

IN THE \_\_\_\_\_ DISTRICT COURT

\_\_\_\_\_ COUNTY, STATE OF UTAH

<p>_____</p> <p>vs.</p> <p>_____</p> <p>The Combined Child Support Obligation Table used for calculation is:  <input type="checkbox"/> 78B-12-301(1) and 78B-12-302(1)  <input type="checkbox"/> 78B-12-301(2) and 78B-12-302(2)</p>	<p><b>CHILD SUPPORT OBLIGATION WORKSHEET (JOINT PHYSICAL CUSTODY)</b></p> <p>Civil No. _____</p>
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	MOTHER	FATHER	COMBINED
1. Enter the # of natural and adopted children of this mother and father for whom support is to be awarded.			
2a. Enter the father's and mother's gross monthly income. Refer to Instructions for definition of income.	\$	\$	
2b. Enter previously ordered alimony that is actually paid. (Do not enter alimony ordered for this case.)	-	-	
2c. Enter previously ordered child support. (Do no enter obligations ordered for the children in Line 1.)	-	-	
2d. OPTIONAL: Enter the amount from Line 12 of the Children in Present Home Worksheet for either parent.	-	-	
3. Subtract Lines 2b, 2c, and 2d from 2a. This is the Adjusted Gross Income for child support purposes.	\$	\$	\$
4. Take the COMBINED figure in Line 3 and the number of children in Line 1 to the Support Table. Enter the Combined Support Obligation here.			\$
5. Divide each parent's adjusted monthly gross in Line 3 by the COMBINED adjusted monthly gross in Line 3.	%	%	
6. Multiply Line 4 by Line 5 for each parent to obtain each parent's share of the Base Support Obligation.	\$	\$	
7. Enter the number of overnights the children will spend with each parent. (They must total 365). Each parent must have at least 111 overnights to qualify for Joint Physical Custody (U.C.A. 78B-12-208).			365
7b. Identify the parent who has the child the lesser number of overnights, and continue the rest of the calculation for them. You will be making adjustments to the net amount owed by this parent.	<u>(Name of parent with lesser number of overnights)</u>		
8a. For the parent who has the child the lesser number of overnights multiply the number of overnights that are greater than 110 but less than 131 by .0027 to obtain a resulting figure and enter in the space to the right.			
8b. Multiply the result on Line 8a by the Combined Support Obligation on Line 4 for this parent and enter the number in the space to the right.	\$		
8c. Subtract the respective dollar amount on Line 8b from this parent's share of the Base Support Obligation found in the column for this parent on Line 6 to determine the amount as indicated by U.C.A. 78B-12-208 (3)(a) and enter the amount in the space to the right.	\$		
9a. <b>Additional calculation necessary if both parents have the child for more than 131 overnights (Otherwise go to Line 10):</b> For the parent who has the child the lesser number of overnights multiply the number of overnights that exceed 130 (131 overnights or more) by .0084 to obtain a resulting figure and enter it in the space to the right.			
9b. Multiply the result on Line 9a by the Combined Support Obligation on Line 4 for this parent and enter each in the space to the right.	\$		
9c. Subtract this parent's dollar amount on Line 9b from their respective amount as identified on Line 8c to determine the amount as indicated by U.C.A. 78B-12-208 (3)(b) and enter the amount in the space to the right. <b>Go to Line 10.</b>	\$		

10. BASE CHILD SUPPORT AWARD: If the result in Line 9c. is  $> 0$ , then this parent is the obligor (and the other parent is the obligee). Enter the amount in Line 9c here. This is the amount owed by this parent to the obligee all 12 months of the year. If the result in Line 9c is  $< 0$ , then this parent is the obligee (and the other parent is the obligor). Enter the absolute value of the result in Line 9c here. This is the amount owed to this parent by the obligor all 12 months of the year.

\$

11. Which parent is the obligor? ( ) Mother ( ) Father

12. Is the support award the same as the guideline amount in Line 10? ( ) Yes ( ) No  
If NO, enter the amount ordered: \$\_\_\_\_\_, and answer number 13.

13. What were the reasons stated by the Court for the deviation?

( ) property settlement

( ) excessive debts of the marriage

( ) absence of need of the custodial parent

( ) other: \_\_\_\_\_

Attorney Bar No. \_\_\_\_\_

6/09

## INSTRUCTIONS FOR THE JOINT PHYSICAL CUSTODY WORKSHEET

Line 1. Enter the number of natural and adopted children of the mother and father for whom support is to be determined. Do not include any children of either parent by another partner on this line. If a child for whom support is to be determined is an unemancipated minor who does not live with his parents, use the total number of children, including the unemancipated minor, by that set of parents for Line 1.

