

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Wint Winter, Jr. at  
Chairperson

10:00 a.m./~~p.m.~~ on February 9, 1989 in room 313-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Winter, Moran, Bond, Feleciano, D. Kerr, Martin, Morris, Parrish, Petty and Rock.

Committee staff present:

Mike Heim, Legislative Research Department  
Jerry Donaldson, Legislative Research Department  
Gordon Self, Revisor of Statutes  
Jane Tharp, Committee Secretary

Conferees appearing before the committee:

Jim Benage, Families Demanding Equal Justice  
Wallace Wright, Wichita, Families Demanding Equal Justice  
Connie Shephard, Wichita, Families Demanding Equal Justice  
Arthur Sandquist, Topeka, Concerned Fathers  
Richard L. Shanks, Leawood  
Robert Courtney, Topeka  
Professor Linda Henry Elrod, Washburn University School of Law  
Judge Herb Walton, 10th Judicial District  
Judge James Buchele, Shawnee County  
Bruce Linhos, Topeka, Children's Coalition  
Jamie Cockhill, SRS, Child Support Enforcement Program  
Charles F. Harris, Domestic Relations Committee of Wichita Bar Association  
William Papota, Leawood, KBA Family Law Section  
Keith Landis, Christian Science Committee on Publication For Kansas

The chairman presented a bill request concerning criminal permits to demand a jury trial. Following his explanation, Senator Morris moved to introduce the bill. Senator Rock seconded the motion. The motion carried.

Senate Bill 73 - Divorce and maintenance, child custody, counseling.

Senate Bill 74 - Child support, Kansas guidelines

Jim Benage, Families Demanding Equal Justice, testified he is the primary author of the two bills. A copy of his testimony is attached (See Attachment I).

The following people appeared in support of the bills:

Wallace Wright, Wichita, Families Demanding Equal Justice (See Attachment II).

Connie Shephard, Wichita, Families Demanding Equal Justice (See Attachment III).

Arthur Sandquist, Topeka, Concerned Fathers (See Attachment IV)

Richard L. Shanks, Leawood, In support of SB 74 (See Attachment V).

Robert Courtney, Topeka, (See Attachment VI).

Professor Linda Henry Elrod, Washburn University School of Law, testified in opposition to the bill. She stated the paramount consideration in any laws dealing with custody of children should be what arrangement best serves the needs of the children, not the parents. Copies of her handouts are attached

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

room 313-S, Statehouse, at 10:00 a.m./p.m. on February 9, 1989

Senate Bill 73 and Senate Bill 74 - continued

(See Attachments VII). In response to a question, Professor Elrod responded if the legislature does not act upon the bills, the supreme court will get together for consideration of the problems.

Judge Herb Walton, 10th Judicial District, testified in opposition to the bills. He stated both bills concerns the very essence of our state. Concerning Senate Bill 73, I am concerned with the ex parte custody order. This will cause substantial workload of the judiciary. The requirement of counseling will increase incidence of unnecessary counseling, and it will increase cost of divorce. How child support payments should be used is bad and is unhealthy for children, and this would require more court hearings. The bill gives more rights to the parent rather than the child. In regard to Senate Bill 74, Judge Walton suggested leaving the guideline requirement to be supervised by the Kansas Supreme Court. He said there needs to be feedback from the bench and bar and other parties to make a determination whether the guidelines should be changed. In response to a question, Judge Walton responded the Supreme Court wanted the reports to be very flexible, and they should not be a substitute for thinking.

Judge James Buchele, Shawnee County, testified Senate Bill 74 is about economics and who is to control child support spending. Divorce is expensive. Usually the only money the custodial parent and children get is what is ordered by the court. He said the primary cause of divorce is economic problems. Income reports is a flawed idea, and it won't work in a majority of the cases. This would increase requests for accountings. He pointed out in about one-half of the states that have adopted guidelines, it has been left up to the judicial branch of the government. There is no state I am aware of that have mandated the amounts of child support by statute. All of these guidelines require judicial discretion. The bill is an economic disaster for women and children. Thirty-five percent of the time does not mean thirty-five percent of the expense. There are some problems with second family situations, and the guidelines do not clearly address this. This is one of the areas that needs fine tuning. In regard to Senate Bill 73 Judge Buchele stated, I am generally opposed to the bill and I would end up trying divorce cases twice. In discussing joint custody he said he has no problem with joint custody; equal division of children in his experience has not worked out in many cases. It works best when parents don't live far apart and get along well.

The following people appeared in opposition to the bills:

Bruce Linhos, Topeka, Children's Coalition, opposed to Senate Bill 74 (See Attachment VIII).

Jamie Corkhill, SRS, Child Support Enforcement Program (See Attachments IX).

Charles F. Harris, Domestic Relations Committee of Wichita Bar Association, (See Attachment X).

William Papota, Leawood, KBA Family Law Section.

Keith Landis, Christian Science Committee on Publication For Kansas, had a technical amendment to Senate Bill 73. A copy of his proposal is attached (See Attachment XI).

In response to questions from the chairman and committee members, Judge Walton, Judge Buchele and Professor Elrod indicated while the guidelines were generally accurate, the guidelines need to be fine tuned and all judges need to be reminded that they are to use their discretion and not go strictly by the guidelines. The Supreme Court is very likely to react positively but the committee suggest additional study and revisions of the guidelines.

CONTINUATION SHEET

MINUTES OF THE SENATE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_ JUDICIARY \_\_\_\_\_,  
room 313-S, Statehouse, at 10:00 a.m./~~p.m.~~ on February 9, 1989.

Senate Bill 73 and Senate Bill 74 - continued

The chairman requested Mr. Papota to submit his comments to the committee that need to be addressed.

The meeting adjourned.

Copy of the guest list is attached (See Attachment XII).

Attachments XIII are additional handouts received from:

Rodney K. Rouse  
Geri Simmons  
Sandra M. Barnett  
Steven H. Hess  
Richard Stegelman  
Families Demanding Equal Justice  
Factual Scenario of Kansas Child Support Guidelines  
Kansas Court Trustees  
Beverley R. Williams  
Administrative Order No. 59  
Child Support Obligation

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 2-9-89

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Paula Kidd Casey	111 W. Douglas Wichita	Wichita Bar Assoc.
Charles F. Harris	430 N. Market Wichita	Wichita Bar Assoc.
Herbert W. Lattin	405 Normandy Olathe	District Judge
Jamie L. Corkhill	300 SW Oakley Topeka	SRS / CSE
Linda Elrod	231 Edgewood	Law Professor
Richard S Stegelman	3915 SW Aylesbury Ct Wellington	KPL Gas Service
Rick Sexton	321 N. Woodlawn 67152	Families Demanding Equal Justice Santa Fe Railroad
Art Sandquist	1200 Plass Topeka, KS 66604	Concerned Father - Topeka, KS
ROA ROUSE	1206A ESTATES LANE PECK, KS 67121	FDEI / WICHITA, KS
CHARLES ASHCROFT	429 W 4TH HASEVILLE KS 67060	FAMILIES DEMANDING EQUAL JUSTICE WICHITA, KS
Terri Ashcroft	429 W. 4TH Haysville KS, 67060	FDES, Wichita, KS.
Paul Johnson	Topeka	PACK
Donald Blumstein	Olathe	Court Trustee
James P. Buchler	Topeka	Judge
STEVEN H. HESS	5009 N. BROADVIEW WICHITA, KS.	FDEI, Wichita, KS.
Jim Benage	1431 Otis Wichita, KS	FDES; Wichita, KS
WALLACE WRIGHT	3003 S. RICHMOND WICHITA, KS 67217	FDEI (WICHITA)
DONALD LINDEN	421 CHARLES McPHERSON	"
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Gene Johnson	S.A.S.A.R.	Topeka, KS
Jay G. Giesecke	KS Chamber	Topeka
Carolyn Robinson	Rt 3 Dwind, KS.	Pittsburg High School
Keggy Elliott	Olathe, KS.	Op Co Dist Ct Trust
Bruce Linder	Lawrence	Children's Coalition

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 2-9-89

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Eva Pereira	3709 W. 34 <sup>th</sup> Topeka	House of Reps.
Penny Geis	1831 E. Iron Salina	Salina leadership group
Ray Allen	3852 State, Salina	Leadership Salina
Sharon K. Smith	2375 Edward, Salina	—
Carl Long	Salina KS	Leadership Salina
Carol Peterson	1925 Leland, Salina	Leadership Salina
Dennis M. Kussinger	2203 Hillside Dr. Salina	Leadership Salina
Diane Adams	604 Washington, Salina	Leadership Salina
Tom A. Rannenthal	3373 Northwood Salina	Leadership Salina
James Reik	334 N. 10 <sup>th</sup> Salina	Leadership Salina
Bill Enright	815 W. Iron	Salina, K2
Bob Howard	2532 Colon of Love	Leadership Salina
Ray Tucker	750 Mike Dr. Salina	Leadership Salina
Kenneth L. Miller	2345 Aurora Salina	Leadership Salina
Andy Heidrick	129 S. 8 <sup>th</sup> Salina	Leadership Salina
Richard Shanks	4803 Willis <sup>th</sup> Terr. Leawood, KS	Personal
ROBERT COURTNEY	5704 QUAIL COURCH TOPEKA KS	
Mary Slaybaugh	Topeka	SRS.
Alex Wehner	Lawrence	Intern
Don Weary	Salina, KS	Leadership Salina
Dennis Carlton	Salina, KS	Leadership Salina
Carl Lantz	Salina KS	Leadership Salina
Danley Deane	Salina, KS	Leadership Salina
Ted Hall	Salina, KS	Leadership Salina Program
John Soderberg	Salina, KS	Leadership Salina



Text Presentation by Jim Beange  
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February 9, 1989  
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Good morning ladies and gentlemen of the Senate Judiciary Committee. We appreciate the the fact that you felt concerned enough about the children of this state to introduce Senate Bills 73 and 74 in this year's session. We especially appreciate the fact that you have provided this opportunity to hear from us concerning these bills.

I am Jim Benage, Vice-president of Families Demanding Equal Justice. I am the primary author of these bills. If at any time during today's hearing or any later date you have any questions specific to these bills, I will be more than happy to try to address those questions.

We believe that it is in the best interest of children to have equal involvement with both their parents. Especially when the parents are divorced. This is only reasonable. Think about the organization Big Brothers/Big Sisters. They do a fine work. What is that work? Its giving children significant role models, male or female, that are deficient in their home environment. We propose that the most fitting people to fill these role models for the children are their natural parents. As such, we believe the State should establish public policy that is consistent with the premise that the natural parents are the best role models for their children.

First let me give you a section by section outline of Senate Bill 73. This bill is known as the Kansas Family Bill of Rights or equal residency bill.

Section 1 amends K.S.A. 60-1607 to first require that the Court have before it sworn testimony which accounts for the custodial arrangements of children for the 60 days prior to a filing for divorce. Often one party leaves the home for a period of time then returns to file for a divorce. In the temporary orders that party often takes the children away from the other party. The proposed requirement would put evidence before the judge which would tell the judge what the real facts of the current situation really have been. This will aid in preventing an erroneous ex parte order that upsets the children's environment.

Secondly this section would establish joint custody and equal residency as the court's presumption even for temporary orders. In management principles it has been found that in most situations temporary arrangements become permanent arrangements. By establishing this presumption, the courts will be giving both

*Attachment I  
Senate Judiciary  
Committee*

*2-9-89*

parents an equal opportunity to demonstrate their parental commitment.

Thirdly, and this was part of statute, the court would not normally be permitted to change a sole de facto custody arrangement.

Fourthly, this section would prevent the court from evicting a spouse from their residence. It does not prevent a spouse from voluntarily moving out of their residence but it would preclude the eviction of one who has not the means or place to go.

Lastly, this section would require that the court order marriage counseling. This counseling would serve two purposes. One it would help the parties understand whether or not the divorce is really the appropriate resolve to their marital problems. In some cases this may aid in salvaging the marriage. Second, if the divorce is the appropriate resolve then this requirement would help the parties understand the reason the divorce is necessary and therefore help them in being more amicable towards each other. This would result in less turmoil for the children.

Currently, the statutes provide for marriage counseling but one party usually has to request it from the court. This is usually perceived by the other party as only being vindictive or controlling. The state making this a requirement would change the perspective of the divorcing parties towards marriage counseling. This should aid in the parties approaching the counseling with a more open mind.

Section 2 modifies K.S.A. 60-1608 to be consistent with the proposed modifications to 60-1607 concerning marriage counseling. It provides the means and avenues for marriage counseling to be established, including the assignment and payment for the marriage counselor.

Section 3 modifies K.S.A. 60-1610 primarily to recognize, as a matter of public policy, that both parents have equal rights and responsibility towards the children. Most importantly it protects equal involvement of the children with both parents as a presumption of court.

Section 4 provides that the passage of this act would be a material change in circumstances so that in those situations where the court has acted unreasonably, without bases, to



diminish or sever a child's relationship with one parent, that parent may ask the court to apply the equal residency presumption to their case. This would be a means to reestablish a relationship that has been severed by a prior court order that had no bases in fact.

This bill gives the court the full discretion it needs if the court finds that there is real evidence presented which shows that some other arrangement besides equal residency is more appropriate in a particular case. The primary difference would be that the court would have to put into record that reason it found for not granting equal residency. This is the same as the current statutory requirement for joint custody. Because the restriction on the court is that there has to be evidence entered into the record, the court will want to see the evidence before it makes an order other than equal residency.

This bill is needed to give more specific direction to the district courts on what the legislature intended to enact when the joint custody statute was passed in 1983. The Legislative Post Audit report of January 1987 (copy is distributed) shows that the courts either don't understand the intent of the legislature or have been negligent in complying with the legislature's intentions in establishing the joint custody laws. If the courts were to apply the joint custody statutes according to the wording of the current statute the Post Audit report should show equal residency as the most frequent residential arrangement for the children. Rather the report shows that some 82% of the time the residence of the children is established as being primary with the mother.

Let's move on to Senate Bill 74. This bill is a proposal to establish child support guidelines for the State of Kansas through legislative action. Kansas currently has child support guidelines established through the Kansas Supreme Court Administrative Order # 59. This bill follows the pattern of the Administrative Order # 59 but uses the economic data in Administrative Order # 59 in a manner that is consistent with the theory behind that data. The theory is noted in Dr. Terrell's report of December 1986 (enclosed) on page 3 as "...combined parental allocations in intact families." The application of this data to separated families must then take into consideration the fact that two households are now being maintained on the same income that previously only maintained one household.

The tables in this bill are three dimensional; number of children in the family, income of the parents, and age of the children. The bill contains two worksheets. Worksheet A establishes the child support amount. Worksheet B is a poverty level check.

This bill also recognizes that child support has two dynamics to it. One dynamic is that of mutual obligations of both parents. The other dynamic is the discretionary obligations of each party. It is generally assumed that the receiver of child support has complete discretion over the expenditures of child support for the children's benefit. However, in recognizing that both parents have involvement in the children's lives they both should share in the discretionary decisions made on behalf of the children. These means that parents in there individual discretion should be allowed to determine how child support is expended for the children. With having to answer to the other unless there is a serious reason to suspect abuse of the child support.

Looking at the section by section outline. Section 1 establishes this bill as the prima facie evidence of a reasonable child support order. It addresses some theoretical description of what the resultant child support order means.

Section 2 sets the stage for determining the child support amount and puts the burden of proof upon the party seeking deviation from the determined worksheet amount.

Section 3 gives some general instructions concerning the establishment of incomes, what to do in those rare cases that incomes exceed the table amounts, how to round off incomes for use in the tables, and how to determine the age of a child for the purpose of using the tables which are broken into three age categories.

Section 4 gives a line by line instructions on how to complete the worksheet A. An example is included in the line by line instruction to aid in understanding the computations. Also included in this line by line instruction are several definitions. Line 1 has the most definitions. These concern gross income.

Line 2 establishes a proportionate shares of income. These percentages are used later in the worksheet to determine the amount of contribution each parent should share in the support of the children.

Line 3 calculates the average income of the parents. This then becomes the established standard of living for the children; halfway between mom's and dad's income.

Line 4 determines the basic support obligation from the tables included in Section 9 of the bill.

Lines 5 and 6 provide for the inclusion of medical insurance premiums and child care costs as add ons to the basic child support obligation.

Line 7 determines the total child support obligations of both parents.

Line 8 uses the proportionate share determined previously to calculate how much of the basic support obligation is the responsibility of each parent.

Line 9 subtracts from the total support obligation the amounts that each parent actually pays in mutual obligations. Line 10 then determines the amount of discretionary child support available for each parent based upon the amount left over from mutual obligations.

Line 11 and 12 determine the discretionary support credit based upon the amount of time the children spend with each parent.

Line 13 and 14 determine the amount of child support that needs to be paid and to which party.

The worksheet is unbiased as to what the custodial or residential wording of the courts order may be. The child support will only recognize the amount of time the children spend with each parent.

Section 5 uses similar line by line instruction to determine the poverty level of the payor of child support. This worksheet is a guard against making a child support order that will put a payor of child support below the poverty level. The theory in this is that the payor of child support is not eligible for public assistance if their income is above the poverty level. This is regardless of the child support obligation. However, if the child support receiver's income is below poverty level after receipt of child support they are eligible for public assistance. By checking child support obligations in this manner the State

will guard against paying out public assistance to separated families that have the means to support their children, yet maintain public assistance for those families where there is not enough income to support the separated family.

Section 6 provides for other considerations that may be relevant to adjustments for child support obligations. These include uninsured health care, special school needs, needs of the child, visitation expenses, support of others, historical types of support, tax considerations, and residence with a third party.

Section 7 gives definition to a change in circumstances that would warrant an adjustment to child support order. Additionally it addresses deliberate unemployment and accounting.

Section 8 contains the actual worksheets to be used.

Section 9 contains the actual tables to be used.

Section 10 sets an expiration date on the resultant statute. The Federal mandate is that child support guidelines must be reviewed at least every four years.

This bill is very dynamic in the way it calculates child support obligations. It is capable of addressing most any type of residential arrangement. It gives the courts specific guidance on what is a reasonable child support order using data that is very complex and time consuming to understand.

Lastly, some have asked what these bills will do to address enforcement of child support orders. The answer is they do not address enforcement of child support. Rather, these bills encourage meaningful relationships between the children and both their parents. F.A.I.R. and the federal government have done separate studies which show that there is a direct correlation between compliance and time involvement with the children. If the State can get out of the mode of beating up on one parent in a divorce and start honoring both parents as parents. The issue of enforcement will be greatly reduced due to increased compliance. This then becomes a win win situation. The children win, the parents win, and the State wins.

## Feds confirm F.A.I.R.'s findings

Washington, D.C. - Consistent with the findings of F.A.I.R.'s national study of visitational interference, a government study of child support payment found that "Weekly contact between the noncustodial parent and his children were positively associated with payment levels and compliance levels." The study also concluded that "When joint custody residence had been arranged, payment levels were higher and compliance was higher."

The study was called "The Survey Of Absent Parents: Pilot Results" (July 1988) and was sponsored by the U.S. Department of Health & Human Services, Office of the Secretary for Planning & Evaluation.

While the study was not nearly as extensive as F.A.I.R.'s study which reported the results of 2,228 interviews in 48 states, HHS managed to spend a tremendous amount of tax-dollars in studying less than half the number of subjects in the states of Florida and Ohio.

The study was contracted out to the University of Chicago who in turn subcontracted it out to The Urban Institute. While the study designs were quite different, Ed Nichols, one of the researchers in the F.A.I.R. study, said, "This study is a classic example of how the government wastes tax-dollars to let the public

### Continued p. 3 • Study

## • Study

Continued from front page  
know what is already known while not having the slightest idea what the data mean."

Though the F.A.I.R. study published the relationship between the cost of litigating in order to overcome visitational interference and child support defaults, the researchers did not make the connection, but noted, "These findings indicate that efforts to keep noncustodial parents involved with their children and to decrease hostility between parents may increase payment and compliance levels."

The F.A.I.R. study was sent directly from the White House to the highest levels of HHS for analysis and comment. Nichols said, "Farming out a study of noncustodial fathers to the University of Chicago is like hiring a fox to study chickens."

Though the study was highly biased and evidenced gaping design flaws, it could not help noting obvious fact such as "Noncustodial fathers report paying a larger amount of child support than is being

claimed by custodial mothers. If the fathers' reports are correct, it is possible that the child support payments are being systematically underestimated in the major data bases, because they rely solely on the reports of custodial mothers."

\* American Fatherhood is the official Newsletter of F.A.I.R., The National Father's Organization, 1 N.E. 10th Street, Milford, Delaware 19963.



# **PERFORMANCE AUDIT REPORT**

## **Child Custody Determinations In Kansas Divorce Cases**

**A Report to the Legislative Post Audit Committee  
By the Legislative Division of Post Audit  
State of Kansas  
January 1987**

# **Legislative Post Audit Committee**

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## **Legislative Division of Post Audit**

THE LEGISLATIVE POST Audit Committee and its audit agency, the Legislative Division of Post Audit, are the audit arm of Kansas government. The programs and activities of State government now cost about \$3 billion a year. As legislators and administrators try increasingly to allocate tax dollars effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by Legislative Post Audit helps provide that information.

As a guide to all their work, the auditors use the audit standards set forth by the U.S. General Accounting Office and endorsed by the American Institute of Certified Public Accountants. These standards were also adopted by the Legislative Post Audit Committee.

The Legislative Post Audit Committee is a bipartisan committee comprising five senators and five representatives. Of the Senate members, three are appointed by the President of the Senate and two are appointed by the Senate Minority Leader. Of the Representatives, three are appointed by the Speaker of the House and two are appointed by the Minority Leader.

Audits are performed at the direction of the Legislative Post Audit Committee. Legislators or

committees should make their requests for performance audits through the Chairman or any other member of the Committee.

### **LEGISLATIVE POST AUDIT COMMITTEE**

Senator August Bogina, Jr., P.E., Chairperson  
Senator Neil H. Arasmith  
Senator Norma L. Daniels  
Senator Ben E. Vidricksen  
Senator Joe Warren

Representative Robert H. Miller, Vice-Chairperson  
Representative Bill Bunten  
Representative Duane A. Goossen  
Representative Ruth Luzzati  
Representative Bill Wisdom

### **LEGISLATIVE DIVISION OF POST AUDIT**

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## **PERFORMANCE AUDIT REPORT**

### **Child Custody Determinations In Kansas Divorce Cases**

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#### **OBTAINING AUDIT INFORMATION**

This audit was conducted by Ron Green, Senior Auditor, and Cindy Denton and Cindy Lash, Auditors, of the Division's staff. If you need any additional information about the audit's findings, please contact Mr. Green at the Division's offices.

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## CHILD CUSTODY DETERMINATIONS IN KANSAS DIVORCE CASES

### Summary of Legislative Post Audit's Findings

In every divorce case involving minor children, the district court must determine the custody or residency of the child in accordance with the child's best interests. Under current legislation, courts are required to give equal consideration to each parent in making decisions on the custody or residency of children whose parents are divorcing. Legislative concerns have been raised that, despite the statutory revisions in recent years, district court judges have continued to award custody to the mother in most child custody decisions. This audit addresses that concern.

**In what percentage of divorce cases have the courts decided child custody in favor of the mother?** The audit showed that, in four out of every five cases sampled, the district court awarded joint custody to both parents. In these cases, mothers got primary residency about seven times more often than fathers. In cases where the courts awarded sole custody to one parent, mothers were awarded sole custody about 11 times more often than fathers.

Mothers were awarded either sole custody or primary residency in 81.7 percent of all fiscal year 1986 cases sampled. Fathers were awarded sole custody or primary residency in 10.7 percent of the cases. The remainder included cases of joint custody with residency equally shared between the parents, and cases in which custody was granted to other persons or agencies.

This audit report is intended to provide factual information for the Kansas Legislature. Sample results for individual counties are shown in the appendix.

## CHILD CUSTODY DETERMINATIONS IN KANSAS DIVORCE CASES

In every divorce case involving minor children, the district court is required to determine custody or residency of the child in accordance with the child's best interests. Under K.S.A. 60-1610, as amended, the court is to give each parent an equal opportunity to be awarded custody or residency of each child.

Legislative concerns have been raised that, despite the statutory revisions in recent years, district court judges have continued to award custody to the mother in most child custody decisions. To address this concern, the Legislative Post Audit Committee directed the Legislative Division of Post Audit to conduct an audit to answer the following question: In what percentage of divorce cases have the courts decided child custody in favor of the mother?

To answer this question, the auditors reviewed a sample of divorce cases from each of the State's 31 judicial districts. Of the 1,000 divorce cases reviewed, 580 involved the custody of minor children. Analysis of these 580 cases showed that sole custody or primary residency was awarded to the mother in 81.7 percent of the cases, and to the father in 10.7 percent of the cases. These and other findings are presented in this report, following an overview of the options the court may consider in making child custody determinations.

### Options Available to the District Court In Deciding Child Custody Issues

In each divorce case where child custody is an issue, the court is required to determine custody or residency of the child in accordance with the child's best interests. To determine what will serve the best interests of the child, the court is required by law to consider all relevant factors, including:

- the length of time that the child has been under the actual care and custody of any person other than a parent
- the desires of the child's parents as to custody or residency
- the desires of the child as to the child's custody or residency
- the interaction of the child with parents, siblings, and any other person who may significantly affect the child's best interests
- the child's adjustment to the child's home, school, and community
- the willingness and ability of each parent to respect and appreciate the bond between the child and the other parent and to allow for a continuing relationship between the child and the other parent

After considering these factors, the district court judge must make an order relating to custody of any minor children. Since 1982, four different types of custodial arrangements have been established by law. These four options are listed below, in order of statutory preference.

**Joint custody** means that both parents have equal rights to make decisions in the best interests of the child in their custody. When a child is placed in joint

### **Statutory Changes Relating to Child Custody**

Since 1976, State statutes have required courts to consider the best interests of the children to be paramount in divorce cases involving the custody of minor children. Beyond this general rule, several statutory changes have been made over the past 10 years to clarify the child custody rights of parents.

Four significant modifications to K.S.A. 60-1610 were made between 1976 and 1986. In 1976, the law was amended to provide that "neither parent shall be considered to have a vested interest in the custody of any such child as against the other parent, regardless of the age of the child." In 1980, the same section was further amended to specifically state that "there shall be no presumption that it is in the best interest of an infant or young child to give custody to the mother." These two statutory changes were intended to give each parent an equal opportunity to be awarded custody of a minor child.

The third change in the law related to the types of custodial arrangements that a court could order following a divorce. In 1982, joint custody was defined as the preferred type of custodial arrangement. Joint custody means that both parents have equal rights to make decisions in the best interests of the child under their custody. If joint custody is not ordered, the court is required to explain its decision in the official record.

Finally, the 1986 Legislature clarified the law so that neither parent would be given preference in residency decisions made by courts, as well as custody decisions.

custody, the court may order that residency of the child be divided equally or on the basis of a primary residency with one parent. If the court does not order joint custody, the law requires the court's findings to be included in the case record.

**Sole custody** means that the court may place the custody of a child with one parent who will have the right to make decisions in the best interests of the child, subject to visitation rights of the noncustodial parent.

**Divided custody** means that the custody of two or more children is divided between the two parents. In effect, each parent is awarded sole custody of at least one child.

**Nonparental custody** means that temporary custody of the child is awarded to another person or agency, either because neither parent is fit to have custody or because the judge has cause to believe that the child has been abused or neglected. In making this order, the judge is to give primary consideration to awarding custody to a relative of the child.

