

**OFFICE OF THE ATTORNEY
GENERAL
CHILD SUPPORT
ENFORCEMENT DIVISION**



**GUAM CHILD SUPPORT
GUIDELINES**

“Proposed”

(Revised and Updated on January 2008)

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APPENDIX I

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19 GAR-LAW

Article 2 Child Support Guidelines

- §1201. Explanation
- §1202. Introduction
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- §1209. Adoption of Guidelines, Effect on Modifications
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NOTE: Rule-making authority originally cited for formulation of regulations for the Child Support Guidelines by the Department of Public Health and Social Services 10 GCA §2817(A).

The regulations of the Child Support Guidelines forms are reprinted herein as exact as possible to those filed with the Legislative Secretary.

(2004) Federal and local law have been amended extensively since these regulations were adopted. To see the current guidelines, contact the Office of the Attorney General, Child Support Enforcement Division at <http://www.guamattorneygeneral.com>.

§1201. Explanation. The law provides that the Attorney General shall adopt, pursuant to the Administrative Adjudication Law, Child Support Guidelines, a schedule of normal child support payments to be paid by a non-custodial parent to a custodial parent. [5 GCA §34118]

The law has also created an expedited judicial process agency within the Superior Court of Guam designated as the Judicial Hearings Division. This administrative agency has concurrent jurisdiction with the Superior Court over child support matters. Therefore, all references in the guidelines to court hearings include administrative hearings, all references to court orders include administrative orders, and all references to judges include administrative hearings officers. [19 GCA §5501, et seq]

While Guam's Child Support Guidelines are based on an Income Share Model developed by the Child Support Guidelines project of the National Center for State Courts, and the model is predicated on the concept that the child should receive the same proportion of parental income that he or she would have received had the parents lived together, we acknowledge the need for a schedule indicating the fair and reasonable amount of child support to be paid based on the income of the parties.

The Child Support Enforcement Division has, with the help of Policy Studies Inc., Denver Colorado, worked on developing a Schedule, as required by 5 GCA §34118, to show the fair and reasonable amount of child support to be paid based on the income of the parties.

Exhibit A, attached hereto, is the Updated Schedule of Basic Child Support Obligations. This is intended to serve as a base, and not as a ceiling or cap. These figures are intended to operate as a rebuttable presumption in computing child support under the Child Support Guidelines.

§1202. Introduction. (a) Purposes.

(1) To establish a standard of support for children consistent with the reasonable needs of children and the ability of parents to pay;

(2) To make child support awards consistent for persons in similar circumstances;

(3) To give parents and courts guidance in establishing child support orders and to promote settlements;

(4) To comply with federal law (42 U.S.C. Section 651 et. seq., 45 C.F.R. Section 302.56);

(5) To comply with local law (5 GCA §34118).

(b) Premises.

(1) These guidelines apply to all children, whether born in or out of wedlock.

(2) The child support award should permit the children the standard of living which as closely as possible approximates the one they would have had if the family remained together, recognizing the cost of maintaining two households.

(3) The child support obligation has priority over all other financial obligations.

(4) The fact that a custodial parent receives child support does not mean that he or she may not also be entitled to spousal maintenance.

(5) The obligation to support other children may be taken into account by the court, but shall not necessarily entitle the paying parent to a reduction of support, proportionate or otherwise. See 19 GAR §1203(b)(3).

(c) **Presumption.**

(1) **Guidelines:** In any action to establish or modify child support, whether temporary or permanent, the child support guidelines shall be used in the establishment or modification of the amount of child support.

Courts may deviate from the guidelines where its application would be inequitable. In such cases, the court shall enter appropriate written or specific findings on the record.

(2) **Needs:** The guidelines presume that the cost to provide for the average needs of children are as listed in the attached Schedule. Should a custodial parent request child support in excess of the presumed average needs for the child, direct evidence must be presented at the time of hearing to prove that the actual needs of the child are in excess of the presumed average needs of the child in order to overcome the presumption. (For example, where the parents' combined adjusted monthly gross income is \$4,000, the cost to provide for the average needs of one child according to the table is \$746 per month. Should the custodial parent seek a child support award of more than \$ 746 per month, he/she must provide evidence of the child's actual needs in excess of \$746 per month.)

§1203. How to Use the Guidelines in Sole Physical Custody Situations. (a) The gross income of the parties shall be determined, as follows:

(1) Gross income includes income from any source, and may include, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, gifts, prizes, worker's compensation benefits, spousal maintenance received, disability benefits, rental income, retirement plans, pensions and basic and variable allowances for housing and subsistence from military pay and benefits including but not limited to basic allowance for housing (BAH), basic allowance for subsistence (BAS), basic allowance for quarters (BAQ), specialty & proficiency pay, war-zone allowance, hazardous duty, and any other entitlements reflected in the monthly leave and earnings statement (LES), such as the cost-of-living allowance (COLA) for those in high cost areas and other allowances. If the servicemember does not receive BAH or BAQ because he/she lives on base, then the value of that free housing is imputed to his/her income using the military pay charts available on the Defense Finance and Accounting Service (DFAS) website.

(2) Gross income does not include benefits received from means-tested public assistance programs including, but not limited to, temporary assistance to needy families (TANF), supplemental security income (SSI), food stamps, general assistance, or sums received as child support.

(3) For income from self-employment, rent, royalties, proprietorship of a business, or joint ownership of a partnership or closely held corporation, gross income means gross receipts, minus ordinary and necessary expenses required to produce income. "Ordinary and necessary expenses" does not include amounts determined by the court to be inappropriate for determining gross income for purposes of child support.

(4) Expense reimbursements or benefits received by a parent in the course of employment or self-employment or operation of a business shall be counted as income if they are significant and reduce personal living expenses, regardless if they are taxable as income.

