
20200	1845	2741	3232	3611	3972	4317
20250	1847	2745	3237	3615	3977	4323
20300	1849	2748	3241	3620	3982	4329
20350	1852	2752	3246	3625	3988	4335
20400	1854	2755	3250	3630	3993	4341
20450	1857	2759	3254	3635	3998	4346
20500	1859	2763	3259	3640	4004	4352
20550	1861	2766	3263	3645	4009	4358
20600	1864	2770	3267	3650	4015	4364
20650	1866	2774	3272	3654	4020	4370
20700	1868	2777	3276	3659	4025	4375
20750	1871	2781	3280	3664	4031	4381
20800	1873	2784	3285	3669	4036	4387
20850	1875	2788	3289	3674	4041	4393
20900	1878	2792	3293	3679	4047	4399
20950	1880	2795	3298	3684	4052	4405
21000	1883	2799	3302	3689	4057	4410



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
21050	1885	2802	3307	3693	4063	4416
21100	1887	2806	3311	3698	4068	4422
21150	1890	2810	3315	3703	4073	4428
21200	1892	2813	3320	3708	4079	4434
21250	1894	2817	3324	3713	4084	4440
21300	1897	2820	3328	3718	4090	4445
21350	1899	2824	3333	3723	4095	4451
21400	1902	2828	3337	3728	4101	4457
21450	1905	2833	3342	3733	4107	4464
21500	1909	2837	3347	3739	4113	4471
21550	1912	2842	3352	3744	4119	4477
21600	1915	2846	3357	3750	4125	4484
21650	1918	2851	3362	3755	4131	4490
21700	1921	2855	3367	3761	4137	4497
21750	1925	2860	3372	3766	4143	4503
21800	1928	2864	3377	3772	4149	4510
21850	1931	2868	3382	3777	4155	4517
21900	1934	2873	3387	3783	4161	4523
21950	1937	2877	3391	3788	4167	4530
22000	1941	2882	3396	3794	4173	4536
22050	1944	2886	3401	3799	4179	4543
22100	1947	2891	3406	3805	4185	4549
22150	1950	2895	3411	3810	4191	4556
22200	1954	2900	3416	3816	4197	4562
22250	1957	2904	3421	3821	4203	4569
22300	1960	2909	3426	3827	4209	4576
22350	1963	2913	3431	3832	4215	4582
22400	1966	2918	3436	3838	4221	4589
22450	1970	2922	3441	3843	4227	4595
22500	1973	2927	3446	3849	4234	4602
22550	1976	2931	3450	3854	4240	4608
22600	1979	2936	3455	3860	4246	4615
22650	1983	2940	3460	3865	4252	4622
22700	1986	2945	3465	3871	4258	4628
22750	1989	2949	3470	3876	4264	4635
22800	1992	2954	3475	3882	4270	4641
22850	1995	2958	3480	3887	4276	4648
22900	1999	2963	3485	3893	4282	4654



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
22950	2002	2967	3490	3898	4288	4661
23000	2005	2972	3495	3904	4294	4667
23050	2008	2976	3500	3909	4300	4674
23100	2011	2981	3505	3915	4306	4681
23150	2015	2985	3509	3920	4312	4687
23200	2018	2989	3514	3926	4318	4694
23250	2021	2994	3519	3931	4324	4700
23300	2024	2998	3524	3937	4330	4707
23350	2028	3003	3529	3942	4336	4713
23400	2031	3007	3534	3947	4342	4720
23450	2034	3012	3539	3953	4348	4727
23500	2037	3016	3544	3958	4354	4733
23550	2040	3021	3549	3964	4360	4740
23600	2044	3025	3554	3969	4366	4746
23650	2047	3030	3559	3975	4372	4753
23700	2050	3034	3563	3980	4378	4759
23750	2053	3039	3568	3986	4385	4766
23800	2057	3043	3573	3991	4391	4773
23850	2060	3048	3578	3997	4397	4779
23900	2063	3052	3583	4002	4403	4786
23950	2066	3057	3588	4008	4409	4792
24000	2069	3061	3593	4013	4415	4799
24050	2073	3066	3598	4019	4421	4805
24100	2076	3070	3603	4024	4427	4812
24150	2079	3075	3608	4030	4433	4818
24200	2082	3079	3613	4035	4439	4825
24250	2086	3084	3618	4041	4445	4832
24300	2089	3088	3622	4046	4451	4838
24350	2092	3093	3627	4052	4457	4845
24400	2095	3097	3632	4057	4463	4851
24450	2098	3102	3637	4063	4469	4858
24500	2102	3106	3642	4068	4475	4864
24550	2105	3110	3647	4074	4481	4871
24600	2108	3115	3652	4079	4487	4878
24650	2111	3119	3657	4085	4493	4884
24700	2114	3124	3662	4090	4499	4891
24750	2118	3128	3667	4096	4505	4897
24800	2121	3133	3672	4101	4511	4904