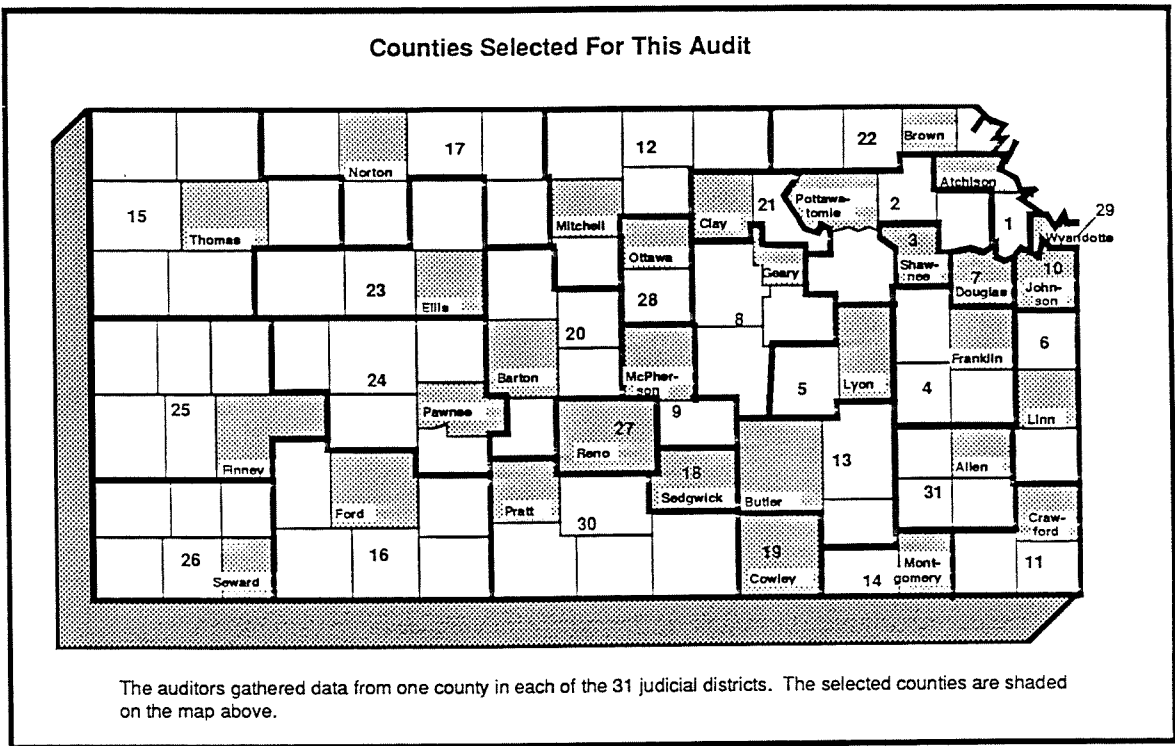
K.S.A. 60-1610, as amended in 1986, also requires the district court to consider any written agreement of the parents concerning custody or residency of their minor child. If the court's custody order is different from the

parents' written agreement, the court is required to state why the agreement is not in the best interests of the child.

### **In What Percentage of Divorce Cases Have the Courts Decided Child Custody in Favor of the Mother?**

To answer this question, the auditors selected one county from each of the State's 31 judicial districts. (These counties are shown on the map on the next page.) They randomly sampled a total of 1,000 divorce cases in the selected counties. This figure represents about seven percent of the 14,592 divorces granted in Kansas in fiscal year 1986.

The number of cases reviewed in each judicial district was based on that district's percentage of all divorces granted Statewide. For example, the 18th judicial district (Sedgwick County) had 21 percent of the divorces granted in fiscal year 1986, so 21 percent of the cases sampled came from that district. Appendix A



shows the number of cases sampled in each district, as well as the number of divorces granted in each county during fiscal year 1986.

In all, 420 of the 1,000 cases the auditors reviewed did not involve any minor children. The following table shows the breakdown of custody determinations in the 580 cases that involved child custody.

**Divorce Cases Involving Custody of Minor Children  
Fiscal Year 1986**

<u>Type of Custody</u>	<u>Number</u>	<u>Percentage</u>
Joint Custody--Equal Residency	31	5.4%
Joint Custody--Primary Residence with Mother	376	64.8
Joint Custody--Primary Residence with Father	<u>53</u>	<u>9.1</u>
<b>Subtotal--Joint Custody</b>	<b>460</b>	<b>79.3%</b>
Sole Custody to Mother	98	16.9
Sole Custody to Father	<u>9</u>	<u>1.6</u>
<b>Subtotal--Sole Custody</b>	<b>107</b>	<b>18.5%</b>
Divided Custody of Children	3	0.5
Other Custody Determinations	<u>10</u>	<u>1.7</u>
<b>Subtotal--Other</b>	<b>13</b>	<b>2.2%</b>
<b>Overall Total</b>	<b><u>580</u></b>	<b><u>100.0%</u></b>

## **Joint Custody Was Granted in Four Out of Every Five Divorce Cases Involving Minor Children**

As the table shows, joint custody was awarded in 460 of the 580 cases, or 79.3 percent. The law gives first preference to joint custody over the other options.

**In joint custody cases, primary residential custody was generally awarded to the mother.** Primary residential custody was given to the mother in 376 cases, and to the father in 53 cases. Thus, mothers got primary residency about seven times more often than fathers.

Joint custody orders varied greatly in the amount of detail provided in the orders, and in the degree of visitation granted to the parent who was not awarded primary residency. That variety is illustrated in the following quotes from district court orders made in individual cases:

- The father is granted reasonable rights of visitation.
- The non-residential parent shall have rights of reasonable and unlimited visitation upon giving prior notice to the residential parent.
- Reasonable rights of visitation shall include, at minimum, every other weekend, alternating holidays and two weeks every year. Christmas visitation shall be alternated, for the time periods beginning at 12 p.m. December 20 through 12 p.m. December 25, and 12 p.m. December 25 through 12 p.m. December 30.

**Nearly half the joint custody cases were decided in accordance with a written agreement of the parents.** The court determination followed the parents' written agreement in 215 of the 460 joint custody cases, or about 47 percent. In 244 cases, no written agreement had been filed. In only one case did the court decide to overrule a written agreement and award joint custody. That case is discussed in discussed in the box on page five.

### **Joint Custody With Equally Shared Residency: Some Examples**

In cases where a child's residency is divided equally between the parents, living arrangements are often complex. This category includes cases where a child's time is divided equally between parents, and cases where primary residency of two or more children is divided between the parents. Examples of court orders for equally divided residency are listed below:

- the children shall spend two nights each week and alternate weekends with each parent.
- physical custody of the child shall be alternated in 60-day increments.
- the father shall have residential custody of the two older children; the mother shall have custody of the three younger children.
- residence of the children shall alternate every six months.

### **Sole Custody Was Granted In 18.5 Percent Of the Cases Involving Minor Children**

Following joint custody, the law gives second preference to awarding sole custody of a child to one parent. Of the 580 cases in the sample, the court awarded sole custody in 107 cases, or 18.5 percent.

**When sole custody was awarded, custody nearly always went to the mother.** Sole custody was awarded to the mother in 98 out of 107 cases, and to the father in the other 9 cases. Thus, mothers were awarded sole custody about 11 times more often than fathers.

In most sole custody cases reviewed by the auditors, sole custody was awarded to one parent because of adverse factors identified in the other parent. These factors included alcohol or drug abuse, abuse of the spouse or child, failure to assume parental responsibilities, or psychological problems. In other cases, the court found both parents to be fit for custody, but sole custody was awarded because the parents could not agree on major issues relating to the child or because one parent resided in another state.

Sole custody was awarded in all cases where one parent was absent, either because of abandonment or incarceration. In several other cases, sole custody was awarded to one parent because of the spouse's failure to pay court-ordered child support prior to the divorce. The auditors also noted cases in which the courts conditioned the noncustodial parent's visitation rights on keeping up with child support payments.

About one-fourth of the sole custody cases were decided in accordance with a written agreement of the parties. Of the 107 sole custody cases, the court determination followed the parents' written agreement in 25 cases, or about 23 percent. No written agreement was on file in the other 82 cases. In cases where the father was awarded sole custody, written agreements were followed in four of the nine cases, or about 44 percent.

### **Other Forms of Child Custody Accounted for the Remaining Cases**

Joint custody and sole custody together accounted for 97.8 percent of the 580 divorce cases involving minor children. In the remaining 2.2 percent, or 13 cases, the district court made various other custody determinations. These 13 cases can be summarized as follows:

- 3 cases in which the court awarded divided custody. Each parent received sole custody of at least one child.
- 1 case in which the child's residence was with the mother's stepmother.
- 9 cases in which the court did not make a final determination of child custody. These included cases where the children resided outside of Kansas, and cases where abused or neglected children were under the jurisdiction of another court.

### **Courts Nearly Always Followed Parents' Written Agreements**

Current State law requires the district court to consider any written agreement of the parents concerning custody or residency of their minor children. If the court does not adhere to the parents' written agreement, the court's findings are to be recorded.

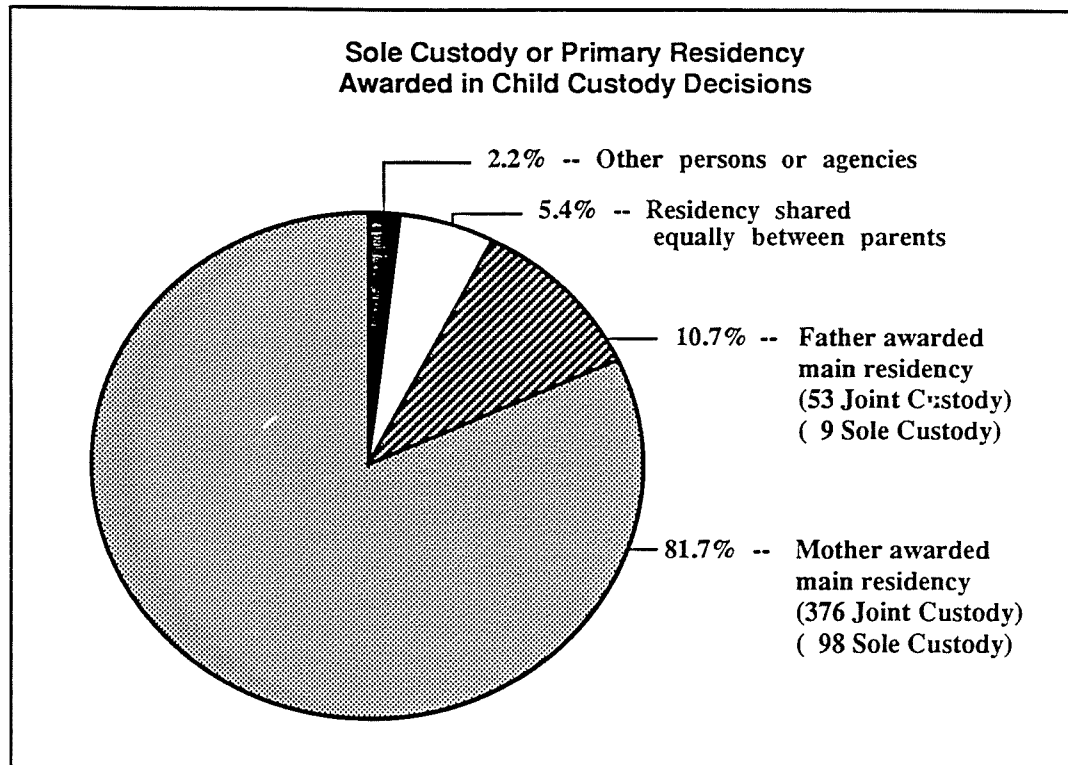
Of the 580 cases involving minor children, the auditors found written agreements in 244 cases, or 42 percent. Except for the two cases discussed below, all of the agreements were endorsed by the court. In these two instances, the documents reviewed by the auditors did not include the court's reasons for not following the parents' agreement. (In most cases, however, the court proceedings are not transcribed.)

In the first case, the parents' agreement stated that their 16-year-old son could reside with either parent. The place of the child's residence was contingent on the mutual consent of the parents. Instead of following the agreement, the court decreed that the parents would have joint custody with the child's primary residence to be with the mother.

In the second case, the parents' agreement called for joint custody with the mother to be the "supervisory parent" of their three children. Instead, the court decreed that the father would be the custodial parent for the 12-year-old son and the mother would be the custodial parent for the two daughters, ages five and seven.

## Mothers Were Awarded Either Sole Custody or Primary Residency in 81.7 Percent of the Cases

Using the data from the table on page three, the auditors combined the joint custody cases in which the mother got primary residency with the cases in which the mother got sole custody. In both situations, the child's main residency would be with the mother. The results of this analysis are shown in the pie chart below:



As the chart shows, mothers were awarded either sole custody or primary residency in 81.7 percent of the 580 cases in the sample. Fathers were awarded sole custody or primary residency in 10.7 percent of the cases sampled.

Based on this sample of fiscal year 1986 divorce cases, mothers were 7.6 times more likely than fathers to be awarded sole custody or primary residency of minor children. In those cases in which the parents had reached a written agreement, sole custody or primary residency was granted to the mother 6.4 times more often than to the father.

More detailed results of the auditors' sample cases are listed in Appendix B. For each of the 31 selected counties, Appendix B shows the percentage of cases in which sole custody or primary residency was awarded to mothers, to fathers, to both parents, or to others.



Appendix A

Divorces Granted in Fiscal Year 1986

For their fieldwork, the auditors selected a sample of cases from one county in each judicial district. The counties selected are shown in boldface type.

Judicial District	Counties in District	No. of Divorces Granted in FY 1986	No. of Cases in Auditors' Sample
1	Atchison	99	32
	Leavenworth	369	
	Total	468	
2	Jackson	49	14
	Jefferson	51	
	<b>Pottawatomie</b>	65	
	Wabaunsee	30	
	Total	195	
3	<b>Shawnee</b>	1,083	74
4	Anderson	46	19
	Coffey	58	
	<b>Franklin</b>	121	
	Osage	58	
	Total	283	
5	Chase	9	16
	<b>Lyon</b>	227	
	Total	236	
6	Bourbon	119	21
	<b>Linn</b>	46	
	Miami	141	
	Total	306	
7	<b>Douglas</b>	382	26
8	Dickinson	97	38
	<b>Geary</b>	388	
	Marion	47	
	Morris	23	
	Total	555	
9	Harvey	131	16
	<b>McPherson</b>	106	
	Total	237	
10	<b>Johnson</b>	1,574	108
11	Cherokee	126	33
	<b>Crawford</b>	214	
	Labette	137	
	Total	477	
12	Cloud	35	7
	Jewell	19	
	Lincoln	8	
	<b>Mitchell</b>	13	
	Republic	17	
	Washington	15	
	Total	107	

Judicial District	Counties in District	No. of Divorces Granted in FY 1986	No. of Cases in Auditors' Sample
13	Butler	195	17
	Elk	20	
	Greenwood	37	
	Total	252	
14	Chautauqua	21	21
	Montgomery	288	
	Total	309	
15	Cheyenne	9	8
	Logan	12	
	Rawlins	12	
	Sheridan	5	
	Sherman	38	
	Thomas	31	
	Wallace	4	
Total	111		
16	Clark	8	18
	Comanche	12	
	Ford	177	
	Gray	25	
	Kiowa	14	
	Meade	26	
	Total	262	
17	Decatur	18	9
	Graham	16	
	Norton	40	
	Osborne	15	
	Phillips	28	
	Smith	16	
Total	133		
18	Sedgwick	3,071	210
19	Cowley	261	18
20	Barton	225	27
	Ellsworth	37	
	Rice	61	
	Russell	37	
	Stafford	34	
	Total	394	
21	Clay	37	22
	Riley	287	
	Total	324	
22	Brown	58	10
	Doniphan	46	
	Marshall	29	
	Nemaha	15	
	Total	148	

Judicial District	Counties in District	No. of Divorces Granted in FY 1986	No. of Cases in Auditors' Sample
23	Ellis	153	13
	Gove	7	
	Rooks	20	
	Trego	14	
	Total	194	
24	Edwards	22	7
	Hodgeman	8	
	Lane	4	
	Ness	20	
	Pawnee	35	
	Rush	10	
Total	99		
25	Finney	203	19
	Greeley	8	
	Hamilton	13	
	Kearny	20	
	Scott	26	
	Wichita	12	
Total	282		
26	Grant	63	23
	Haskell	29	
	Morton	27	
	Stanton	17	
	Stevens	34	
	Seward	159	
Total	329		
27	Reno	416	29
28	Ottawa	34	27
	Saline	353	
	Total	387	
29	Wyandotte	1,150	79
30	Barber	45	20
	Harper	31	
	Kingman	51	
	Pratt	55	
	Sumner	113	
	Total	295	
31	Allen	83	19
	Neosho	111	
	Wilson	66	
	Woodson	12	
	Total	272	
Statewide Total		14,592	1,000

## Appendix B

### Summary of Cases Sampled in 31 Counties

The auditors gathered data from one county in each judicial district. This table shows the results of the testwork in the 31 selected counties. For this table, sole custody cases have been combined with joint custody cases in which primary residency was with one parent. Because of relatively small sample size in some districts, comparison of percentages between counties may not be meaningful.

Judicial District	County	Number of Cases in Auditors' Sample	Number of Cases with Minor Children	Sole Custody or Primary Residency			
				Mother	Father	Both Parents Equally	Others
1	Atchison	32	20	90.0%	10.0%	0.0%	0.0%
2	Pottawatomie	14	12	91.7	8.3	0.0	0.0
3	Shawnee	74	44	88.6	4.5	4.5	2.3
4	Franklin	19	9	55.6	22.2	22.2	0.0
5	Lyon	16	7	85.7%	14.3%	0.0%	0.0%
6	Linn	21	12	75.0	0.0	25.0	0.0
7	Douglas	26	16	68.8	12.5	12.5	6.3
8	Geary	38	23	82.2	13.0	0.0	4.3
9	McPherson	16	9	88.9%	0.0%	11.1%	0.0%
10	Johnson	108	55	80.0	10.9	7.3	1.8
11	Crawford	33	22	81.8	9.1	9.1	0.0
12	Mitchell	7	4	75.0	25.0	0.0	0.0
13	Butler	17	13	92.3%	7.7%	0.0%	0.0%
14	Montgomery	21	12	75.0	8.3	8.3	8.3
15	Thomas	8	7	100.0	0.0	0.0	0.0
16	Ford	18	9	66.7	11.1	11.1	11.1
17	Norton	9	7	71.4%	14.3%	14.3%	0.0%
18	Sedgwick	210	109	77.1	15.6	4.6	2.8
19	Cowley	18	8	75.0	12.5	0.0	12.5
20	Barton	27	20	90.0	5.0	5.0	0.0
21	Clay	21	14	92.9%	7.1%	0.0%	0.0%
22	Brown	10	9	77.8	22.2	0.0	0.0
23	Ellis	13	6	100.0	0.0	0.0	0.0
24	Pawnee	7	4	100.0	0.0	0.0	0.0
25	Finney	19	13	84.6%	15.4%	0.0%	0.0%
26	Seward	23	13	76.9	15.4	7.7	0.0
27	Reno	30	18	88.9	5.6	5.6	0.0
28	Ottawa	27	15	86.7	13.3	0.0	0.0
29	Wyandotte	79	45	75.6%	13.3%	6.7%	4.4%
30	Pratt	20	14	92.9	0.0	0.0	7.1
31	Allen	19	11	81.8	9.1	9.1	0.0
	<b>Total</b>	<b>1,000</b>	<b>580</b>	<b>81.7%</b>	<b>10.7%</b>	<b>5.4%</b>	<b>2.2%</b>

## APPENDIX C

A copy of the draft audit report was sent to the Judicial Administrator's Office on December 18, 1986. The Administrator's response is included in this Appendix.



# Supreme Court of Kansas

Kansas Judicial Center

301 W. 10th

Topeka, Kansas 66612

HOWARD SCHWARTZ  
Judicial Administrator

(913) 296-4873

January 6, 1987

Meredith Williams  
Legislative Post Auditor  
Legislative Division of Post Audit  
109 West 9th, Suite 301  
Mills Building  
Topeka, Kansas 66612-1285

Dear Mr. Williams:

Thank you for your report on child custody determinations. I read it with great interest and do not feel I need to comment on the draft.

However, the performance audit has drawn my attention to a matter which I believe is worthy of legislative scrutiny. Kansas, unlike other states, does not have a statute which specifically allows sealing of court records in divorce or dissolution actions. These records include financial statements of the parties, and may include social and medical assessments, allegations of fault and other matters which the parties of the action would not care to have known. While exceptions to the Open Record Act provide some protection, the best protection would be for the legislature to provide for closing these records.

Sincerely,

A handwritten signature in cursive script that reads "Howard Schwartz".

Howard Schwartz  
Judicial Administrator

HS:myb

CHILD EXPENDITURE ESTIMATES  
FOR CHILD SUPPORT GUIDELINES

by

William T. Terrell

December 1986

\*The author is Associate Professor Economics, Wichita State University, Wichita Kansas. Special recognition is due Mr. David Poynter, Research Associate, Center for Economic Development and Business Research, for computer service, table formats and graphs. However, the author bears sole responsibility for any errors contained herein. This draft is being circulated for the express purpose of reader comment. It should not be quoted without the author's permission.

## Introduction

This paper contains empirical estimates of parental money income allocations in intact families due to the presence of children. Tabular presentation of the estimates (Appendix I) covers a wide range of incomes, numbers of children from one to six, and three age groups for children. This format makes the tables suitable for use as a basic schedule attaching to the more comprehensive child support guidelines. Theoretical and statistical considerations underlying the present work are a special case of a general family support framework (Appendix II). While the latter provides numerous policy-related options, the one selected here derives from the prevailing status of law and the absence of specific survey data on the financial aspects of child rearing. The former suggests that child support proper should be considered separately from spousal support, i.e., estimates for the custodial family would not be useful. Legal practice also isolates the money income flow in connection with child support. Other measures of economic well-being are ignored, namely, earnings supplements, unpaid services to children, and all forms of wealth. Data limitations, together with the basic concern for shares of income, mean that the estimation method can deal exclusively with families containing a given number of children (the "average" approach), as opposed to considering some increment between those families and others with one more child (the "marginal" approach).

There are several other objectives of this paper which, taken collectively, account for some uniqueness. The statistical method (Appendix II) can be duplicated so as to yield exactly the same results. This is not only important for understanding. It also permits users to modify the basic model in accord with regional patterns of taxation and family economic behavior. The estimates are computed from recent data



(1982 or later), thus reflecting the current structure of families and family incomes. Moreover, the four data series used here are published on an annual basis. This permits future recomputation of the estimates using the same sources as in the initial start-up phase. Considering the likely underfunding of state guideline commissions, the procedure below requires only a very modest investment in statistical and computer expertise. This reveals another characteristic. The estimates are directly connected to the data base, without relying upon intermediate findings by other authors. Hence, state commissions can generate and update the estimates on their own responsibility and volition. This study partially rests on after-tax income data by size of household. To my knowledge, other approaches do not make extensive use of this source, relying instead upon surveys of consumer spending. Finally, the estimates do not forestall political and normative prerogatives of policy formulation. These enter into the manner whereby the estimates (used as a guideline schedule) are converted into concrete child support payments.

The presentation consists of a text and two appendixes. The text provides a nontechnical explanation via a step-by-step arrangement of its component sections. These begin with a preliminary note on equal family shares of after-tax income and spending. The last sections compare the resulting estimates with those of Espenshade (1984) and offer a brief conclusion. Appendix I is written in the form of a child-support guideline schedule. While the schedule can stand alone, it must be kept in mind that it deals only with combined parental allocations in intact families. The schedule per se addresses neither the basic division of responsibility among divorced parents nor the attending questions of health insurance, life insurance, child care, medical care and income imputation. These are policy issues. Technical

detail appears in Appendix II. This shows extension of the basic equal share approach (Sawhill, 1983), estimation of regression equations, and the final source equations for computing the Appendix I schedule. Appendix II has two major purposes. First, the general equal share framework provides several options as to the target estimates, e.g., income support for the custodial fragment, income support for the absent parent, equalized living standards between these two fragments, or, given adequate data, the allocations to parent and children in single-parent families. Second, Appendix II serves as a set of instructions for either duplicating the results or modifying them for, say, no age distinctions or, providing more than three age groups.

#### Preliminary Considerations

Several foundation points require prior explanation. The objective is parental income allocations in intact families due to the presence of children. No survey to date has sought either income flows to parents or transfers of that income to children, on behalf of children, or, due to children. Rather, surveys of family income or family consumption spending construct a boundary around the family and inquire about the financial flows crossing that boundary. But the objective here requires that the hypothetical boundary be drawn around the married spouses. Then, inflows would exclude the incomes of children, and outflows could at least be divided between direct transfers to or on behalf of children and other allocations. The indirect allocations on behalf of joint family welfare would continue to be problematic, but some inroads could be made by a well-designed survey. The point is that the target estimates in this study reflect a mental boundary around the parents. This means that the estimates are broader than those relying exclusively on family spending

surveys. It also explains why the after-tax (disposable) income data are incorporated. From here on the result is referenced by child expenditure estimates, with the meaning ascribed in this paragraph, viz., parental transfers (whether saved or spent).

Subsequent development requires statistical estimation of two equal share (ES) models for each number of children. One is an equal share family expenditure model (ESFEM) and the other is an equal share after-tax income model (ESATIM). The respective equal shares are defined as a percentage of gross (before tax) combined parental income divided by family size. Let SE = the equal share of family expenditure, I = gross monthly parental income, FE = monthly family expenditure, and FS = intact family size (number of persons). The equal share of expenditure (SE) is calculated as follows.

$$SE = \frac{FE \cdot 100}{I \cdot FS} \quad (1)$$

For example, if a 4-person family spends \$1600 of a \$2000 gross monthly income the percentage of income consumed is 80. The equal share (SE) is 80 divided by 4 equals 20. Thus, the equal share is 20 per cent of gross income per family member. Similarly, an equal share of after-tax income (SI) in terms of monthly after-tax family income (ATI) can be defined:

$$SI = \frac{ATI \cdot 100}{I \cdot FS} \quad (2)$$

For example, assume that the 4-person family above retains \$1800 after taxes. Their after-tax income is 90 per cent of gross income. This percentage divided by family size (4) is the equal share (SI) of 22.5 per cent.

In summary, the equal share measures (SE and SI) are per capita percentages of gross parental income. The base is gross income, but the numerator is only a portion of gross income. Thus, if an equal share is multiplied by family size to obtain a total (as opposed to per capita) family percentage, the result does not exceed 100 per cent. The primary role of equal shares is that of a benchmark. To the extent that per child allocations are less than an equal share, per person allocations to parents are greater than an equal share. Or, summing the per child shares over the number of children provides a total share to children. In turn, the children's total share is multiplied by gross income in order to compute the expenditure estimates in dollars. In this study per child shares are multiplied by income in order to estimate per child expenditures.

In the absence of child expenditure survey data it is not appropriate to assume that parents forgo an equal share on behalf of their children. Ultimate support awards based on such child expenditure estimates would tend to provide a windfall to custodial families and to be unduly harsh on absent parents. In order to balance these opposing interests, it is assumed that the unit share allocation to the most expensive child age group (16-17 years) is less than an equal share of after-tax income (SI). It turns out that meeting this criterion also places this age group below an equal share of family spending (SE) for all but very high income families. Note that this assumption means that younger (and less expensive) children will be allocated considerably less than an equal share.

Subsequent procedure involves two considerations. First, given a particular family size, equal shares decline as gross income increases. The after-tax income equal share (SI) diminishes due to progressive income taxation, and the expenditure equal share (SE) is reduced by an increasing

propensity to save (i.e., not spend) as income increases. These are the main features of cross-section family data. Hence, one must estimate the functional relationship between equal shares ( $\underline{SE}$  and  $\underline{SI}$ ) and gross family income ( $\underline{I}$ ) for each family size. Second, these two relationships or functions are combined into a single equation that applies to children aged 16-17 years. There is a different equation for different numbers of children, and each equation determines the per capita or unit child share as a function of gross monthly income.