(5) If a parent is unemployed or working below full earning capacity, the court may consider the reasons. If earnings are reduced as a matter of choice and not for reasonable cause, such as caring for children, the court may attribute income to the parent up to his or her earning capacity.

(6) The court may take into account the benefits a noncustodial parent derives from remarriage, expense-sharing, or other source towards allocation of self support or other applicable costs.

(b) The gross income shall be adjusted as follows:

(1) Each parent shall be entitled to deduct \$775 from gross income for "self-support". The basic gross income need is based on the U.S. Department of Health and Human Services Poverty Guidelines (2004) for the 48 contiguous states and District of Columbia.

(2) Spousal maintenance and court-ordered child support of other children, actually paid, shall be deducted from the gross income of the payor. "Other children" means children who are not the subject of this particular child support determination. (As stated in §1202(b)(5), support of other children, and children to whom the noncustodial parent owes a legal obligation of support may be considered.)

(3) The court has discretion to credit to the appropriate parent, a maximum of \$50 per child for other natural children in the parent's home. However, this credit shall not be routinely given.

(4) The cost of medical insurance coverage for the children shall be deducted from the gross income of a parent paying the insurance premium. This amount shall be calculated on a per capita basis. Reimbursement for health insurance premiums may be awarded to the appropriate parent in

place of a gross income deduction.

(c) The adjusted gross income of the parents shall be determined as follows:

Adjusted Gross Income is gross income minus the allowed adjustments. Once the Adjusted Gross Income for each parent is established, these amounts shall be added together and the result is the Combined Adjusted Gross Income.

(d) The basic child support obligation shall be determined as follows:

The Combined Adjusted Gross Income figure shall be located on the Schedule of Basic Child Support Obligation, matching it to the column for the number of children involved and multiplying it by the corresponding percentage from the Schedule. The answer is the Basic Child Support Obligation. If the primary obligation of the non-custodial parent is less than \$50 per child per month, a minimum child support award of \$50 per child per month shall be ordered.

(e) The total child support obligation shall be determined as follows:

To the basic obligation, any of the following may be added by the court:

- (1) **Child Care Costs:** Child care expenses appropriate to the parent's financial abilities and to the lifestyle of the children had the family remained intact;
- (2) **Education Expenses:** Any reasonable and necessary expenses for attending private or special schools or necessary expenses to meet particular educational needs of a child when such expenses are incurred by agreement of both parents or ordered by the court;
- (3) **Older Child Adjustment:** The average expenditures for children over age twelve (12) exceed the average expenditures for all children by approximately ten percent (10%). Therefore, the court may increase child support for an older child by an amount up to ten percent (10%) of the support shown on the Schedule.

The net figure derived from adding any of these allowable sums to the Basic Child Support Obligation is the total Child Support Obligation.

(f) Each parent's proportionate share of the Total Child Support Obligation shall be determined as follows:

The Total Child Support Obligation shall be divided between the parents in proportion to their Adjusted Gross Incomes. The obligation of each parent is computed by multiplying each parent's percentage of his/her Combined Adjusted Gross Income by the Total Child Support Obligation. The custodial parent shall be presumed to spend his or her share on the children.

(g) The child support award shall be determined as follows:

The court shall order the non-custodial parent to pay child support in an amount equal to his or her proportionate share of the Total Child Support Obligation.

(h) **EXAMPLE:** One child, age 15: Combined Adjusted Gross Income is \$1,000. The father's Adjusted Gross Income is \$600. Divide the father's Adjusted Gross Income by the Combined Adjusted Income. The result is the father's share of the Combined Adjusted Gross Income.

Thus: \$600 divided by \$1,000 = 60%. The father's share would be 60%. The mother's share would be 40%. On the Schedule, the Basic Child Support Obligation for Combined Adjusted Gross Income of \$1,000 for One Child is \$230. To this the judge adds \$23 because the child is over twelve (12) years old (approximately 10% in this example). The total Child Support Obligation is \$253.

The father's share is 60% of \$253, or \$151.80. The mother's share is 40% of \$253, or \$101.20. Custody is awarded to the mother.

The Child Support Award is that the father pay the mother \$151.80 per month.

The value of the mother's contribution is \$101.20, and she is presumed to spend it directly on the child.

(i) If the non-custodial parent's income is unknown, a temporary child support award shall be set at \$150 per month per child and the Worksheet for Child Support Amount need not be filled out. When both parent's incomes are known the temporary child support amount will be adjusted accordingly using the procedures described in the Child Support Guidelines.

(j) **Visitation.** The court may consider the costs of visitation and may allocate such costs between the parents in proportion to their ability to pay.

(k) **Abatement.** When the non-custodial parent is directly providing for the children's needs for an extended period of time, such as on a long visit,

the court may order a reduction of child support paid to the custodial parent.

§1204. How to Use the Guidelines in Shared Physical Custody Situations.

(1) A parent has shared physical custody (or shared custody) of children for purposes of this guidelines if the children reside with that parent for a period specified in writing in the custody order of at least 40 percent, but no more than 60 percent, of the year, regardless of the status of legal custody.

(2) The child support order must state that failure to exercise sufficient physical custody to qualify for shared physical custody under this rule is grounds for modification of the child support order. Denial of visitation by the custodial parent is not cause to increase child support.

(3) Because shared physical custody presumes that certain basic expenses for the children will be duplicated, an adjustment for shared physical custody is made by multiplying the basic child support obligation by one and fifty hundredths (1.50) or one hundred fifty percent (150%).

(4) Section 1203 (a) through (d) shall apply in shared physical custody situations.

(5) The basic child support obligation shall be determined as follows:

Each parent's Adjusted Gross Income is divided by the Combined Adjusted Gross Income to get the percentage share of income of each parent.

The Combined Adjusted Monthly Gross Income figure shall be located on the Schedule of Basic Child Support Obligation, matching it to the column for the number of children involved. Take the amount of the Basic Child Support Obligation and multiply it by 1.5 to determine the Shared Physical Care Support Obligation.