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
24850	2124	3137	3677	4107	4517	4910
24900	2127	3142	3681	4112	4523	4917
24950	2131	3146	3686	4118	4529	4923
25000	2134	3151	3691	4123	4535	4930
25050	2137	3155	3696	4129	4542	4937
25100	2140	3160	3701	4134	4548	4943
25150	2143	3164	3706	4140	4554	4950
25200	2147	3169	3711	4145	4560	4956
25250	2150	3173	3716	4151	4566	4963
25300	2153	3178	3721	4156	4572	4969
25350	2156	3182	3726	4162	4578	4976
25400	2160	3187	3731	4167	4584	4983
25450	2163	3191	3736	4173	4590	4989
25500	2166	3196	3740	4178	4596	4996
25550	2169	3200	3745	4184	4602	5002
25600	2172	3205	3750	4189	4608	5009
25650	2176	3209	3755	4195	4614	5015
25700	2179	3214	3760	4200	4620	5022
25750	2182	3218	3765	4206	4626	5029
25800	2185	3223	3770	4211	4632	5035
25850	2189	3227	3775	4216	4638	5042
25900	2192	3232	3780	4222	4644	5048
25950	2195	3236	3785	4227	4650	5055
26000	2198	3240	3790	4233	4656	5061
26050	2201	3245	3794	4238	4662	5068
26100	2205	3249	3799	4244	4668	5074
26150	2208	3254	3804	4249	4674	5081
26200	2211	3258	3809	4255	4680	5088
26250	2214	3263	3814	4260	4686	5094
26300	2217	3267	3819	4266	4692	5101
26350	2221	3272	3824	4271	4699	5107
26400	2224	3276	3829	4277	4705	5114
26450	2227	3281	3834	4282	4711	5120
26500	2230	3285	3839	4288	4717	5127
26550	2234	3290	3844	4293	4723	5134
26600	2237	3294	3849	4299	4729	5140
26650	2240	3299	3853	4304	4735	5147
26700	2243	3303	3858	4310	4741	5153



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
26750	2246	3308	3863	4315	4747	5160
26800	2250	3312	3868	4321	4753	5166
26850	2253	3317	3873	4326	4759	5173
26900	2256	3321	3878	4332	4765	5180
26950	2259	3326	3883	4337	4771	5186
27000	2263	3330	3888	4343	4777	5193
27050	2266	3335	3893	4348	4783	5199
27100	2269	3339	3898	4354	4789	5206
27150	2272	3344	3903	4359	4795	5212
27200	2275	3348	3908	4365	4801	5219
27250	2279	3353	3912	4370	4807	5225
27300	2282	3357	3917	4376	4813	5232
27350	2285	3361	3922	4381	4819	5239
27400	2288	3366	3927	4387	4825	5245
27450	2291	3370	3932	4392	4831	5252
27500	2295	3375	3937	4398	4837	5258
27550	2298	3379	3942	4403	4843	5265
27600	2301	3384	3947	4409	4849	5271
27650	2304	3388	3952	4414	4856	5278
27700	2308	3393	3957	4420	4862	5285
27750	2311	3397	3962	4425	4868	5291
27800	2314	3402	3967	4431	4874	5298
27850	2317	3406	3971	4436	4880	5304
27900	2320	3411	3976	4442	4886	5311
27950	2324	3415	3981	4447	4892	5317
28000	2327	3420	3986	4453	4898	5324
28050	2330	3424	3991	4458	4904	5330
28100	2333	3429	3996	4464	4910	5337
28150	2337	3433	4001	4469	4916	5344
28200	2340	3438	4006	4475	4922	5350
28250	2343	3442	4011	4480	4928	5357
28300	2346	3447	4016	4485	4934	5363
28350	2349	3451	4021	4491	4940	5370
28400	2353	3456	4025	4496	4946	5376
28450	2356	3460	4030	4502	4952	5383
28500	2359	3465	4035	4507	4958	5390
28550	2362	3469	4040	4513	4964	5396
28600	2366	3474	4045	4518	4970	5403



# IN THE SUPREME COURT OF ALABAMA

January 14, 2022

Alabama						
Schedule of Basic Child-Support Obligations						
Number of Children due Support						
Combined Adjusted Gross Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
28650	2369	3478	4050	4524	4976	5409
28700	2372	3482	4055	4529	4982	5416
28750	2375	3487	4060	4535	4988	5422
28800	2378	3491	4065	4540	4994	5429
28850	2382	3496	4070	4546	5000	5436
28900	2385	3500	4075	4551	5007	5442
28950	2388	3505	4080	4557	5013	5449
29000	2391	3509	4084	4562	5019	5455
29050	2394	3514	4089	4568	5025	5462
29100	2398	3518	4094	4573	5031	5468
29150	2401	3523	4099	4579	5037	5475
29200	2404	3527	4104	4584	5043	5481
29250	2407	3532	4109	4590	5049	5488
29300	2411	3536	4114	4595	5055	5495
29350	2414	3541	4119	4601	5061	5501
29400	2417	3545	4124	4606	5067	5508
29450	2420	3550	4129	4612	5073	5514
29500	2423	3554	4134	4617	5079	5521
29550	2427	3559	4139	4623	5085	5527
29600	2430	3563	4143	4628	5091	5534
29650	2433	3568	4148	4634	5097	5541
29700	2436	3572	4153	4639	5103	5547
29750	2440	3577	4158	4645	5109	5554
29800	2443	3581	4163	4650	5115	5560
29850	2446	3586	4168	4656	5121	5567
29900	2449	3590	4173	4661	5127	5573
29950	2452	3595	4178	4667	5133	5580
30000	2456	3599	4183	4672	5139	5586

## ARJA Rule 32

### Rule 32. Child Support Guidelines

Preface relating to scope. This rule, as amended effective ~~July 1, 2019~~ May 1, 2022, shall apply to all new actions filed or proceedings instituted on or after ~~July 1, 2019~~ May 1, 2022. Any actions or proceedings instituted before ~~July 1, 2019~~ May 1, 2022, shall be governed by Rule 32 as it read before ~~July 1, 2019~~ May 1, 2022.

**(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 a child-support order, that the amount of the order that would result from the application of these guidelines is the correct amount of child support to be ordered. 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~~ Internal Revenue 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;

(f) The actual child-care 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;

(g) A parent incurs child-care costs associated with the parent's training or education necessary to obtain a job or to enhance that parent's earning potential, not to exceed a reasonable time as determined by the court. To justify deviating from the guidelines on this basis, the parent must prove by a preponderance of the evidence that the job training or education will benefit the child or children being supported, and child-care costs associated with such training or education shall not exceed the amount required to provide care from a licensed source for the child or children, based on a schedule of guidelines developed by the Alabama Department of Human Resources; and

(h) 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 (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 and the amount of support that would have been required under the guidelines.

