

## **MEMORANDUM**

TO: Members of the Supreme Court Standing Committee on  
Child Support Guidelines and Enforcement

FROM: Jack W. Hughes, Chairman **SW"**

DATE: February 23, 2005

RE: Agenda for April 22, 2005, Meeting

This memorandum is for the purpose of notifying each of you that the next Committee meeting is scheduled for **Friday, April 22, 2005, beginning at 10:00 a.m., to be held in the Mezzanine Classroom of the Alabama Judicial Building, Montgomery.** Parking is available in the Center for Commerce deck with the entrance on Hull Street, roughly two blocks south of the Building. The parking deck code is 006\*.

The agenda for the April 22, 2005, meeting of the Committee is as follows:

1. Election of a Vice-Chairperson.
2. Consideration of proposals submitted by the Hon. John B. Crawley, Presiding Judge of the Alabama Court of Civil Appeals, to change Rule 32(E), Alabama Rules of Judicial Administration (ARJA), by adding subsection (E) (2), by amending subsection (F) (1) , and by adding subsection (F) (3) (a copy of which is attached).
3. Consideration of a proposal submitted by the Hon. L. E. Gosa, Judge, Lamar County District Court, to amend Rule 32 (B) (7) (a) , ARJA (a copy of which is attached).
4. Consideration of the report prepared and submitted to the Committee by Policy Studies, Inc., including the Updated Child Support Schedule included therein.

Questions which the Committee may wish to consider in considering the report are as follows:

- a. Do we wish to continue to use the Income Shares Model? If not, which model?
- b. Do we wish to have our child support calculations by the trial courts based on gross income or net income?
- c. Do we agree with the child support obligation dollar amounts in the proposed child support tables? Should they be lower? Higher? Should the obligation dollar amounts in the existing tables be changed?
- d. Do we wish to incorporate a Self Support Reserve for low income parents into our calculations? On the table? With a shaded area? Off the table?
- e. How do we wish to deal with Shared Parenting Time? At what level of Parenting Time should this begin?
- f. Other issues:

- (1) Subsequently Born Children
- (2) Imputed Income
- (3) Daycare
- (4) Extraordinary Medical Expenses
- (5) Extraordinary Educational Expenses
- (6) Requiring parents to notify the other parent upon a change in income
- (7) In Rule 32 (B) (4) , ARJA, Other Income, provide that an automobile allowance be included in other income.
- (8) Explain why, in Rule 32(B)(2), ARJA, take-home pay or net income cannot be used.
- (9) In Rule 32(B)(3), ARJA, consider implementing a procedure to more easily determine self-employment income.
- (10) Consider a requirement that all income and expense amounts be shown in monthly amounts, not just in the forms, but also in testimony and exhibits.
- (11) Adopt a percentage figure to be used where the parties' joint income exceeds the Child Support Guidelines.

(12) Use the county's appraised value of real estate, automobiles, and other tagged vehicles as the presumptive fair market value.

5. Any other business.

A written transcript is being prepared of the March 11, 2004, public hearing, and the March 12, 2004, meeting of the Committee and, once completed in the next few weeks, the transcript will be available on the Administrative Office of Courts' website, [www.alacourt.gov](http://www.alacourt.gov). If you are unable to access this document in the next few weeks, you may obtain a hard copy of the transcript by calling the Administrative Office of Courts at (334) 242-0825.

Any further questions concerning the next meeting or the attachments may be directed to Wayne Jones, Staff Attorney, Supreme Court Clerk's Office, at (334) 242-4862.

#### Attachments

C: Nabers, C.J., and See, Lyons, Harwood, Woodall, Stuart, Smith, Bolin, and Parker, JJ.  
Robert G. Esdale, Clerk, Alabama Supreme Court  
Randy Helms, Administrative Director of Courts  
Bob Maddox, Administrative Office of Courts  
Celeste Sabel, Senior Staff Attorney  
Wayne Jones, Staff Attorney  
John Dobbs, Staff Attorney  
Ann Wilson, Staff Attorney