Multiply the Shared Physical Care Support Obligation by the percentage share of income of each parent. This is each parent's portion of Shared Physical Care Support Obligation.

Determine the number of overnights with each parent (this answer must total 365). Take the number of overnights with each parent and divide by 365 to determine the percentage of time with each parent. If the overnights with either parent is less than 146, use Worksheet A for sole custody situations.

Take each parent's portion of Shared Physical Care Support Obligation and multiply it by the percentage of time of the other parent to get the Support Obligation for Time with Other Parent.

(6) The total child support obligation shall be determined as follows:

To the Support Obligation for Time with Other Parent, any of the following necessary expenses may be added by the court: child care costs, extra education expenses, and older child adjustment (see Section 1203(e)(1) through (3)).

Add the Total Necessary Expenses for Each Parent. Then add both parents' Total Necessary Expenses to get the Combined Necessary Expenses. Each parent's share of Necessary Expenses is determined by multiplying the Combined Necessary Expenses by each parent's Percentage Share of Income.

To determine whether expenses paid by either parent is in excess of their fair share, subtract Each Parent's Share of Necessary Expenses from the Total Necessary Expenses for that parent. If the number is negative, enter zero. To determine Each Parent's Adjusted Support Obligation, subtract the Expenses Paid in Excess of Fair Share from the Support Obligation for Time With Other Parent.

The Recommended Child Support Order is determined by subtracting the lesser amount from the greater amount of Each Parent's Adjusted Support Obligation and enter result under greater amount.

§1205. Gifts in lieu of money. The child support award is to be paid in money. Gifts of clothing, supplies, etc. in lieu of money are not to be offset against the support award, except by court order.

§1206. Medical Insurance. An order for child support shall assign responsibility for providing medical insurance for the children who are the subject of the support award. The court shall specify the percentage of uninsured medical expenses for the children which each parent shall pay. The apportionment shall reflect the parent's respective ability to pay.

§1207. Review and Adjustment (Modification). Review and adjustment may be initiated by the Office of the Attorney General, Child Support Enforcement Division when:

(1) there is no provision for health insurance in the order;

(2) in TANF cases, thirty-six (36) months after establishment of the order, or most recent review; or

(3) in Non-TANF cases, thirty-six (36) months after establishment of the order, or most recent review, or when requested by either parent.

§1208. Judge's findings. The court shall make findings in the record as to: adjusted monthly gross income, basic child support obligation, total child support obligation, each parent's proportionate share of the total child support obligation, the child support award and medical support.

§1209. Adoption of Guidelines, Effect on Modifications. The adoption of these guidelines cannot, by itself, be the sole basis for a request for a modification of an existing child support order.

§1210. Effective date. Effective _____, all child support awards shall be made pursuant to these guidelines, whether they be original awards or modifications of pre-existing awards.

Office of the Attorney General
Child Support Enforcement Division
 287 West O'Brien Drive
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Attorneys for Government of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

[1]		)	CHILD SUPPORT CASE NO. CS _____	[3]
		)	DOMESTIC CASE NO. DM _____	
)		
	Plaintiff,)		
)		
	vs.	)	WORKSHEET "A" FOR	
		)	CHILD SUPPORT AMOUNT	
[2]		)	SOLE CUSTODY	
)		
)		
	Defendant.)		

The following information is based on the Guam Child Support Guidelines. It is submitted to the Court for consideration in determining the appropriate child support award and distribution.

MONTHLY GROSS INCOME

	(4)	Father []		Mother []
Total Monthly Gross Income	(5)	_____		_____

ADJUSTED MONTHLY GROSS INCOME

Deductions from Monthly Gross Income		Father	Mother	
Subtract \$775 Self Support	(5a)	- <u>\$775.00</u>	- <u>\$775.00</u>	
Spousal Maintenance Actual Paid	(6)	_____	_____	
Child Support Actually Paid	(7)	_____	_____	
Court Ordered Medical Insurance Actually Paid	(8)	_____	_____	
Cost Of Supporting Other Children (Explain on Page 4)	(9)	_____	_____	
Total Deductions	(10)			_____

Adjusted Monthly Gross Income For Each Parent	(11)	_____	_____
<u>COMBINED ADJUSTED MONTHLY GROSS INCOME</u>	(12)	_____	
<u>BASIC CHILD SUPPORT OBLIGATION</u>			
Number of children for whom support is requested:	(13)	_____	
Basic Child Support Obligation			(14) _____
<u>NECESSARY EXPENSES</u>			
Child Care Costs	(15)	_____	
Extra Education Expenses	(16)	_____	
Child Over 12 (Explain on page 4)	(17)	_____	
Total Necessary Expenses			(18) _____
<u>TOTAL CHILD SUPPORT OBLIGATION</u>			
Total Child Support Obligation			(19) _____
<u>EACH PARENT'S PERCENTAGE OF COMBINED INCOME</u>			
Calculate for each parent		Father	Mother
Adjusted Monthly Gross Income (from line 11)	(20)	_____	_____
Combined Adjusted Monthly Gross Income (from line 12)	(21)	_____	_____
Adjusted Monthly Gross Income DIVIDED BY Combined Adjusted Monthly Gross Income EQUALS	(22)	_____	_____
<u>EACH PARENT'S PERCENTAGE OF THE TOTAL SUPPORT OBLIGATION</u>			
Calculate for each parent			
Total Child Support Obligation (from line 19)	(23)	_____	_____
Percentage of Combined Adjusted Monthly Gross Income (from line 22)	(24)	_____	_____
Percentage TIMES the total obligation EQUALS the amount of the parent's support obligation	(25)	_____	_____

OTHER ALLOCATIONS

Visitation Expenses (Explain on page 4) (26) _____

Medical Expenses NOT paid by Insurance (27) _____

Executed on this _____ day of _____,
20_____.

