

Case No.: 2011-0512

County of Venue: Alleghany

PACSES No.: 32419887

Divorce of: Wealthy

Rule 1910.16-4 SUPPORT GUIDELINES. CALCULATION OF SUPPORT OBLIGATION. FORMULA

(a) The following formula shall be used to calculate the obligor's share of basic guideline child support, spousal support and/or alimony pendente lite obligation:

PART I. BASIC CHILD SUPPORT

Alimony Pendente Lite	Obligor	Obligee
Last Name: Wealthy	<u>James</u>	<u>Martha</u>
1. Total Gross Income Per Pay Period (Annual)	\$510,000	\$10,000
2. Less Deductions	<u>(177,986)</u>	<u>(307)</u>
3. Net Income	332,014	9,693
4. Conversion to Monthly Amount (if pay period is other than monthly)	27,668	808
5. Combined Total Monthly Net Income		28,476
6. Plus Child's Monthly Social Security Death, Retirement or Disability Derivative Benefit, if any (see Rule 1910.16-2(b)(2))		0
7. Adjusted Combined Monthly Net Income		28,476
8. PRELIMINARY BASIC CHILD SUPPORT OBLIGATION		
From Schedule (Rule 1910.16-3): No. of Children = 2		3,659
a. Additional % for Income over 30,000 8.00%		0
b. Total preliminary basic support obligation		3,659
9. Less Child's Monthly Social Security Derivative Benefit		0
10. BASIC CHILD SUPPORT OBLIGATION		3,659
Max Income from Schedule=\$30,000		
11. Net Income Expressed as a Percentage Share of Income (divide line 4 by line 5 and multiply by 100)	97.16%	2.84%
12. Each Parent's Monthly Share of the Basic Child Support Obligation (multiply line 10 and 11)	3,555	104

PART II. SUBSTANTIAL OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE

13. a. Percentage of Time Spent with Children (divide number of overnights with obligor by 365 and multiply by 100)	0.00%
b. Subtract 30%	0.00%
c. Obligor's Adjusted Percentage Share of Basic Monthly Support Obligation (subtract line 13b from line 11)	0.00%
d. Obligor's Adjusted Share of Basic Monthly Support Obligation (multiply line 13c and line 10)	0
e. Further adjustment, if necessary under subdivision (c)(2) of this rule (Equalize Income)	0

PART III. ADDITIONAL EXPENSES (See Rule 1910.16-6)

14. a. Obligor's Share of Child Care Expenses	0
b. Obligor's Share of Health Insurance Premium (if the obligee is paying the premium)	97
c. Less Obligee's Share of Health Insurance Premium (if the obligor is paying the premium)	0
d. Obligor's Share of Unreimbursed Medical Expenses	0
e. Other Additional Expenses	0
f. Total Additional Expenses	97

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15. OBLIGOR'S TOTAL MONTHLY SUPPORT OBLIGATION 3,652
(add line 12b or 13d or e (if applicable) and line 14f)

PART IV. SPOUSAL SUPPORT OR APL

With Dependent Children

16. Obligor's Monthly Net Income (line 4) 27,668
17. Less Obligor's Support, Alimony Pendente Lite or Alimony 0
Obligations, if any, to Children or Former Spouses who are not
part of this action (See Rule 1910.16-2(c)(2))
18. Less Obligees Monthly Net Income (Line 4) (808)
19. Difference 26,860
20. Less Obligor's Total Monthly Child Support Obligation Without 3,652
Part II Substantial or Shared Custody Adjustment (Obligor's
line 12 plus line 14f)
21. Difference 23,208
22. Multiply by 30% 30%

23. AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \$6,962
23a. Additional Support for Mortgage Payment (Obligee) 0
23b. Reduction of Support for Mortgage Payment (Obligor) 0

Without Dependent Children

24. Obligor's Monthly Net Income (Line 4) 0
25. Less Obligor's Support, Alimony Pendente Lite or Alimony 0
Obligations, if any, to Children or Former Spouses who are
not part of this action (See Rule 1910.16-2(c)(2))
26. Less Obligees Monthly Net Income (Line 4) 0
27. Difference 0
28. Multiply by 40% 40%
29. PRELIMINARY AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \$0

30. Adjustments for Other Expenses (See Rule 1910.16-6) \$0
31. TOTAL AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \$0

Comments:

Child support under post May 2010 formula is \$3,652 per month. APL is 30% or \$6,962 per month. Parties have agreed to settle pre-divorce support with \$3,583/month of child support and \$9,000 of Spousal Support APL. This settlement is a tax minimization case in which both parties share in the tax savings resulting from the negotiated settlement vs the tax free order.

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