(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 order 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 order 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.

(f) The need to provide for the children's health-care needs, through health insurance or other means, is an adequate basis on which to modify an order, regardless of whether a modification of the dollar amount of child support is necessary.

(4) *Health-care needs.* All orders establishing or modifying child support shall, at a minimum, provide for the children's health-care needs through private or public health-care coverage and/or cash medical support. Normally, health-care coverage for the children should be required if it is available to either parent through his or her employment or pursuant to any other 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, veteran's 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 take into consideration the specific circumstances of the parent to the extent known, including such factors as the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. 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. Incarceration may not be treated as voluntary unemployment in establishing or modifying a child-support order.

(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 order of child support, no deduction should be made for other children born or adopted after the initial order of child support was entered, except for child support paid pursuant to another order of child support.

(7) *Health-care coverage/cash medical support.*

(a) Medical support in the form of health-care coverage and/or cash medical support shall be ordered provided that health-care coverage is available to either parent at a reasonable cost and/or cash medical support is considered reasonable in cost. The health-care coverage must be "accessible" to the children, as that term is defined in subsection (B)(7)(c)(4).

(b) Cash medical support may be ordered in addition to health-care 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-care coverage. Health-care coverage includes fee for service, health maintenance organization, preferred provider organization, and other types of private health insurance and public health-care coverage under which medical services could be provided to the dependent child or children.

(3) Reasonable cost. Cash medical support or the cost of 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.

(4) Accessible. Health-care 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 to provide health-care coverage for the child or 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-Care-Coverage Costs”) of the Child-Support Guidelines form (Form CS-42) shall be the pro rata portion of the health-care-coverage cost attributable to the child or children who are the subject of the support order, which shall be calculated by dividing the total health-care-coverage cost 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 (B)(7)(e) shall be deducted from the obligor's share of the total child-support obligation, provided the obligor actually pays the health-care-coverage cost. If the obligee is actually paying the cost, no further adjustment is necessary.

(g) If, at any time while a child-support order providing for a health-care-coverage adjustment is in effect, the health-care coverage is allowed to lapse, is terminated, or

otherwise no longer covers the child or 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 health-care coverage; and/or (iii) may enter such other order as it shall deem appropriate.

(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 costs.

(9) *Credit for third-party payment to children.*

(a) Social Security retirement, survivor's, or disability-insurance benefits, veteran's benefits, railroad retirement or any other third-party payments paid for the children based on the support obligor's earnings record or other eligibility requirement attributable to the support obligor shall be credited against that parent's support obligation, for so long as it is being received by the support payee, as follows:

(1) Determine the total child-support obligation; then

(2) Determine the monthly benefit amount that is attributable to the obligor and that the support recipient receives for the children and then subtract that amount from the total child-support obligation.

(i) If the children's obligor-based benefit exceeds the total support amount, then no additional support amount should be ordered.

(ii) If the children's obligor-based benefits are less than the obligor's total support amount, then the difference between the benefits received for the children and the total support amount becomes the ordered obligation.

(b) The following payments to the children by a third party shall not be credited toward the support obligor's child-support obligation:

- (1) Payments that are not based on the support obligor's earnings record or other eligibility requirement attributable to the support obligor;
- (2) Any payments resulting from the disability of the child;
- (3) Any payment received in excess of the amount of child support owed to the child;
- (4) Any payment received by the child shall not be credited against arrearages that accrued before the receipt of the obligor's benefits;
- (5) Social Security income benefits paid to the child; and
- (6) Adoption subsidy paid to adoptive parents of a special-needs child pursuant to section 26-10-20 et seq. of the Code of Alabama.

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

- (a) Compute the 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 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-care coverage 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 amounts for child support.* In addition to the recommended child-support order, the court may order additional amounts for extraordinary medical, dental, and educational expenses if (i) the parties have in writing agreed to these amounts or (ii) the court, upon reviewing the evidence, determines that these amounts are in the best interest of the children and states its reasons for ordering these additional amounts.

(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 (Form CS-42); 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, i.e., and [sic] order requiring no child support from the obligor, 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 Child-Support Guidelines form (Form CS-42), the Child-Support-Obligation Income Statement/Affidavit form (Form CS-41), and the Child-Support Guidelines Notice of Compliance form (Form CS-43) specifying the reason for the zero-dollar child-support order is required.

**(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), a Child Support-Obligation Income Statement/Affidavit form (Form CS-41 as appended to this rule), and a Child-Support Guidelines Notice of Compliance form (Form CS-43 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. 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.

## **Credits**

[Adopted effective October 1, 1987. Amended effective October 9, 1989; October 4, 1993; November 19, 2008, effective January 1, 2009; February 25, 2009, effective March 1, 2009;

February 11, 2015, effective April 1, 2015; June 1, 2018; December 28, 2018, effective January 1, 2019; January 3, 2019, effective July 1, 2019.]

## **Editors' Notes**

### **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 caselaw 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.

**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.

#### **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.

**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.2d.

#### **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(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 158 So.3d.

## COMMENT TO AMENDMENTS EFFECTIVE JUNE 1, 2018

A new subdivision (9) was added to subsection (B) and what was subdivision (9) was renumbered subdivision (10). The new subdivision (9) allows the obligor to receive credit against child-support obligations for certain third-party payments made directly to the payee. Subsection (B)(9)(i) is based on Section 3.07 (Social Security Benefit Credit) of the 2013 Michigan Child Support Formula Manual (effective January 1, 2013), which provides credits for certain benefits provided by government insurance programs, with the addition of credit for other third-party payments such as railroad retirement benefits.