(28) _____
NAME

ADDRESS: _____

PHONE: _____

BASIS FOR AMOUNTS SHOWN ON WORKSHEET

- (9) Cost of Support of Other Children – You may ask the court to consider any financial obligation you have to support children for whom there is no court order requiring you to pay support. A maximum amount of \$50.00 per child may be credited to the appropriate parent. See 19 GAR §1203(b)(3). Explain here and enter a total amount on line 9.
- (17) Child Over 12 – Tell how many of the children for whom support is requested are over the age of 12. Explain why you need extra money for support of child(ren). Enter the monthly dollar amount of the increase you are requesting on line 17 (up to 10%).
- (26) Visitation Expenses – Describe the anticipated visitation plan and related costs. Tell how you think the costs should be divided between the parents. Enter the percentage that you think each parent should pay on line 26.

**INSTRUCTIONS
FOR COMPLETING WORKSHEET “A”
FOR SOLE CUSTODY**

This worksheet provides the information the court needs to determine child support in accordance with the Child Support Guidelines. You may get a copy of the Guidelines from the Office of the Attorney General, Child Support Enforcement Division, or log on to www.guamattorneygeneral.com.

COMPLETE THIS WORKSHEET IF:

- You are a party to a court action that might establish a child support obligation.
- You are a party to a court action to modify an existing order for child support.

The instructions are numbered to match the numbers on the worksheet. The number in brackets after the instructions tells you where to look in the guidelines for this item.

Type or print neatly using black ink.

BASIC INFORMATION

- (1) If you are providing this information to establish a child support amount, fill in the name of the persons shown as the plaintiff(s) on the original petition filed in the case.
- (2) Fill in the name of the person shown as the defendant on the original petition in the case.
- (3) If you have an order establishing support, fill in the case number of that order. If you do not yet have an order establishing a support obligation, leave this item blank.
- (4) Mark the appropriate box to indicate whether you are the mother or father of the children for whom child support is requested.

MONTHLY GROSS INCOME

- (5) Fill in the amount of your gross income each month. Also fill in the total monthly gross income for the other parent, to the best of your knowledge. If a parent is unemployed or underemployed, include an estimate of what you think that parent would be earning if he or she worked at full earning capacity. [19 GAR §1203(a)(1)]

Gross earnings means the amount before taxes and other deductions are taken out. For income from self-employment, rent, royalties, proprietorship of a business, or joint ownership of a partnership or closely held corporation, gross income means gross receipts minus ordinary and necessary expenses required to produce that income.

Gross income does not include benefits from means-tested public assistance programs such as Temporary Assistance for Needy Families (TANF), food stamps, general assistance and Supplemental Security Income (SSI); and, it does not include child support payments you receive. [19 GAR §1203(a)(2)].

Gross Income **INCLUDES** monies from:

salaries	wages
commissions	bonuses
dividends	severance pay
pensions	interest
trust income	annuities
capital gains	social security benefits
gifts	prizes (lottery winnings)
worker's compensation benefits	spousal maintenance received
rental income	disability benefits
unemployment benefits	retirement plans and benefits
living, dependent and housing allowance	self-employment
Basic Allowance for Housing (BAH)	Basic Allowance for Quarters (BAQ)
Basic Allowance for Subsistence (BAS)	uniform allowance
war-zone allowance	hazardous duty
Cost-of-living Allowance (COLA)	

ADJUSTED MONTHLY GROSS INCOME

- (6) Fill in the total amount of spousal maintenance you and/or the other parent actually pay to former spouses each month. [19 GAR §1203(b)(2)]
- (7) Fill in the total amount of court-ordered child support you and/or the other parent actually pay each month for children from previous relationships. [19 GAR §1203(b)(2)]
- (8) Fill in the amount of court-ordered medical insurance premiums for children you and/or the other parent pay each month. [19 GAR §1203(b)(4)]
- (9) You may ask the court to consider the financial obligation you have to support other children where there is no court order requiring you to pay support. An explanation of what is included in the figure entered here should be provided on page 4, number 9, of Worksheet A. [19 GAR §1203(b)(3)]

- (10) For each parent, add the amounts for numbers 5(a), 6, 7, 8, and 9. Put the total amount of those items for each parent on this line.
- (11) For each parent, subtract the number on line 10 from the number on line 5. Write the result on this line. This is the Adjusted Monthly Gross Income for each parent.

COMBINED ADJUSTED MONTHLY GROSS INCOME

- (12) Add the two numbers on line 11 together (the one for the Father and the one for the Mother). This total is the Combined Adjusted Monthly Gross Income.

BASIC CHILD SUPPORT OBLIGATION

- (13) Enter the number of children from this relationship for whom support is being sought.
- (14) On the attached child support Schedule of Basic Child Support Obligations, find the number that is closest to the Combined Adjusted Monthly Gross Income listed on line 12. Then go to the column for the number of children listed in item 13. This amount is your Basic Child Support Obligation. Write the amount on this line.

NECESSARY EXPENSES

- (15) If the parent with primary custody is working, fill in the monthly cost of day care necessary to allow that parent to work. [19 GAR §1203(e)(1)]
- (16) Fill in the monthly amount of reasonable and necessary expenses for special or private schools and special educational activities. These expenses must be agreed upon by both parents or ordered by the court. [19 GAR §1203(e)(2)]
- (17) Average expenditures for children over age 12 are approximately 10% higher than those for younger children. Therefore, if support is being determined for children over 12, enter the dollar amount of increase you believe this warrants. Tell why you think more support is needed on page 4, number 17, of Worksheet A. [19 GAR §1203(e)(3)]
- (18) Add the numbers from lines 15, 16, and 17. Enter the total amount on this line.

