



POST-SEPARATION SUPPORT: LOCAL RULES

JUDICIAL DISTRICT 15B • AUGUST 2015

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SECTION 1. HISTORY

In August 2014, Judge Anderson and Judge Bryan met with the local bar to discuss the current implementation of alimony and post-separation support (PSS) in Judicial District 15B. The goal of the meeting was to discuss ways of improving the spousal support process for litigants, attorneys, and judges, and to begin development of a realistic plan to put those improvements into practice.

1.1 PURPOSE

During that meeting, it was decided that while local guidelines would not be appropriate for alimony, there was potential benefit in developing guidelines for PSS. As a result, a committee of local attorneys was appointed to:

- Research the feasibility and benefits of creating local guidelines regulating PSS;
- Analyze existing regulations in other jurisdictions; and
- Develop a set of guidelines for possible implementation as a local rule.

The committee worked for 10 months, gathering data and input from attorneys and judges throughout the district. The resulting draft included three short forms to be used in the PSS process, as well as a formula which produces a suggested PSS amount for the judge's consideration in conjunction with other PSS factors.

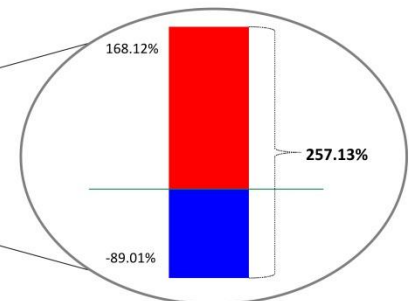
A final draft was presented to the district court judges on June 19, 2015, and was designated a local rule by Chief District Court Judge Buckner on August 10, 2015.

1.2 BENEFIT

The committee found that under the current practice of determining PSS awards, there was a wide variance in the amounts awarded. The awards ranged from being 89% lower to 168% higher than the award a standard formula would produce in the same circumstances.

This results in a potential 257% window of uncertainty. That level of inconsistency causes great difficulty for attorneys in advising clients, and accurately analyzing the risks and benefits of a given course of action.

Award	Percent
Standard Formula	Difference
Average	Between Awards
.812.17	-56.99%
.527.77	11.27%
.447.90	38.13%
.747.41	-36.81%
.551.69	-2.03%
.963.53	-62.31%
.324.39	-38.61%
.198.48	-18.13%
.511.76	-89.01%
.985.83	0.36%
.142.38	-68.18%
.425.70	5.21%
.118.91	168.12%
.441.21	0.91%
1,580.06	-61.70%
.445.07	-42.74%
.674.65	36.07%
.114.65	17.31%
189.46	163.91%
.573.80	16.63%
.581.43	-5.15%
.735.15	14.48%
.351.06	-20.41%
.656.57	-31.63%
Average	-2.55%



This inconsistency can have a large impact on real cases. As a demonstration, the committee applied the range of deviation to hypothetical households using the median incomes from the 2010 U.S. Census. The examples below assume that the supporting spouse makes the median income for the State of North Carolina, Orange County, and Chatham County, respectively, and that the dependent spouse has no income. Under these conditions, the current uncertainty would produce a potential range of awards in which the lowest and highest awards are approximately \$3,000.00 apart:

Median Incomes	Gross Annual Income		Monthly Support Award			
	Supporting Spouse	Dependent Spouse	15B PSS Formula	+168.12%	-89.01%	Range
N.C.	\$45,570.00	--	\$1,148.74	\$3,080.01	\$126.25	\$2,953.76
Orange Co.	\$52,981.00	--	\$1,335.56	\$3,580.91	\$146.78	\$3,434.13
Chatham Co.	\$56,038.00	--	\$1,412.62	\$3,787.53	\$155.25	\$3,632.28

SECTION 2.

SUGGESTED PSS AMOUNT

The suggested PSS amount is a value which represents the average spousal support amounts in actual comparable cases in this district. The suggested amount of PSS is not a presumptive or guideline amount, and is intended only for informational purposes.