Subsection (B)(9)(i) is consistent with current Alabama caselaw. In *Goldman v. Goldman*, 197 So. 3d 487 (Ala. Civ. App. 2015), the Alabama Court of Civil Appeals held that the veteran's disability benefits of the former husband were to be considered income for purpose of calculating his child-support obligation. A noncustodial parent cannot be required to pay child support when Social Security payments received by a child based on a parent's disability exceeds the guideline amounts. *Self v. Self*, 685 So. 2d 732 (Ala. Civ. App. 1996). The obligor is also entitled to a credit against his or her obligation when a child receives benefits based on the obligor's retirement benefits. *Adams v. Adams*, 107 So. 3d 194 (Ala. Civ. App. 2012). Notwithstanding, if the third-party payment to the child is stopped for any reason, the child support owed by the obligor remains the amount of the existing child-support order. For example, if a child is receiving a third-party payment from Social Security that terminates when the child reaches the age of 18, the obligation of the obligor to pay the court-ordered child support will remain in effect until the child reaches the age of majority.

The exclusions of credit enumerated in subsection (B)(9)(ii) reflect current Alabama law. Alabama has consistently held that credit is not allowed for a benefit a child receives based on the work history of someone other than the obligor. See *Hebert v. Stephenson*, 574 So. 2d 835 (Ala. Civ. App. 1990). See also the court's discussion in *Hebert* regarding child-support credit based on the child's own disability. 574 So. 2d at 837. Also, the exclusion of credit for Social Security income benefits in subsection (B)(9)(ii)(5) is consistent with *Lightel v. Myers*, 791 So. 2d 955 (Ala. Civ. App. 2000), holding that a parent should not get credit for the Social Security income benefits payable to the child as a “supplement to income” for the child based on the child's disability, as was clarified by the court in *Adams v. Adams*, 107 So. 3d 194 (Ala. Civ. App. 2012), which held that credit could be given to a parent whose child received Social Security retirement benefits based on the parent's work history and, thus, are a “substitute income source.” Likewise, the exclusion of credit for adoption-subsidy pay in subsection

(B)(9)(ii)(6) is consistent with current law because the adoption subsidy is not a “substitute income source”; rather, it is supplemental to the adoptive parents' income. *W.R. v. C.R.*, 75 So. 3d 159 (Ala. Civ. App. 2011).

**Note from the reporter of decisions:** The order adopting Rule 32(B)(9) and renumbering what was Rule 32(B)(9) as Rule 32(B)(10) effective June 1, 2018, is published in that volume of *Alabama Reporter* that contains Alabama cases from 234 So.3d.

**Note from the reporter of decisions:** The order adopting the Comment to the adoption of Rule 32(B)(9), effective June 1, 2018, is published in that volume of *Alabama Reporter* that contains Alabama cases from 239 So.3d.

#### **COMMITTEE COMMENTS TO THE AMENDMENT TO RULE 32(A)(1) EFFECTIVE JANUARY 1, 2019**

Former subsection (A)(1)(g) was redesignated as subsection (A)(1)(h), and a new subsection (A)(1)(g) was added to allow a trial court to deviate from the child-support guidelines when a parent incurs child-care costs associated with the parent's training or education necessary to obtain a job or to enhance that parent's earning potential.

**Note from the reporter of decisions:** The order amending effective January 1, 2019, Rule 32(A)(1) and adopting the Committee Comments to the Amendment of Rule 32(A)(1) Effective January 1, 2019, is published in that volume of *Alabama Reporter* that contains Alabama cases from 257 So.3d.

#### **COMMITTEE COMMENTS TO THE AMENDMENT TO RULE 32 EFFECTIVE JULY 1, 2019**

Rule 32 was amended effective July 1, 2019, to address certain issues and changes to the federal regulations that govern child support.

In subsections (A), (A)(3)(c), and (B)(6), the word “award” was replaced with the word “order” to be consistent with the terminology used in federal child-support regulations. See 45 C.F.R. § 302.56.

Subsection (A)(2) was amended to require that the parties, if they have not followed the guidelines, provide the court with the amount of support that would have been required under the guidelines. See 45 C.F.R. § 302.56(g).

Subsection (A)(3)(f) was added to clarify that addressing the children's health-care needs is an adequate basis for modifying a child-support order. See 45 C.F.R. 303.8(d).

Subsection (A)(4) was amended to change “health insurance” to “private or public health-care coverage,” to provide that the children's health-care needs can be addressed through health-care coverage, cash medical support, or both, to add the language “that can be obtained for the

children,” and to delete “group” to be consistent with federal child-support regulations. See 45 C.F.R. § 302.56(c)(2) and 45 C.F.R. § 303.31(b)(1)(i).

Subsection (B)(2)(a) was amended to add “veteran's benefits” to the list of sources of gross income to clarify that those benefits can be included as income to calculate child support. See *Goldman v. Goldman*, 197 So. 3d 487 (Ala.Civ.App. 2015).

In subsection (B)(5), the factors that should be considered when determining voluntary underemployment or unemployment were changed to be consistent with the requirements in federal child-support regulations. See 45 C.F.R. § 302.56(c)(1)(iii). Incarceration may no longer be treated as voluntary unemployment when establishing or modifying child support. See 45 C.F.R. § 302.56(c)(3).

In subsections (B)(7)(a), (B)(7)(b), and B(7)(c)(4), “health insurance coverage” was replaced with “health-care coverage.” See 45 C.F.R. § 302.56 and § 303.31. In subsection (B)(7)(c)(1), however, the word “insurance” remains and is consistent with 45 C.F.R. § 303.31(a)(1).

In subsection (B)(7)(c)(2), the definition of health insurance was expanded to public and private health-care coverage. See 45 C.F.R. § 303.31(a)(2).

In subsection (B)(7)(c)(3), the word “private” and the language “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” were deleted to comply with federal child-support regulations. See 45 C.F.R. § 303.31(a)(3).

In subsection (B)(7)(d), the phrase “of a premium” was deleted and “health-insurance benefits” was changed to “health-care coverage” to be consistent with federal child-support regulations. See 45 C.F.R. § 302.56 and § 303.31.