TOTAL CHILD SUPPORT OBLIGATION

- (19) Add the numbers on lines 14 and 18. Write the sum on this line. This is the Total Child Support Obligation amount.

EACH PARENT'S PERCENTAGE (%) OF COMBINED INCOME

Complete the calculations in this section to the best of your knowledge and ability.

- (20) For each parent, fill in the amount shown on line 11.
- (21) Fill in the amount from line 12.
- (22) For each parent, divide the number written on line 20 by the number written on line 21. This will probably give you a decimal point answer less than 100%. However, if one parent earns all of the income for the family, this number will be 100%.

EXAMPLE: Line 20 = \$600
Line 21 = \$1,000

$$\$600/\$1,000 = .60 \text{ or } 60\%.$$

EACH PARENT'S PERCENTAGE (%) OF THE TOTAL CHILD SUPPORT OBLIGATION

Complete the calculations in this section to the best of your knowledge and ability.

- (23) Fill in the number from line 19.
- (24) For each parent, fill in figure from line 22.
- (25) For each parent, multiply the figure on line 23 by the figure on line 24. This equals the amount each parent should pay for child support.

EXAMPLE: Line 23 = \$200
Line 24 = .60
 $\$200 \times .60 = 120 \text{ or } \$ 120.00$

OTHER ALLOCATIONS

- (26) The court may consider the cost of visitation, therefore, you should describe the expected visitation plan and related expenses. Write the explanation on page 4, and, on this line, list the dollar amount or percentage you think each parent should pay toward visitation. The court will decide how to allocate the expense. [19 GAR §1203(j)]

- (27) The court must specify each parent's proportionate share of uninsured medical expenses for the child(ren). Based on each parent's ability to pay, indicate what you think this percentage should be for each parent. The court will make the final decision. [19 GAR §1206]
- (28) Fill in the name, address and phone number of the person filling out the form. (An attorney must also list the name of the person represented).

The person completing the worksheet should sign here affirming correctness of the information. (If both spouses complete the form together, both should sign here.)

WHEN YOU HAVE COMPLETED THIS WORKSHEET:

*Make a copy of the worksheet for your records, make a copy to send or deliver to the other party prior to the hearing and take the original to court at the time of your hearing.

PAYMENT SCHEDULE

For use of the following table showing the Combined Adjusted Monthly Gross Income (CAMGI) per number of children covered, the correct amount is calculated using the appropriate percentage figure. You may use the dollar figure only with the exact CAMGI shown in the table.

FOR EXAMPLE:

If the Combined Adjusted Monthly Gross Income is \$2,150.00 and 5 children are shown to be covered by the award; multiply \$2,150.00 by the closest percentage shown, or 0.42.

$$\$2,150.00 \times 0.42 = \$ 903.00$$

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Attorneys for the Government of Guam

**IN THE SUPERIOR COURT OF GUAM
 HAGÁTÑA, GUAM**

[1]		)	CHILD SUPPORT CASE NO. CS _____ [3]
		)	DOMESTIC CASE NO. DM _____
	Plaintiff,)	
	vs.	)	WORKSHEET " B" FOR
		)	CHILD SUPPORT AMOUNT
[2]		)	SHARED PHYSICAL CARE
)	
	Defendant.)	

The following information is based on the Guam Child Support Guidelines. It is submitted to the Court for consideration in determining the appropriate child support award and distribution.

MONTHLY GROSS INCOME

	(4)	Father []	Mother []
Total Monthly Gross Income	(5)	_____	_____

ADJUSTED MONTHLY GROSS INCOME

Deductions from Monthly Gross Income		Father	Mother
Subtract \$775 Self Support	(5a)	- <u>\$775.00</u>	- <u>\$775.00</u>
Spousal Maintenance Actual Paid	(6)	_____	_____
Child Support Actually Paid	(7)	_____	_____
Court Ordered Medical Insurance Actually Paid	(8)	_____	_____
Cost Of Supporting Other Children (Explain on Page 3)	(9)	_____	_____
Total Deductions	(10)	_____	_____
Adjusted Monthly Gross Income For Each Parent	(11)	_____	_____

RECOMMENDED CHILD SUPPORT ORDER (Subtract lesser amount from greater amount on Line 28 and enter result under greater amount)

(29) _____

OTHER ALLOCATIONS

Medical Expenses NOT paid by Insurance

(30) _____

BASIS FOR AMOUNTS SHOWN ON WORKSHEET

(9) Cost of Support of Other Children – You may ask the court to consider any financial obligation you have to support children for whom there is no court order requiring you to pay support? A maximum amount of \$50.00 per child may be credited to the appropriate parent. See 19 GAR §1203(b)(3). Explain here and enter a total amount on line 9.

(23) Child Over 12 – Tell how many of the children for whom support is requested are over the age of 12. Explain why you need extra money for support of child (ren). Enter the monthly dollar amount of the increase you are requesting on line 23 (up to 10%).

Executed on this _____ day of _____, 20_____.

(31) _____

NAME

ADDRESS: _____

PHONE: _____

**INSTRUCTIONS
FOR COMPLETING WORKSHEET “B”
FOR SHARED PHYSICAL CARE**

This worksheet provides the information the court needs to determine child support in accordance with the Child Support Guidelines. You may get a copy of the Guidelines from the Office of the Attorney General, Child Support Enforcement Division, or log on to www.guamattorneygeneral.com.

COMPLETE THIS WORKSHEET IF:

- You are a party to a court action that might establish a child support obligation.
- You are a party to a court action to modify an existing order for child support.

The instructions are numbered to match the numbers on the worksheet. The number in brackets after the instructions tells you where to look in the guidelines for this item.

Type or print neatly using black ink.