2.1 RESEARCH

The committee began its research by identifying other jurisdictions that applied standard formulas to determine the appropriate amount of spousal support in a given set of circumstances. It determined that there were 9 such jurisdictions or organizations with relevant formulas:

- **The American Academy of Matrimonial Lawyers.**

The lesser of: 30% of Supporting Spouse's Income – 20% of Dependent Spouse's Income; or
 40% of the Combined Incomes – Dependent Spouse's Income

- **Santa Clara County, California.**

30% of Supporting Spouse's Income – 50% of Dependent Spouse's Income

- **Judge Ginsburg of Massachusetts.**

Supporting Spouse's Income – $(\text{The Combined Incomes} / 1.8)$

- **Johnston County, Kansas.**

$(25\%$ of the first $\$50k$ of the Income Difference) + $(22\%$ of the Income Difference over $\$50k)$

- **Massachusetts State-Wide Formula.**

35% of the Income Difference

- **Pennsylvania State-Wide Formula.**

40% of $(70\%$ of Supporting Spouse's Income - 70% of Dependent Spouse's Income)

- **“Rough Cut” Formula.**

$(\text{The Combined Incomes} / 3) - \text{Dependent Spouse's Income}$

- **Texas State-Wide Formula.**

The lesser of: 20% of Supporting Spouse's Income; or
 $\$60,000$

- **Fairfax County, Virginia.**

30% of Supporting Spouse's Income – 50% of Dependent Spouse's Income

The committee also gathered data from court files, the local bar, and the Dispute Settlement Center. Using this information, a database on the 24 alimony and spousal support amounts awarded or agreed to in Orange and Chatham Counties during 2013 and 2014 was created.

2.2 ANALYSIS

For each of the 24 local cases, the parties' incomes were run through each formula to determine if any of the existing formulas closely matched the support awards in our district over the last two years.

While no one formula was a close match, averaging the results of *all* the formulas resulted in an award that was, on average, less than 3% off from the actual award.

	Gross Monthly Income		Monthly Support Award		Percent Difference Between Awards
	Supporting Spouse	Dependent Spouse	Actual	Existing Formula Average	
1	\$25,000.00	\$4,713.00	\$2,500.00	\$5,812.17	-56.99%
2	\$5,200.00	\$0.00	\$1,700.00	\$1,527.77	11.27%
3	\$4,711.90	\$0.00	\$2,000.00	\$1,447.90	38.13%
4	\$15,583.00	\$0.00	\$3,000.00	\$4,747.41	-36.81%
5	\$10,000.00	\$1,257.00	\$2,500.00	\$2,551.69	-2.03%
6	\$7,741.78	\$866.00	\$740.00	\$1,963.53	-62.31%
7	\$7,155.00	\$2,984.00	\$813.00	\$1,324.39	-38.61%
8	\$7,500.00	\$0.00	\$1,800.00	\$2,198.48	-18.13%
9	\$6,403.00	\$2,200.00	\$276.00	\$2,511.76	-89.01%
10	\$15,125.00	\$1,459.00	\$4,000.00	\$3,985.83	0.36%
11	\$5,833.00	\$0.00	\$1,000.00	\$3,142.38	-68.18%
12	\$4,850.00	\$0.00	\$1,500.00	\$1,425.70	5.21%
13	\$4,666.67	\$0.00	\$3,000.00	\$1,118.91	168.12%
14	\$26,500.00	\$4,250.00	\$6,500.00	\$6,441.21	0.91%
15	\$69,583.33	\$3,333.33	\$7,500.00	\$19,580.06	-61.70%
16	\$9,583.33	\$1,458.33	\$1,400.00	\$2,445.07	-42.74%
17	\$14,583.33	\$0.00	\$5,000.00	\$3,674.65	36.07%
18	\$17,500.00	\$0.00	\$6,000.00	\$5,114.65	17.31%
19	\$1,666.67	\$1,000.00	\$500.00	\$189.46	163.91%
20	\$38,333.33	\$9,583.33	\$10,000.00	\$8,573.80	16.63%
21	\$7,500.00	\$2,043.33	\$1,500.00	\$1,581.43	-5.15%
22	\$34,416.67	\$3,583.33	\$10,000.00	\$8,735.15	14.48%
23	\$12,083.33	\$0.00	\$2,667.00	\$3,351.06	-20.41%
24	\$12,500.00	\$0.00	\$2,500.00	\$3,656.57	-31.63%
			Average Difference Between Awards:		-2.55%