### Equal Expenditure Shares (ESFEM)

The equal share family expenditure model (ESFEM) estimates the declining values of  $\underline{SE}$  as depending on combined parental monthly income ( $\underline{I}$ ). Necessary data are obtained from the Interview portion of the 1982-83 Consumer Expenditure Survey (Bureau of Labor Statistics). The relevant equal share is computed from the Survey measures of consumption and before-tax income (see Appendix II, Table 1). These data are greatly improved over their 1972-73 counterparts and recent Surveys are conducted on an on-going annual basis. Nevertheless, the Interview definition of consumption omits reductions in home mortgage principal and the more frequent purchases that are included in the Diary Survey. Neither of these measures were available by family size and income class when this project began. It is likely that Diary expenditures will never be compiled in this form. For purposes here, these omissions are not thought to be of substantial consequence. However, it might be recalled that the expenditure measure is conservative.

The  $\underline{SE}$  percentage and monthly income ( $\underline{I}$ ) are calculated directly from survey data for seven income classes and family sizes ( $\underline{FS}$ ) ranging from three to six. Comparable data for seven and eight family members are

estimated from those pertaining to six-member families. Since the number of children is family size minus two ( $FS-2$ ), remaining analysis is conducted in terms of the number of children from one to six. The lowest income class is excluded from the statistical procedure because it shows either negative equal shares or values that are inordinately upward biased (cf. Appendix II, Table 1). For each number of children there are  $n = 6$  useful data pairs ( $I$ ;  $SE$ ). Equations that express  $SE$  as a function of  $I$  take the following form:

$$SE = a(I)^b \quad (3)$$

The technique of estimating values of the coefficients  $a$  and  $b$  is beyond the scope of this text (see Appendix II, Table 3). It may be remarked that  $a$  is positive and  $b$  is a negative fraction. The latter accounts for declining values of  $SE$  as  $I$  increases. Moreover, the coefficients are relatively insensitive to the use of fewer than  $n = 6$  data pairs. The same mathematical form (power function) characterizes the 1972-73 Survey data as well as the after-tax income equal share ( $SI$ ) yet to be examined. Equation (3) generates  $ESFEM$  values of  $SE$  for corresponding values of  $I$ . Numerical values from equation (3) are presented in text Table 1 under the  $ESFEM$  column for each number of children. Using the same acronym, the graphs of equation (3) appear in Figure 1. Further discussion is postponed until the other two share models have been developed.

#### Equal After-Tax Income Shares (ESATIM)

Perhaps an even more appropriate data source for the allocation question is one that deals with household purchasing power. The equal share of after-tax income model ( $ESATIM$ ) estimates the relationship between  $SI$  and  $I$  using 1983 After-Tax Money Income Estimates (Census Bureau, 1985).

The following estimated taxes are deducted from gross money income in deriving after-tax money income: Federal individual income taxes, State individual income taxes, Social Security and Federal retirement payroll taxes, and property taxes on owner-occupied housing. As in the Consumer Expenditure Survey, the After-Tax income series is available on an annual basis and reflects the problem of income underreporting. Unlike the expenditure data, the after-tax income measures are not subject to the vagaries of inadequate spending records, credit buying, and dissaving. Moreover, there are 21 gross income classes (instead of 7) from which to calculate  $\underline{SI}$  and  $\underline{I}$ . However, the lowest income class (0 - \$2500 annually) is not useful for statistical purposes due to negative values of  $\underline{SI}$ . This leaves  $n = 20$  pairs ( $\underline{SI}$ ,  $\underline{I}$ ) available for family sizes ( $\underline{FS}$ ) of three, four and five persons. Due to the small number of six-person households, two more income classes are omitted, leaving  $n = 18$  data pairs for this family size. As before, six-person families are used to estimate equal shares ( $\underline{SI}$ ) for seven and eight member-families.

$\underline{ESATIM}$  equations for numbers of children from one to six have the same form as noted previously, namely:

$$\underline{SI} = a(\underline{I})^b \quad (4)$$

Formal statistical results appear elsewhere (Appendix II, Table 3). The coefficient  $a$  is a positive number and  $b$  is a negative fraction. However, the  $b$  in equations (4) are closer to zero than those in equations (3). Thus, the rate of decline in  $\underline{SI}$  is less than it is for  $\underline{SE}$  as monthly income ( $\underline{I}$ ) increases. Equation (4) values of the equal share  $\underline{SI}$  are shown opposite their corresponding monthly incomes ( $\underline{I}$ ) in the  $\underline{ESATIM}$  column of Table 1. The data are graphed in Figure 1 using the  $\underline{ESATIM}$  label.

Figure 1 provides comparison of the equal share models and an entry towards estimating a less than equal share for 16-17 year old children. First, the equal expenditure share (ESFEM) declines more rapidly than the after-tax income share (ESATIM) as income increases. Child expenditure estimates relying exclusively upon expenditure survey data are apt to reflect a similar decline in the per child income percentages. Second, the separate panels in Figure 1 show that up to monthly incomes in the range of \$2500 to \$3500 the expenditure equal share (ESFEM) exceeds that for after-tax incomes (ESATIM). Although attributable to some features of the Consumer Expenditure Survey, this range of ESFEM cannot be used as a basis for child support awards. Expenditures in excess of disposable income are not economically feasible. Thus, the guiding assumption introduced above turns into a feasibility condition: The income share applying to 16-17 year old children must be below the ESATIM line in the Figure 1 panels. This brings us to the notion of a feasible (equal) share.

#### Feasible Shares for 16-17 Year Olds (FESPAM)

Feasible equal shares (S) are assumed to be dependent on monthly income (I) in the same way as as the two equal shares in equations (3) and (4). However, new values for the coefficients a and b will be derived from the two prior equal share models and other considerations. There are no survey data from which to estimate a feasible income share for the target age group. In determining the exponent b it is desirable to preserve some characteristics of ESFEM and ESATIM. Per child expenditure shares of income do not diminish as rapidly as ESFEM indicates because children are more likely to benefit from both undetected spending and saving (transfers to children) as income increases. On the other hand, the decline is not so gentle as ESATIM suggests because parent's shares are likely to increase with



income. Since the relative importance of those opposing tendencies cannot be determined empirically, the  $b$  values from ESFEM and ESATIM are equally weighted in computing an average value. This average is the feasible coefficient  $b'$ .

The other coefficient ( $a'$ ) requires use of the 1986 poverty income guidelines (Appendix II, Table 2). Data for the lowest income classes were excluded from ESFEM and ESATIM estimations due to certain anomalies. As a result, the information content of these models for poverty families is zero. Poverty guidelines establish a lower income cutoff for child expenditure estimates. They also provide a critical income level for determining  $a'$  values that meet the feasibility condition. If  $P$  is the poverty income, then the feasible share ( $S$ ) at this income ( $I = P$ ) must be less than the corresponding equal share of after-tax income ( $S_I$ ). To assure this outcome one first determines  $S_I$  at 1.25 times the poverty income, and then searches for an  $a'$  value that yields the same result at the poverty level ( $P$ ) for known values of  $b'$ . For example, the poverty income for a three-person family is \$800 monthly. Thus,  $1.25P = \$1000$ . The value of  $S_I$  in Table 1 for \$1000 income is 29.71 per cent. Now, with  $P = \$800$  and the average  $b'$  from above, solve for an  $a'$  that yields a feasible share ( $S$ ) equal to 29.71 per cent. (See Appendix II, Table 3.)

These coefficients ( $a'$ ,  $b'$ ) comprise the feasible (equal) share poverty adjusted model (FESPAM). For every family size (number of children) FESPAM establishes the share ( $S$ ) per child aged 16-17 years as a function of income ( $I$ ). The form of the relationship is the same one that characterizes ESFEM and ESATIM.

$$S = a' (I)^{b'} \quad (5)$$

Values of  $S$  from equation (5) are shown in the FESPAM columns of Table 1

for incomes equal to or greater than the poverty levels. Table entries for incomes below the poverty level merely repeat the poverty income values of (\$). Recalling the one-child (three-person) example, the FESPAM value (\$) at the poverty level (\$800) is 29.71 per cent. The latter, when multiplied by income (\$800), determines the per child expenditure estimate for 16-17 year olds, namely, \$238 per month (Appendix I).

### Foundation Review

Development to this point comprises a springboard from which the ultimate expenditure estimates are computed. A retrospective review and summary of findings helps to elucidate this foundation. Due to the lack of surveys dealing with parental income transfers to children, equal shares (per family member) were empirically determined for both expenditure and after-tax incomes. The equal shares decline as income increases, and the nature of this relationship is a continuous one (ESFEM, ESAIM). Shares for late teenage children were derived from the two equal share models with consideration given to feasibility and poverty incomes (FESPAM). These shares are less than either of the equal share measures, thus recognizing more than an equal share for parents. Some judgement is necessary in combining the equal share models (arithmetic average) and in using the poverty income guidelines (1.25 P). However, the estimated shares are relatively insensitive to judgements that differ slightly from those employed above. The shares for 16-17 year old children can be used to generate expenditure estimates per child for any age group, but the estimates for younger children will be less than those for older children.

The three share models are represented numerically (Table 1) and graphically (Figure 1). Separate panels in Figure 1 are especially useful in gaining a comprehensive review of findings. Given the number of children

**SHARE MODEL RESULTS: ESFEM, ESATIM & FESPAM**  
(Per Cent of Income Per Person)

Monthly Income Before Taxes	1-Child			2-Children		
	ESFEM	ESATIM	FESPAM	ESFEM	ESATIM	FESPAM
200	70.92	35.93	29.71	56.52	26.98	21.92
300	60.69	34.25	29.71	48.19	25.73	21.92
400	54.33	33.10	29.71	43.03	24.88	21.92
500	49.87	32.24	29.71	39.42	24.25	21.92
550	48.08	31.88	29.71	37.97	23.98	21.92
600	46.49	31.55	29.71	36.69	23.74	21.92
650	45.09	31.26	29.71	35.55	23.52	21.92
700	43.82	30.99	29.71	34.53	23.31	21.92
750	42.67	30.73	29.71	33.61	23.13	21.92
800	41.63	30.50	29.71	32.76	22.96	21.92
850	40.67	30.28	29.26	31.99	22.79	21.92
900	39.79	30.08	28.84	31.28	22.64	21.92
950	38.97	29.89	28.45	30.62	22.50	21.92
1000	38.21	29.71	28.09	30.01	22.37	21.64
1050	37.50	29.54	27.75	29.44	22.24	21.37
1100	36.83	29.37	27.42	28.91	22.12	21.12
1150	36.21	29.22	27.12	28.41	22.01	20.88
1200	35.62	29.07	26.83	27.93	21.90	20.66
1250	35.07	28.93	26.56	27.49	21.79	20.44
1300	34.54	28.80	26.30	27.07	21.69	20.24
1350	34.05	28.67	26.05	26.67	21.60	20.05
1400	33.57	28.55	25.81	26.29	21.51	19.86
1450	33.12	28.43	25.58	25.93	21.42	19.68
1500	32.70	28.32	25.37	25.59	21.34	19.51
1550	32.29	28.21	25.16	25.26	21.25	19.35
1600	31.89	28.10	24.96	24.95	21.18	19.20
1650	31.52	28.00	24.77	24.65	21.10	19.05
1700	31.16	27.90	24.58	24.36	21.03	18.90
1750	30.81	27.81	24.40	24.08	20.96	18.76
1800	30.48	27.71	24.23	23.82	20.89	18.63
1850	30.16	27.62	24.07	23.56	20.82	18.50
1900	29.86	27.54	23.90	23.32	20.76	18.37
1950	29.56	27.45	23.75	23.08	20.69	18.25
2000	29.27	27.37	23.60	22.85	20.63	18.13
2100	28.73	27.21	23.31	22.42	20.52	17.91
2200	28.22	27.06	23.04	22.01	20.41	17.70
2300	27.74	26.92	22.78	21.63	20.30	17.50
2400	27.29	26.79	22.54	21.27	20.20	17.31
2500	26.87	26.66	22.31	20.93	20.10	17.13
2600	26.47	26.54	22.09	20.61	20.01	16.96
2700	26.08	26.42	21.88	20.31	19.92	16.80
2800	25.72	26.30	21.69	20.02	19.84	16.64
2900	25.38	26.20	21.50	19.74	19.76	16.50
3000	25.05	26.09	21.31	19.48	19.68	16.35
3100	24.74	25.99	21.14	19.23	19.61	16.22
3200	24.44	25.89	20.97	18.99	19.53	16.09
3300	24.15	25.80	20.81	18.76	19.46	15.96
3400	23.87	25.71	20.65	18.55	19.40	15.84
3500	23.61	25.62	20.50	18.34	19.33	15.72
3600	23.35	25.53	20.36	18.13	19.27	15.61
3700	23.11	25.45	20.22	17.94	19.21	15.50
3800	22.87	25.37	20.08	17.75	19.15	15.40
3900	22.65	25.29	19.95	17.57	19.09	15.30
4000	22.43	25.22	19.83	17.40	19.03	15.20
4250	21.91	25.04	19.53	16.99	18.90	14.96
4500	21.44	24.87	19.25	16.61	18.77	14.75
4750	20.99	24.71	18.99	16.24	18.64	14.55
5000	20.55	24.56	18.75	15.94	18.55	14.36
5250	20.20	24.42	18.52	15.63	18.44	14.18
5500	19.84	24.29	18.30	15.35	18.34	14.01
5750	19.51	24.16	18.10	15.08	18.25	13.86
6000	19.19	24.04	17.91	14.83	18.16	13.71
6250	18.89	23.92	17.72	14.60	18.07	13.56
6500	18.61	23.81	17.55	14.37	17.99	13.43
6750	18.34	23.71	17.39	14.16	17.91	13.30
7000	18.09	23.61	17.23	13.96	17.83	13.18
7250	17.85	23.51	17.08	13.77	17.76	13.06
7500	17.61	23.41	16.93	13.59	17.69	12.95
7750	17.39	23.32	16.79	13.41	17.62	12.84
8000	17.18	23.24	16.66	13.25	17.56	12.74
8250	16.98	23.15	16.53	13.09	17.49	12.64
8500	16.79	23.07	16.41	12.93	17.43	12.54

**SHARE MODEL RESULTS: ESFEM, ESATIM & FESPAM  
(Per Cent of Income Per Person)**

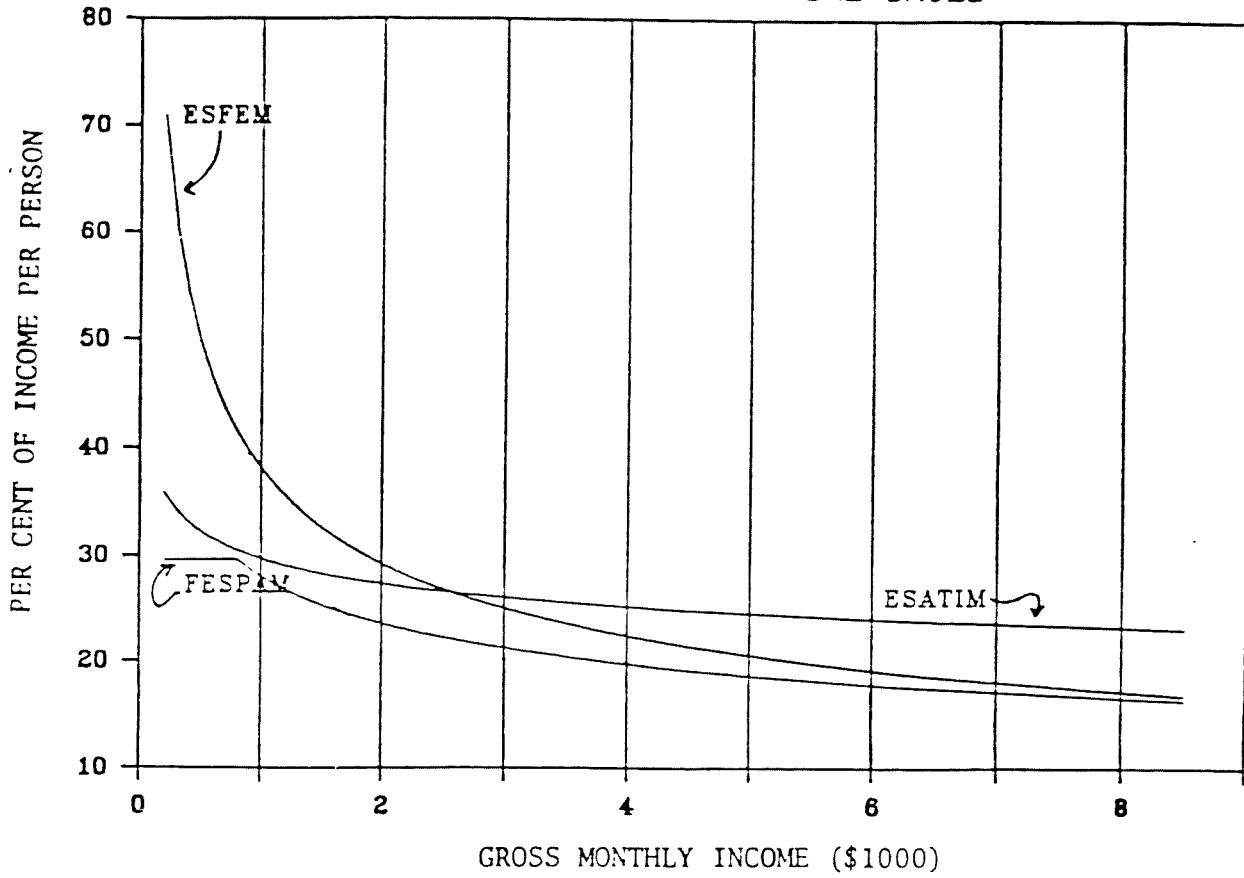
Monthly Income Before Taxes	3-Children			4-Children		
	ESFEM	ESATIM	FESPAM	ESFEM	ESATIM	FESPAM
200	40.26	21.37	17.37	38.90	18.68	14.66
300	35.23	20.45	17.37	33.16	17.81	14.66
400	32.04	19.83	17.37	29.61	17.22	14.66
500	29.77	19.36	17.37	27.12	16.77	14.66
550	28.85	19.16	17.37	26.13	16.58	14.66
600	28.04	18.99	17.37	25.25	16.41	14.66
650	27.31	18.82	17.37	24.46	16.26	14.66
700	26.65	18.67	17.37	23.76	16.12	14.66
750	26.05	18.54	17.37	23.12	15.99	14.66
800	25.50	18.41	17.37	22.54	15.87	14.66
850	25.00	18.29	17.37	22.01	15.75	14.66
900	24.53	18.18	17.37	21.52	15.65	14.66
950	24.10	18.07	17.37	21.07	15.55	14.66
1000	23.70	17.97	17.37	20.65	15.46	14.66
1050	23.32	17.88	17.37	20.26	15.37	14.66
1100	22.96	17.79	17.37	19.89	15.28	14.66
1150	22.63	17.70	17.20	19.54	15.20	14.66
1200	22.32	17.62	17.04	19.22	15.13	14.66
1250	22.02	17.55	16.89	18.91	15.05	14.66
1300	21.73	17.47	16.74	18.62	14.98	14.52
1350	21.47	17.40	16.61	18.35	14.92	14.38
1400	21.21	17.33	16.48	18.09	14.85	14.24
1450	20.97	17.27	16.35	17.84	14.79	14.12
1500	20.73	17.20	16.23	17.60	14.73	14.00
1550	20.51	17.14	16.11	17.38	14.68	13.88
1600	20.30	17.09	16.00	17.16	14.62	13.77
1650	20.09	17.03	15.89	16.96	14.57	13.66
1700	19.90	16.97	15.79	16.76	14.52	13.55
1750	19.71	16.92	15.69	16.57	14.47	13.45
1800	19.53	16.87	15.60	16.39	14.42	13.36
1850	19.35	16.82	15.50	16.21	14.37	13.26
1900	19.18	16.77	15.41	16.04	14.33	13.17
1950	19.02	16.73	15.32	15.88	14.28	13.09
2000	18.86	16.68	15.24	15.72	14.24	13.00
2100	18.56	16.59	15.08	15.42	14.16	12.84
2200	18.28	16.51	14.93	15.14	14.08	12.69
2300	18.01	16.43	14.78	14.88	14.01	12.55
2400	17.76	16.36	14.65	14.63	13.94	12.41
2500	17.52	16.29	14.52	14.40	13.87	12.28
2600	17.30	16.22	14.39	14.18	13.81	12.16
2700	17.08	16.15	14.27	13.97	13.75	12.04
2800	16.88	16.09	14.16	13.77	13.69	11.93
2900	16.69	16.03	14.05	13.58	13.63	11.82
3000	16.50	15.97	13.95	13.40	13.58	11.72
3100	16.32	15.91	13.85	13.23	13.53	11.62
3200	16.15	15.86	13.75	13.07	13.47	11.53
3300	15.99	15.81	13.66	12.91	13.43	11.44
3400	15.84	15.76	13.57	12.76	13.38	11.35
3500	15.69	15.71	13.49	12.61	13.33	11.27
3600	15.54	15.66	13.40	12.47	13.28	11.19
3700	15.40	15.61	13.32	12.34	13.25	11.11
3800	15.27	15.57	13.25	12.21	13.20	11.03
3900	15.14	15.53	13.17	12.09	13.16	10.96
4000	15.01	15.48	13.10	11.97	13.12	10.89
4250	14.71	15.38	12.93	11.69	13.03	10.72
4500	14.44	15.29	12.77	11.43	12.94	10.57
4750	14.18	15.20	12.62	11.18	12.85	10.42
5000	13.95	15.12	12.48	10.96	12.78	10.29
5250	13.72	15.04	12.34	10.75	12.71	10.16
5500	13.52	14.96	12.22	10.55	12.64	10.04
5750	13.32	14.89	12.10	10.37	12.57	9.93
6000	13.13	14.82	11.99	10.20	12.51	9.82
6250	12.96	14.76	11.88	10.04	12.45	9.72
6500	12.79	14.70	11.78	9.89	12.39	9.62
6750	12.63	14.64	11.68	9.74	12.34	9.53
7000	12.48	14.58	11.59	9.60	12.29	9.44
7250	12.34	14.52	11.50	9.47	12.24	9.35
7500	12.20	14.47	11.42	9.34	12.19	9.27
7750	12.07	14.42	11.34	9.22	12.14	9.20
8000	11.95	14.37	11.26	9.11	12.09	9.12
8250	11.83	14.32	11.18	9.00	12.05	9.05
8500	11.71	14.28	11.11	8.90	12.01	8.98

**SHARE MODEL RESULTS: ESFEM, ESATIM & FESPAM**  
(Per Cent of Income Per Person)

Monthly Income Before Taxes	5-Children			6-Children		
	ESFEM	ESATIM	FESPAM	ESFEM	ESATIM	FESPAM
200	33.33	16.02	12.40	29.17	14.01	10.72
300	28.42	15.27	12.40	24.87	13.36	10.72
400	25.38	14.76	12.40	22.21	12.91	10.72
500	23.25	14.38	12.40	20.34	12.58	10.72
550	22.39	14.21	12.40	19.59	12.44	10.72
600	21.64	14.07	12.40	18.93	12.31	10.72
650	20.97	13.94	12.40	18.35	12.20	10.72
700	20.37	13.82	12.40	17.82	12.09	10.72
750	19.82	13.70	12.40	17.34	11.99	10.72
800	19.32	13.60	12.40	16.91	11.90	10.72
850	18.87	13.50	12.40	16.51	11.82	10.72
900	18.45	13.41	12.40	16.14	11.74	10.72
950	18.06	13.33	12.40	15.80	11.66	10.72
1000	17.70	13.25	12.40	15.49	11.59	10.72
1050	17.36	13.17	12.40	15.19	11.52	10.72
1100	17.05	13.10	12.40	14.92	11.46	10.72
1150	16.75	13.03	12.40	14.66	11.40	10.72
1200	16.48	12.97	12.40	14.42	11.34	10.72
1250	16.21	12.90	12.40	14.19	11.29	10.72
1300	15.96	12.84	12.40	13.97	11.24	10.72
1350	15.73	12.79	12.40	13.76	11.19	10.72
1400	15.51	12.73	12.40	13.57	11.14	10.72
1450	15.29	12.68	12.29	13.38	11.09	10.72
1500	15.09	12.63	12.18	13.20	11.05	10.72
1550	14.90	12.58	12.08	13.04	11.01	10.72
1600	14.71	12.53	11.99	12.87	10.97	10.64
1650	14.54	12.49	11.89	12.72	10.93	10.55
1700	14.37	12.44	11.80	12.57	10.89	10.47
1750	14.20	12.40	11.71	12.43	10.85	10.39
1800	14.05	12.36	11.63	12.29	10.82	10.32
1850	13.90	12.32	11.55	12.16	10.78	10.25
1900	13.75	12.28	11.47	12.03	10.75	10.18
1950	13.61	12.24	11.39	11.91	10.71	10.11
2000	13.48	12.21	11.32	11.79	10.68	10.05
2100	13.22	12.14	11.18	11.57	10.62	9.92
2200	12.98	12.07	11.05	11.36	10.56	9.80
2300	12.76	12.01	10.92	11.16	10.51	9.69
2400	12.54	11.95	10.81	10.98	10.45	9.59
2500	12.34	11.89	10.69	10.80	10.40	9.49
2600	12.16	11.84	10.59	10.64	10.36	9.39
2700	11.98	11.78	10.48	10.48	10.31	9.30
2800	11.81	11.73	10.39	10.33	10.27	9.22
2900	11.64	11.68	10.30	10.19	10.22	9.14
3000	11.49	11.64	10.21	10.05	10.18	9.06
3100	11.34	11.59	10.12	9.93	10.14	8.98
3200	11.20	11.55	10.04	9.80	10.11	8.91
3300	11.07	11.51	9.96	9.68	10.07	8.84
3400	10.94	11.47	9.88	9.57	10.03	8.77
3500	10.81	11.43	9.81	9.46	10.00	8.71
3600	10.70	11.39	9.74	9.36	9.97	8.64
3700	10.58	11.35	9.67	9.26	9.93	8.58
3800	10.47	11.32	9.61	9.16	9.90	8.53
3900	10.36	11.28	9.54	9.07	9.87	8.47
4000	10.26	11.25	9.48	8.98	9.84	8.41
4250	10.02	11.17	9.34	8.77	9.77	8.29
4500	9.80	11.09	9.20	8.57	9.71	8.16
4750	9.59	11.02	9.08	8.39	9.65	8.05
5000	9.40	10.96	8.96	8.22	9.59	7.95
5250	9.22	10.89	8.85	8.07	9.53	7.85
5500	9.05	10.84	8.74	7.92	9.48	7.76
5750	8.90	10.78	8.64	7.78	9.43	7.67
6000	8.75	10.72	8.55	7.65	9.38	7.59
6250	8.61	10.67	8.46	7.53	9.34	7.51
6500	8.48	10.62	8.38	7.42	9.30	7.43
6750	8.35	10.58	8.30	7.31	9.25	7.36
7000	8.23	10.53	8.22	7.20	9.21	7.29
7250	8.12	10.49	8.15	7.11	9.18	7.23
7500	8.01	10.45	8.08	7.01	9.14	7.17
7750	7.91	10.41	8.01	6.92	9.11	7.11
8000	7.81	10.37	7.94	6.84	9.07	7.05
8250	7.72	10.33	7.88	6.75	9.04	6.99
8500	7.63	10.29	7.82	6.67	9.01	6.94