BASIC INFORMATION

- (1) If you are providing this information to establish a child support amount, fill in the name of the persons shown as the plaintiff(s) on the original petition filed in the case.
- (2) Fill in the name of the person shown as the defendant on the original petition in the case.
- (3) If you have an order establishing support, fill in the case number of that order. If you do not yet have an order establishing a support obligation, leave this item blank.
- (4) Mark the appropriate box to indicate whether you are the mother or father of the children for whom child support is requested.

MONTHLY GROSS INCOME

- (5) Fill in the amount of your gross income each month. Also fill in the total monthly gross income for the other parent, to the best of your knowledge. If a parent is unemployed or underemployed, include an estimate of what you think that parent would be earning if he or she worked at full earning capacity. [19 GAR §1203(a)(1)]

Gross earnings means the amount before taxes and other deductions are taken out. For income from self-employment, rent, royalties, proprietorship of a business, or joint ownership of a partnership or closely held corporation, gross income means gross receipts minus ordinary and necessary expenses required to produce that income.

Gross income does not include benefits from means-tested public assistance programs such as Temporary Assistance for Needy Families (TANF), food stamps, general assistance and Supplemental Security Income (SSI); and, it does not include child support payments you receive. [19 GAR §1203(a)(2)].

Gross Income INCLUDES monies from:

salaries	wages
commissions	bonuses
dividends	severance pay
pensions	interest
trust income	annuities
capital gains	social security benefits
gifts	prizes (lottery winnings)
worker's compensation benefits	spousal maintenance received
rental income	disability benefits
unemployment benefits	retirement plans and benefits
living, dependent and housing allowance	self-employment
Basic Allowance for Housing (BAH)	Basic Allowance for Quarters (BAQ)
Basic Allowance for Subsistence (BAS)	uniform allowance
war-zone allowance	hazardous duty
Cost-of-living Allowance (COLA)	

ADJUSTED MONTHLY GROSS INCOME

- (6) Fill in the total amount of spousal maintenance you and/or the other parent actually pay to former spouses each month. [19 GAR §1203(b)(2)]
- (7) Fill in the total amount of court-ordered child support you and/or the other parent actually pay each month for children from previous relationships. [19 GAR §1203(b)(2)]
- (8) Fill in the amount of court-ordered medical insurance premiums for children you and/or the other parent pay each month. [19 GAR §1203(b)(4)]
- (9) You may ask the court to consider the financial obligation you have to support other children where there is no court order requiring you to pay support. An explanation of what is included in the figure entered here should be provided on page 3, number 9, of Worksheet B. [19 GAR §1203(b)(3)]

- (10) For each parent, add the amounts for numbers 5(a), 6, 7, 8, and 9. Put the total amount of those items for each parent on this line.
- (11) For each parent, subtract the number on line 10 from the number on line 5. Write the result on this line. This is the Adjusted Monthly Gross Income for each parent.

COMBINED ADJUSTED MONTHLY GROSS INCOME

- (12) Add the two numbers on line 11 together (the one for the Father and the one for the Mother). This total is the Combined Adjusted Monthly Gross Income.

BASIC CHILD SUPPORT OBLIGATION

- (13) Each parent's Adjusted Monthly Gross Income on line 11 is divided by the Combined Adjusted Monthly Gross Income on line 12 to get the Percentage Share of Income of Each Parent on line 13.
- (14) Enter the number of children from this relationship for whom support is being sought. Write this on line 14.
- (15) On the attached Schedule of Basic Child Support Obligation, find the number that is closest to the Combined Adjusted Monthly Gross Income listed on line 12. Then go to the column for the number of children listed in item 13. This amount is your Basic Child Support Obligation. Write the amount on this line.

SHARED PHYSICAL CARE SUPPORT OBLIGATION

- (16) Take the amount of the Basic Child Support Obligation on line 15 and multiply it by 1.5 to determine the Shared Physical Care Support Obligation. Write this amount on line 16.
- (17) Multiply the Shared Physical Care Support Obligation on line 16 by the Percentage Share of Income of each parent as shown on line 13. This is Each Parent's Portion of Shared Physical Care Support Obligation. Write this amount for each parent on line 17.
- (18) Determine the number of overnights with each parent (this answer must total 365). Write this number on line 18. If the overnights with either parent is less than 146, use Worksheet A for sole custody situations.
- (19) Take the number of overnights with each parent and divide by 365 to determine the Percentage of Time With Each Parent. Write this number on line 19.

- (20) Take Each Parent's Portion of Shared Physical Care Support Obligation on line 17 and multiply it by the other parent's Percentage of Time With Each Parent on line 19. This is the Support Obligation for Time With Other Parent. Write this number on line 20.

NECESSARY EXPENSES

- (21) If the parent with primary custody is working, fill in the monthly cost of day care necessary to allow that parent to work. [19 GAR §1203(e)(1)]
- (22) Fill in the monthly amount of reasonable and necessary expenses for special or private schools and special educational activities. These expenses must be agreed upon by both parents or ordered by the court. [19 GAR §1203(e)(2)]
- (23) Average expenditures for children over age 12 are approximately 10% higher than those for younger children. Therefore, if support is being determined for children over 12, enter the dollar amount of increase you believe this warrants. Tell why you think more support is needed on page 3, number 23, of Worksheet B. [19 GAR §1203(e)(3)]
- (24) For each parent, add the numbers from lines 21, 22, and 23. Enter the total amount on this line.
- (25) This is the Combined Total Necessary Expenses.

EACH PARENT'S SHARE OF NECESSARY EXPENSES

- (26) Multiply the Combined Total Necessary Expenses on line 25 by the Percentage Share of Income of each parent on line 13. Write the amount on this line. This is each parent's Share of Necessary Expenses.

EXPENSES PAID IN EXCESS OF FAIR SHARE

- (27) Subtract Each Parent's Share of Necessary Expenses on line 26 from the Total Necessary Expenses for that parent on line 24 (line 24 minus line 26). Write the amount on this line. If the number is negative, enter zero. This is the Expenses Paid in Excess of Fair Share.