Rather than recommend that a suggested amount be generated by running the parties' incomes through all nine formulas and averaging the result, the committee created a single formula that reliably generated a value within 1% of the same amount.

2.3 FORMULA

Definitions. The following definitions apply when using the formula to generate the suggest PSS amount:

Monthly Gross Income: Pre-tax wages, profits, or other income received from any source, as defined in the NC Child Support Guidelines.

Adjusted Monthly Gross Income: Monthly Gross Income plus monthly child support received for any child or spousal support received from a previous spouse; and minus monthly child support paid for any child or spousal support paid to a previous spouse.

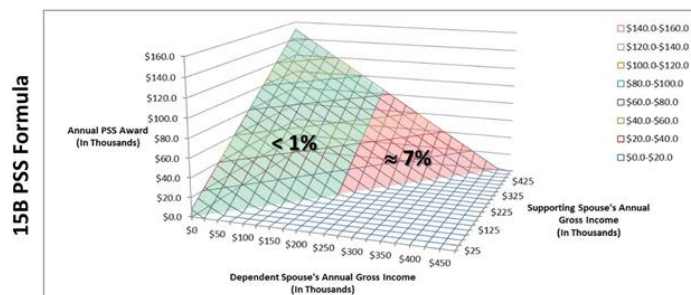
Formula. The suggested PSS amount is calculated by subtracting 3% of the Dependent Spouse's Adjusted Monthly Gross Income from 30.25% of the difference between Adjusted Gross Monthly Incomes of the parties:

$$\frac{(\text{Supporting Spouse's AMGI} - \text{Dependent Spouse's AMGI}) \times 0.3025 - \text{Dependent Spouse's AMGI} \times 0.03}{\text{Suggested PSS Amount}}$$

2.4 LIMITATIONS

While useful to the litigants and judges, the PSS formula is just one data point used in determining the appropriate amount of PSS in a given case. It should be used with two caveats:

- First, the formula applies only in calculating a suggested PSS amount, and is not intended to be used to calculate alimony.
- Second, the formula is not designed or intended to determine whether a spouse is dependent or supporting. For the results to be accurate, dependence needs to be decided before the formula is applied.
- Third, the formula is most accurate when the dependent spouse earns less than \$200,000 per year. It should not be used in cases where the dependent spouse's monthly income exceeds \$16,668.00.



SECTION 3. PROCEDURE

The local rules developed by the committee are intended to streamline PSS litigation by creating standardized affidavits and other related forms and to provide the Court with information regarding the parties' current financial information, and a suggested PSS amount consistent with statutory factors.

3.1 PSS AFFIDAVIT (FORM PSS-1)

The PSS Affidavit is a form containing a sworn statement of a litigant's financial position which is prepared in preparation for submitting the PSS issue to the Court. Each party is required to submit an Affidavit to the Court.

The Affidavit contains information regarding:

- Each party's gross monthly income;
- Adjustments to each party's gross monthly income, in the form of child and spousal support payments made or received;
- Tax and government withholding from each party's gross monthly income;
- Each party's monthly expenses for child care, children's extracurricular activities, health insurance, recurring medical costs, rent or mortgage payments, and payments on other marital debts;
- The length of the marriage;
- Each party's impact on the other's ability to support themselves; and
- The existence of any physical or mental disabilities on the part of either party.

3.2 DETERMINATION OF PSS AWARD

The PSS award may be determined either in- or out-of-session. If the parties agree, the PSS determination may be made out-of-session by the judge based upon the PSS Affidavits. If the parties cannot agree to an out-of-session determination, or if they agree to a determination hearing, the PSS award will be determined in-session before the Court. However, the Court in its discretion may elect for an in- or out-of-session determination regardless of the preference of the parties.