FIGURE 1

### SHARE EQUATIONS FOR ONE CHILD



### SHARE EQUATIONS FOR TWO CHILDREN

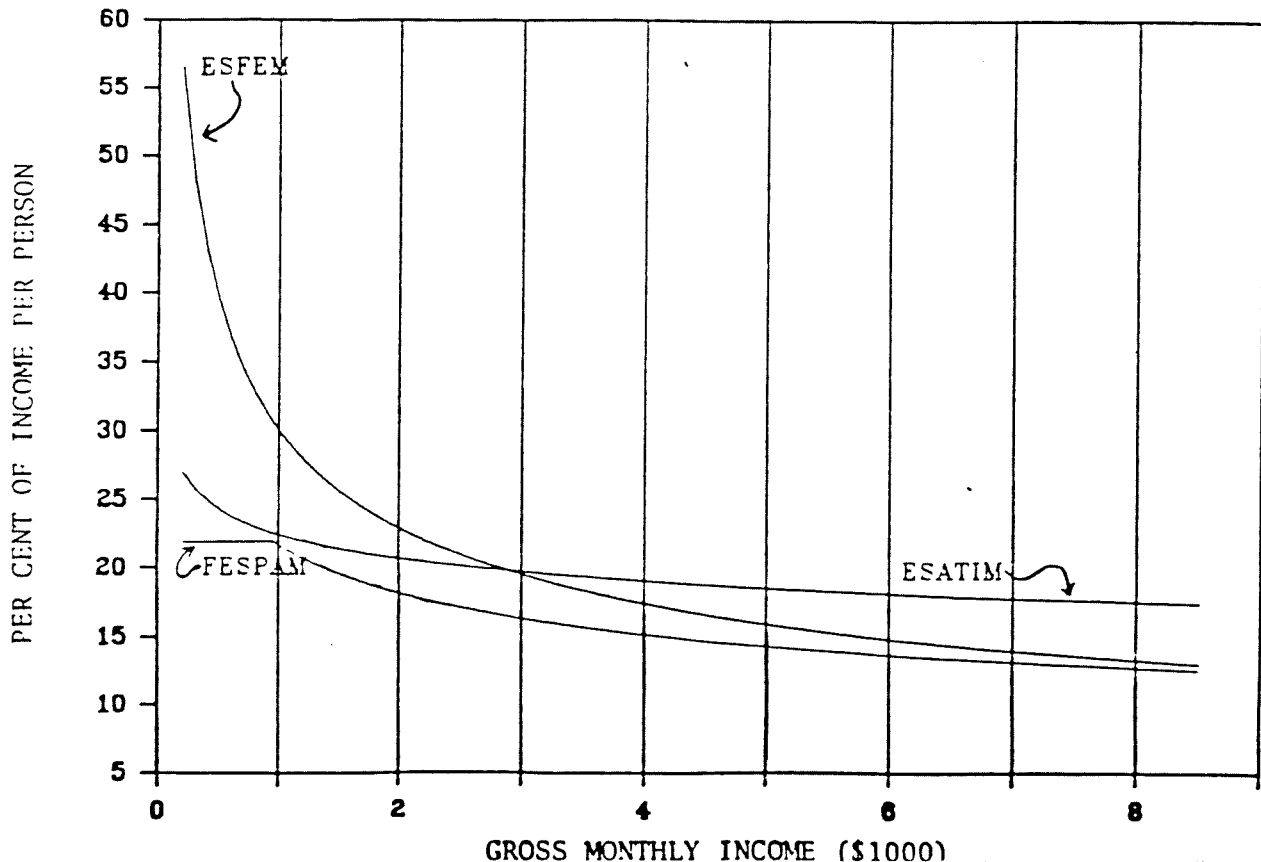
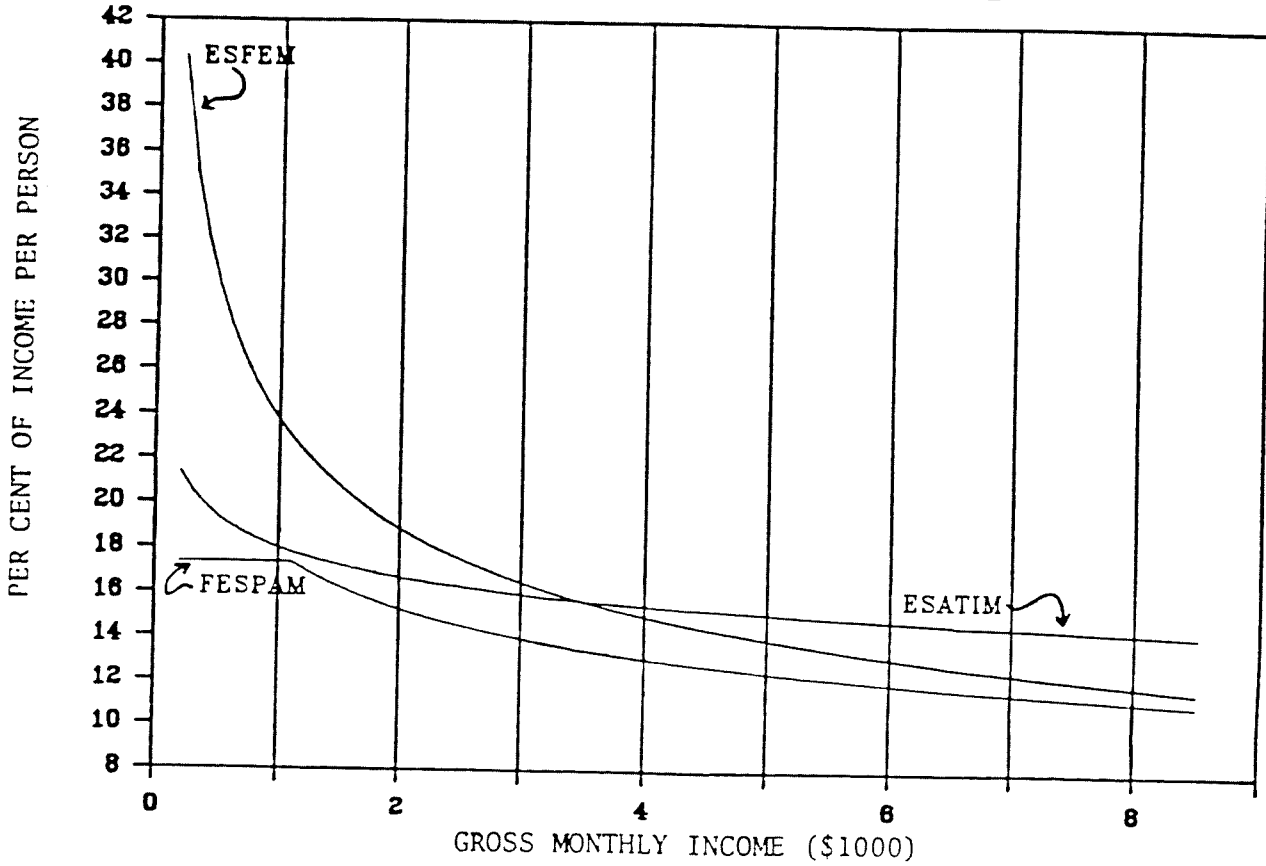


FIGURE 1

SHARE EQUATIONS FOR THREE CHILDREN



SHARE EQUATIONS FOR FOUR CHILDREN

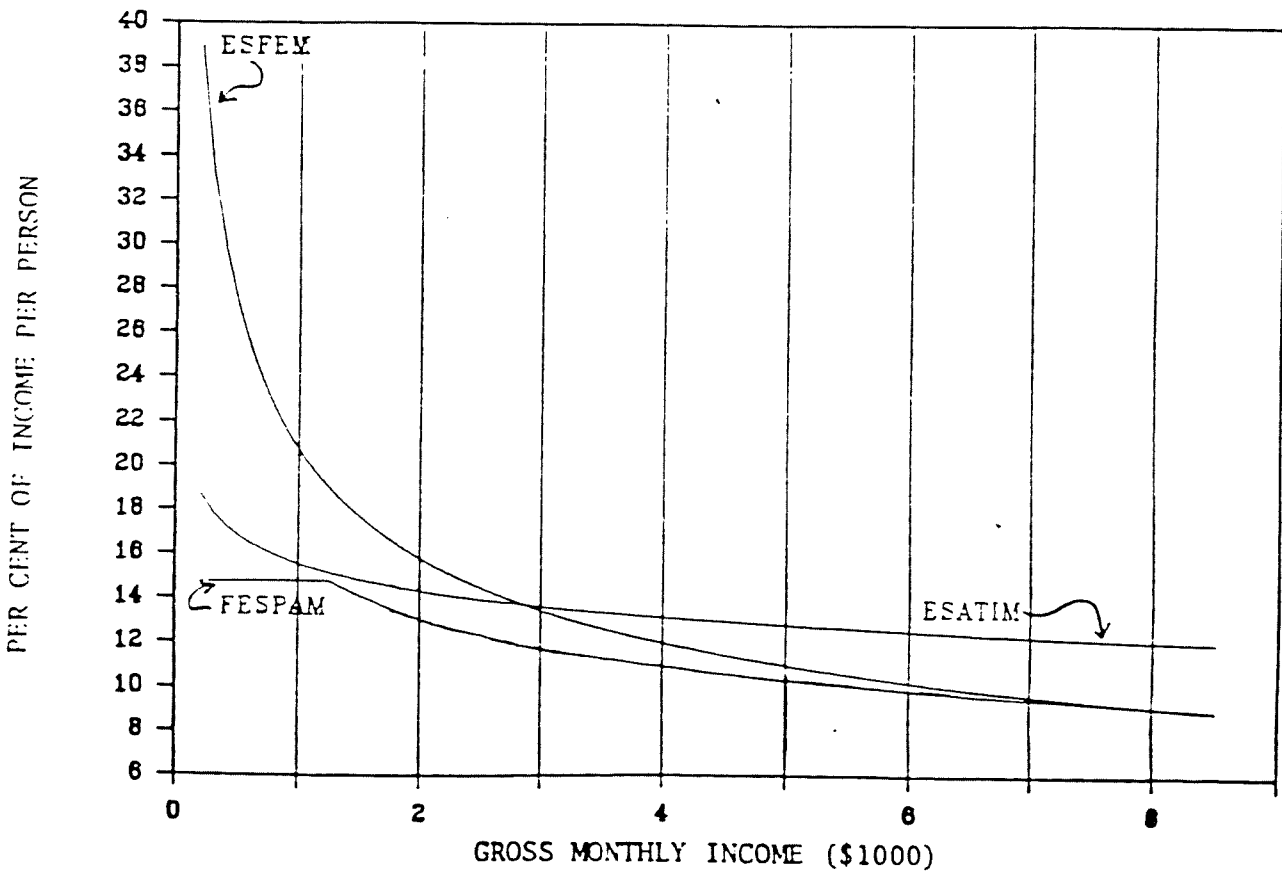
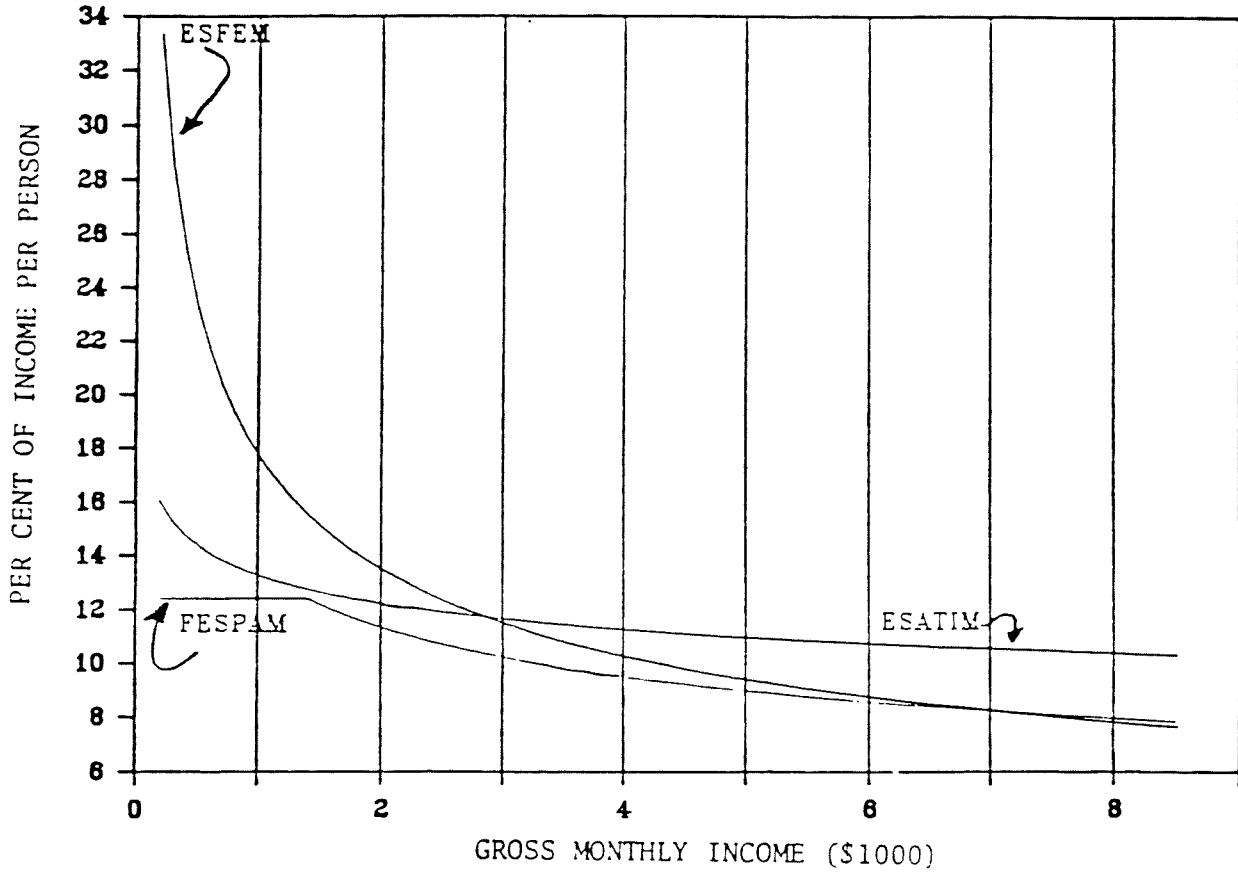
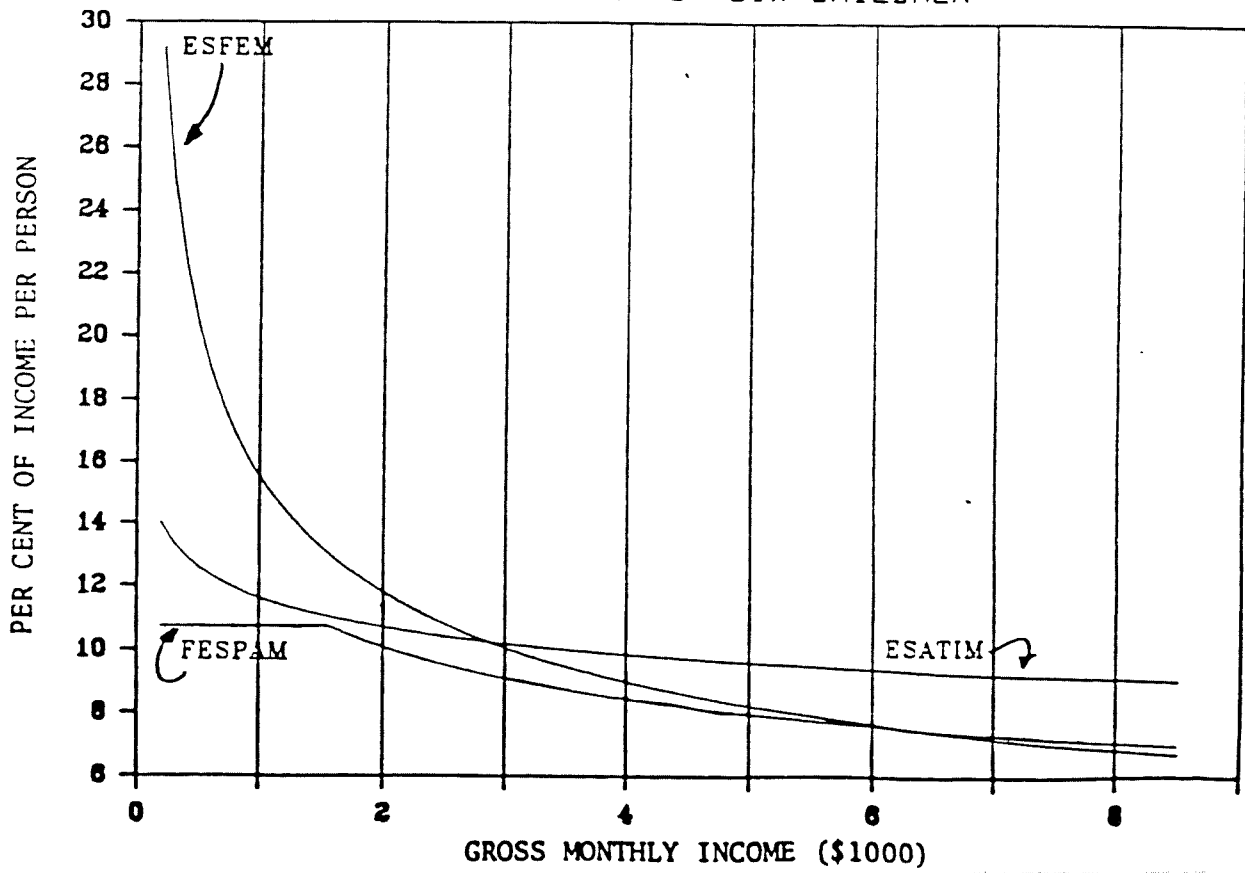


FIGURE 1

### SHARE EQUATIONS FOR FIVE CHILDREN



### SHARE EQUATIONS FOR SIX CHILDREN





(a single panel), the equal shares (ESFEM, ESATIM) decline at different rates. The rate of descent is greatest for expenditure equal shares, which also exceed after-tax income equal shares over an important income range. Share estimates for 16-17 year olds (FESPAM) show an intermediate rate of decline and a cutoff (kink) at the poverty level income. These are generally below the equal share curves. Especially, the FESPAM line is below the ESATIM line for the entire income range. Hence, the share for 16-17 year olds is feasible and parents retain more than an equal share of after-tax income.

Although not shown in a separate graph, it is possible to gauge the effect of increasing numbers of children on the share lines by moving from panel to panel in Figure 1. The share lines shift towards smaller percentages of income (i.e., shift downward) as the number of children increases. This means that child expenditures based on these curves automatically take family size into account. Further, because family size (ES) appears in the denominator of the share measures, the downward shift is not proportionate to family size, thus providing some economies of scale in the per child expenditure estimates. Figure 1 represents relevant relationships across different family sizes as a cross-section dated 1982-1983. As new data emerge with passage of time a new Figure 1 will be necessary. Such recomputation solves part of the updating problem associated with child-support awards.

#### Child Expenditure Estimates By Age Group

Converting the 16-17 year old child shares into dollar expenditures per child per month simply requires multiplication by income. As an example, for three children and a gross income of \$3200 the FESPAM column in Table 1 shows 13.75 per cent. This is equivalent to \$440, which is the expenditure estimate for one 16-17 year old child in a family with three children. Since these expenditures are a point of departure for establishing an entire child

expenditure table, they have been computed from equations that directly link expenditure to income according to the number of children (Appendix II, Table 5). Estimates for this age group provide the base for an age index (16-17 = 100) that is used to determine estimates for all other child age groups, including no age distinctions at all (i.e., age group 0-17 years).

Requisite age indexes are calculated from the 1985 moderate cost estimates by age of child, which are published annually by the U.S. Department of Agriculture (1986). This source, as well as abundant evidence elsewhere, reveals substantial expenditure differences according to age group. Three distinct age groups are employed on the basis of a priori reasonableness and the relative cost estimates. They roughly correspond to three stages in the life of a child: pre-school (0-6 years), school (7-15), and early adult driving (16-17 years). Letting the age group 16-17 be 100, the age index for 7-15 year old children is 87, and the comparable index for ages 0-6 is 73. (See Appendix II, Table 4.) Since the estimates for children aged 16-17 years have already been determined (Appendix I), the others are calculated from these via the age indexes. Estimates for children aged 0-6 years are the 16-17 year old values multiplied by .73. For ages 7-15 years the per child expenditures are those for 16-17 year olds multiplied by .87. As noted, the age index source data afford the selection of age groups other than those developed here. Due to data insufficiency, it is not known at this writing whether the relative expenditures by age of child (the age indexes) are variable with income.

Final estimates for the three age groups are arranged in Appendix I according to the number of children. Below-poverty incomes in the table are above (precede) the solid line. As alluded to previously, it is somewhat premature to use these entries as a basis for evaluating child-support obligations in low income divorce cases. The maximum tabled value of income

(\$8500) is consistent with the underlying maximum incomes in the source data. Hence, Appendix I does not involve extrapolation beyond the range of observations. Appendix I is used to determine the total expenditure on all children in a case family. Given the number of children and combined gross parental income, record an expenditure for each child from the appropriate income line. The sum of these recorded values is the estimated total expenditure on all children in the case family. It is this total expenditure that must be apportioned between the custodial and absent parents in determining the amount of child-support awards.

#### Espenshade Comparisons

In one of the most ambitious economic studies to date, Espenshade (1984) estimates child expenditures for nine family classifications. The results for each class were published for three age groups by numbers of children from one to three. Although income is a key variable in the statistical technique, it does not accompany his final estimates. Nevertheless, because the major influences on child expenditures are identical to those in the present study (number of children, age of child, family income), it is important to briefly review his method and to compare our results. Espenshade's data consists of updated family-level measures (not grouped data) from the 1972-73 Consumer Expenditure Survey. His method is incremental ("marginal"), with an underlying assumption of equivalent material living standards between families of  $\underline{FS}$  and  $\underline{FS} + 1$  members. Equivalence is established if the families in question spend an equal proportion of income on food. In contrast, the data employed in this study are grouped by income class and the method is "average," with no regard for intact family living standards.

For purposes of comparison, Espenshade's (1984) estimates are converted to monthly rates, present estimates are labeled according to the FESPAM

acronym, and a set of FESPAM expenditures were calculated for children aged 13-17 years (not shown separately). In Tables 2 and 3, Espenshade's values are placed nearest the FESPAM estimates. Since he did not publish the average incomes that correspond to the nine combinations of wife's employment status and family socioeconomic status, one must not associate his estimates with the tabled incomes. With this proviso in mind, both sets of estimates in Table 2, as well as in Table 3, reveal the same structure, which is described as follows.

1. Expenditures per child increase with increasing income.
2. Expenditures per child as a per cent of income diminish as income increases.
3. Given income and age group, expenditures per child in dollars and as income percentages diminish as the number of children increases.
4. Given income and number of children, older children are associated with higher per child expenditures than younger children.

Similar patterns in face of diverse data, period (years) of observation, and method suggest that any economic inquiry based on the same major factors will yield a like structure. Some of the foregoing characteristics also appear in Williams (1985, 1986) and the Washington guideline schedule (1985).

### Conclusion

Expenditure estimates per child have been developed for intact families and presented in Appendix I. Child support awards based on apportioning the expenditure sum over all children, as derived from Appendix I, reflect the dynamic reality of family spending associated with child rearing. Three influences tend to increase per child expenditures as time passes. First, even at the same family income, expenditures increase as children become

TABLE 2

AVERAGE MONTHLY EXPENDITURES (\$) PER PRE-SCHOOL CHILD:  
FESPAM COMPARED WITH ESPENSHADE\*

Combined Monthly Income	One Child		Two Children		Three Children	
	FESPAM Age 0-6	ESPEN-SHADE Age 0-5	FESPAM Age 0-6	ESPEN-SHADE Age 0-5	FESPAM Age 0-6	ESPEN-SHADE Age 0-5
1700					200	201(NL)
1750	312		240	241(NL)		
1800	318	315(NL)				
		(NM)				
2000	345	346(PL)	265	265(PL) 267(NM)	223	221(PL) 223(NM)
2200	370				240	
		381(PM)				246(PM)
2300	383		294	293(PM)	248	
2400	395	394(NH)	303			
2500			313	309(NH)	265	263(NH)
2600	419		322		273	
		425(FL)		328(FL)		
2700	431					
		439(PH)				(FM)
2800	443		340		269	292(PH)
		450(FM)		344(PH) 348(FM)		
2900	455		349			
3200	490					
		494(FH)				
3300	501		385	385(FH)	329	326(FH)

\* T.J. Espenshade, Investing in Children 1984, Table 3. First coordinate of code identifies employment status of wife: not employed (N), part-time full year (P), full-time full year (F). Second coordinate identifies socioeconomic status: low (L), medium (M), high (H).

TABLE 3

AVERAGE MONTHLY EXPENDITURES (\$) PER TEENAGE CHILD:  
FESPAM COMPARED WITH ESPENSHADE\*

Combined Monthly Income	One Child		Two Children		Three Children	
	FESPAM age 13-17	Espensshade age 12-17	FESPAM age 13-17	Espensshade age 12-17	FESPAM age 13-17	Espensshade age 12-17
2100	465	467(NL)				
2200			370	372(NL)	312	317(NL)
2300	498	501(PL)			323	
2400	514	515(NM)	395	397(PL)	334	337(PL)
2500			407	408(NM)	345	345(NM)
2600	546	553(PM)				
2700	561		431	437(PM)	366	369(PM)
2900	592	586(FL)	454	461(FL)	387	388(FL)
3100	623	624(FM)			408	410(FM)
3200	638	642(NH)	489	490(FM)		
3300	652		500	508(NH)	428	428(NH)
3500	682	675(FH)	523	529(FH)	448	443(FH)
3600	696	706(FH)			458	460(FH)
3700	711		545	551(FH)		

\* T.J. Espensshade, Investing in Children 1984, Table 3. First coordinate of code identifies employment status of wife: not employed (N), part-time full year (P), full-time full year (F). Second coordinate identifies socioeconomic status: low (L), medium (M), high (H).

older. Second, at a constant age, expenditures increase as family income increases. These two forces taken together create a diagonal (northwest to southeast) pattern of increase within the Appendix I tables. Third, the tables per se will change as new economic data emerge. Such periodic updating accounts for economic increases during the interim between table computation.

In sum, the expenditure tables reflect major variables, the tables are complete (requiring no interpolation), and they provide a basis for annually updating child support awards. The tables can be used as a guideline schedule of parental total obligation. While apportioning this obligation between custodial and absent parent is a policy issue, such apportioning is likely to vary between a minimum income-sharing rule and a maximum principle of equalizing fragmented family living standards.

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## APPENDIX I

### CHILD EXPENDITURE ESTIMATES (Dollars Per Month Per Child)

#### Introduction

These tables show estimated monthly amounts of parental combined gross income that is allocated due to the presence of children in intact families. Entries above the line indicate below-poverty incomes. These should not be used for establishing child support awards at this time. Otherwise, the table can be used as a guideline schedule to determine the total obligation of both parents. This would be divided between the parents according to State policy criteria.

#### Instructions

1. Determine the number of children in the case family and select the corresponding column.
2. Determine case family gross combined income and select the nearest income in the table.
3. Using the income line and column, determine the age of each child and record the corresponding table entry.
4. Sum the amounts recorded for each child. This sum is the total parental obligation.

#### Notes

Families with more than six children are evaluated according to table entries for six children. If case income exceeds the maximum tabled amount, the total obligation should not be less than that established using the maximum income entries. A suggested rule for age determination follows: Children who are more than 182 days beyond their 6th birthday are 7 years old. Children who are more than 182 days beyond their 15th birthday are 16 years old. Tables containing \$50 income increments and beginning at the poverty income are available from the author.

Examples

- #1. Combined parental income is \$2010 monthly and the children are aged 4 and 7 years.

The 2-Children column shows the nearest tabled income to be \$2000. Using this income line a case table is written.

<u>Ages of Children</u>	<u>Schedule Age Group</u>	<u>Schedule Expenditure</u>
4	0 - 6	259
7	7 - 15	309
-----		
Total Obligation		\$ 568

- #2. Combined parental income is \$3500 monthly and the children are aged 13, 14 and 16 years.

The 3-Children column shows the nearest tabled income to be \$3500. Using this income line a case table is written.