EACH PARENT'S ADJUSTED SUPPORT OBLIGATION

- (28) Subtract the Expenses Paid in Excess of Fair Share on line 27 from the Support Obligation for Time With Other Parent (line 20). Write the amount on this line. This is Each Parent's Adjusted Support Obligation.

RECOMMENDED CHILD SUPPORT ORDER

- (29) The Recommended Child Support Order is determined by subtracting the lesser amount from the greater amount of Each Parent's Adjusted Support Obligation and enter result under greater amount.

OTHER ALLOCATIONS

- (30) The court must specify each parent's proportionate share of uninsured medical expenses for the child(ren). Based on each parent's ability to pay, indicate what you think this percentage should be for each parent. The court will make the final decision. [§1206]

- (31) Fill in the name, address and phone number of the person filling out the form. (An attorney must also list the name of the person represented).

The person completing the worksheet should sign here affirming correctness of the information. (If both spouses complete the form together, both should sign here.)

WHEN YOU HAVE COMPLETED THIS WORKSHEET:

*Make a copy of the worksheet for your records, make a copy to send or deliver to the other party prior to the hearing and take the original to court at the time of your hearing.

PAYMENT SCHEDULE

For use of the following table showing the Combined Adjusted Monthly Gross Income (CAMGI) per number of children covered, the correct amount is calculated using the appropriate percentage figure. You may use the dollar figure only with the exact CAMGI shown in the table.

FOR EXAMPLE:

If the Combined Adjusted Monthly Gross Income is \$2,150.00 and 5 children are shown to be covered by the award; multiply \$2,150.00 by the closest percentage shown, or 0.42.

$$\$2,150.00 \times 0.42 = \$903.00$$

Guam Updated Schedule of Basic Child Support Obligations

COMBINED ADJUSTED GROSS INCOME	ONE CHILD		TWO CHILDREN		THREE CHILDREN		FOUR CHILDREN		FIVE CHILDREN	
	%	\$	%	\$	%	\$	%	\$	%	\$
0-499	0.2400		0.3400		0.4000		0.4400		0.4900	
500.00	0.2434	122	0.3415	171	0.3959	198	0.4414	221	0.4855	243
600.00	0.2411	145	0.3386	203	0.3917	235	0.4367	262	0.4804	288
700.00	0.2394	168	0.3365	236	0.3887	272	0.4334	303	0.4767	334
800.00	0.2362	189	0.3321	266	0.3833	307	0.4274	342	0.4701	376
900.00	0.2327	209	0.3273	295	0.3775	340	0.4209	379	0.4630	417
1000.00	0.2299	230	0.3235	323	0.3728	373	0.4157	416	0.4572	457
1100.00	0.2276	250	0.3203	352	0.3690	406	0.4114	453	0.4525	498
1200.00	0.2256	271	0.3175	381	0.3656	439	0.4076	489	0.4484	538
1300.00	0.2238	291	0.3148	409	0.3622	471	0.4039	525	0.4442	578
1400.00	0.2215	310	0.3115	436	0.3582	502	0.3994	559	0.4394	615
1500.00	0.2194	329	0.3083	463	0.3545	532	0.3953	593	0.4348	652
1600.00	0.2175	348	0.3056	489	0.3512	562	0.3916	627	0.4308	689
1700.00	0.2158	367	0.3032	515	0.3483	592	0.3884	660	0.4272	726
1800.00	0.2145	386	0.3012	542	0.3463	623	0.3861	695	0.4247	765
1900.00	0.2134	405	0.2995	569	0.3445	655	0.3841	730	0.4225	803
2000.00	0.2124	425	0.2979	596	0.3428	686	0.3823	765	0.4205	841
2100.00	0.2114	444	0.2965	623	0.3414	717	0.3806	799	0.4187	879
2200.00	0.2106	463	0.2952	649	0.3400	748	0.3791	834	0.4170	917
2300.00	0.2095	482	0.2935	675	0.3383	778	0.3772	868	0.4149	954
2400.00	0.2084	500	0.2918	700	0.3363	807	0.3750	900	0.4124	990
2500.00	0.2073	518	0.2901	725	0.3344	836	0.3729	932	0.4102	1025
2600.00	0.2064	537	0.2886	750	0.3328	865	0.3710	965	0.4081	1061
2700.00	0.2055	555	0.2872	775	0.3312	894	0.3693	997	0.4062	1097
2800.00	0.2045	573	0.2856	800	0.3293	922	0.3672	1028	0.4039	1131
2900.00	0.2032	589	0.2831	821	0.3259	945	0.3634	1054	0.3997	1159
3000.00	0.2019	606	0.2808	842	0.3227	968	0.3598	1079	0.3957	1187
3100.00	0.2006	622	0.2785	863	0.3195	990	0.3562	1104	0.3918	1215
3200.00	0.1988	636	0.2756	882	0.3157	1010	0.3520	1127	0.3873	1239
3300.00	0.1972	651	0.2728	900	0.3122	1030	0.3481	1149	0.3829	1264
3400.00	0.1956	665	0.2703	919	0.3089	1050	0.3444	1171	0.3789	1288
3500.00	0.1941	679	0.2679	938	0.3058	1070	0.3409	1193	0.3750	1313
3600.00	0.1927	694	0.2656	956	0.3028	1090	0.3377	1216	0.3714	1337
3700.00	0.1912	708	0.2632	974	0.2998	1109	0.3342	1237	0.3677	1360
3800.00	0.1896	721	0.2606	990	0.2964	1126	0.3305	1256	0.3635	1381
3900.00	0.1881	734	0.2582	1007	0.2932	1143	0.3269	1275	0.3596	1402
4000.00	0.1866	746	0.2559	1023	0.2901	1161	0.3235	1294	0.3558	1423
4100.00	0.1852	759	0.2536	1040	0.2872	1178	0.3203	1313	0.3523	1444
4200.00	0.1839	772	0.2515	1056	0.2845	1195	0.3172	1332	0.3489	1465
4300.00	0.1826	785	0.2495	1073	0.2818	1212	0.3142	1351	0.3457	1486
4400.00	0.1814	798	0.2476	1089	0.2793	1229	0.3114	1370	0.3426	1507
4500.00	0.1803	811	0.2458	1106	0.2769	1246	0.3088	1389	0.3396	1528
4600.00	0.1792	824	0.2440	1122	0.2746	1263	0.3062	1409	0.3368	1549
4700.00	0.1781	837	0.2423	1139	0.2724	1280	0.3037	1428	0.3341	1570
4800.00	0.1771	850	0.2407	1155	0.2703	1297	0.3014	1447	0.3315	1591