In subsection (B)(7)(e), “health-insurance costs” was replaced with “health-care-coverage costs” and “medical-insurance premium” was replaced with “health-care-coverage cost” to be consistent with federal child-support regulations. See 45 C.F.R. § 303.31.

In subsection (B)(7)(f), the word “premium” was changed to “health-care-coverage cost” in one place and to “cost” in another to be consistent with federal child-support regulations. See 45 C.F.R. § 303.31.

In subsection (B)(7)(g), the word “insurance” was replaced with “health-care coverage.” See 45 C.F.R. § 302.56 and § 303.31.

In subsection (C)(2), “insurance” was replaced with “health-care coverage.” See 45 C.F.R. § 302.56 and § 303.31.

In subsection (C)(4), the word “awards” was replaced with “amounts” and “make” and “making” were replaced with “order” and “ordering,” respectively. These changes were made to be

consistent with the terminology used in federal child-support regulations. See 45 C.F.R. § 302.56.

Subsection (E) was amended to comply with 45 C.F.R. § 302.56(g) and to require that a Child-Support Guidelines form (Form CS-42 as appended to the rule), a Child-Support-Obligation Income Statement/Affidavit form (Form CS-41 as appended to the rule), and a Child-Support Guidelines Notice of Compliance form (Form CS-43 as appended to the rule) be filed in each action to establish or modify child support, including actions in which there is a stipulation of child support that is not in compliance with the guidelines.

**Note from the reporter of decisions:** The order amending effective July 1, 2019, Rule 32 and adopting the Committee Comments to the Amendment to Rule 32 Effective July 1, 2019, is published in that volume of *Alabama Reporter* that contains Alabama cases from 257 So.3d.

Committee Comments to Amendments to Rule 32  
Effective May 1, 2022

• Rule 32 was amended effective May 1, 2022, 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 May 1, 2022. The amended rule applies to all new actions filed or proceedings instituted on or after that date. Any actions or proceedings instituted before May 1, 2022, will be governed by Rule 32 as it read before that date.

The appendix to Rule 32, the Schedule of Basic Child-Support Obligations, has been updated after a review in compliance with Rule 32(G). The previous schedule was developed through research sponsored by the National Center for State Courts. The Alabama Administrative Office of Courts contracted with the Center for Policy Research ("CPR") to assist the Committee in its review. The revised schedule is based on the latest extensive economic research on the cost of supporting children at various income levels. Specifically, the revised schedule is based on estimates of child-rearing that were developed by applying the fifth Betson Rothbarth study (which is the most current) to 2013-2019 expenditures data and updated to September 2021 price levels. The revised schedule uses gross income and has been adjusted for Alabama's income distribution relative to the income distribution for the United States.

Other assumptions incorporated in the revised schedule include:

(1) Tax assumptions. The revised schedule assumes that all income is taxed at the rate of a single taxpayer based on federal and state income-tax withholding formulas;

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

(3) Visitation. The revised schedule 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 revised schedule includes combined gross incomes ranging from \$0 to \$30,000 a month. The previous schedule addressed only combined monthly gross-income amounts up to \$20,000. The data to address combined monthly gross incomes up to \$30,000 is now available, and the revised schedule based on that data will aid parties, attorneys, and judges in setting an appropriate child-support obligation.

Because the revised schedule addresses combined monthly gross income amounts down to \$0, Rule 32(C)(1) has been amended to no longer give courts "discretion in determining child support in circumstances where combined adjusted gross income is below the lowermost levels ... of the schedule." However, Rule 32(C)(1) still provides that the court may use its discretion in determining child support when the combined adjusted gross income is above the uppermost levels of the revised schedule. When the combined adjusted gross income exceeds the uppermost limit of the revised schedule, the amount of child support should not be extrapolated from the figures in the revised schedule, but should be left to the discretion of the court.

Rule 32(A)(1)(e) has been amended to reflect that the assumption that the custodial parent will claim the federal and state income-tax exemptions for the child or children in that parent's custody is not based on the revised schedule but, instead, on the Internal Revenue Code.

Rule 32(B)(8) has been amended to add subpart (b); that subpart provides for an adjustment for the payment of work-related child-care costs similar to the adjustment for the payment of the costs of health-care coverage found in Rule 32(B)(7)(f). The adjustment for the payment of work-related child-care costs has been added to Form CS-42 ("the Child-Support Guidelines form"). The Child-Support Guidelines form has been further amended so that the amounts for work-related child-care costs and health-care- coverage costs are required to be entered only once.

Rule 32(C), entitled "Determination of Recommended Child-Support Obligation," has been amended by adding subsection (5). Subsection (5) provides for a Self-Support Reserve ("SSR") Calculation in the Child-Support Guidelines form.

45 C.F.R. § 302.56(c)(ii) requires that child-support guidelines must "[t]ake[] into consideration the basic subsistence needs of the noncustodial parent." Alabama previously addressed that concern through the implementation of an SSR adjustment built into the schedule. By moving the SSR adjustment out of the schedule and implementing the SSR calculation as provided in Rule 32(C)(5), this rule change will aid in transparency and will allow the amount of the SSR to be updated in the future without having to update the entire schedule.

Rule 32(C)(5)(a) explains that the SSR calculation is used to ensure that the obligor's basic subsistence needs are met in accordance with 45 C.F.R. § 302.56.

Rule 32(C)(5)(b) explains that the amount of the SSR is \$981. The amount of the SSR that has been incorporated into the schedule was based on the 2007 federal poverty guidelines, adjusted for Alabama incomes. The amount of the SSR has been updated to reflect the 2021 federal poverty levels, adjusted for Alabama incomes, which is consistent with the revised schedule.