<u>Ages of Children</u>	<u>Schedule Age Group</u>	<u>Schedule Expenditure</u>
13	7 - 15	403
14	7 - 15	403
16	16 - 17	463
-----		
Total Obligation		\$ 1269

CHILD EXPENDITURE ESTIMATES

(Dollars Per Month Per Child)

Monthly Income Before Taxes	1-Child			2-Children			3-Children		
	(Age)			(Age)			(Age)		
	0-6	7-15	16-17	0-6	7-15	16-17	0-6	7-15	16-17
200	42	51	58	31	37	43	25	30	34
300	64	76	87	47	56	64	37	44	51
400	85	101	116	63	75	86	50	59	68
500	106	126	145	78	93	107	62	74	85
550	117	139	160	86	103	118	68	81	94
600	127	152	174	94	112	129	75	89	102
650	138	164	189	102	121	140	81	96	111
700	149	177	204	110	131	150	87	104	119
750	159	190	218	118	140	161	93	111	128
800	170	202	233	125	149	172	99	119	136
850	178	212	243	133	159	182	106	126	145
900	185	221	254	141	169	193	112	133	153
950	193	230	265	149	177	204	118	141	162
1000	201	239	275	155	184	212	124	148	170
1050	208	248	285	160	191	220	131	156	179
1100	216	257	295	166	198	227	137	163	187
1150	223	266	305	172	205	235	142	169	194
1200	230	274	315	177	211	243	146	174	201
1250	237	283	325	183	218	250	151	180	207
1300	244	291	335	189	224	258	156	186	213
1350	251	299	344	193	230	265	160	191	220
1400	258	308	354	199	237	272	165	197	226
1450	265	316	363	204	243	279	170	202	232
1500	272	324	372	209	249	287	174	208	239
1550	279	332	382	214	255	294	179	213	245
1600	285	340	391	220	262	301	183	218	251
1650	292	348	400	225	268	309	188	224	257
1700	299	356	409	230	274	315	192	229	263
1750	305	364	418	235	280	321	197	234	269
1800	312	371	427	240	286	328	201	239	275
1850	318	379	436	245	291	335	205	245	281
1900	324	387	445	249	297	342	210	250	287
1950	331	394	453	254	303	348	214	255	293
2000	337	402	462	259	309	355	218	260	299
2100	350	417	479	269	320	368	227	270	311
2200	362	432	495	279	332	381	235	280	322
2300	374	446	513	289	343	394	243	290	333
2400	387	461	529	297	354	407	252	300	345
2500	399	475	546	306	365	419	260	310	356
2600	410	489	562	315	374	432	268	319	367
2700	422	503	578	324	386	444	276	329	378
2800	434	517	594	333	397	456	284	338	389
2900	445	531	610	342	407	468	292	348	400
3000	457	544	626	351	418	480	300	357	410
3100	468	558	641	359	428	492	307	366	421
3200	479	571	657	368	438	504	315	375	432
3300	491	585	672	376	447	516	323	385	442
3400	502	598	687	385	457	527	330	394	453
3500	513	611	702	393	467	539	339	403	463
3600	524	624	717	402	479	550	345	412	473
3700	534	637	732	410	489	562	353	421	483
3800	545	650	747	418	498	573	360	429	494
3900	556	663	762	426	508	584	369	438	504
4000	567	675	776	434	518	595	375	447	514
4250	593	707	812	455	542	623	393	469	539
4500	619	738	848	474	565	650	411	490	563
4750	644	768	883	494	587	676	429	511	588
5000	670	798	917	513	611	703	447	532	612
5250	695	828	951	532	634	729	464	553	635
5500	719	857	985	551	656	755	481	573	659
5750	744	886	1019	569	679	780	498	594	682
6000	769	915	1052	588	700	805	515	614	705
6250	791	943	1084	606	722	830	532	634	728
6500	815	971	1116	624	743	855	548	653	751
6750	838	999	1148	642	765	879	565	673	773
7000	862	1027	1180	659	786	903	581	692	796
7250	884	1054	1212	677	806	927	597	711	818
7500	907	1081	1243	694	827	951	613	731	840
7750	930	1108	1274	711	848	974	629	750	862
8000	952	1135	1304	728	868	998	645	768	883
8250	974	1161	1335	745	888	1021	660	787	905
8500	996	1187	1365	762	908	1044	676	806	926

CHILD EXPENDITURE ESTIMATES  
(Dollars Per Month Per Child)

Monthly Income Before Taxes	4-Children			5-Children			6-Children		
	(Age)			(Age)			(Age)		
	0-6	7-15	16-17	0-6	7-15	16-17	0-6	7-15	16-17
200	21	25	29	18	21	24	15	18	21
300	31	37	43	27	32	36	23	27	31
400	42	50	57	35	42	49	31	37	42
500	52	62	72	44	53	61	39	46	52
550	59	69	79	49	58	67	42	50	58
600	63	75	86	53	63	73	46	55	63
650	68	81	93	58	69	79	50	59	68
700	73	87	100	62	74	85	54	64	73
750	79	94	108	66	79	91	57	68	79
800	84	100	115	71	84	97	61	73	84
850	89	106	122	75	90	103	65	78	89
900	94	112	129	80	95	109	69	82	94
950	100	119	136	84	100	115	73	87	100
1000	105	125	144	89	106	121	77	91	105
1050	110	131	151	93	111	127	80	96	110
1100	115	137	159	97	116	134	84	100	115
1150	120	144	165	102	121	140	89	105	121
1200	124	150	172	106	127	146	92	110	126
1250	131	156	179	111	132	152	96	114	131
1300	135	161	185	115	137	158	100	119	136
1350	139	165	190	120	143	164	103	123	142
1400	142	170	195	124	148	170	107	128	147
1450	146	174	200	127	152	174	111	132	152
1500	150	179	205	131	156	179	115	137	157
1550	154	183	211	134	159	183	119	142	163
1600	157	188	216	137	163	188	122	145	167
1650	161	192	221	140	167	192	124	148	170
1700	165	196	226	143	171	196	127	152	174
1750	168	200	230	146	175	201	130	155	178
1800	172	205	235	150	178	205	133	158	182
1850	175	209	240	153	182	209	135	161	186
1900	179	213	245	156	186	213	138	165	189
1950	182	217	250	159	189	217	141	168	193
2000	186	221	255	162	193	222	144	171	197
2100	193	230	264	168	200	230	149	177	204
2200	199	238	273	174	207	238	154	184	211
2300	206	246	282	180	214	246	159	190	218
2400	213	254	292	185	221	254	164	196	225
2500	219	261	301	191	228	262	169	202	232
2600	226	269	309	197	234	269	175	208	239
2700	232	277	318	202	241	277	179	214	246
2800	239	284	327	208	248	285	184	220	253
2900	245	292	336	213	254	292	189	226	259
3000	251	299	344	219	261	300	194	231	266
3100	257	307	353	224	267	307	199	237	272
3200	264	314	361	230	274	314	204	243	279
3300	270	321	369	235	280	322	208	248	285
3400	276	329	378	240	286	329	213	254	292
3500	282	336	386	245	292	336	218	259	298
3600	288	343	394	251	299	343	222	265	305
3700	294	350	402	256	305	350	227	270	311
3800	300	357	410	261	311	357	231	276	317
3900	305	364	418	266	317	364	236	281	323
4000	311	371	426	271	323	371	240	287	329
4250	326	388	446	284	338	388	252	300	345
4500	340	405	465	296	353	405	263	313	360
4750	354	422	485	308	367	422	273	326	374
5000	367	438	503	320	381	438	284	338	389
5250	381	454	522	332	395	455	294	351	403
5500	394	470	540	344	409	471	305	363	418
5750	408	486	559	355	423	486	315	375	432
6000	421	502	577	366	437	502	325	388	445
6250	434	517	594	378	450	518	335	400	459
6500	447	532	612	389	464	533	345	411	473
6750	459	548	629	400	477	548	355	423	486
7000	472	563	647	411	490	563	365	435	500
7250	485	577	664	422	503	578	374	446	513
7500	497	592	681	433	516	593	384	458	526
7750	509	607	698	444	528	607	393	469	539
8000	521	621	714	454	541	622	403	480	552
8250	533	636	731	465	554	636	412	491	565
8500	545	650	747	475	566	651	421	502	577

## APPENDIX II

### THEORY, ESTIMATION AND SOURCE EQUATIONS

Note: The text portion could not be completed in time to meet the submission deadline. Tables cited in the main text are included without comment. The complete appendix can be obtained by requesting it directly from the author.

TABLE 1

BEFORE TAX INCOME AND EXPENDITURES BY INCOME AND FAMILY SIZE  
Consumer Expenditure Survey, 1982-83

Family Size		Number of Children	Total (complete reporting)	Under \$5,000	\$5,000 to \$9,999	\$10,000 to \$14,999	\$15,000 to \$19,999	\$20,000 to \$29,999	\$30,000 to \$39,999	\$40,000 and over
Average Annual Income and Expenditures										
FS=3	FS-2=1									
Income before taxes.....		26,970	2,034	7,492	12,495	17,332	24,691	34,745	55,617	
Expenditures.....		21,910	10,565	10,765	13,835	16,573	21,203	26,156	36,721	
FS=4	FS-2=2									
Income before taxes.....		30,992	2,013	7,444	12,359	17,440	24,649	34,346	56,407	
Expenditures.....		25,163	15,211	11,592	13,930	17,648	21,581	26,518	39,227	
FS=5	FS-2=3									
Income before taxes.....		29,803	1,958	7,562	12,272	17,307	25,050	34,302	58,381	
Expenditures.....		25,457	15,601	10,262	15,388	17,055	23,665	28,624	41,286	
FS=6	FS-2=4									
Income before taxes.....		26,086	(5,836)	7,732	12,053	17,354	24,378	34,857	56,982	
Expenditures.....		23,635	19,373	12,402	14,327	17,427	21,610	29,351	39,915	
Average Monthly Income and Expenditures, and Ratios										
FS=3	FS-2=1									
I3 .....		2,248	170	624	1,041	1,444	2,058	2,895	4,635	
E3 .....		1,826	880	897	1,153	1,381	1,767	2,180	3,060	
E3/I3, in percent .....		81.2	519.4	143.7	110.7	95.6	85.9	75.3	66.0	
SE3, in percent .....		27.1	173.1	47.9	36.9	31.9	28.6	25.1	22.0	
TSE3, in percent .....		27.1	173.1	47.9	36.9	31.9	28.6	25.1	22.0	
FS=4	FS-2=2									
I4 .....		2,583	168	620	1,030	1,453	2,054	2,862	4,701	
E4 .....		2,097	1,268	966	1,161	1,471	1,798	2,210	3,269	
E4/I4, in percent .....		81.2	755.6	155.7	112.7	101.2	87.6	77.2	69.5	
SE4, in percent .....		20.3	188.9	38.9	28.2	25.3	21.9	19.3	17.4	
TSE4, in percent .....		40.6	377.8	77.9	56.4	50.6	43.8	38.6	34.8	
FS=5	FS-2=3									
I5 .....		2,484	163	630	1,023	1,442	2,088	2,859	4,865	
E5 .....		2,121	1,300	855	1,282	1,421	1,972	2,385	3,441	
E5/I5, in percent .....		85.4	796.8	135.7	125.4	98.5	94.5	83.4	70.7	
SE5, in percent .....		17.1	159.4	27.1	25.1	19.7	18.9	16.7	14.1	
TSE5, in percent .....		51.3	478.1	81.4	75.2	59.1	56.7	50.1	42.4	
FS=6	FS-2=4									
I6 .....		2,174	(486)	644	1,004	1,446	2,032	2,905	4,749	
E6 .....		1,970	1,614	1,034	1,194	1,452	1,801	2,446	3,326	
E6/I6, in percent .....		90.6	-332.0	160.4	118.9	100.4	88.6	84.2	70.0	
SE6, in percent .....		15.1	-55.3	26.7	19.8	16.7	14.8	14.0	11.7	
TSE6, in percent .....		60.4	-221.3	106.9	79.2	66.9	59.1	56.1	46.7	

Source: Bureau of Labor Statistics (unpublished data).

I and E represent income and expenditures for a given family size. SE is share of the expenditure/income ratio (E/I) for one family member (assumes equal share). TSE is SE multiplied by the number of children.

TABLE 2

1986 POVERTY INCOME GUIDELINES

(Poverty guidelines in dollars)

---

Size of family Unit	Contiguous (48) States and District Columbia	Monthly Rate	Round Up To Nearest \$50 Increment (P)
1 .....	5,360		
2 .....	7,240		
3 .....	9,120	760.0	800
4 .....	11,000	916.7	950
5 .....	12,880	1,073.3	1100
6 .....	14,760	1,230.0	1250
7 .....	16,640	1,386.7	1400
8 .....	18,520	1,543.3	1550

---

Annual rates in the first column provided by Department of Health and Human Services (unpublished paper, Feb. 27, 1986).

TABLE OF COEFFICIENTS

SUMMARY OF EQUAL SHARE CHILD ALLOCATION EQUATIONS

ESFEM, ESATIM, & FESPAM\*

Family Size (FS)	Number of Children (FS-2)	Intercept ln a	Slope b	R-squared	Number of Coordinate Points
-----					
Estimated model, ESFEM: $SE = \exp[\ln a + b \ln I]$					
FS=3	FS-2=1	6.2976	-0.3843	0.9853	6
FS=4	FS-2=2	6.1186	-0.3933	0.9662	6
FS=5	FS-2=3	5.4405	-0.3294	0.9710	6
FS=6	FS-2=4	5.7458	-0.3935	0.9551	6
FS=7	FS-2=5	5.5904	-0.3933	0.9549	6
FS=8	FS-2=6	5.4569	-0.3933	0.9549	6
Estimated model, ESATIM: $SI = \exp[\ln a + b \ln IBT]$					
FS=3	FS-2=1	4.2075	-0.1181	0.9712	20
FS=4	FS-2=2	3.9117	-0.1164	0.9727	20
FS=5	FS-2=3	3.6313	-0.1075	0.9448	20
FS=6	FS-2=4	3.5524	-0.1179	0.9792	18
FS=7	FS-2=5	3.3982	-0.1179	0.9792	18
FS=8	FS-2=6	3.2647	-0.1179	0.9792	18
Adjusted model, FESPAM: $S = \exp[\ln a' + b' \ln IBT]$					
FS=3	FS-2=1	5.0706	-0.2512	-----	-----
FS=4	FS-2=2	4.8351	-0.2549	-----	-----
FS=5	FS-2=3	4.3842	-0.2184	-----	-----
FS=6	FS-2=4	4.5087	-0.2557	-----	-----
FS=7	FS-2=5	4.3695	-0.2556	-----	-----
FS=8	FS-2=6	4.2499	-0.2556	-----	-----
-----					

- \* ESFEM, Equal Share Family Expenditure Model.  
 ESATIM, Equal Share After-Tax Income Model.  
 FESPAM, Feasible Equal Share Poverty Adjusted Model.



TABLE 4

ESTIMATED TOTAL COST OF RAISING A CHILD  
Moderate-cost Level, in dollars, 1985 Annual Average, USDA\*

A.					
Region and age of child (years)	Urban Children				Average Cost
	Midwest	Northeast	South	West	
Under 1..	4,430	4,389	4,826	4,753	4,600
1 .....	4,560	4,545	4,956	4,909	4,743
2-3 .....	4,244	4,425	4,643	4,656	4,492
4-5 .....	4,494	4,675	4,867	4,935	4,743
6 .....	4,701	5,030	5,169	5,309	5,052
7-9 .....	4,883	5,212	5,325	5,491	5,228
10-11 ...	5,065	5,445	5,533	5,725	5,442
12 .....	5,406	5,776	5,895	6,040	5,779
13-15 ...	5,536	5,932	6,050	6,169	5,922
16-17 ...	6,070	6,357	6,495	6,764	6,422
Average ...	4,939	5,179	5,376	5,475	5,242

B.		C.	
Age of child (years)	Urban Children Average Cost	Age of child (years)	Urban Children Average Cost
Under 1..	4,600	0-6 .....	4,695
1 .....	4,743	7-15 .....	5,568
2 .....	4,492	16-17 .....	6,422
3 .....	4,492	Average age .....	5,323
4 .....	4,743		
5 .....	4,743		
6 .....	5,052		
7 .....	5,228		
8 .....	5,228		
9 .....	5,228		
10 .....	5,442		
11 .....	5,442		
12 .....	5,779		
13 .....	5,922		
14 .....	5,922		
15 .....	5,922		
16 .....	6,422		
17 .....	6,422		
Average ...	5,323		

D.	
Age of child (years)	Average Cost Index (16-17 years = 100)
0-6 .....	73
7-15 .....	87
16-17 .....	100
Average age .....	83

\*Annual cost of raising a child from birth to age 18, by age, in a husband-wife family with no more than 3 children.

For more information on these and additional child cost estimates, see USDA Miscellaneous Publication No. 1411, "USDA Estimates of the Cost of Raising a Child: A Guide to Their Use and Interpretation," by Carolyn S. Edwards, Family Economics Research Group, Agriculture Research Group, Agricultural Research Service, USDA.

Source: Family Economics Review, No.2 (April 1986).

TABLE 5

**CHILD EXPENDITURE SOURCE EQUATIONS**

Notation:

E = Monthly Per Child Expenditures (\$) for ages 16-17 years.

I = Monthly Combined Gross Income (\$).

---

Number of  
Children

Expenditure Equation

1	E = 1.592771872 (I) .748785
2	E = 1.2584928 (I) .7451278
3	E = .8017646356 (I) .781568
4	E = .9080142688 (I) .7443023
5	E = .7900016966 (I) .7443974
6	E = .7010120615 (I) .7443976

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EXTENSION

Per Child Expenditures for Ages 0-6 = .73E

Per Child Expenditures for Ages 7-15 = .87E

Mr. Wallace Wright  
3003 S. Richmond  
Wichita, Ks. 67217  
(316) 942-1818

February 9, 1989

Ladies and Gentlemen

I am the father of 4 children, 2 from a previous marriage that ended in 1980, and 2 from my present marriage. I feel there is a grave injustice being done through Administrative Order #59 and the so called "Joint Custody". This injustice has carried over into our domestic court system.

First of all I have found that joint custody is a farce. I would like to see S.B. #73 passed to provide for equal residency in all cases, unless proven detrimental to the child or children involved. I am a father who has paid his support every month in the 9 years since my divorce, and I am very concerned about the upbringing of my children. Contrary to the joint custody decree, I have no input in decisions affecting my children.

Secondly I believe that S.B. #74 will be more appropriate in the determination of child support than Administrative Order #59. This would be done by using the current established standard of living figures but instead of taking the sum of the two incomes, S.B. #74 takes the average of the incomes. For instance, if a couple were to marry the obvious thing to do to figure their income would be to add, but in the event of their divorce the obvious thing to do would be to divide or average the two. I feel that something has been lost in transition from the legislature to the courts. I am specifically concerned with the supplemental considerations of the Child Support Guidelines which, in my case, were not considered by the judge.

In my particular case the judge was made aware that I am remarried and I have two additional children from my present marriage (both born prior to the implementation of this law). The judge looked directly at me and said, "Mr. Wright you made a mistake by having these additional children." I ask you, how would you have reacted to such a statement? My child support has gone up 115 percent. It was the judge's decision that my wife would bear the financial responsibility for my present family. My first and only responsibility were to my children from the first marriage.

Attachment II

SJC  
2-9-89

Page 2  
Child Support Guidelines

Should a non-custodial parent be sentenced to a life of loneliness? This bill prohibits the non-custodial parents consideration of a second family. How would they support them? The primary custodial parent has the children most if not all of the time, and with the amount of support being received can afford to start anew. This leaves the non-custodial parent down and out.

The implementation of Administrative Order #59, leads me to believe that the current legislative consensus is that a father can only share in the financial support of his children, not in the emotional and loving guidance that both father and child are entitled to. I feel we need to rid Kansas of the stereotyped father of old who brings home the bread, but does not contribute in the raising of the children.

I urge you to enact Senate Bill #73 and #74 in light of the equal parental rights of the non-custodial parent. While I believe in the basic concept of the Child Support Act (i.e. financial responsibility) it is imperative for the welfare of our children that the laws be more fair in the distribution of responsibilities, both financial and physical. A more detailed consideration of specific cases, rather than broad interpretations would allow for a more equitable solution to all children, of previous and present marriages.

I request your careful consideration of this most serious matter.

Sincerely yours

*Wallace K. Wright*

Wallace K. Wright

My name is Connie Shepherd. I live in the 27<sup>th</sup> Sen. Dist. I am a custodial parent of my 3 children + a non-custodial step-parent of my husband's 3 children. I live + experience both sides of the issues before you.

I am concerned about the emotional well-being of our children as well as other children of divided families. There is a lot unnecessary stress, misunderstanding + confusion on the part of the children. As we look at these issues we need to refer back to "what's in the best interest of the children."

Children need physical, emotional support as well as financial support. Children can benefit from both parents knowledge + guidance. Its very important to keep ~~that~~ that special bond a child and parent have for ALL parties concerned.

The current C.S. Guidelines are so unreasonable it places a financial strain on the non-custodial parent. That it makes it impossible for the non-custodial to help provide the wants + needs of the children when their with that parent. The children are the ones who suffer what was there + given out of love. Is no longer available. Children are left out left confused.

Attachment III  
Senate Judiciary  
2-9-89

February 9, 1989

Senator Marge Petty and  
Members of the Senate Judiciary Committee

Senate Bill 73 will make it possible for others to deliberately experience with their children what I have partly been able to do by default and persistences. This bill will make it possible by decree for children to have equal physical custody with both parents after a divorce, separation etc.

Children have the right to develop and mature with both parents. Both parents should be involved in their children's lives. Equal physical custody arrangements were not granted to my children. However, due to my availability to be with my children after school when their mother is working and my persistence in keeping with decree schedules, my children are able to spend more time with me than the court allocated. I understand that this is very unusual. It does not have to be that way. Senate Bill 73 can make this mutually beneficial child/parent arrangement possible. Time spent with both parents on an equal and regular basis is important in the development, nurturing and maturation of the children.

My children can be used as examples of the beneficial affects of a closer, but by no means equal in time, relationship with both parents. Most of the time spent with my children is productive time for them and myself. Music lessons, swimming and scouting are outstanding examples. Because of my continued active and persistent involvement in my children's music activities, my oldest daughter has excelled in violin performance and is presently attending college on a full scholarship granted because of her music and academic abilities. My two younger children are actively participating in music lessons, Jr. orchestra and music institutes in the summer. Involvement with my children include financial support for these activities in addition to the mandated child support.

Swimming lessons as well as practice time and just plain fun are pursued year around. My son is handicapped and swimming has significantly helped his coordination and endurance. He is currently working on a swimming award for cub scouts and is progressing well. Success in swimming has contributed to a better self-image through self-confidence when new tasks are accomplished. Success can not occur unless children are given the opportunity for success. More opportunities are available when time is deliberately provided.

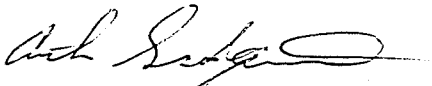
Attachment IV  
BGC  
2-9-89

Cub scouts provide additional opportunities for my son to expand his opportunities of success. As den leader, I am able to offer my son another perspective in his development and maturation which would be lacking in circumstances not involving both parents.

Friends, neighbors, relatives and even strangers have remarked positively to me about my involvement with my children. It is fortunate that I have these opportunities to be involved in my children's lives, limited as they may be. I have had to fight for the rights of my children and I will continue to do so.

The children of a divorce are the individuals who have the least amount of input into the circumstances in which they are placed. They end up with the greatest amount of problems from the lack of understanding. Children love both their parents and deserve the continued contact of both parents love. Traditionally, little consideration has been given to the need of this continued contact with both parents beyond minimal visitation rights often controlled by only one parent. Senate Bill 73 changes this by providing the opportunity for decisions to be made where children can have equal contact with both parents. I feel that this bill should be enacted without amendment for the benefit of our children.

Sincerely Yours,



Arthur Sandquist  
Concerned Fathers  
1200 Plass  
Topeka, Kansas 66604

Ladies and Gentlemen of the Senate Judiciary Committee:

Thank you for this opportunity to testify before you today. I applaud you for SB 74, and support its greatly needed adjustments to Administrative Order 59.

I was spending \$800 through my ex-spouse for my two children, and \$800 directly on my children per month until Administrative Order 59 indicated my dollars "did not count" as child support unless all funds went through my ex-spouse. This Order indicated I should pay \$1800 per month directly to my ex-spouse, and have no right to spend child support money directly on my children, even though I had them 35% of the time and paid 82% of their child support. This meant I would pay my ex-spouse almost \$22,000 per year in child support to spend at her sole discretion. My ex-spouse has my children 65% of the time, contributes only 18% to their support, and spends 100% of it. I do not believe all the money is being spent on my children, nor in a responsible manner. But I have no recourse; particularly when three attorneys advised me to stay out of court because judicial discretion inevitably went with the mother to the maximum allowed by law.

1) Each parent should have discretion over a part of the child support amount. Basing such upon the percentage of time the parent has visitation, as in SB 74, would be fair. Both homes have expenses for maintaining housing, utilities, food, and clothing for the children...not just the home where the greatest amount of time is spent. I do not disagree with the amount to be spent on my children, but feel I should have the right to spend a portion of my contribution to their support directly.

2) The mean average income concept in SB 74 gives the appropriate message that both adults are expected to work full time as equally responsible parents. Please do not allow responsibility to be skewed when one parent earns dramatically more than the other, particularly when one is intentionally under-employed. If my success means there should be more money paid for child support, then I should be allowed to spend it.

3) Percentage of residency should be a factor for child support responsibility and discretion. Thank you for recognizing that when I have my children 35% of the time, I should be granted 35% of the child support dollars.

4) Give credit for additional expenses. My original divorce decree calls for: child support; CPI indexing; all medical, dental, ortho, etc. costs; and 100% of college education. Then along came Administrative Order 59 and the rules changed. If my support amount is re-negotiated by this law, then give me credit for all the other items in my contract I am legally bound to.

In summary, Order 59 forgot to give consideration to those who earn the dollars, visitation percentages of the children, authority of spending said dollars on the children, and additional financial responsibilities in divorce contracts. With the responsibility of earning the money should follow the authority to spend at least a part of it on the children. SB 74 would adjust these inequities if passed.

Thank you.

Richard L. Shanks  
4803 West 111th Terrace  
Leawood, Kansas 66211

Attachment IV  
Senate Judiciary  
2-9-89



February 9, 1989

Ladies and Gentlemen of the Senate Judiciary Committee

I want to take this opportunity to voice my support for Legislative Senate Bill 74. I want to thank the members of this committee for trying to restore sanity and justice to child support orders amid the confusion and injustice of administrative order 59. As a father of two, who loves his children and is very cognizant of their welfare needs, I can only hope this Bill becomes Law. Until my ex-spouse heard about administrative order 59, she was satisfied with the child support she received of \$469 per month with annual increases. Also during this period I provided the children with complete medical coverage, clothes, 1/2 of all expenses for activities, and even an allowance. But when administrative order 59 was issued, suddenly my ex-spouse needed almost double the amount of child support with no explanation as to why. There was no accountability as to where the money was to be spent. No consideration was to be given for the percentage of time the children spent with me or how much I already contribute to their support above and beyond the amount paid to my ex-spouse.

With the passage of Senate Bill 74, ACCOUNTABILITY, lines 345-400, will guarantee that I can take court action if there is evidence the child support is not being spent on the children.

With the passage of Senate Bill 74, a MEAN AVERAGE INCOME, lines 112-114, will provide a fair and equitable way to determine the child support obligation for each parent from the child support schedules.

With the passage of Senate Bill 74, PERCENTAGE OF RESIDENCY, lines 212-231, will recognize the fact that the children are with me a great percentage of the time, and I should be entitled to receive credit for this time.

In summary Senate Bill 74, as proposed, will set clear and equitable guidelines for the entire State. It will be a welcome replacement for the inequities of administrative order 59.