Line 2a. Enter the mother's and father's gross monthly income. U.C.A. 78B-12-203(1) states: "As used in the guidelines, 'gross income' includes prospective income from any source, including earned and nonearned income sources which may include salaries, wages, commissions, royalties, bonuses, rents, gifts from anyone, prizes, dividends, severance pay, pensions, interest, trust income, alimony from previous marriages, annuities, capital gains, Social Security benefits, workers' compensation benefits, unemployment compensation, income replacement disability insurance benefits, and payments from 'nonmeans-tested' government programs." U.C.A. 78B-12-203(2) states: "Income from earned income sources is limited to the equivalent of one full-time 40-hour job." Refer to U.C.A. 78B-12-203 for additional information about determining gross income.

All income must be verified. Verification includes: year to date pay stubs, employer statements or records, the last year's tax return and documentation of non-earned income appropriate to the source.

Line 2b. Enter the amount of alimony either parent is court ordered to pay and actually pays to another parent [U.C.A. 78B-12-204(1)]. Do not include alimony payments for this case. Alimony payments must be verified. Cancelled checks or a statement from the recipient of the alimony may be accepted as verification.

Line 2c. Enter the amount of support either parent is court ordered to pay for children by another partner [(U.C.A. 78B-12-204(1)]. Previously ordered support may include specifically ordered payments toward a child's medical expenses, child care, or child support [U.C.A. 78B-12-102(7)]. A copy of the order is required for verification.

Line 2d. U.C.A. 78B-12-210(6) and (7) state: "(6) (a) Natural or adoptive children of either parent who live in the home of that parent and are not children in common to both parties may at the option of either party be taken into account under the guidelines in setting or modifying a child support award, as provided in Subsection (7). Credit may not be given if: (i) by giving credit to the obligor, children for whom a prior support order exists would have their child support reduced; or (ii) by giving credit to the obligee for a present family, the obligation of the obligor would increase. (b) Additional worksheets shall be prepared that compute the obligations of the respective parents for the additional children. The obligations shall then be subtracted from the appropriate parent's income before determining the award in the instant case.

"(7) In a proceeding to adjust or modify an existing award, consideration of natural or adoptive children born after entry of the order and who are not in common to both parties may be applied to mitigate an increase in the award but may not be applied: (a) for the benefit of the obligee if the credit would increase the support obligation of the obligor from the most recent order; or (b) for the benefit of the obligor if the amount of support received by the obligee would be decreased from the most recent order."

Use the WORKSHEET TO DETERMINE FATHER'S OBLIGATION TO CHILDREN IN HIS PRESENT HOME and/or the WORKSHEET TO DETERMINE MOTHER'S OBLIGATION TO CHILDREN IN HER PRESENT HOME to compute the obligations of the respective parents for the additional children.

Line 3. Complete the calculation as directed.

Line 4. The amount on the "Combined Child Support Obligation Table" shows the amount BOTH parents combined should contribute for the support of their child(ren).

Line 5. Calculate each parent's share of the amount in Line 4 as a percentage figure.

Line 6. Calculate each parent's share of the amount in Line 4 as a dollar amount.

Line 7. This is the total number of overnights the children will have with each parent. Each parent must have at least 111 overnights to qualify for Joint Physical Custody (U.C.A. 78-12-208).

Line 7b. The rest of the calculation will be made for the parent who has the child(ren) the lesser number of overnights. So identify this parent here and continue the calculation for only this parent.

Line 8a. Complete the calculation as directed. This is the mathematical figure that will be used to reduce the base support obligation for overnights totaling between 110 to 130 [U.C.A. 78B-12-208 (3) (a)].

Line 8b. Complete the calculation as directed. This is the combined support obligation as a dollar figure for this parent.

Line 8c. Complete the calculation as directed. This is this parent's share of the base support obligation as a dollar figure.

Line 9a. If both parents have the child for more than 131 overnights, then continue the calculation as directed. This is the mathematical figure that will be used to reduce the base support obligation for any overnights greater than 130 that the child(ren) have with the parent who has the child(ren) the lesser number of overnights [U.C.A. 78B-12-208 (3) (b)]. **Otherwise go to Line 10.**

Line 9b. Complete the calculation as directed. This is the combined support obligation as a dollar figure for this parent.

Line 9c. Complete the calculation as directed. This is this parent's share of the base support obligation as a dollar figure.

Line 10. Designate which parent must pay support and the support amount by completing the calculation as directed. The Base Child Support Award is the amount the obligor pays to the obligee all 12 months of the year. See the **Insurance Premium** and **Child Care Adjustment Worksheet** to determine how the insurance premiums and child care expenses may change the amount the obligor pays to the obligee.

Line 11. Designate which parent must pay support.

Line 12. Complete Line 12 to indicate if the amount ordered deviates from the guideline amount in Line 10..

Line 13. Complete Line 13 if the obligor will not be ordered to pay the guideline amount from either the "Combined Child Support Obligation Table" or the "Low Income Table."