Rule 32(C)(5)(c) explains how to perform the SSR calculation to determine the "Income Available After SSR." Rule 32(C)(5)(c) also addresses the application of an 85% economic incentive. To apply the economic incentive, the amount of income available for support after adjusting for the SSR will be multiplied by a factor of 0.85; the product will be entered on Line 12 of the Child-Support Guidelines form as the "Income Available for Support." The economic incentive is applied so that not all of the obligor's earnings exceeding the SSR amount are considered in determining his or her child-support obligation. The federal and state payroll taxes on full-time minimum-wage earnings is 13%. Rounding the percentage to 15%, the 85% economic-incentive adjustment takes into consideration the payroll taxes on the obligor's earnings exceeding the SSR amount and also allows the obligor to keep a small portion of those earnings.

Rule 32(C)(5)(d) explains that 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 or 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.

Rule 32(C) has been further amended by adding subsection (6), entitled "Zero-dollar order." That subpart provides for a rebuttable presumption that an order requiring no child support from an obligor should be entered in specified limited situations. The provision in Rule 32(C)(6)(a) that there is a rebuttable presumption that a zero-dollar order applies when an obligor "has no gross income and receives only means-tested assistance" is not intended to impede a court's discretion under Rule 32(B)(5) to impute income to a parent that the court finds is voluntarily unemployed or underemployed. Rule 32(B)(5) is unaffected by this provision.

United States Code Annotated

Title 42. The Public Health and Welfare

Chapter 7. Social Security (Refs & Annos)

Subchapter IV. Grants to States for Aid and Services to Needy Families with Children and for Child-Welfare Services (Refs & Annos)

Part D. Child Support and Establishment of Paternity (Refs & Annos)

42 U.S.C.A. § 667

§ 667. State guidelines for child support awards

Currentness

(a) Establishment of guidelines; method

Each State, as a condition for having its State plan approved under this part, must establish guidelines for child support award amounts within the State. The guidelines may be established by law or by judicial or administrative action, and shall be reviewed at least once every 4 years to ensure that their application results in the determination of appropriate child support award amounts.

(b) Availability of guidelines; rebuttable presumption

(1) The guidelines established pursuant to subsection (a) shall be made available to all judges and other officials who have the power to determine child support awards within such State.

(2) There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of such guidelines is the correct amount of child support to be awarded. A written finding or specific finding on the record that the application of the guidelines would be unjust or inappropriate in a particular case, as determined under criteria established by the State, shall be sufficient to rebut the presumption in that case.

(c) Technical assistance to States; State to furnish Secretary with copies

The Secretary shall furnish technical assistance to the States for establishing the guidelines, and each State shall furnish the Secretary with copies of its guidelines.

§ 667. State guidelines for child support awards, 42 USCA § 667

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CREDIT(S)

(Aug. 14, 1935, c. 531, Title IV, § 467, as added Pub.L. 98-378, § 18(a), Aug. 16, 1984, 98 Stat. 1321; amended Pub.L. 100-485, Title I, § 103(a), (b), Oct. 13, 1988, 102 Stat. 2346.)

Notes of Decisions (3)

42 U.S.C.A. § 667, 42 USCA § 667

Current through P.L. 117-80. Some statute sections may be more current, see credits for details.

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§ 302.56 Guidelines for setting child support orders., 45 C.F.R. § 302.56

KeyCite Yellow Flag - Negative Treatment

Proposed Regulation

Code of Federal Regulations

Title 45. Public Welfare

Subtitle B. Regulations Relating to Public Welfare

Chapter III. Office of Child Support Enforcement (Child Support Enforcement Program),  
Administration for Children and Families, Department of Health and Human Services (Refs & Annos)

Part 302. State Plan Requirements (Refs & Annos)

45 C.F.R. § 302.56

§ 302.56 Guidelines for setting child support orders.

Effective: January 19, 2017

Currentness

(a) Within 1 year after completion of the State's next quadrennial review of its child support guidelines, that commences more than 1 year after publication of the final rule, in accordance with § 302.56(e), as a condition of approval of its State plan, the State must establish one set of child support guidelines by law or by judicial or administrative action for setting and modifying child support order amounts within the State that meet the requirements in this section.

(b) The State must have procedures for making the guidelines available to all persons in the State.

(c) The child support guidelines established under paragraph (a) of this section must at a minimum:

(1) Provide that the child support order is based on the noncustodial parent's earnings, income, and other evidence of ability to pay that:

(i) Takes into consideration all earnings and income of the noncustodial parent (and at the State's discretion, the custodial parent);

(ii) Takes into consideration the basic subsistence needs of the noncustodial parent (and at the State's discretion, the custodial parent and children) who has a limited ability to pay by incorporating a low-income adjustment, such as a self-support reserve or some other method determined by the State; and

(iii) If imputation of income is authorized, takes into consideration the specific circumstances of the noncustodial parent

(and at the State's discretion, the custodial parent) to the extent known, including such factors as the noncustodial parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the noncustodial parent, prevailing earnings level in the local community, and other relevant background factors in the case.

(2) Address how the parents will provide for the child's health care needs through private or public health care coverage and/or through cash medical support;

(3) Provide that incarceration may not be treated as voluntary unemployment in establishing or modifying support orders; and

(4) Be based on specific descriptive and numeric criteria and result in a computation of the child support obligation.

(d) The State must include a copy of the child support guidelines in its State plan.

(e) The State must review, and revise, if appropriate, the child support guidelines established under paragraph (a) of this section at least once every four years to ensure that their application results in the determination of appropriate child support order amounts. The State shall publish on the internet and make accessible to the public all reports of the guidelines reviewing body, the membership of the reviewing body, the effective date of the guidelines, and the date of the next quadrennial review.

(f) The State must provide that there will be a rebuttable presumption, in any judicial or administrative proceeding for the establishment and modification of a child support order, that the amount of the order which would result from the application of the child support guidelines established under paragraph (a) of this section is the correct amount of child support to be ordered.