Thank you,

Robert Courtney  
5704 Quail Cove Circle  
Topeka Ks. 66614

Attachment VI  
Senate Judiciary

2-9-89

Testimony of Professor Linda Elrod against SB 73

The paramount consideration in any laws dealing with custody of children should be what arrangement best serves the needs of the children, not the parents. I feel that the amendments offered in SB 73 are solely concerned with what parents feel are their "rights" rather than what is truly in the best interests of the minor children in the postdivorce context.

p. 2 lines 64 - 67 Presumption of joint custody unless sworn testimony would require hearing at the time of filing for divorce

p. 8 lines 280-294 Presumption for equal residency unless findings of fact.

Two amendments to K.S.A. 60-1607 and 1610 change policy in Kansas. Recent studies of the long term effects of joint and sole custodial arrangements on children do not support such a change. Kansas should move slowly to adopt a position favoring equal residency until study can be done on the potential effects on children. See "Ongoing Post-Divorce Conflict in Families Contesting Custody: Does Joint Custody and Frequent Access Help?" paper presented to the 65th Annual Meeting of the American Orthopsychiatric Association in March of 1988 where the answer was NO. See also study done on "Children's Adjustment in Joint and Sole Custody Families" by the Center for the Family in Transition, September 1988 finding that the type of custody arrangement was NOT determinative of positive child adjustment following divorce.

p. 2 lines 72-81 - To not require one party to leave the marital domicile following divorce is not tenable in 99% of divorce cases. Physical separation is necessary.

p. 3 lines 112-125 and lines 145-169 Required marriage counseling in every case is not productive nor beneficial. Counseling as to the changes caused by divorce, etc. might be of more use.

p.6 lines 210-221 Allowing nonresidential parent discretion as to how child support is spent presents the potential for continued and repeated conflicts between parties in the post divorce situation which all studies document is harmful to children.

Attachments VII  
Senate Judiciary

2-9-89

Testimony in opposition to Senate Bill 74

Professor Linda D. Elrod  
Washburn University School of Law

- I. Problems which caused the federal mandate for guidelines
  - A. Inadequate child support awards. Child support amounts were grossly inadequate in light of parental ability to pay. One Kansas study showed average child support amounts in 1984 were \$125 per child, far below federal poverty level and state foster care payments.
  - B. Inconsistent support awards among people similarly situated. Child support awards varied widely. In one example of two children and a noncustodial parent's \$600 net income, the parent could have been ordered to pay from \$80 to \$135 depending on the judge with no relation to rural/urban differences.
- II. Legislative vs. judicial guidelines
  - A. Congress provided that guidelines could be legislative, judicial or administrative. The Kansas legislature in K.S.A. 20-165 directed the Supreme Court to develop guidelines. Court rules generally have more flexibility to change when necessary and leave room for judicial discretion.
  - B. On October 1, 1987, the Kansas Supreme Court adopted Administrative Order #59 based primarily on work done by the Kansas Commission on Child Support.
- III. The guidelines promulgated were the product of over two years and hundreds of hours of study by a guidelines subcommittee of the Kansas Commission on Child Support.
  - A. The committee was a representative group of Kansans reflecting those most affected by child support issues - a custodial parent, a noncustodial parent, child advocates, lawyers who practice in the family law area, judges who hear family law cases, legal aid, SRS and court services personnel.
  - B. The committee examined, compared and evaluated guidelines existing and proposed in Kansas and other states to see if they were appropriate or adaptable to Kansas.
  - C. The committee held public hearings in Topeka, Wichita, Johnson County, Liberal and Dodge City and sent out over six hundred questionnaires to parent groups, lawyers, court services personnel, SRS personnel, judges and others seeking input on the formulation of a guideline before any drafts were begun.
  - D. Members of the committee studied the available economic data available on the costs of raising children - in particular the works of Thomas Espenshade and Robert Williams, two nationally recognized experts in the area.
  - E. The committee reviewed the models that had been proposed for child support, including the newly developed income shares model of the National Center for State Courts.

lge  
2-9-89

- F. The committee "hired" an economist, Associate Professor Dr. William Terrell of Wichita State University
1. to determine if the national data on the costs of raising a child by income level and family size were applicable to Kansas;
  2. to develop figures for a child support chart which would be applicable to Kansas that were sound economically on the costs of raising children in intact families;
  3. to adjust the chart downward to reflect the additional costs of maintaining a second home.

IV. The Kansas Guidelines have improved the adequacy and consistency of support awards in Kansas and have become a model for other states.

- A. Dr. Terrell has been asked to appear at several national meetings to talk on his compilation of data and adjustments. His research has been reproduced and used by other states in preparing their guidelines, including Iowa and New Mexico.
- B. Twenty three other states have adopted the guidelines by court rule rather than legislation. Other states have a combination of legislation and court rule or administrative rule.
- C. Kansas is one of the three states which make adjustments for increased age of the child.
- D. Twenty-three other states have adopted the income shares approach.
- E. The Kansas guidelines are adequate and not excessive. The amounts ordered fall in the middle of other state guidelines. For example:

A family has two children ages 4 and 10. Parent B has custody. Parent A has gross monthly income of \$1450. Parent B has gross monthly income of \$800. In Kansas the child support obligation of A would be \$315. Using 15 other states (including our four neighbors) the amounts would range from a low of \$297 to a high of \$466. The average amount would be \$347 - \$32 more than Kansas.

SB 74 appears to make the amount \$238 BEFORE deductions for discretionary spending and physical residence.

Use the same facts but now Parent A has \$2550 and Parent B has \$1700 for income. In Kansas the child support amount would be \$535. Using the same fifteen states, the amount of support would range from a low of \$400 to a high of \$638. The average being \$499. Kansas is about \$36 above the average. Missouri, however, would order \$537 on these facts.

SB 74 appears to make the amount \$354 BEFORE deductions for discretionary spending and physical residence.

## I. USE OF THE GUIDELINES

The Kansas Child Support Guidelines are a suggested basis for establishing and reviewing child support orders in the district courts in Kansas. The net child support obligation calculated on Worksheet A (Appendix I) in the absence of other evidence shall be deemed prima facie evidence of a reasonable child support order. However, the Court shall consider all relevant evidence presented in setting the amount of child support, including but not limited to the supplemental considerations set forth in II.C. and III. If the parties have entered into an overall settlement involving child support and alimony, the Court shall enforce the same if the overall settlement adequately provides for the children. The purpose of these guidelines is not to establish a rigid formula, but to produce more consistency in child support orders throughout the state. The ultimate goal in each case should be justice and fairness for the children and parents in light of the ability of the parents. The final determination of child support rests within the sound discretion of the trial court.

## II. DETERMINATION OF CHILD SUPPORT OBLIGATION

### A. Documentation

A completed Worksheet A shall be filed by the judge in every case where an order of child support is entered after the effective date of these guidelines.

### B. General Instructions for Preparing Worksheet A

1. Information provided by the parties pursuant to Supreme Court Rule 139 shall assist the Court in filling out Worksheet A. The information required pursuant to Rule 139 shall be attached to the application for support. The judge, upon considering all relevant information, will complete Worksheet A and attach Worksheet A to the order for support.
2. The total financial circumstances of both parents shall be considered and may be reason to deviate from the amount of the support obligation as calculated on line 12 of Worksheet A.
3. In using the CS Schedules, it may be necessary to average the basic child support obligation amounts for income amounts not shown.
4. In determining the age of a child, the age on the child's nearest birthdate shall be used.

Judicial discretion is important in evaluating the circumstances of the self-employed. In particular, judicial attention should be given to situations in which income is received on a sporadic basis throughout the year, such as with persons engaged in farming.

Income may be imputed at the Court's discretion.

2. Pre-existing Support Obligations. (Line 2)

Pre-existing child support obligations in other cases shall be deducted from the obligor's gross income to the extent that these support obligations are actually paid. These amounts are entered on line 2.

3. Adjusted Gross Income. (Line 3)

The adjusted gross income on line 3 is established by subtracting any amounts shown on line 2 from the gross income amount on line 1.

4. Proportionate Shares of Combined Income. (Line 4)

To determine each parent's proportionate share of the total child support obligation, each parent's gross income is divided by the total of the combined gross income.

A completed Worksheet A using the example given is attached as Appendix II.

Example: Parent A earns \$1,768 gross income a month. Parent B earns \$832 gross income per month. Their combined gross income is \$2,600. Parent A's share of the child support obligation will be \$1,768 divided by \$2,600 or 68%. The Parent B's share of the support obligation will be \$832 divided by \$2,600 or 32%.

5. Basic Child Support Obligation. (Line 5)

The basic child support obligation is determined using the CS Schedules (Appendix III). The CS Schedules have three major components--number of children in the family, combined gross income, and age of each child. Step 1. The table that corresponds to the total number of children for whom the parents share responsibility should be found. Step 2. The appropriate combined monthly adjusted gross income amount should be identified in the left-hand column. Step 3. Using the appropriate age column for each child, the amount for each child should be identified. Step 4. The amounts for each child should be added together to arrive at the total basic child support obligation.

10. Adjustment for Health and Dental Insurance Premiums and Work-Related Child Care Costs. (Line 10)

If costs of health and dental insurance premiums and/or work-related child care costs are included in the total child support obligation, the parent actually making the payment is credited. This is done by subtracting the amount paid (as shown on lines 6 and 7) from that parent's child support obligation (line 9).

Example: Parent A pays \$125 per month for health insurance. Therefore, \$125 should be subtracted from that parent's child support obligation of \$612 to make a net obligation of \$487. Parent B pays \$200 per month child care costs. Therefore, \$200 should be subtracted from that parent's child support obligation of \$288 to make a net obligation of \$88.

11. Adjustment for Supplemental Considerations. (Line 11)

Supplemental considerations such as, but not limited to, those set forth in II.C. and III., if any, should be calculated for each parent and entered on line 11. The amount of any particular supplemental consideration must be determined by the court on an individual basis and lies within the sound discretion of the trial judge.

12. Net Parental Child Support Obligation. (Line 12)

The net obligation is the parental child support obligation (line 9) minus lines 10 and 11. The residential parent retains his or her portion of the net obligation. The non-residential parent's net obligation becomes the amount of the support order.

Example: Parent B has primary residential custody. Therefore, Parent A will pay \$487. Parent B will retain the \$88 which represents his/her share.

III. ADJUSTMENTS TO CHILD SUPPORT DUE TO CHANGED CIRCUMSTANCES

Courts have continuing jurisdiction to modify child support orders to advance the welfare of the child when there is a material change in circumstances. In determining requested modifications of child support orders entered prior to the effective date hereof, the court should consider the totality of the present circumstances of the parties and avoid modifications which would work undue hardship on the parties or any persons presently dependent thereon.

# CHILDREN'S COALITION

P.O. Box 5314  
Topeka, Kansas 66605  
913-232-0543

## TESTIMONY BEFORE SENATE JUDICIARY COMMITTEE

RE: SB 74: Child Support Kansas Guidelines

The Children's Coalition is a group of thirty organizations whose mission is to promote laws, policies and services that focus on helping children. Specifically, those children living in poverty who do not consistently have their basic human needs provided for within their own families. The recent establishment of the Kansas Child Support Guidelines falls directly in line with that mission.

To that end our Coalition stands in strong opposition to SB 74. Our position is that both parents are responsible for supporting their children and that current support guidelines in Kansas are fair. We therefore discourage attempts to modify the Kansas Child Support Guidelines as established by the Supreme Court of Kansas.

That position is supported by the knowledge that this state spent significant time and resources developing a system, as you have heard today, that is based on what it actually costs to raise children in Kansas. We firmly believe a child should not suffer because of their parents decision to divorce. The current guidelines give the child the benefit of both parents by determining the amount of support a parent is obligated to provide in proportion to their earnings and earning power.

Congress became involved with our system of providing support due to the substantial increase in child poverty and divorce, the increase of absent parents not paying support and support awards so low many families had to resort to government assistance to meet basic survival needs. Families forced to rely on government support, typically Aid to Families with Dependent Children, do so because of some change in the family. Divorce and subsequent inadequate support by absent parents plays a prominent role in many families looking to the state for support. These guidelines place the obligation fairly where it belongs. Not with government but with the parents.

You will hear that the guidelines greatly increase amounts certain non-custodial parents had to pay and are consequently unfair. Our response is that those amounts were far too low. You will hear stories where guidelines seem inappropriate. That is why they are guidelines. They can be applied with discretion. Individual stories should not convince you that the guidelines as a whole are unfair.

We believe passage of SB 74 would damage the gains made that insure a child does not suffer financially because of their parents decision.

Attachment VIII  
Senate Judiciary  
2-9-89



## **CHILDREN'S COALITION MEMBER GROUPS**

**AMERICAN ASSOCIATION OF UNIVERSITY WOMEN-KANSAS DIVISION  
ASSOCIATION OF COMMUNITY MENTAL HEALTH CENTERS OF KANSAS  
CATHOLIC HEALTH ASSOCIATION OF KANSAS  
CATHOLIC SOCIAL SERVICE, Kansas City  
CHURCH WOMEN UNITED OF TOPEKA  
COMMUNITY SERVICE CENTER, Kansas City  
THE FARM, Emporia  
GREATER KANSAS CITY ASSOC. FOR THE EDUCATION OF YOUNG CHILDREN  
JUNIOR LEAGUE OF TOPEKA  
KANSAS ACTION FOR CHILDREN  
KANSAS ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN  
KANSAS ASSOCIATION OF CHILD CARE WORKERS  
KANSAS ASSOCIATION OF LICENSED PRIVATE CHILD CARE AGENCIES  
KANSAS ASSOCIATION OF SCHOOL PSYCHOLOGISTS  
KANSAS CHAPTER-AMERICAN ACADEMY OF PEDIATRICS  
KANSAS CHILDREN'S SERVICE LEAGUE  
KANSAS CHILD ABUSE PREVENTION COUNCIL\*  
KANSAS COUNCIL ON CRIME AND DELINQUENCY  
KANSAS KIDS  
KANSAS-NATIONAL EDUCATION ASSOCIATION  
KANSAS-NATIONAL ORGANIZATION FOR WOMEN  
KANSAS STATE NURSES ASSOCIATION  
KANSAS TRIAL LAWYERS ASSOCIATION  
LEAGUE OF WOMEN VOTERS OF KANSAS  
MARCH OF DIMES BIRTH DEFECTS FOUNDATION\*\*  
MARTIN LUTHER KING URBAN CENTER, Kansas City  
PUBLIC ASSISTANCE COALITION OF KANSAS  
THERAPEUTIC FOSTER CARE, Topeka  
UNITED METHODIST YOUTHVILLE  
UNIVERSITY OF KANSAS SCHOOL OF SOCIAL WORK-  
STUDENT GROUP, Lawrence**

\* The Kansas Child Abuse Prevention Council abstains from the recommendation for an assessment of SRS's child abuse services

\*\* The March of Dimes abstains from the AFDC/GA, child support, child care, and child abuse and neglect recommendations.

Department of Social and Rehabilitation Services

Winston Barton - Secretary

Statement Regarding Senate Bill 73

One of the primary responsibilities of the SRS Child Support Enforcement Program is to help children receiving public assistance by establishing regular and adequate support payments. From that perspective, SRS expresses concern about the language in section 3(a)(1)(B), lines 210-214, giving the parent paying support "input" as to how child support is used by the parent receiving the support payment.

Section 3(a)(1)(B) may appear reasonable on its face, however, neither the terms nor the procedures in that provision are defined. This vagueness would undoubtedly create frustration and litigation over the proper interpretation.

In actual situations where divorced parents are in conflict, children could suffer while parents wrangle about how child support money should be spent. We think this "input" provision could be used as a delaying tactic against an obligee trying to exercise the legal right to enforce delinquent support payments. We can also foresee situations in which an obligor demands input concerning very minor purchases -- for example, the brand of toothpaste. All too often, unfortunately, this interest would not spring from concern for the child's well-being but from a desire to harass the former spouse or to "get even" because of a garnishment or other action to collect child support.

By its nature, a support order establishes one parent as the obligee, who has the legal right to receive payment as well as the obligation to meet the child's needs with the funds provided. The obligee is designated by the judge after full consideration of the needs of the child, the economic circumstances of the parents, and the appropriate custody arrangement for the child. If a parent has been found eligible by a court to receive and handle child support payments on behalf of the child, that person should, in our opinion, have both the right and the responsibility to determine how that money should be spent. Parents who are able to share the decision-making process don't need a statute to force them to do so. Parents who are unable to share this process are the most likely to use such a statute to their children's detriment.

Proposed legislation requiring the custodial parent to formally account for exactly how child support is spent has been brought before the Legislature in the past. Such proposals have been uniformly rejected because of the extreme burden placed on obligees, court dockets, and judges. Although Section 3 of this bill does not directly require an accounting, we do see the requirement for "input" as the first step in that direction.

Finally, K.S.A. (1988 Supp.) 60-1616 (f) currently offers a remedy to obligors by providing that misuse of support payments by the obligee may be the basis for a change of custody.

Jamie L. Corkhill  
Child Support Enforcement  
Social and Rehabilitation Services  
296-3237

Attachment ~~IX~~  
Senate Judiciary  
2-9-89

# CHILDREN'S COALITION

P.O. Box 5314  
Topeka, Kansas 66605  
913-232-0543

## TESTIMONY BEFORE SENATE JUDICIARY COMMITTEE

RE: SB 74: Child Support Kansas Guidelines

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To that end our Coalition stands in strong opposition to SB 74. Our position is that both parents are responsible for supporting their children and that current support guidelines in Kansas are fair. We therefore discourage attempts to modify the Kansas Child Support Guidelines as established by the Supreme Court of Kansas.

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We believe passage of SB 74 would damage the gains made that insure a child does not suffer financially because of their parents decision.

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\* The Kansas Child Abuse Prevention Council abstains from the recommendation for an assessment of SRS's child abuse services

\*\* The March of Dimes abstains from the AFDC/GA, child support, child care, and child abuse and neglect recommendations.

SUMMARY OF TESTIMONY OF  
CHARLES F. HARRIS  
AND  
PAULA KIDD CASEY  
ATTORNEYS ON BEHALF OF  
DOMESTIC RELATIONS COMMITTEE  
OF WICHITA BAR ASSOCIATION

- A. The Domestic Relations Committee of the Wichita Bar Association consists of practicing attorneys representing both men and women in the District Courts in Wichita and surrounding judicial districts in domestic relations matters.
- B. Committee includes private attorneys as well as the Sedgwick County Court Trustee, and attorneys for Legal Aid Society and Social and Rehabilitation Service.
- C. Concensus of the committee is that the proposed bills constitute a significant step backward in the area of child support. It also imposes mandatory rigid standards on the courts when flexibility is necessary.
- D. Committee strongly urges this committee to reject a legislative treatment of this problem and instead, allow the Guideline Commission to perform its charge to make changes in the guideline that will address problem areas actually experienced since the guideline was implemented in October, 1987 without dropping the existing procedures.
- E. Since the guideline was implemented in October, 1987, Sedgwick County has been handling approximately 800 child support related motions each month. All of those cases have been decided using the current Supreme Court Guideline.
- F. If the new guideline proposed in Senate Bill 74 is adopted, it will mandate a re-hearing on each of these cases because the Guideline expressly provides at §7(a)(1) that the adoption of the guidelines is a change in circumstances which justifies modification in the child support.
- G. Senate Bill 73 contains significant changes in the current divorce statute which drastically reduce judicial discretion in child custody situations by making equally divided physical custody mandatory. This provision ties into Senate Bill 74 as it impacts on child support calculation.
- H. Senate Bill 73 also has the effect prohibiting ex parte orders which require one party to vacate unless there is sworn testimony of the emergency. A drastic increase in hearings and domestic violence can be expected if such a rule is adopted.

*Attachment X  
Senate Judiciary*

*2-9-89*

- I. Senate Bill 73 also requires mandatory marriage counseling which will be an additional expense, and given the language of the Bill, could be used to hold the progress of the divorce case in abeyance.
- J. The goal of the child support guidelines was to bring the amount of child support up from poverty guidelines to a number closer to what it actually takes to raise a child in Kansas today.
- K. Prepared a comparison of what would happen in specific fact situation under the guideline Sedgwick County was using prior to the implementation of the Supreme Court Guideline. The situation as applied to the Supreme Court Guideline and then as it would result if applied if the Senate Bill 74 method was used.
- L. Net effect is that child support swings from \$390 per month under the old local guideline to \$609.81 per month under the current guideline to \$218.85 under Senate Bill 74.
- M. Of particular concern is the adjustment for percentage of residency at Line 11 of Senate Bill 74 Worksheet A, the mandatory accounting provision at Section 7(c) and the presumption of the other parent being available before work related day care can be incurred at Section 4(f).
- N. Because of the mandatory nature of the provisions of both bills, they may be subject to Constitutional attack on due process grounds.

#### CONCLUSION

Our committee is simply asking the Senate Judiciary Committee to reject this legislative approach and permit the Supreme Court to make adjustments in the existing Child Support Guidelines. This will allow an orderly adjustment without completely throwing open the doors of the courthouse to the potential of chaos that adoption of these new bills would cause.

# Christian Science Committee on Publication For Kansas

820 Quincy Suite K  
Topeka, Kansas 66612

Office Phone  
913/233-7483

February 9, 1989

To: Senate Committee on Judiciary

Re: Senate Bill 73

It is requested that Sec. 2.(c)(3), page 5, lines 163-164, be amended by changing the comma to a period and deleting the remainder of the sentence - or - that the words "religious organization" be replaced with "counseling."

While we prefer the first alternative above, which would restore the language of the present law requested by us several years ago, either method of amending the bill will correct the false impression that a particular religious organization rather than counseling by that organization is found objectionable.



Keith R. Landis  
Committee on Publication  
for Kansas

Attachment XI  
Senate Judiciary  
2-9-89

Rodney K. Rouse  
12069 Estates Lane  
Peck, Kansas 67120  
316-529-9840 office  
316-773-1901 home

**PURPOSE-** To show a value-added consideration for SB 73,  
addressing the equal residency issue.

**BACKGROUND**

Married 1973

- Daughter born 1977

Divorced 1982

- Awarded joint custody
- 50/50 sharing
- Two home standard
- Enriching and loving environment
- Nurtured "special relationships" with each parent

Relocated with employer 1987

- 50/50 sharing was amended to allow one weekend monthly visitation

Result

- Equal residency severed
- Relationship damaged

Opportunity

- Restore healthy family balance
- Create an atmosphere promoting parent/child relationship
- Instill a sense of equality to the culture

**RECOMMENDATION-** Support SB 73, the Family Bill of Rights.

Attachments XIII  
Senate Judiciary  
2-9-89



Ladies and Gentleman of the Judiciary Committee:

I want to thank you for the opportunity to discuss my opinion on the new bill that is coming up for a vote.

Children are our most precious assets. Our laws protect children from all types of harm and mental anguish. The children that we have, need this protection and these two bills will leave our children in more mental agony then before. Let us keep in mind that the best interest of the children takes precedence over any other conflict that might arise.

There are several issues that I am deeply concerned about. Bill 73 page 2, line 64-67. It says parents have equal rights, custody, and residency of minor children unless sworn testimony showing extraordinary circumstances. The equal residency issue can be most detrimental to a child. I discussed this matter with a child psychologists, a Dr. Mike Rapoff of Kansas University Medical Center who also teaches at the University and also has a private practice. He said "children need to have a permanent place of residence to maintain some stability in their lives. The child also needs to have visitation with the non-custodial parent on a regular basis. This is only if there are not any other unusual circumstances involved." I happen to agree with Dr. Rapoff on this matter because like he says where are the children going to find any stability? Their lives have just been torn apart by a divorce and now they have to move from one residence to the other.

Page 2 line 72-81, No order shall have the effect of evicting a party from such party's residence.... If there is a divorce pending in 60 days and the 2 people live together in the same house it can become a very serious situation for several reasons, (1) emotions are so very high at this time that this situation can become a breeding ground for a very violent situation. (2) The child will be subjected to being torn between the two sets of parents, he or she will be used and abused by them trying to win the love of the child. This cannot in any way be in the best interest of the child and why would we want to subject a child to this kind of unnecessary pain?

Page 6, line 210-221, when a parent has joint or shared custody the support payments are to ~~have~~ <sup>have</sup> input from the person paying on how the payments are to be used. This needs to be looked at with more logic. We have two people that cannot get along, they have been problems communicating for probably a few months maybe years, and now we want these two people to all of a sudden become compatable and communicate about money. Not only that, the person who is getting the child support has to become accountable for the money that is spent on a child. This is not going to work at all. The courts will become tied up with all kinds of family squabbles. Do we really want that?

Page 8, line 281-294, I again go back to the equal residency proposal. The part where it the court will find a parent uncooperative if the parent does not come up with a reasonable proposal in the equal residency issue. Like I have said before let the best interest of the child take precedence instead of our own selfish

desires.

Bill 74. This Bill is in such contradiction to Bill 73. In Bill 73 there is talk of having the best interest of the child at heart, but in this Bill we see that this is not reality. Page 8, line 279-282, the paying parent will obtain credit for spending time with the child. Why are we using children for credit? This can be used and abused in all aspects, the child will be used in a tug of war situation. Don't be unfair to the children, don't use children for credit.

The poverty check. Up to know there has been talk of equality, but when it comes to one parent who might become impoverished because of support to a child that is where the equality ends. It is okay for the custodial parent to be in poverty but lets not let the one who pays child support be in the same equal position. This is discrimination and we are protected from this from our Constitution. It mentions that public assistance is available to the person who has custody, let me ask you this where is the responsibility of the parent? Why does the government have to take care of the situation? Another thing if there is equal residency public assistance will not work the child has to have permanent residency.

Responsibility for support of others. Where is the interest of the child here? If the payor is helping parent, grandparents, or other relatives this is deducted from the gross income. I though our children where suppose to take precedence in the situation. In our Statues of Kansas it is a felony if a person does not pay child support. I have not read any statues saying it is a felony if you don't support your parents or other relatives. Why does the person who is suppose to help support a child want to take food out of the childs mouth? This is not in the Best Interest Of A Child.

I ask you don't pass these Bills they can only harm our children, and then our society will have to live with the consequences of the decisions that you make here.

Thank you for your time

Geri Simmons  
P.O. Box 3144  
Shawnee, Kansas 66203

February 9, 1989

It has always been my understanding that one of the goals of parenting is to raise our children in a stable environment. One of the factors of a stable environment being emotional stability. In this way our children can become more stable and productive adults. What we must look at here is if the changes proposed in Senate Bill No. 73 and 74 are in the best interest of our children. Can we maintain an emotionally stable environment when we may have to share the custody of our children with the other parent?

Obviously there were problems between the parties or else there wouldn't have been a Divorce in the first place. If we are forced to consult with our ex-spouse's before we can make any type of decision concerning our children, nothing would ever get done. And would add an extra emotional strain on the children because of the extra fighting it would cause.

The idea of switching our children back and forth between households or even parents rotating in and out of a set house wouldn't work. You would have 2 separate ideas on how to raise the children. Which would only add to the confusion of the children. How can we submit our children to such a life? How would we feel if we were in their place and were being shuffled back and forth between parents and households? What happens to their school work especially if both parents live in separate school districts or states?

Think of the headaches our teachers would undergo if our children are hurt at school or at the babysitters or Daycare. Which parent are they to call or are they to be expected to call both parents? And then the fights over which Doctor? What if they can't reach one of the parents? What are they to do? We are adding an extra responsibility to teachers and child care providers. An extra responsibility which many of them do not need or have the time for. I can't think of anything positive that could possibly come from equal custody.

And also the proposal of making the parent receiving child support account for where every penny goes or else the other parent may tell you how and where to use these payments is ridiculous. When the children are being clothed and fed properly and the money is going for their support, it is not right to have to account for every penny. The parties wished to no longer be around one another or else they wouldn't have gotten a Divorce. They are being thrown into a situation where they must be around one another in order to make decisions concerning the children. Which in all probability would lead to more fighting. That is not what I would call an emotionally stable environment, nor is it in the best interest of our children.