If PSS will be determined out-of-session, the parties are required to coordinate with the Court to determine a date on which both parties will file and submit their PSS Affidavits to the assigned

judge. The judge will make a PSS determination out-of-session, and issue a written order to the parties.

If PSS is to be determined at a hearing, the matter should be calendared for hearing in accordance with the relevant rules for scheduling other matters. At least three days before the scheduled hearing, each party is required to serve the other with a copy of their PSS Affidavit. PSS Affidavits are to be filed with the Court at least one business day before the scheduled hearing.

3.3 PSS WORKSHEET (FORM PSS-2)

The PSS Worksheet is an optional form to be used by the Court to calculate the suggested PSS amount. It uses income data from each party's PSS Affidavit to complete the PSS formula. Parties are not required to fill out the PSS Worksheet, but it is suggested that a blank copy be submitted with the PSS Affidavit for the convenience of the presiding judge.

3.4 PSS ORDER (FORM PSS-3)

The PSS Order is intended to be filled out by or at the direction of the Court based upon the statutory factors and evidence presented. The PSS Order is optional, and there is no requirement that the Court make use of it when awarding or denying a claim for PSS.

The Order has designated areas for:

- Findings as to the gross monthly income of the parties;
- A Determination of which party, if either, is the supporting or dependent spouse;
- A finding as to the suggested PSS amount produced by the PSS formula;
- Findings regarding the parties' accustomed standard of living, their income-earning abilities, and their separate and marital debt service obligations;
- Additional findings which the Court feels are relevant to the statutory considerations for awarding or denying PSS; and
- Awarding or denying PSS.

As with the PSS Worksheet, parties are not required to fill out the PSS Order, but it is suggested that a blank copy be submitted with the PSS Affidavit for the convenience of the presiding judge.

SECTION 4. EXAMPLES

The following hypothetical examples are provided to help illustrate the suggested PSS amount that would be generated by the PSS formula under realistic spousal support scenarios. Note: The provided examples do not include tax implications which may be associated with spousal support receipt or payment.

EXAMPLE 1

- Wife makes **\$150,000 per year** (\$12,500 per month).
- Husband makes **\$30,000 per year** (\$2,500 per month).

- Wife pays Husband **\$1,869.00 per month in child support** for 2 children.
 - Wife's Monthly Gross Income is **\$10,631** (\$12,500 - \$1,869).
 - Husband's Monthly Gross Income is **\$4,369** (\$2,500 + \$1,869).
 - **PSS Award: \$1,763.19**

- **Impact on Incomes after PSS award:**
 - Wife's Monthly Income is **\$8,867.81** (\$10,631 - \$1,763.19)
 - Husband's Monthly Income is **\$6,132.19** (\$4,369 + \$1,763.19)

EXAMPLE 2

- Husband makes **\$90,000 per year** (\$7,500.00 per month).
- Wife makes **\$25,000 per year** (\$2,083.33 per month).

- Wife receives **\$600.00 per month in child support** for child from previous marriage.
 - Husband's Monthly Gross Income is **\$7,500.00**.
 - Wife's Monthly Gross Income is **\$2,683.33** (\$2,083.33 + \$600.00).

- **PSS Award: \$1,376.54**
- **Impact on Incomes after PSS award:**
 - Husband's Monthly Income is **\$6,123.46** ($\$7,500 - \$1,376.54$)
 - Wife's Monthly Income is **\$4,059.87** ($\$2,683.33 + \$1,376.54$)

EXAMPLE 3

- Husband makes **\$200,000 per year** ($\$16,666.67$ per month).
- Wife makes **\$0 per year** ($\0.00 per month).
- Husband pays **\$1,800.00 per month in spousal support** to previous spouse.
 - Husband's Monthly Gross Income is **\$14,866.67** ($\$16,666.67 - \$1,800.00$).
 - Wife's Monthly Gross Income is **\$0.00**.
 - **PSS Award: \$4,497.17**
- **Impact on Incomes after PSS award:**
 - Husband's Monthly Income is **\$10,369.50** ($\$14,866.67 - \$4,497.17$)
 - Wife's Monthly Income is **\$4,497.17** ($\$0.00 + \$4,497.17$)

SECTION 5.