(g) A written finding or specific finding on the record of a judicial or administrative proceeding for the establishment or modification of a child support order that the application of the child support guidelines established under paragraph (a) of this section would be unjust or inappropriate in a particular case will be sufficient to rebut the presumption in that case, as determined under criteria established by the State. Such criteria must take into consideration the best interests of the child. Findings that rebut the child support guidelines shall state the amount of support that would have been required under the guidelines and include a justification of why the order varies from the guidelines.

(h) As part of the review of a State's child support guidelines required under paragraph (e) of this section, a State must:

(1) Consider economic data on the cost of raising children, labor market data (such as unemployment rates, employment rates, hours worked, and earnings) by occupation and skill-level for the State and local job markets, the impact of

guidelines policies and amounts on custodial and noncustodial parents who have family incomes below 200 percent of the Federal poverty level, and factors that influence employment rates among noncustodial parents and compliance with child support orders;

(2) Analyze case data, gathered through sampling or other methods, on the application of and deviations from the child support guidelines, as well as the rates of default and imputed child support orders and orders determined using the low-income adjustment required under paragraph (c)(1)(ii) of this section. The analysis must also include a comparison of payments on child support orders by case characteristics, including whether the order was entered by default, based on imputed income, or determined using the low-income adjustment required under paragraph (c)(1)(ii). The analysis of the data must be used in the State's review of the child support guidelines to ensure that deviations from the guidelines are limited and guideline amounts are appropriate based on criteria established by the State under paragraph (g); and

(3) Provide a meaningful opportunity for public input, including input from low-income custodial and noncustodial parents and their representatives. The State must also obtain the views and advice of the State child support agency funded under title IV-D of the Act.

#### Credits

[50 FR 19649, May 9, 1985; 50 FR 23958, June 7, 1985; 51 FR 37731, Oct. 24, 1986; 56 FR 22354, May 15, 1991; 73 FR 42441, July 21, 2008; 81 FR 93562, Dec. 20, 2016]

SOURCE: 40 FR 27159, June 26, 1975; 50 FR 19647, May 9, 1985; 50 FR 41894, Oct. 16, 1985; 65 FR 82208, Dec. 27, 2000; 68 FR 25303, May 12, 2003; 73 FR 56443, Sept. 26, 2008; 74 FR 11880, March 20, 2009; 75 FR 38641, July 2, 2010, unless otherwise noted.

AUTHORITY: 42 U.S.C. 651 through 658, 659a, 660, 664, 666, 667, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

#### Notes of Decisions (50)

Current through March 3, 2022; 87 FR 12251, except for Title 40 and Title 50 which are current through February 25, 2022; 87 FR 10718.

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Nancy T. Buckner  
Commissioner

**MEMORANDUM**

April 29, 2022

**TO:** County Directors of Human Resources  
Child Support Supervisors  
District Attorneys  
Private Attorneys  
Mobile Legal Office  
Birmingham Legal Office

**FROM:** Lathesia S. McClenney, Director   
Child Support Enforcement Division

**SUBJECT:** Revised Child Care Provider Rate Chart  
**CSED Memo #22-09**

**ACTION**

**REQUIRED:** Review with Child Support Staff

Please see the attached Child Care Provider Rate Chart that has been implemented by the Department of Human Resources effective April 11, 2022. The attached chart shows new rates for each region and provider category. The chart includes a list of the counties within each region.

A copy of the chart has been sent to the Administrative Office of Courts for dissemination to judges, court clerks, registrars, and the family law section of the Alabama State Bar. This chart is used in computing child support guidelines in accordance with Rule 32.

You will be notified when the day care tables in ALECS have been updated with the new rate amounts. If you have any questions, please contact your field supervisor.

LSM:lcc

Attachment

cc: Faye Nelson, Deputy Commissioner for Family Resources  
Paul Butler, Deputy Commissioner for Field Administration  
District Administrative Specialists  
Child Support Field Staff  
CSED Management Team