I am not going to stand here and quote statistics to you on Divorce, and how men and women stand financially after Divorce, because I know that you probably have all of these statistics. In my situation after my Divorce I found myself with a job that couldn't support myself and my two children. I was forced to return to school to complete my degree. While my ex-husband had enough money

to go out and buy anything and everything he wanted. He didn't pay any child support as ordered by the court. I finally garnished his wages and am now receiving child support that I need. Single mothers need help getting their child support, the support that they need and deserve, but instead you have before you a proposal to either eliminate or lessen that support. Somehow it doesn't seem fair. So I ask you when you are considering lowering or doing away with child support and are considering equal custody not to. Please think of our children. They are the most important consideration here. We must do what is in the best interest of our children.

Thank You

Sandra M. Barnett  
1010 Santa Fe  
Atchison, KS 66002

Steven H. Hess  
5009 S. Broadview  
Wichita, Kansas 67210  
(316)529-0296  
Senate District - 26th  
Representatives District - 82nd

Senate Bill 74

1. Checks For Poverty Level
  - a. Checks Before/After Enforcement
  - b. Elect Not To Exercise Visitation Rights Due To Inability To Feed Children or Self
2. Accounting Of Child Support If Abuse Is Suspected
  - a. Letter and Child Support Payment Record.
  - b. Social Worker Provided Income For Purchase of Shoes.
  - c. Food Stamps Provided
  - d. Oldest Son Sleeps On Couch
  - e. VCR Purchased
  - f. VCR Tape Library Established
  - g. Cable, HBO, Cinemax, Showtime, and Disney
  - h. Pool Table In Dining Room

THE BOEING COMPANY

CURRENT EARNINGS	S	RATE	REG	BONUS	AMOUNT	AUTHORIZED DEDUCTIONS	AMOUNT
REGULAR HOURS	1	13003	720		93622	BOEING EMPLOYEE ASSOC DUES	200
SICK LEAVE	1	13003	80		10402	WICHITA CREDIT UNION BEGNF ✓	8942 468
TOTAL CURRENT EARNINGS					104024		
TOTAL YEAR TO DATE EARNINGS					2044955	TOTAL DEDUCTIONS	9610

TAXES/EXEMPTIONS CLAIMED	CURRENT	Y-T-D	COMPANY PAID BENEFITS	AMOUNT
FEDERAL WITHHOLDING / 5003	12771	244539	VACATION HOURS BALANCE	34.0
F.I.C.A. (MAXIMUM 3,379.50)	7812	154316	UNRESERVED SICK LEAVE HOURS	166.5
KANSAS STATE TAX	3636	78113	FSP \$ VALUE AS OF 09/14/88	3804.06
			S/L USED-ELIG DATE TO PRESENT	46.5
TOTAL TAXES		24219	476968	

PAYROLL DATES	
VAC ELIG	10/13/88
S/L ELIG	10/13/88
PAY THRU	09/22/88
CHECK DATE	09/29/88

EMPLOYEE NAME		PAYMENT RECAP	
STEVEN H HESS		GROSS PAY	104024
SOC SEC NO	PC ORG	TAXES	24219
512504204	20 35212	DEDUCTIONS	9610
LOC	CHECK NO.	NET PAY	70195
50V J	1346920		

NOT NEGOTIABLE

THE BOEING COMPANY

CURRENT EARNINGS	S	RATE	REG	BONUS	AMOUNT	AUTHORIZED DEDUCTIONS	AMOUNT
REGULAR HOURS	1	13003	640		83219	COURT ORDER	39242
HOLIDAY	1	13003	160		20805	VIP LOAN	2177
						LEGAL FEE	462
						BOEING EMPLOYEE ASSOC DUES	200
YEAR-TO-DATE EARNINGS					100	WICHITA CREDIT UNION	8942
COMPANY PAID LIFE-TAXABLE PORTION						U. S. SAVINGS BOND	500
						BEGNF	468
TOTAL CURRENT EARNINGS					104024		
TOTAL YEAR TO DATE EARNINGS					231554	TOTAL DEDUCTIONS	51991

TAXES/EXEMPTIONS CLAIMED	CURRENT	Y-T-D	COMPANY PAID BENEFITS	AMOUNT
FEDERAL WITHHOLDING / 8003	12206	30965	VACATION HOURS BALANCE	82.0
F.I.C.A. (MAXIMUM 3,604.80)	7820	17390	UNRESERVED SICK LEAVE HOURS	143.5
KANSAS STATE TAX	3332	7787	FSP \$ VALUE AS OF 01/12/89	4359.92
			S/L USED-ELIG DATE TO PRESENT	5.5
			FICA COMPANY PORTION - \$ YTD	173.90
TOTAL TAXES	23358	56142		

<b>PAYROLL DATES</b> VAC ELIG 10/13/89 S/L ELIG 10/13/89 PAY THRU 01/12/89 CHECK DATE 01/19/89		<b>REMINDER: SUBMIT YOUR SPRING TUITION REIMBURSEMENT APPLICATION NOW. INFORMATION SHEET WITH DEADLINE AND ELIGIBILITY DETAILS IS AVAILABLE IN PERSONNEL.</b>	<b>EMPLOYEE NAME</b> STEVEN H HESS SOC SEC NO PC ORG 512504204 20 35212 LOC CHECK NO 50V J 1567638	<b>PAYMENT RECAP</b> GROSS PAY 104024 TAXES 23358 DEDUCTIONS 51991 NET PAY 28675
--	--	---	---	--

NOT NEGOTIABLE

Law Offices  
of  
Jerry L. Berg, P.A.



Attorneys At Law

Jerry L. Berg  
Alison K. Lindsay  
Michael B. Brewer

Kellogg and Topeka  
608 South Topeka  
Wichita, Kansas 67202  
(316) 262-3458

February 2, 1989

Lyle Britt  
Attorney at Law  
1333 N. Broadway, Suite D  
Wichita, Kansas 67214

RE: Hess v. Hess

Dear Lyle:

Pursuant to our telephone conversation, I've obtained a copy of Mr. Hess's child support record, and made some calculations.

According to the Journal Entry of November 23, 1988, Mr. Hess was behind \$1,898.50. His child support obligation was reduced to \$650.00 per month, effective December 1, 1988. He is also ordered to pay \$25.00 per month towards satisfaction of the above stated arrearage.

According to the court's child support record, Mr. Hess has paid a total of \$2,876.49 since the 23rd of November, 1988. Of that amount, \$1,300.00 would be applied to current child support for December and January. This would leave the sum of \$1,576.49 to be applied toward arrearages. Deducting this from the amount of arrearages in the Journal Entry, Mr. Hess is still behind \$322.01.

I am enclosing a Journal Entry dismissing your contempt citation. If you have any questions concerning the enclosed, or my calculations, please phone me to discuss.

Very truly yours,

LAW OFFICES OF JERRY L. BERG, P.A.

*Michael B. Brewer*

MICHAEL B. BREWER

MBB/cas  
Enclosure  
cc: Steve Hess



JUNCTION 10 CASE 83D 02747 01 HBG MONTH YEAR 01/30/89 SAE R332  
 BYDR: HESS, STEVEN HENRY 512504204 RSP  
 DATE NUMBER TRNS PO AMOUNT PE AMOUNT CHK NO HOLD MC URG TYPE D RCPT BYR DRK  
 00788 0827261 PD 311.14 311.14 PC 004 CHSP Y  
 10988 0839920 PD 392.42 392.42 316349 1119 BC 008 CHSP Y AIA  
 20688 0850595 PD 392.42 392.42 322435 1216 BC 008 CHSP Y AIA  
 20688 0850595 CK #322435 RELEASED EARLY, PAYEE PICKED UP ON 121388.  
 20688 0851461 PD 392.42 392.42 322435 1216 BC 008 CHSP Y AIA  
 20888 0851461 CK #323057 RELEASED EARLY, PAYEE PICKED UP ON 121388.  
 22188 0856499 PD 392.42 392.42 325779 1216 BC 008 CHSP Y AIA  
 22888 0858925 PD 914.39 914.39 PD 008 CHSP Y  
 22888 0858925 CHECK 31000 DORIS CHILDS  
 22888 0858925 12-28-88  
 24089 0862709 PD 392.42 392.42 333110 0119 BC 008 CHSP Y  
 2489 0868753 PD 392.42 392.42 333599 0204 BC 008 CHSP Y

COMMENTS ON SENATE BILL 74

Mr. Chairman and members of the committee, my name is Richard Stegelman. I am a non-residential father and a resident of Shawnee County. I appear today to offer a few comments in support of Senate Bill 74.

I serve as an ex-officio member of the Board of Directors of the Kansas Child Support Enforcement Association representing the interests of the non-custodial parents. My comments here are my opinion and do not necessarily represent the opinions of the Kansas Child Support Enforcement Association.

This bill particularly addresses a short coming in Administrative Order No. 59 which neglects to credit the non-residential parent for the very real child rearing expenses that occur in the non-residential household. The Child Support Tables represent the total estimated basic expense of raising children. Adoption of this bill will provide a mechanism to allocate these costs to both households in proportion to the time spent in residency by the children in each household.

I would suggest that the Committee modify Section 4 paragraph (2) by adding the following sentence. Support costs of dependent children from a subsequent marriage shall be determined by using the child support schedule and deducting this amount from the obligator's gross income.

I thank you for the opportunity to provide comments and will try to answer any questions that you might have for me.

**FAMILIES DEMANDING EQUAL JUSTICE**

P.O. Box 695  
Wichita, KS 67201  
316-263-4511

**OUTLINE - CHILD SUPPORT GUIDELINES BILL**

SENATE BILL 74

- \* Establishes the standard of living for children of separated families as the mean average of the gross income of the child's parents.
- \* Uses the established standard of living for the children as the basis for using the tables for child support developed by Dr. Terrell of WSU.
- \* Gives each parent discretionary credit for the actual time the children spend with each parent.
- \* Checks to assure that no child support order puts a payor of child support below the poverty level. Note: Receivers of child support are eligible for public assistance if their income puts them below poverty level after the receipt of child support. Payors of child support are not eligible for public assistance if their income is above poverty level, regardless of any child support payment order.
- \* Provides for an accounting of child support if abuse of child support is seriously suspected.
- \* Puts public policy concerning child support back in the hands of the legislature which is elected to establish public policy.

FACTUAL SCENARIO

Husband Gross Earnings Per Month: \$2,750.00

Wife Gross Earnings Per Month: \$1,600.00

Two children, ages 6 and 12

Wife is primary custodial parent

Husband is non-primary custodial parent and has visitation every other weekend from 5:00 p.m. on Friday until 9:00 a.m. on Monday, together with one evening every other week from 5:00 p.m. to 8:00 p.m. In addition, the husband has six weeks summer visitation.

Extra expenses: \$100 per month day care provided by the wife and \$75 per month cost of health insurance provided by the husband.

Exhibit 1

Child support as calculated by the 1983 Sedgwick County  
Child Support Guideline:

Husband: \$2,750.00 gross monthly income  
\$2,062.50 per month net

Child support is \$390 per month to be paid by husband to  
wife.

Exhibit 2

CHILD SUPPORT AS CALCULATED BY CURRENT  
SUPREME COURT CHILD SUPPORT GUIDELINE

WORKSHEET A  
CHILD SUPPORT OBLIGATION

	(H) <u>Petitioner</u>		(W) <u>Respondent</u>		<u>Combined</u>
1. Gross Monthly Income	<u>\$2,750.00</u>		<u>\$1,600.00</u>		
2. Pre-existing Support obligations	- <u>0.00</u>		- <u>0.00</u>		
3. Adjusted Gross Income	<u>2,750.00</u>	+	<u>1,600.00</u>	=	<u>\$4350.00</u>
4. Proportionate shares of combined Income (each parent's income divided by combined income)	<u>63%</u>		<u>37%</u>		
5. Basic Child Support Obligation (using combined adjusted gross income from line 3 find amount for each child-enter total for all children)					
Age of Children	0-6		7-15		16-18
Number Per Age Category	<u>1</u>		<u>1</u>		
Total Amount	<u>416</u>	+	<u>496</u>	+	<u>        </u>
				=	<u>912.00</u>
6. Health and Dental Insurance Premium	<u>75.00</u>	+	<u>0.00</u>	=	<u>75.00</u>
7. Work-Related Child Care Costs	<u>0.00</u>	+	<u>100.00</u>	=	<u>100.00</u>
8. Parents' Total Child Support Obligation without Supplemental Considerations (line 5 plus lines 6 & 7)					<u>1087.00</u>
9. Parental Child Support Obligation (line 4 times line 8 for each parent)	<u>684.81</u>		<u>402.19</u>		
10. Subtract for Actual Payment made for items 6 and 7	- <u>75.00</u>		- <u>100.00</u>		
11. Subtract Adjustment for Supplemental Considerations	- <u>0.00</u>		- <u>0.00</u>		
12. Net Parental Child Support Obligation (line 9 minus lines 10 and 11)	<u>609.81 *</u>		<u>302.19</u>		

\*Husband's child support would be reduced by 50% during the summer under the existing Sedgwick County policy.

Exhibit 3

Child Support as Calculated Using  
SENATE BILL NO. 74 WORKSHEET A

		(H) Petitioner	(W) Respondent	Combined
		<u>2750.00</u>	+ <u>1600.00</u>	= <u>4350.00</u>
13	1) Verified Gross Income			
14	2) Proportionate Shares of Income	<u>63 %</u>	<u>37 %</u>	
15	Petitioner's income/Combined			
16	Respondent's income/Combined			<u>2175.00</u>
17	3) Mean Average Income (Combined/2)			
18	4) Basic Support Obligation (Using Mean Average Income from line 3, find amount for each child-enter total for all children)			
19	Age of children	0-6	7-15	16-18
20	Number Per Age	<u>1</u>	<u>1</u>	
21	Category	<u>279.00</u>	<u>333.00</u>	+ <u>612.00</u>
22	Total amount		<u>75.00</u>	= <u>75.00</u>
23	5) Health & Dental Ins. Premium		<u>100.00</u>	+ <u>100.00</u>
24	6) Work Related Child Care Cost			= <u>100.00</u>
25	7) Parents' Total Support Obligation (lines 4 + 5 + 6)			<u>787.00</u>
26	8) Parental Support Obligation (line 2 x line 7 for each parent)	<u>495.81</u>	<u>291.19</u>	
27	9) Amounts actually paid of mutual obligations (e.g. line 5, line 6 & other such payments like school fees.)	<u>75.00</u>	+ <u>100.00</u>	= <u>175.00</u>
28	10) Total Discretionary Support Obligations (line 7 - line 9)			<u>612.00</u>
29	11) Percentage of Residency	<u>33 %</u>	<u>67 %</u>	
30	12) Discretionary Support Obligation Credit (line 10 x 11 for each parent)	<u>201.96</u>	<u>410.04</u>	
31	13) Net Support Obligation line 8 - line 9 - line 12 for each parent	<u>218.85</u>	<u>-218.85</u>	<u>(husband) 218.85</u>
32	14) Child Support Obligation			
33	Line 13 will be positive for one parent and negative for the other. If			
34	the amounts are both zero no support shall be awarded to either			
35	parent. Support should be awarded to the parent with the negative			
36	amount from the parent with the positive amount. The award of support			
37	should be the positive amount (i.e. if Petitioner has the positive			
38	amount that positive amount should be awarded to the Respondent.)			
39	Support Obligation: The petitioner shall pay support in the amount of \$218.85 to the respondent.			

Exhibit 4

SENATE BILL NO. 74 WORKSHEET B

45 WORKSHEET B  
46 CHECK TO ASSURE CHILD SUPPORT ORDERS  
47 DO NOT PUT PAYOR BELOW POVERTY LEVELS  
48 This worksheet is based on the proposed order that the Petitioner  
49 will pay Respondent child support in the amount of \$218.85 per month.  
50 All entries are solely those numbers relevant to the party who will  
51 pay child support. (Husband)

52 A) Gross Income	<u>2750.00</u>
53 B) Social Security/Self-Employment Taxes	
54 C) Federal Withholding Taxes	<u>687.50</u>
55 D) State Withholding Taxes	
56 E) Proposed Child Support Order	<u>218.85</u>
57 F) Net Living Income (A - [B+C+D+E])	<u>1843.65</u>
58 G) Number of children	<u>2</u>
59 H) Incremental Poverty Level from Chart (Family size is line G + 2)	<u>317.00</u>
61 I) Child Support Payor's Share of Children's Poverty Level (line H x line 11, Worksheet A)	<u>106.41</u>
63 J) Child Support Payor's Poverty Level (line I + 459)	<u>565.41</u>
65 K) Poverty Level Check (Adjustment) (line F + line J)	<u>2409.06</u>

67 If line K is positive then the proposed order does not put the Child  
68 Support Payor below poverty. If line K is negative then the proposed  
69 support order should be reduced by the line K amount.  
70 Example: Net Living Income (line F) = \$475. Only one child. Amount  
71 on chart for 3 persons is \$159. Assuming this party has 40% residency  
72 from line 11 on Worksheet A, \$159 x 40% = \$64 (line I). Line J  
73 becomes \$523 (\$64 + \$459). Since this is greater than the \$475 Net  
74 Living Income (line F), Child Support Order should be reduced by \$48  
75 per month.

77

	<u>POVERTY LEVEL CHART</u>					
79 Family Size	3	4	5	6	7	8
81 Incremental	\$159	\$317	\$475	\$633	\$792	\$950



Testimony on Senate Bill 74  
February 9, 1989

The Kansas court trustees ask the senators serving on the Judiciary Committee to consider the following matters while evaluating S.B. 74:

1. Senate Bill 74 expresses a preference that children, rather than adults, bear the brunt of poverty. (p. 1, lines 21-23).
2. Use of Senate Bill 74's method of figuring support would reduce the amount of child support awards by approximately one-third their amount under the current guidelines.
3. Senate Bill 74 contradicts the intent of the federal Child Support Amendments of 1984 by accepting and encouraging reliance on welfare. (pp. 8-9; ll. 293-307).
4. New concepts such as "discretionary support obligations" (p. 6, ll. 207-211); "percentage of residency" (p. 6, ll. 212-221) and "other types of historical support" (p.10, ll. 341-355) will increase litigation of child support cases by increasing the number of issues requiring interpretation and proof.

3818 SW Atwood Terr  
Topeka, KS 66610  
(913) 266-2161  
Feb. 7, 1989

Dear Mrs. Salisbury,

First I want to thank you for visiting with me on the phone about my concerns for Senate Bill 74.

I wish I could attend the meeting to air my concern in person. I thank you for giving my list to the committee to review before they finalize any decision.

Sincerely,

Joely A Williams

enclosure : 2

## Concerns about Senate Bill 74

# 66, 67, 68

This line does support the fact that many non-custodial parents have to take second jobs to support their children. Could this possibly be, that the financial guidelines are too-high? My family is grateful that the income from second jobs are not used toward child-support payments. I feel, as do many others that the new financial guidelines have not been in the total "best interest of our children"

1) Our children live in another town so visitation had been on weekends. due to a second job they are unable to see their father, because his employer wants him working weekends or loose his job. If he loses his job, he'll be in contempt of court because he could not make his "new financial obligations". Our children are upset by not seeing their father. This is a man who has never refused to support his children. I hope that our justice system feels

there is an answer to this problem. Money is not the most important thing to children. There has to be a new solution.

140, 141, 142

"Nothing" is provided without cost!  
At present no percentage is given to non-custodial parent when job provides "no cost" medical insurance. If the non-custodial parent did not work in such a position, that "cost" would be passed on to both parents. Then the custodial parent would really have problems of whether the insurance was pd or not. A family policy in USD 501 is approximately \$40<sup>00</sup> per month. I feel that some type of adjustment should be considered.

273-274

Nowhere have I seen that children born to non-custodial parents in a second marriage have been taken up to consideration equally, due to the fathers obligation to all of the children.

I am a step-parent and a wife of a second marriage. I have seen my step-children and my son from my present marriage suffer due to the fact no one is saying "daddy". I feel that one job should be sufficient and no one should be placed in the position our family is in. I wish that both families could be supported equally. Why should one family suffer over another? Why are children being denied access to their father because the financial support exceeds income?

I understand this is a problem that is going to be a hard one to fix. But is money more important than love? We believe in supporting our children. Please help us see them again by understanding what is happening.

Sincerely  
 B. Miller

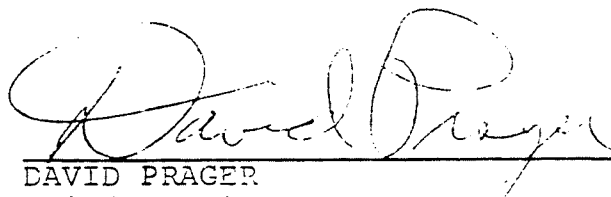
IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 59

Re: Kansas Child Support Guidelines

The attached Kansas Child Support Guidelines are hereby adopted, and are to be used as a basis for establishing and reviewing child support orders in the district courts of Kansas. These guidelines should be implemented no later than October 30, 1987.

ADOPTED BY ORDER OF THE COURT this 1st day of October 1987.

  
\_\_\_\_\_  
DAVID PRAGER  
Chief Justice

Attachment

## BACKGROUND

The United States Office of Child Support Enforcement (OCSE) promulgated the following federal regulation on May 9, 1985:

Sec. 302.56. Guidelines for setting child support awards.

(a) Effective October 1, 1987, as a condition for approval of its State plan, the State shall establish guidelines by law or by judicial or administrative action for setting child support award amounts within the state.

(b) The State shall have procedures for making the guidelines available to all persons in the State whose duty it is to set child support award amounts, but the guidelines need not be binding on those persons.

(c) The guidelines must be based on specific descriptive and numeric criteria and result in a computation of the support obligation.

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

The Kansas Commission on Child Support was appointed by the Governor in December 1984, in compliance with Public Law 93-378, to monitor, assist and advise on issues relating to the enforcement and establishment of child support. The Commission appointed a committee in May 1985 to study guidelines and to draft a proposal for Kansas. The committee included three lawyers, two judges, a district court administrator, a non-custodial parent, a custodial parent, two child advocates, a representative of the State Department for Social and Rehabilitation Services (SRS), and staff assistance from SRS and the Office of Judicial Administration.

The committee solicited substantial comment from the public. Five public hearings on visitation and guideline issues were held in October and November of 1985. Approximately 200 interested citizens attended the public hearings. Nearly five hundred questionnaires were sent to lawyers, judges, fathers' rights groups, mothers' rights groups, court administrators and trustees, attendees at the public hearings and anyone else who requested one. All Commission meetings have been open to the public. The Commission submitted its report to the Supreme Court in 1987. In order to prevent the State of Kansas from being penalized through the threatened loss of federal funding, and after careful consideration of the guidelines proposed by the Commission, with substantial modification thereto by this Court to grant greater flexibility and discretion to the trial court, the Kansas Supreme Court has adopted the following child support guidelines.

## I. USE OF THE GUIDELINES

The Kansas Child Support Guidelines are a suggested basis for establishing and reviewing child support orders in the district courts in Kansas. The net child support obligation calculated on Worksheet A (Appendix I) in the absence of other evidence shall be deemed prima facie evidence of a reasonable child support order. However, the Court shall consider all relevant evidence presented in setting the amount of child support, including but not limited to the supplemental considerations set forth in II.C. and III. If the parties have entered into an overall settlement involving child support and alimony, the Court shall enforce the same if the overall settlement adequately provides for the children. The purpose of these guidelines is not to establish a rigid formula, but to produce more consistency in child support orders throughout the state. The ultimate goal in each case should be justice and fairness for the children and parents in light of the ability of the parents. The final determination of child support rests within the sound discretion of the trial court.

## II. DETERMINATION OF CHILD SUPPORT OBLIGATION

### A. Documentation

A completed Worksheet A shall be filed by the judge in every case where an order of child support is entered after the effective date of these guidelines.

### B. General Instructions for Preparing Worksheet A

1. Information provided by the parties pursuant to Supreme Court Rule 139 shall assist the Court in filling out Worksheet A. The information required pursuant to Rule 139 shall be attached to the application for support. The judge, upon considering all relevant information, will complete Worksheet A and attach Worksheet A to the order for support.
2. The total financial circumstances of both parents shall be considered and may be reason to deviate from the amount of the support obligation as calculated on line 12 of Worksheet A.
3. In using the CS Schedules, it may be necessary to average the basic child support obligation amounts for income amounts not shown.
4. In determining the age of a child, the age on the child's nearest birthdate shall be used.



C. Supplemental Child Support Considerations

Other factors which may warrant adjustments to the net parental child support obligation. These include:

1. Needs of the child
  - a. Uninsured health care
  - b. Special school needs
  - c. Financial resources and needs of the child
2. The overall financial circumstances and need of both parents
  - a. Visitation expenses
  - b. Adjustments for extended visitation
  - c. Shared physical custody
  - d. Responsibility for support of others
  - e. Tax considerations
  - f. Residence with a third party
  - g. The value of services contributed by the parents
  - h. Other relevant factors

D. Explanation of Worksheet A

1. Gross Monthly Income. (Line 1)

"Gross income" means earning ability of the parents and income from any source including imputed income, but does not include benefits received from public assistance programs. Benefits received from need-related programs, such as Supplemental Security Income, Aid to Families with Dependent Children, Food Stamps, Medical Assistance, and General Assistance, are not included in the definition of gross income because such benefits decrease as the recipient's income increases from all other sources, including child support.

Gross monthly income is computed by dividing by twelve the gross income received during the twelve months preceding the support obligation determination.

Gross income for the self-employed is gross income as defined above minus ordinary and necessary business expenses which reduce the funds available for child support.

Judicial discretion is important in evaluating the circumstances of the self-employed. In particular, judicial attention should be given to situations in which income is received on a sporadic basis throughout the year, such as with persons engaged in farming.

Income may be imputed at the Court's discretion.

2. Pre-existing Support Obligations. (Line 2)

Pre-existing child support obligations in other cases shall be deducted from the obligor's gross income to the extent that these support obligations are actually paid. These amounts are entered on line 2.

3. Adjusted Gross Income. (Line 3)

The adjusted gross income on line 3 is established by subtracting any amounts shown on line 2 from the gross income amount on line 1.

4. Proportionate Shares of Combined Income. (Line 4)

To determine each parent's proportionate share of the total child support obligation, each parent's gross income is divided by the total of the combined gross income.

A completed Worksheet A using the example given is attached as Appendix II.

Example: Parent A earns \$1,768 gross income a month. Parent B earns \$832 gross income per month. Their combined gross income is \$2,600. Parent A's share of the child support obligation will be \$1,768 divided by \$2,600 or 68%. The Parent B's share of the support obligation will be \$832 divided by \$2,600 or 32%.

5. Basic Child Support Obligation. (Line 5)

The basic child support obligation is determined using the CS Schedules (Appendix III). The CS Schedules have three major components--number of children in the family, combined gross income, and age of each child. Step 1. The table that corresponds to the total number of children for whom the parents share responsibility should be found. Step 2. The appropriate combined monthly adjusted gross income amount should be identified in the left-hand column. Step 3. Using the appropriate age column for each child, the amount for each child should be identified. Step 4. The amounts for each child should be added together to arrive at the total basic child support obligation.

Example: The parents above have two children: ages 6 years, 7 months and 3 years, 10 months. Using the "2 Children Families" schedule, \$2,600 is found in the left-hand column. Under the first column for the four-year old, \$262 is identified and in the next column for the seven-year old, \$313 is identified. These two amounts are added together to find the total basic child support obligation of \$575.00 per month.

6. Health and Dental Insurance Premium. (Line 6)

The increased cost to the parent for health and/or dental insurance for the child is to be added to the basic support obligation. If coverage is provided without cost, then zero should be entered as the amount. The cost of insurance coverage is entered in the column of the parent(s) providing it and the total is entered in the right-hand column.