APPENDIX

1572353

Judicial District 15B

FILED

Orange and Chatham Counties AUG 10 PM 12: 00

ORANGE CO., C.S.C.

LOCAL Rules

MD

Governing

Post Separation Support

Purpose: To streamline PSS litigation by creating standardized affidavits and other related forms and to provide the Court with information regarding the parties' current financial information, in a suggested post-separation support (PSS) amount consistent with statutory factors.

A. Definitions

1. PSS refers to post separation support as defined by N.C. G.S. Sec. 50-16.1A(4)
2. Petitioner refers to the party seeking post separation support
3. Respondent refers to the party from whom post separation support is sought
4. The term "15B PSS affidavit and worksheet" refers to the attached affidavit (Form PSS-1) and worksheet (Form PSS-2)
5. The term "15B PSS Order" form refers to the attached form (Form PSS-3) for court orders awarding or denying a PSS claim.
6. The "PSS formula" is the mathematical equation that produces a "suggested PSS amount." The PSS formula is: $[(SS-DS) \times 30.25] - (DS \times .03)$. Where "SS" = supporting spouse's Adjusted Gross Income and "DS" = dependent spouse's Adjusted Gross Income.
7. "Suggested PSS Amount" is a value which represents the average spousal support amounts in actual comparable cases in this district. The suggested amount of PSS is not a presumptive or guideline amount, and is intended only for informational purposes.

B. Post Separation Support Hearings

1. By agreement of the parties or under the direction of the Court, post-separation support may be determined out of session by submission of the PSS Affidavit (PSS-1).
2. Where PSS is to be determined by hearing, the 15B PSS affidavit (PSS-1) must be completed by both parties and served on the opposing party at least three (3) days before a scheduled hearing for post-separation support; The 15B PSS affidavit (PSS-1) shall also be filed with the court at least one business day prior to the hearing.

C. Instructions for PSS Forms

6.18.2015

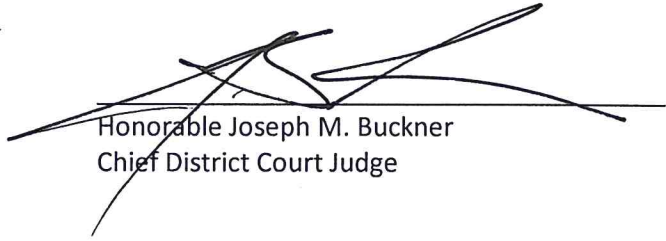
1. Instructions for filling out the 15B PSS affidavit (Form PSS-1)
 - a. "Monthly gross income" is defined in accordance with the current definition of gross income in the NC Child Support Guidelines.
 - b. "Adjusted monthly gross income" is defined as monthly gross income plus or minus monthly child support paid or received for any child, and plus or minus monthly spousal support paid or received due to a previous spouse.
 - c. Net monthly income is defined as monthly gross income minus income tax and social security tax
 - d. Monthly expenses should only include amounts paid by the party completing the affidavit.
 - e. The affidavit must be notarized on page 1.