# Alabama Department of Human Resources

## Child Care Subsidy Program

### Provider Rate Chart

Maximum Weekly Full-time Rates

Effective April 11, 2022

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	
Huntsville	Base Rate	\$165.00	\$153.00	\$135.00	\$145.00	\$145.00	\$137.00	\$150.00	\$150.00	\$150.00	
	STAR 1	\$168	\$156	\$138	\$148	\$148	\$140	\$153	\$153	\$153	
	STAR 2	\$172	\$159	\$140	\$151	\$151	\$143	\$156	\$156	\$156	
	STAR 3	\$175	\$162	\$143	\$154	\$154	\$145	\$159	\$159	\$159	
	STAR 4	\$179	\$166	\$146	\$157	\$157	\$148	\$162	\$162	\$162	
Mobile	STAR 5	\$182	\$169	\$149	\$160	\$160	\$151	\$166	\$166	\$166	
	Base Rate	\$145.00	\$135.00	\$130.00	\$134.00	\$129.00	\$125.00	\$134.00	\$130.00	\$125.00	
	STAR 1	\$148	\$138	\$133	\$137	\$132	\$128	\$137	\$133	\$128	
	STAR 2	\$151	\$140	\$135	\$139	\$134	\$130	\$139	\$135	\$130	
	STAR 3	\$154	\$143	\$138	\$142	\$137	\$133	\$142	\$138	\$133	
Birmingham	STAR 4	\$157	\$146	\$141	\$145	\$140	\$135	\$145	\$141	\$135	
	STAR 5	\$160	\$149	\$144	\$148	\$142	\$138	\$148	\$144	\$138	
	Base Rate	\$195.00	\$180.00	\$150.00	\$144.00	\$141.00	\$131.00	\$150.00	\$145.00	\$133.00	
	STAR 1	\$199	\$184	\$153	\$147	\$144	\$134	\$153	\$148	\$136	
	STAR 2	\$203	\$187	\$156	\$150	\$147	\$136	\$156	\$151	\$138	
Montgomery	STAR 3	\$207	\$191	\$159	\$153	\$150	\$139	\$159	\$154	\$141	
	STAR 4	\$211	\$195	\$162	\$156	\$153	\$142	\$162	\$157	\$144	
	STAR 5	\$215	\$199	\$166	\$159	\$156	\$145	\$166	\$160	\$147	
	Base Rate	\$150.00	\$135.00	\$125.00	\$100.00	\$100.00	\$98.00	\$135.00	\$135.00	\$128.00	
	STAR 1	\$153	\$138	\$128	\$102	\$102	\$100	\$138	\$138	\$131	
Opelika	STAR 2	\$156	\$140	\$130	\$104	\$104	\$102	\$140	\$140	\$133	
	STAR 3	\$159	\$143	\$133	\$106	\$106	\$104	\$143	\$143	\$136	
	STAR 4	\$162	\$146	\$135	\$108	\$108	\$106	\$146	\$146	\$139	
	STAR 5	\$166	\$149	\$138	\$110	\$110	\$108	\$149	\$149	\$141	
	Base Rate	\$147.00	\$140.00	\$140.00	\$148.00	\$145.00	\$138.00	\$140.00	\$138.00	\$130.00	
Tuscaloosa	STAR 1	\$150	\$143	\$143	\$151	\$148	\$141	\$143	\$141	\$133	
	STAR 2	\$153	\$146	\$146	\$154	\$151	\$144	\$146	\$144	\$135	
	STAR 3	\$156	\$149	\$149	\$157	\$154	\$146	\$149	\$146	\$138	
	STAR 4	\$159	\$152	\$152	\$160	\$157	\$149	\$152	\$149	\$141	
	STAR 5	\$162	\$155	\$155	\$163	\$160	\$152	\$155	\$152	\$144	
	Base Rate	\$146.00	\$136.00	\$125.00	\$125.00	\$125.00	\$125.00	\$118.00	\$115.00	\$100.00	
	STAR 1	\$149	\$139	\$128	\$128	\$128	\$128	\$120	\$117	\$102	
	STAR 2	\$152	\$141	\$130	\$130	\$130	\$130	\$123	\$120	\$104	
	STAR 3	\$155	\$144	\$133	\$133	\$133	\$133	\$125	\$122	\$106	
	STAR 4	\$158	\$147	\$135	\$135	\$135	\$135	\$128	\$124	\$108	
	STAR 5	\$161	\$150	\$138	\$138	\$138	\$138	\$130	\$127	\$110	

Regions and Counties Served	
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	
60 Sumter	
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	
06 Bullock	61 Talladega
07 Butler	
11 Chilton	Dothan
20 Covington	03 Barbour
24 Dallas	16 Coffee
26 Elmore	21 Crenshaw
43 Lowndes	23 Dale
51 Montgomery	31 Geneva
66 Wilcox	34 Henry
35 Houston	
55 Pike	
Opelika	
09 Chambers	61 Talladega
41 Lee	
44 Macon	
57 Russell	
57 Russell	
62 Tallapoosa	

Regions	Child Care Provider Type and Care Level										
	Center		Center		Center		GFDC		GFDC		FDC
	Infant/Toddler	Pre-School	Center	Pre-School	School	Center	Infant/Toddler	Pre-School	School	Infant/Toddler	
Ft. Payne	Base Rate	\$118.00	\$115.00	\$117	\$110.00	\$110.00	\$110.00	\$100.00	\$90.00	\$90.00	FDC School
	STAR 1	\$120	\$117	\$112	\$114	\$112	\$112	\$102	\$92	\$92	\$92
	STAR 2	\$123	\$120	\$114	\$117	\$114	\$114	\$104	\$94	\$94	\$94
	STAR 3	\$125	\$122	\$117	\$119	\$117	\$117	\$106	\$96	\$96	\$96
	STAR 4	\$128	\$124	\$119	\$121	\$119	\$119	\$108	\$97	\$97	\$97
Talladega	STAR 5	\$130	\$127	\$121	\$124	\$121	\$121	\$110	\$99	\$99	\$99
	Base Rate	\$120.00	\$120.00	\$119.00	\$115.00	\$115.00	\$115.00	\$119.00	\$115.00	\$120.00	\$128.00
	STAR 1	\$122	\$122	\$121	\$124	\$121	\$117	\$121	\$117	\$122	\$131
	STAR 2	\$125	\$125	\$124	\$126	\$124	\$122	\$126	\$122	\$125	\$133
	STAR 3	\$127	\$127	\$126	\$129	\$126	\$122	\$129	\$122	\$127	\$136
Dothan	STAR 4	\$130	\$130	\$127	\$131	\$127	\$124	\$129	\$124	\$130	\$139
	STAR 5	\$132	\$132	\$129	\$131	\$127	\$127	\$131	\$127	\$132	\$141
	Base Rate	\$125.00	\$120.00	\$115.00	\$115.00	\$115.00	\$115.00	\$110.00	\$100.00	\$103.00	\$88.00
	STAR 1	\$128	\$122	\$117	\$120	\$117	\$102	\$112	\$102	\$105	\$90
	STAR 2	\$130	\$125	\$120	\$122	\$120	\$104	\$114	\$104	\$107	\$92
	STAR 3	\$133	\$127	\$122	\$124	\$122	\$106	\$117	\$106	\$109	\$93
	STAR 4	\$135	\$130	\$124	\$127	\$124	\$108	\$119	\$108	\$111	\$95
	STAR 5	\$138	\$132	\$127	\$129	\$127	\$110	\$121	\$110	\$114	\$97

**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 **\$50** 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.

**STAR rates** - Rates for Alabama Quality STARS (QRIS) rated programs.

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 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 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 36 months

Pre-School - 37 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)