

Legend Green = new wording Rule 32
Red = strike out old wording

**Honorable John Crawley, Judge, Court of Civil Appeals
DRAFT February 20, 2004 (11:15am)**

**Proposed Change to Rule 32(E) by adding (E)(2)
Ala. R. Jud. Admin.**

(2) At the time of filing a complaint involving the establishment or modification of child support, the parent filing shall file therewith his or her Form CS-41 Child Support Obligation Income Statement, which shall comply with Rule 32(F), Ala. R. Jud. Admin. Within 42 days of being served, the other parent shall file his or her Form CS-41 Child Support Obligation Income Statement, which shall comply with Rule 32(F), Ala. R. Jud. Admin.

**Proposed Change to Rule 32(F) by amending (F)(1) and adding (F)(2) and (F)(3)
Ala. R. Jud. Admin.**

(F)(1) Income Statements. Income statements of the parents shall be verified with documentation of both current and past earnings. Parents shall attach documentation of both current and past earnings to their income statements and expenditure statement for (a) preexisting child support or alimony, (b) work-related child-care costs, and (c) health insurance costs.

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 of shall be supplemented with such 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. Original of the above documentation of earnings used in preparing the Form CS-41 Child Support Obligation Income Statement/Affidavit form and Form CS-42 Child Support Guidelines shall be maintained by the parties parents and made available as directed by the court.

(2) Each party shall cooperate in a timely, accurate, and good-faith manner. The trial court shall award a penalty of not less than \$10.00 per day to either parent for the other parent's noncompliance. The time period shall be computed from the date of failure to comply to the date of the hearing. The trial court shall award an attorney fee of not less than \$150.00 per hour to either parent for time necessitated by the other parent's noncompliance.

(3) Intentional falsification of information presented on Form CS-41 Child Support Obligation Income Statement/Affidavit and Form CS-42 Child Support Guidelines shall be deemed contempt of court.

COMMENT: Subsection (F)(3). Rule 70A, Ala. R. Civ. P., apply to proceedings to hold a parent in civil or criminal contempt of court.