

POST-SEPARATION SUPPORT FORMULA TOOLKIT

I. Collect Data.

A. Relevant Data:

1. The Monthly gross incomes of the parties; and
2. The actual support amount granted, awarded, or agreed upon.

B. Data Sources: Generally speaking, cases that involve awards of post-separation support or alimony (whether court imposed or by consent), can be used to generate a large enough data pool. While alimony awards and awards obtained by consent may involve different considerations, they provide enough insight into the prevailing support environment in a given jurisdiction to be useful. Jurisdictions with a larger data pool may opt not to use one or more of these categories in order to refine the resulting formula.

The cases used should be as recent as possible in order to account for the current economic environment of a particular jurisdiction. Three years was used as a limit in the original District 15B project.

C. Collection Methods:

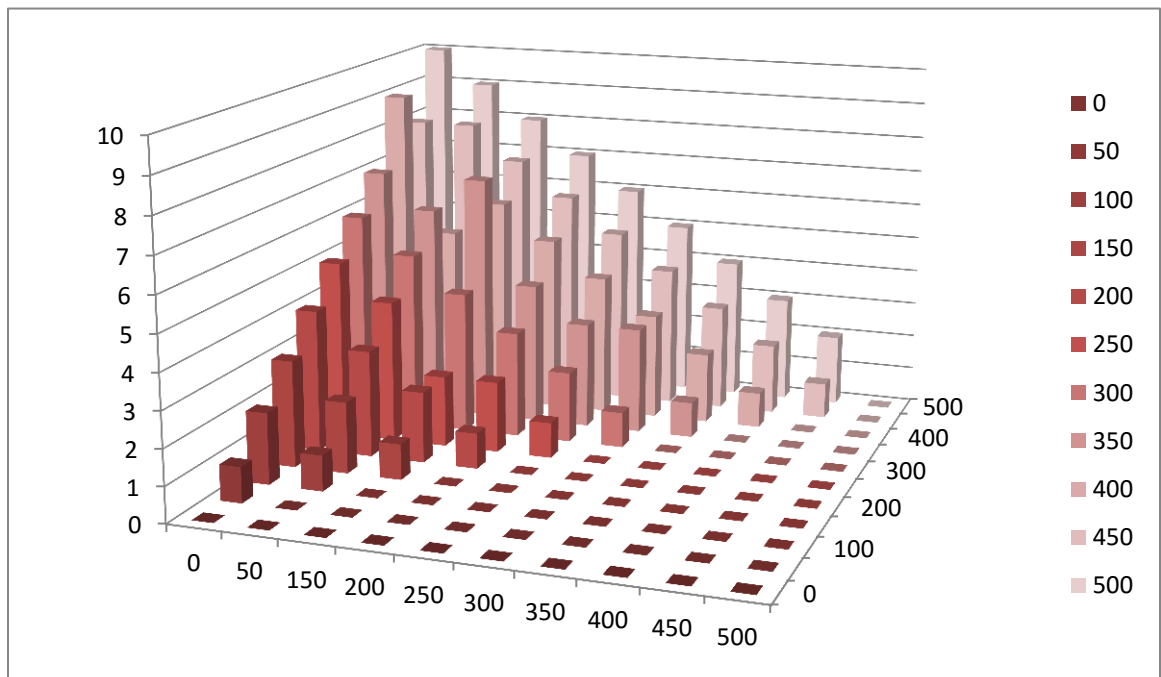
1. Direct research in the applicable clerk's office. The relevant files are found using the computer system to identify files marked as dealing with post-separation support or alimony, or containing an incorporated separation agreement. The physical files are then pulled to collect the necessary data;
2. Surveys sent out to family law attorneys in the local bar, with sufficient data to avoid duplication, but not so much as to raise confidentiality concerns; and
3. Surveys sent out to local dispute resolution centers with sufficient data to avoid duplication, but not so much as to raise confidentiality concerns.

D. Objective: The goal is to obtain enough useful case data to place at least one case in each of the 55 numbered spaces on the grid below:

		DEPENDENT SPOUSE										
		\$0	\$50	\$100	\$150	\$200	\$250	\$300	\$350	\$400	\$450	\$500
SUPPORTING SPOUSE	\$0											
	\$50	1										
	\$100	2	3									
	\$150	4	5	6								
	\$200	7	8	9	10							
	\$250	11	12	13	14	15						
	\$300	16	17	18	19	20	21					
	\$350	22	23	24	25	26	27	28				
	\$400	29	30	31	32	33	34	35	36			
	\$450	37	38	39	40	41	42	43	44	45		
	\$500	46	47	48	49	50	51	52	53	54	55	

Figure 1

II. **Provide Data to Analyst.** In most cases, jurisdictions will lack an individual with the appropriate statistical and mathematical training to create a formula from the data given, and will have to farm that task out.



The statistician will develop a mathematical formula to approximate the distribution of awards at given income levels. In the chart above, if one imagines the front edge as the top of Figure 1 (the gross income of the dependent spouse), and the right hand edge as Figure 1's left side (the gross income of the supporting spouse), then the bars represent the amount award amounts (with the height governed by the size of the award). The statistician's job is to create a formula that describes the contours of the "hill" created by the bars above.

III. Develop Procedure. The final step is to develop local rules governing how the formula is used in a given jurisdiction. This will be highly dependent on a given jurisdictions needs and customs. Examples of the forms and local rules developed in District 15B can be found on the AOC website and at www.averettfamilylaw.com.