2. Instructions for filling out the 15B PSS worksheet (Form PSS-2)
 - a. The worksheet is intended to be prepared by the Court for informational purposes only. Nothing herein requires the Court to award the suggested PSS monthly amount.
 - b. The Court must find that the Respondent is a supporting spouse and the Petitioner is a dependent spouse as defined in N.C.G.S. Sec. 50-16.1A before using the worksheet to determine the suggested PSS monthly amount.
 - c. If the Dependent spouse earns more than \$16,666.66 per month, the formula for the suggested monthly amount of PSS is inapplicable.
 - d. In completing the worksheet,
 - i. Line one (1) refers to the supporting spouse's adjusted gross income based on the supporting spouse's PSS affidavit, line 3 on Form PSS -1.
 - ii. Line two (2) refers to the dependent spouse's adjusted gross income based on the dependent's spouse's PSS affidavit, line 3 on Form PSS-1
 - iii. Line three (3) of the worksheet is the supporting spouse's adjusted gross income minus the dependent spouses adjusted gross income.
 - iv. Line four (4) is the difference between the adjusted gross income's multiplied by 30.25%
 - v. Line five (5) is 3% of the dependent spouse's adjusted gross income.
 - vi. The resulting number on Line 6 is the suggested PSS amount.

3. Instructions for filling out 15B Order for Post Separation Support (Form PSS-3)
 - a. The order is intended to be filled out by or at the direction of the Court based upon the statutory factors and evidence presented.
 - b. Nothing herein requires the Court to use Form PSS-3 when awarding or denying a claim for PSS.

6.18.2015

Adopted this 10 day of August, 2015



Honorable Joseph M. Buckner
Chief District Court Judge

6.18.2015

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
CVD

COUNTY OF _____

_____,

Plaintiff,

v.

_____,

Defendant.

POST-SEPARATION SUPPORT
AFFIDAVIT OF:

- PLAINTIFF
- DEFENDANT

POST-SEPARATION SUPPORT AFFIDAVIT
(District 15B Local Form PSS-1)

The undersigned affiant, after being duly sworn, says that the information provided below is true, accurate, and complete to the best of his or her knowledge as of the date of the signing of this affidavit. The affiant also certifies that the values listed herein are estimated in good faith and subject to further discovery.

Plaintiff / Defendant

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Signature: _____

Notary Name: _____

Commission Expires: _____

1. GROSS INCOME

1a. Gross Annual Income \$ _____

1b. Gross Monthly Income [Line 1a divided by 12 months] \$ _____

2. ADJUSTMENTS TO GROSS INCOME

2a. Monthly Child Support Paid [For any child] \$ _____

2b. Monthly Spousal Support Paid [To previous spouse(s)] \$ _____

2c. Total Monthly Reductions [Add Lines 2a and 2b] \$ _____

2d. Monthly Child Support Received [For any child] \$ _____

- 2e. Monthly Spousal Support Received *[From previous spouse(s)]* \$ _____
- 2f. **Total Monthly Additions** *[Add Lines 2d and 2e]* \$ _____
3. **ADJUSTED MONTHLY GROSS** *[Subtract Line 2c from 1b, and add Line 2f]* \$ _____
4. **MONTHLY DEDUCTIONS FROM INCOME**
- 4a. Social Security Tax Payments \$ _____
- 4b. Income Tax Payments \$ _____
- 4c. Total Monthly Deductions *[Add Lines 4a and 4b]* \$ _____
5. **NET MONTHLY INCOME** *[Subtract Line 4c from Line 3]* \$ _____
6. **MONTHLY EXPENSES** *[Include only those expenses actually paid by you. Do not include amounts for which you receive credit under an existing child support order]*
- 6a. Childcare Expenses \$ _____
- 6b. Expenses for Children's Extracurricular Activities \$ _____
- 6c. Health Insurance Premiums for Children \$ _____
- 6d. Your Health Insurance Premiums \$ _____
- 6e. Recurring Medical Expenses for Your Dependents \$ _____
- 6f. Recurring Medical Expenses for Yourself \$ _____
- 6g. Monthly Rent or Mortgage Payment \$ _____
- 6h. Other Payments on Marital Debts \$ _____
7. **MARRIAGE INFORMATION**
- 7a. Date of Marriage _____ / _____ / _____
- 7b. Date of Separation _____ / _____ / _____
- 7c. Did actions by the other party reduce or eliminate your ability to support yourself or your family? Yes
 No
- 7d. Are you subject to any physical or mental disability which reduces or eliminates your ability to support yourself or your family? Yes
 No

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF

COUNTY OF _____

JUSTICE
DISTRICT COURT DIVISION
___ CVD _____

_____,

Plaintiff,

v.