Example: Parent A has a single coverage policy provided by his or her employer. To add the children would cost \$125 a month. Therefore, \$125 would be entered in Parent A's column and in the right-hand column on line 6.

7. Work-Related Child Care Costs. (Line 7)

Actual, reasonable, and necessary child care costs incurred to permit employment or job search of a parent should be added to the support obligation. The monthly figure is the averaged annual amount.

Example: Child care is needed for the pre-school child. The cost of the child care is \$200 per month. Parent B pays for the costs of the child care. Therefore, \$200 would be entered in Parent B's column and in the right-hand column of line 7.

8. Total Child Support Obligation Without Supplemental Considerations. (Line 8)

The total child support obligation is the sum of the basic support obligation (line 5), the health and dental insurance premium (line 6), and the work related child care costs (line 7).

Example: The total child support obligation is obtained by adding the \$575 basic obligation (line 5) plus \$125.00 in health insurance (line 6) and \$200 in child care cost (line 7). The support obligation totals \$900 per month.

9. Parental Child Support Obligation. (Line 9)

The support obligation for each parent is determined by multiplying each parent's proportionate share shown on line 4, times the total support obligation (line 8).

Example: On line 4, Parent A had 68% of the combined income and Parent B had 32%. Therefore, Parent A's obligation is \$612 (.68 x \$900). Parent B's obligation is \$288 (.32 x \$900).

10. Adjustment for Health and Dental Insurance Premiums and Work-Related Child Care Costs. (Line 10)

If costs of health and dental insurance premiums and/or work-related child care costs are included in the total child support obligation, the parent actually making the payment is credited. This is done by subtracting the amount paid (as shown on lines 6 and 7) from that parent's child support obligation (line 9).

Example: Parent A pays \$125 per month for health insurance. Therefore, \$125 should be subtracted from that parent's child support obligation of \$612 to make a net obligation of \$487. Parent B pays \$200 per month child care costs. Therefore, \$200 should be subtracted from that parent's child support obligation of \$288 to make a net obligation of \$88.

11. Adjustment for Supplemental Considerations. (Line 11)

Supplemental considerations such as, but not limited to, those set forth in II.C. and III., if any, should be calculated for each parent and entered on line 11. The amount of any particular supplemental consideration must be determined by the court on an individual basis and lies within the sound discretion of the trial judge.

12. Net Parental Child Support Obligation. (Line 12)

The net obligation is the parental child support obligation (line 9) minus lines 10 and 11. The residential parent retains his or her portion of the net obligation. The non-residential parent's net obligation becomes the amount of the support order.

Example: Parent B has primary residential custody. Therefore, Parent A will pay \$487. Parent B will retain the \$88 which represents his/her share.

III. ADJUSTMENTS TO CHILD SUPPORT DUE TO CHANGED CIRCUMSTANCES

Courts have continuing jurisdiction to modify child support orders to advance the welfare of the child when there is a material change in circumstances. In determining requested modifications of child support orders entered prior to the effective date hereof, the court should consider the totality of the present circumstances of the parties and avoid modifications which would work undue hardship on the parties or any persons presently dependent thereon.

IN THE \_\_\_\_\_ JUDICIAL DISTRICT  
DISTRICT COURT, \_\_\_\_\_ COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Appendix I

\_\_\_\_\_ and \_\_\_\_\_

Case No. \_\_\_\_\_

WORKSHEET A  
CHILD SUPPORT OBLIGATION

		<u>Petitioner</u>		<u>Respondent</u>		<u>COMBINED</u>
1. Gross Monthly Income		_____		_____		
2. Pre-existing Support Obligations	-	_____		_____	-	
3. Adjusted Gross Income		_____	+	_____	=	_____
4. Proportionate Shares of Combined Income (each parent's income divided by combined income)		_____ %		_____ %		
5. Basic Child Support Obligation (using combined adjusted gross income from line 3 find amount for each child - enter total for all children)						
Age of Children	0-6			7-15		16-18
Number Per Age Category	_____			_____		_____
Total Amount		_____	+	_____	+	_____ = _____
6. Health and Dental Insurance Premium		_____	+	_____	=	_____
7. Work-Related Child Care Costs		_____	+	_____	=	_____
8. Parents' Total Child Support Obligation without Supplemental Considerations (line 5 plus lines 6 & 7)						_____
9. Parental Child Support Obligation (line 4 times line 8 for each parent)		_____		_____		
10. Subtract for Actual Payment made for items 6 and 7		- _____		- _____		
11. Subtract Adjustment for Supplemental Considerations		- _____		- _____		
12. Net Parental Child Support Obligation (line 9 minus lines 10 and 11)		_____		_____		

Instructions: Calculations should be rounded to the nearest tenth for percentages.  
Calculations should be rounded to the nearest dollar in all instances.

IN THE MATTER OF THE MARRIAGE OF:

Appendix II

\_\_\_\_\_ and \_\_\_\_\_

Case No. \_\_\_\_\_

WORKSHEET A  
CHILD SUPPORT OBLIGATION

	<u>Parent A</u>		<u>Parent B</u>	<u>COMBINED</u>
1. Gross Monthly Income	<u>1,768</u>		<u>832</u>	
2. Pre-existing Support Obligations	- <u>0</u>	-	- <u>0</u>	
3. Adjusted Gross Income	<u>1,768</u>	+	<u>832</u>	= <u>2,600</u>
4. Proportionate Shares of Combined Income (each parent's income divided by combined income)	<u>68 %</u>		<u>32 %</u>	
5. Basic Child Support Obligation (using combined adjusted gross income from line 3 find amount for each child - enter total for all children)				
Age of Children	0-6		7-15	16-18
Number Per Age Category	<u>1</u>		<u>1</u>	<u>0</u>
Total Amount	<u>262</u>	+	<u>313</u>	+
			<u>0</u>	= <u>575</u>
6. Health and Dental Insurance Premium	<u>125</u>	+	<u>0</u>	= <u>125</u>
7. Work-Related Child Care Costs	<u>0</u>	+	<u>200</u>	= <u>200</u>
8. Parents' Total Child Support Obligation without Supplemental Considerations (line 5 plus lines 6 & 7)				<u>900</u>
9. Parental Child Support Obligation (line 4 times line 8 for each parent)	<u>612</u>		<u>288</u>	
10. Subtract for Actual Payment made for items 6 and 7	- <u>125</u>		- <u>200</u>	
11. Subtract Adjustment for Supplemental Considerations	- _____		- _____	
12. Net Parental Child Support Obligation (line 9 minus lines 10 and 11)	<u>487</u>		<u>88</u>	

Instructions: Calculations should be rounded to the nearest tenth for percentages.  
Calculations should be rounded to the nearest dollar in all instances.

## ONE CHILD FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

(The schedules have been adjusted for mandatory state and federal taxes and Social Security)

Combined Gross Monthly Income (\$)	Support Amount (\$ Per Child) Age Group			Combined Gross Monthly Income (\$)	Support Amount (\$ Per Child) Age Group		
	0-6	7-15	16-18		0-6	7-15	16-18
50	8	9	11	2700	343	409	470
100	15	18	21	2800	355	424	487
150	22	26	30	2900	367	438	503
200	29	35	40	3000	379	452	520
250	36	43	49	3100	391	466	536
300	43	51	59	3200	403	481	553
350	50	59	68	3300	415	495	569
400	56	67	77	3400	427	509	585
450	63	75	86	3500	439	523	602
500	69	83	95	3600	451	537	618
550	76	91	104	3700	463	552	634
600	83	98	113	3800	475	566	650
650	89	106	122	3900	487	580	666
700	96	114	131	4000	498	594	683
750	102	122	140	4100	510	608	699
800	108	129	149	4200	522	622	715
850	115	137	157	4300	534	636	731
900	121	144	166	4400	545	650	747
950	128	152	175	4500	557	664	763
1000	134	160	184	4600	569	678	779
1050	140	167	192	4700	581	692	795
1100	147	175	201	4800	592	706	811
1150	153	182	210	4900	604	720	827
1200	159	190	218	5000	616	734	843
1250	166	197	227	5100	627	748	859
1300	172	205	235	5200	639	762	875
1350	178	212	244	5300	651	775	891
1400	184	220	252	5400	662	789	907
1450	191	227	261	5500	674	803	923
1500	197	234	269	5600	686	817	939
1550	203	242	278	5700	697	831	955
1600	209	249	286	5800	709	845	971
1650	215	257	295	5900	720	858	987
1700	222	264	303	6000	732	872	1003
1750	228	271	312	6200	755	900	1034
1800	234	279	320	6400	778	927	1066
1850	240	286	329	6600	801	955	1097
1900	246	293	337	6800	824	982	1129
1950	252	301	346	7000	847	1009	1160
2000	258	308	354	7200	870	1037	1192
2100	271	323	371	7400	893	1064	1223
2200	283	337	387	7600	916	1091	1254
2300	295	352	404	7800	938	1118	1286
2400	307	366	421	8000	961	1146	1317
2500	319	380	437	8200	984	1173	1348
2600	331	395	454	8400	1007	1200	1379

# TWO CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

Combined Support Amount (\$ Per Child)				Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group			Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18		0-6	7-15	16-18
50	7	8	10	2700	271	324	372
100	13	16	18	2800	281	335	385
150	19	23	26	2900	290	345	397
200	25	30	34	3000	299	356	410
250	31	36	42	3100	308	367	422
300	36	43	49	3200	317	378	435
350	42	50	57	3300	326	389	447
400	47	56	64	3400	335	400	460
450	52	62	72	3500	345	411	472
500	58	69	79	3600	354	421	484
550	63	75	86	3700	363	432	497
600	68	81	93	3800	372	443	509
650	73	87	101	3900	381	454	521
700	79	94	108	4000	389	464	534
750	84	100	115	4100	398	475	546
800	89	106	122	4200	407	485	558
850	94	112	129	4300	416	496	570
900	99	118	136	4400	425	507	582
950	104	124	143	4500	434	517	594
1000	109	130	149	4600	443	528	607
1050	114	136	156	4700	452	538	619
1100	119	142	163	4800	460	549	631
1150	124	148	170	4900	469	559	643
1200	129	154	177	5000	478	570	655
1250	134	160	183	5100	487	580	667
1300	139	165	190	5200	496	591	679
1350	144	171	197	5300	504	601	691
1400	149	177	203	5400	513	611	703
1450	153	183	210	5500	522	622	715
1500	158	189	217	5600	530	632	727
1550	163	194	223	5700	539	643	739
1600	168	200	230	5800	548	653	750
1650	173	206	237	5900	557	663	762
1700	178	212	243	6000	565	674	774
1750	182	217	250	6200	582	694	798
1800	187	223	256	6400	600	715	821
1850	192	229	263	6600	617	735	845
1900	197	234	269	6800	634	756	869
1950	201	240	276	7000	651	776	892
2000	206	246	282	7200	668	796	915
2100	216	257	295	7400	685	817	939
2200	225	268	308	7600	702	837	962
2300	234	279	321	7800	719	857	985
2400	244	290	334	8000	736	877	1008
2500	253	301	347	8200	753	897	1031
2600	262	313	359	8400	770	917	1055



# THREE CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

-----			
Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
-----	0-6	7-15	16-18
-----	-----	-----	-----
50	6	7	8
100	11	13	15
150	16	19	21
200	21	24	28
250	25	30	35
300	30	36	41
350	35	41	47
400	39	47	54
450	44	52	60
500	48	58	66
550	53	63	73
600	57	68	79
650	62	74	85
700	66	79	91
750	71	84	97
800	75	90	103
850	80	95	109
900	84	100	115
950	88	105	121
1000	93	111	127
1050	97	116	133
1100	101	121	139
1150	106	126	145
1200	110	131	151
1250	114	136	157
1300	119	141	162
1350	123	146	168
1400	127	152	174
1450	131	157	180
1500	136	162	186
1550	140	167	192
1600	144	172	197
1650	148	177	203
1700	153	182	209
1750	157	187	215
1800	161	192	220
1850	165	197	226
1900	169	202	232
1950	173	207	238
2000	178	212	243
2100	186	222	255
2200	194	231	266
2300	202	241	277
2400	211	251	289
2500	219	261	300
2600	227	271	311

-----			
Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
-----	0-6	7-15	16-18
-----	-----	-----	-----
2700	235	280	322
2800	243	290	334
2900	252	300	345
3000	260	310	356
3100	268	319	367
3200	276	329	378
3300	284	338	389
3400	292	348	400
3500	300	358	411
3600	308	367	422
3700	316	377	433
3800	324	386	444
3900	332	396	455
4000	340	405	466
4100	348	415	477
4200	356	424	488
4300	364	434	499
4400	372	443	509
4500	380	453	520
4600	388	462	531
4700	396	472	542
4800	404	481	553
4900	411	490	564
5000	419	500	574
5100	427	509	585
5200	435	518	596
5300	443	528	607
5400	451	537	617
5500	458	546	628
5600	466	556	639
5700	474	565	649
5800	482	574	660
5900	490	584	671
6000	497	593	681
6200	513	611	703
6400	528	630	724
6600	544	648	745
6800	559	667	766
7000	575	685	787
7200	590	703	808
7400	605	722	829
7600	621	740	850
7800	636	759	871
8000	651	776	892
8200	667	794	913
8400	682	813	934

# FOUR CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

-----			
Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
-----	0-6	7-15	16-18
-----	-----	-----	-----
50	6	7	8
100	11	13	15
150	15	18	21
200	20	24	27
250	24	29	33
300	29	34	39
350	33	39	45
400	37	44	51
450	41	49	56
500	45	54	62
550	49	58	67
600	53	63	73
650	57	68	78
700	61	72	83
750	65	77	89
800	68	82	94
850	72	86	99
900	76	91	104
950	80	95	109
1000	83	99	114
1050	87	104	119
1100	91	108	124
1150	94	113	129
1200	98	117	134
1250	102	121	139
1300	105	125	144
1350	109	130	149
1400	112	134	154
1450	116	138	159
1500	120	142	164
1550	123	147	169
1600	127	151	173
1650	130	155	178
1700	134	159	183
1750	137	163	188
1800	141	167	193
1850	144	172	197
1900	147	176	202
1950	151	180	207
2000	154	184	211
2100	161	192	221
2200	168	200	230
2300	175	208	239
2400	181	216	249
2500	188	224	258
2600	195	232	267

-----			
Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
-----	0-6	7-15	16-18
-----	-----	-----	-----
2700	201	240	276
2800	208	248	285
2900	215	256	294
3000	221	264	303
3100	228	271	312
3200	234	279	321
3300	241	287	330
3400	247	295	339
3500	254	302	347
3600	260	310	356
3700	266	317	365
3800	273	325	374
3900	279	333	382
4000	285	340	391
4100	292	348	400
4200	298	355	408
4300	304	363	417
4400	311	370	426
4500	317	378	434
4600	323	385	443
4700	329	393	451
4800	336	400	460
4900	342	407	468
5000	348	415	477
5100	354	422	485
5200	360	429	494
5300	366	437	502
5400	373	444	510
5500	379	451	519
5600	385	459	527
5700	391	466	535
5800	397	473	544
5900	403	480	552
6000	409	488	560
6200	421	502	577
6400	433	516	593
6600	445	531	610
6800	457	545	626
7000	469	559	643
7200	481	573	659
7400	493	587	675
7600	505	601	691
7800	516	615	707
8000	528	629	723
8200	540	643	739
8400	551	657	755

# FIVE CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

Dollars Per Month Per Child

Combined Support Amount (\$ Per Child) Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
50	5	6	7
100	10	12	13
150	14	17	19
200	18	21	25
250	22	26	30
300	26	31	35
350	29	35	40
400	33	40	45
450	37	44	50
500	40	48	55
550	44	52	60
600	47	56	65
650	51	61	70
700	54	65	74
750	58	69	79
800	61	73	83
850	64	77	88
900	68	81	93
950	71	84	97
1000	74	88	102
1050	77	92	106
1100	81	96	110
1150	84	100	115
1200	87	104	119
1250	90	107	123
1300	93	111	128
1350	96	115	132
1400	100	119	136
1450	103	122	141
1500	106	126	145
1550	109	130	149
1600	112	133	153
1650	115	137	158
1700	118	141	162
1750	121	144	166
1800	124	148	170
1850	127	152	174
1900	130	155	178
1950	133	159	182
2000	136	162	187
2100	142	169	195
2200	148	177	203
2300	154	184	211
2400	160	191	219
2500	166	197	227
2600	171	204	235

Combined Support Amount (\$ Per Child) Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
2700	177	211	243
2800	183	218	251
2900	189	225	259
3000	194	232	266
3100	200	239	274
3200	206	245	282
3300	211	252	290
3400	217	259	297
3500	223	265	305
3600	228	272	313
3700	234	279	320
3800	239	285	328
3900	245	292	335
4000	250	298	343
4100	256	305	350
4200	261	311	358
4300	267	318	365
4400	272	324	373
4500	278	331	380
4600	283	337	388
4700	288	344	395
4800	294	350	402
4900	299	357	410
5000	305	363	417
5100	310	369	424
5200	315	376	432
5300	321	382	439
5400	326	388	446
5500	331	395	454
5600	336	401	461
5700	342	407	468
5800	347	413	475
5900	352	420	482
6000	357	426	490
6200	368	438	504
6400	378	451	518
6600	389	463	532
6800	399	475	546
7000	409	488	561
7200	419	500	575
7400	430	512	589
7600	440	524	603
7800	450	536	616
8000	460	548	630
8200	470	560	644
8400	480	572	658

# SIX CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

Dollars Per Month Per Child

Combined Support Amount (\$ Per Child) Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
50	5	6	7
100	9	11	12
150	13	15	18
200	16	20	23
250	20	24	27
300	23	28	32
350	27	32	37
400	30	36	41
450	33	40	46
500	37	44	50
550	40	47	54
600	43	51	59
650	46	55	63
700	49	58	67
750	52	62	71
800	55	66	75
850	58	69	79
900	61	73	83
950	64	76	88
1000	67	80	92
1050	70	83	95
1100	73	86	99
1150	75	90	103
1200	78	93	107
1250	81	97	111
1300	84	100	115
1350	87	103	119
1400	90	107	123
1450	92	110	126
1500	95	113	130
1550	98	117	134
1600	101	120	138
1650	103	123	142
1700	106	126	145
1750	109	130	149
1800	111	133	153
1850	114	136	156
1900	117	139	160
1950	119	142	164
2000	122	146	167
2100	127	152	175
2200	133	158	182
2300	138	164	189
2400	143	171	196
2500	148	177	203
2600	154	183	210

Combined Support Amount (\$ Per Child) Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
2700	159	189	217
2800	164	195	224
2900	169	201	231
3000	174	207	238
3100	179	213	245
3200	184	219	252
3300	189	225	259
3400	194	231	266
3500	199	237	272
3600	204	243	279
3700	209	249	286
3800	214	255	293
3900	219	260	299
4000	223	266	306
4100	228	272	313
4200	233	278	319
4300	238	284	326
4400	243	289	332
4500	248	295	339
4600	252	301	346
4700	257	306	352
4800	262	312	359
4900	267	318	365
5000	271	323	372
5100	276	329	378
5200	281	335	385
5300	285	340	391
5400	290	346	397
5500	295	351	404
5600	299	357	410
5700	304	362	417
5800	309	368	423
5900	313	373	429
6000	318	379	436
6200	327	390	448
6400	336	401	461
6600	345	412	473
6800	355	423	486
7000	364	433	498
7200	373	444	511
7400	382	455	523
7600	391	466	535
7800	400	476	547
8000	408	487	560
8200	417	497	572
8400	426	508	584

IN THE MATTER OF THE MARRIAGE OF:

Appendix II

\_\_\_\_\_  
and  
\_\_\_\_\_

Case No. \_\_\_\_\_

WORKSHEET A  
CHILD SUPPORT OBLIGATION

	<u>Parent A</u>		<u>Parent B</u>		<u>COMBINED</u>
1. Gross Monthly Income	<u>1,768</u>		<u>832</u>		
2. Pre-existing Support Obligations	- <u>0</u>	-	- <u>0</u>		
3. Adjusted Gross Income	<u>1,768</u>	+	<u>832</u>	=	<u>2,600</u>
4. Proportionate Shares of Combined Income (each parent's income divided by combined income)	<u>68 %</u>		<u>32 %</u>		
5. Basic Child Support Obligation (using combined adjusted gross income from line 3 find amount for each child - enter total for all children)					
Age of Children	0-6		7-15		16-18
Number Per Age Category	<u>1</u>		<u>1</u>		<u>0</u>
Total Amount	<u>262</u>	+	<u>313</u>	+	<u>0</u>
				=	<u>575</u>
6. Health and Dental Insurance Premium	<u>125</u>	+	<u>0</u>	=	<u>125</u>
7. Work-Related Child Care Costs	<u>0</u>	+	<u>200</u>	=	<u>200</u>
8. Parents' Total Child Support Obligation without Supplemental Considerations (line 5 plus lines 6 & 7)					<u>900</u>
9. Parental Child Support Obligation (line 4 times line 8 for each parent)	<u>612</u>		<u>288</u>		
10. Subtract for Actual Payment made for items 6 and 7	- <u>125</u>		- <u>200</u>		
11. Subtract Adjustment for Supplemental Considerations	- _____		- _____		
12. Net Parental Child Support Obligation (line 9 minus lines 10 and 11)	<u>487</u>		<u>88</u>		

Instructions: Calculations should be rounded to the nearest tenth for percentages.  
Calculations should be rounded to the nearest dollar in all instances.

# TWO CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

-----				-----			
Combined Support Amount (\$ Per Child)				Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group			Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18		0-6	7-15	16-18
-----				-----			
50	7	8	10	2700	271	324	372
100	13	16	18	2800	281	335	385
150	19	23	26	2900	290	345	397
200	25	30	34	3000	299	356	410
250	31	36	42	3100	308	367	422
300	36	43	49	3200	317	378	435
350	42	50	57	3300	326	389	447
400	47	56	64	3400	335	400	460
450	52	62	72	3500	345	411	472
500	58	69	79	3600	354	421	484
550	63	75	86	3700	363	432	497
600	68	81	93	3800	372	443	509
650	73	87	101	3900	381	454	521
700	79	94	108	4000	389	464	534
750	84	100	115	4100	398	475	546
800	89	106	122	4200	407	485	558
850	94	112	129	4300	416	496	570
900	99	118	136	4400	425	507	582
950	104	124	143	4500	434	517	594
1000	109	130	149	4600	443	528	607
1050	114	136	156	4700	452	538	619
1100	119	142	163	4800	460	549	631
1150	124	148	170	4900	469	559	643
1200	129	154	177	5000	478	570	655
1250	134	160	183	5100	487	580	667
1300	139	165	190	5200	496	591	679
1350	144	171	197	5300	504	601	691
1400	149	177	203	5400	513	611	703
1450	153	183	210	5500	522	622	715
1500	158	189	217	5600	530	632	727
1550	163	194	223	5700	539	643	739
1600	168	200	230	5800	548	653	750
1650	173	206	237	5900	557	663	762
1700	178	212	243	6000	565	674	774
1750	182	217	250	6200	582	694	798
1800	187	223	256	6400	600	715	821
1850	192	229	263	6600	617	735	845
1900	197	234	269	6800	634	756	869
1950	201	240	276	7000	651	776	892
2000	206	246	282	7200	668	796	915
2100	216	257	295	7400	685	817	939
2200	225	268	308	7600	702	837	962
2300	234	279	321	7800	719	857	985
2400	244	290	334	8000	736	877	1008
2500	253	301	347	8200	753	897	1031
2600	262	313	359	8400	770	917	1055

# FOUR CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

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Combined Support Amount (\$ Per Child)				Combined Support Amount (\$ Per Child)			
Gross	Age Group			Gross	Age Group		
Monthly				Monthly			
Income (\$)	0-6	7-15	16-18	Income (\$)	0-6	7-15	16-18
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50	6	7	8	2700	201	240	276
100	11	13	15	2800	208	248	285
150	15	18	21	2900	215	256	294
200	20	24	27	3000	221	264	303
250	24	29	33	3100	228	271	312
300	29	34	39	3200	234	279	321
350	33	39	45	3300	241	287	330
400	37	44	51	3400	247	295	339
450	41	49	56	3500	254	302	347
500	45	54	62	3600	260	310	356
550	49	58	67	3700	266	317	365
600	53	63	73	3800	273	325	374
650	57	68	78	3900	279	333	382
700	61	72	83	4000	285	340	391
750	65	77	89	4100	292	348	400
800	68	82	94	4200	298	355	408
850	72	86	99	4300	304	363	417
900	76	91	104	4400	311	370	426
950	80	95	109	4500	317	378	434
1000	83	99	114	4600	323	385	443
1050	87	104	119	4700	329	393	451
1100	91	108	124	4800	336	400	460
1150	94	113	129	4900	342	407	468
1200	98	117	134	5000	348	415	477
1250	102	121	139	5100	354	422	485
1300	105	125	144	5200	360	429	494
1350	109	130	149	5300	366	437	502
1400	112	134	154	5400	373	444	510
1450	116	138	159	5500	379	451	519
1500	120	142	164	5600	385	459	527
1550	123	147	169	5700	391	466	535
1600	127	151	173	5800	397	473	544
1650	130	155	178	5900	403	480	552
1700	134	159	183	6000	409	488	560
1750	137	163	188	6200	421	502	577
1800	141	167	193	6400	433	516	593
1850	144	172	197	6600	445	531	610
1900	147	176	202	6800	457	545	626
1950	151	180	207	7000	469	559	643
2000	154	184	211	7200	481	573	659
2100	161	192	221	7400	493	587	675
2200	168	200	230	7600	505	601	691
2300	175	208	239	7800	516	615	707
2400	181	216	249	8000	528	629	723
2500	188	224	258	8200	540	643	739
2600	195	232	267	8400	551	657	755
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# SIX CHILDREN FAMILIES: CHILD SUPPORT SCHEDULE

## Dollars Per Month Per Child

Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
50	5	6	7
100	9	11	12
150	13	15	18
200	16	20	23
250	20	24	27
300	23	28	32
350	27	32	37
400	30	36	41
450	33	40	46
500	37	44	50
550	40	47	54
600	43	51	59
650	46	55	63
700	49	58	67
750	52	62	71
800	55	66	75
850	58	69	79
900	61	73	83
950	64	76	88
1000	67	80	92
1050	70	83	95
1100	73	86	99
1150	75	90	103
1200	78	93	107
1250	81	97	111
1300	84	100	115
1350	87	103	119
1400	90	107	123
1450	92	110	126
1500	95	113	130
1550	98	117	134
1600	101	120	138
1650	103	123	142
1700	106	126	145
1750	109	130	149
1800	111	133	153
1850	114	136	156
1900	117	139	160
1950	119	142	164
2000	122	146	167
2100	127	152	175
2200	133	158	182
2300	138	164	189
2400	143	171	196
2500	148	177	203
2600	154	183	210

Combined Support Amount (\$ Per Child)			
Gross Monthly Income (\$)	Age Group		
	0-6	7-15	16-18
2700	159	189	217
2800	164	195	224
2900	169	201	231
3000	174	207	238
3100	179	213	245
3200	184	219	252
3300	189	225	259
3400	194	231	266
3500	199	237	272
3600	204	243	279
3700	209	249	286
3800	214	255	293
3900	219	260	299
4000	223	266	306
4100	228	272	313
4200	233	278	319
4300	238	284	326
4400	243	289	332
4500	248	295	339
4600	252	301	346
4700	257	306	352
4800	262	312	359
4900	267	318	365
5000	271	323	372
5100	276	329	378
5200	281	335	385
5300	285	340	391
5400	290	346	397
5500	295	351	404
5600	299	357	410
5700	304	362	417
5800	309	368	423
5900	313	373	429
6000	318	379	436
6200	327	390	448
6400	336	401	461
6600	345	412	473
6800	355	423	486
7000	364	433	498
7200	373	444	511
7400	382	455	523
7600	391	466	535
7800	400	476	547
8000	408	487	560
8200	417	497	572
8400	426	508	584