Guam Updated Schedule of Basic Child Support Obligations

COMBINED ADJUSTED GROSS INCOME	ONE CHILD		TWO CHILDREN		THREE CHILDREN		FOUR CHILDREN		FIVE CHILDREN	
	%	\$	%	\$	%	\$	%	\$	%	\$
4900.00	0.1761	863	0.2392	1172	0.2683	1315	0.2991	1466	0.3291	1612
5000.00	0.1757	878	0.2383	1192	0.2673	1337	0.2981	1490	0.3279	1639
5250.00	0.1746	917	0.2364	1241	0.2651	1392	0.2956	1552	0.3251	1707
5500.00	0.1736	955	0.2347	1291	0.2631	1447	0.2933	1613	0.3227	1775
5750.00	0.1728	993	0.2331	1340	0.2612	1502	0.2913	1675	0.3204	1842
6000.00	0.1720	1032	0.2316	1390	0.2595	1557	0.2894	1736	0.3183	1910
6250.00	0.1708	1068	0.2297	1436	0.2572	1608	0.2868	1793	0.3155	1972
6500.00	0.1691	1099	0.2271	1476	0.2540	1651	0.2832	1841	0.3115	2025
6750.00	0.1675	1131	0.2247	1517	0.2509	1694	0.2798	1889	0.3078	2077
7000.00	0.1660	1162	0.2225	1557	0.2481	1737	0.2766	1936	0.3043	2130
7250.00	0.1646	1194	0.2204	1598	0.2455	1780	0.2737	1984	0.3011	2183
7500.00	0.1636	1227	0.2188	1641	0.2434	1826	0.2714	2036	0.2986	2239
7750.00	0.1628	1262	0.2175	1685	0.2417	1873	0.2695	2088	0.2964	2297
8000.00	0.1622	1298	0.2163	1731	0.2401	1921	0.2677	2142	0.2945	2356
8250.00	0.1616	1333	0.2152	1776	0.2386	1968	0.2660	2195	0.2926	2414
8500.00	0.1610	1369	0.2142	1821	0.2372	2016	0.2645	2248	0.2909	2473
8750.00	0.1605	1405	0.2133	1866	0.2359	2064	0.2630	2301	0.2893	2531
9000.00	0.1600	1440	0.2124	1911	0.2346	2112	0.2616	2355	0.2878	2590
9250.00	0.1595	1476	0.2115	1956	0.2335	2159	0.2603	2408	0.2863	2649
9500.00	0.1591	1511	0.2107	2001	0.2323	2207	0.2591	2461	0.2850	2707
9750.00	0.1587	1547	0.2099	2047	0.2313	2255	0.2579	2514	0.2837	2766
10000.00	0.1583	1583	0.2092	2092	0.2303	2303	0.2568	2568	0.2824	2824
10250.00	0.1576	1615	0.2084	2136	0.2292	2349	0.2555	2619	0.2811	2881
10500.00	0.1568	1647	0.2076	2180	0.2280	2395	0.2543	2670	0.2797	2937
10750.00	0.1561	1678	0.2069	2224	0.2270	2440	0.2531	2721	0.2784	2993
11000.00	0.1554	1709	0.2062	2268	0.2260	2486	0.2520	2771	0.2771	3049
11250.00	0.1547	1741	0.2055	2312	0.2250	2531	0.2509	2822	0.2760	3105
11500.00	0.1541	1772	0.2049	2356	0.2241	2577	0.2498	2873	0.2748	3160
11750.00	0.1535	1803	0.2043	2400	0.2232	2622	0.2488	2924	0.2737	3216
12000.00	0.1529	1834	0.2037	2444	0.2223	2668	0.2479	2975	0.2727	3272
12250.00	0.1523	1866	0.2031	2488	0.2215	2713	0.2470	3025	0.2717	3328
12500.00	0.1518	1897	0.2026	2532	0.2207	2759	0.2461	3076	0.2707	3384
12750.00	0.1512	1928	0.2021	2576	0.2200	2805	0.2453	3127	0.2698	3440
13000.00	0.1507	1959	0.2015	2619	0.2191	2849	0.2443	3177	0.2688	3494
13250.00	0.1500	1988	0.2008	2660	0.2182	2891	0.2433	3224	0.2676	3546
13500.00	0.1494	2017	0.2001	2701	0.2173	2934	0.2423	3271	0.2665	3598
13750.00	0.1488	2046	0.1994	2742	0.2164	2976	0.2413	3318	0.2654	3650
14000.00	0.1482	2075	0.1988	2783	0.2156	3018	0.2404	3365	0.2644	3702
14250.00	0.1476	2104	0.1981	2824	0.2148	3061	0.2395	3412	0.2634	3754
14500.00	0.1471	2133	0.1975	2864	0.2140	3103	0.2386	3460	0.2625	3806
14750.00	0.1466	2162	0.1970	2905	0.2132	3145	0.2378	3507	0.2615	3858
15000.00	0.1461	2191	0.1964	2946	0.2125	3188	0.2369	3554	0.2606	3909