_____,

Defendant.

POST-SEPARATION
SUPPORT WORKSHEET

(Form PSS-2)

**POST-SEPARATION SUPPORT WORKSHEET
(District 15B Local Form PSS-2)**

For the purposes of this post-separation support worksheet, _____
(Plaintiff/Defendant) is the supporting spouse as defined in N.C.G.S. § 50-16.1A(5), and
_____ (Plaintiff/Defendant) is the dependent spouse as defined in N.C.G.S.
§ 50-16.1A(2).

SUGGESTED MONTHLY PSS AMOUNT

1.	Supporting Spouse's Adjusted Gross Monthly Income <i>[From Line 3 of Supporting Spouse's PSS Affidavit (Form 15B-PSS-1)]</i>	\$ _____
2.	Dependent Spouse's Adjusted Gross Monthly Income ¹ <i>[From Line 3 of Dependent Spouse's PSS Affidavit (Form 15B-PSS-1)]</i>	\$ _____
3.	Difference Between Adjusted Gross Monthly Incomes <i>[Subtract Line 2 from Line 1]</i>	\$ _____
4.	30.25% of Difference Between Adjusted Gross Monthly Incomes <i>[Multiply Line 3 by 0.3025]</i>	\$ _____
5.	3.00% of Dependent Spouse's Adjusted Gross Monthly Income <i>[Multiply Line 2 by 0.03]</i>	\$ _____
6.	Suggested Monthly PSS Amount <i>[Subtract Line 5 from Line 4]</i>	\$ _____

¹ These guidelines do not apply if this amount exceeds \$16,666.66

STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
___ CVD _____

_____,
Plaintiff,

v.

_____,
Defendant.

**ORDER FOR
POST-SEPARATION SUPPORT
(Form PSS-3)**

THIS MATTER having been placed before the Court for a determination of Post-Separation Support on the ___ day of _____, 20__, and based upon the pleadings, the affidavits provided, and other evidence presented, if any, the Court finds and concludes that:

1. The Gross Monthly Income of the Plaintiff, adjusted for other family support amounts paid and received, is \$_____ per month.
2. The Gross Monthly Income of the Defendant, adjusted for other family support amounts paid and received, is \$_____ per month.
3. Plaintiff / Defendant is a supporting spouse, and Plaintiff / Defendant is a dependent spouse, as defined in N.C.G.S. § 50-16.1A.
4. In considering the present employment income and other recurring earnings of each party from any source and each party's respective legal obligations to support any other persons, the suggested monthly post-separation support amount is \$_____ per month.
5. In further considering the parties' accustomed standard of living, their income-earning abilities, and their separate and marital debt service obligations, the Court finds that:
 - ___ a. The Supporting Spouse would be unable to meet his/her own basic needs after the imposition of the suggested post-separation support amount;
 - ___ b. The Supporting Spouse has made payments on behalf of the Dependent Spouse or the minor child which are not otherwise accounted for in child support or other court orders;
 - ___ c. Imposition of the suggested post-separation support amount would result in significant tax consequences to the Supporting Spouse / the Dependent Spouse;

- ___ d. The Supporting Spouse / The Dependent Spouse is responsible for payments of extraordinary, ongoing medical expenses or debts;
 - ___ e. The parties have been separated for an extended period of time;
 - ___ f. The Supporting Spouse / The Dependent Spouse engaged in abuse which affects the other party's ability to support him/herself;
 - ___ g. There exists a substantial imbalance in the assets available to either party;
 - ___ h. Imposition of the suggested post-separation support amount would be otherwise unjust, in that: _____

 - ___ i. The suggested post-separation support amount is appropriate in light of the statutory considerations required under N.C.G.S. 50-16.2A(b).
6. Additional Findings and Conclusions (if any):

IT IS THEREFORE adjudged, ordered, and decreed that:

- 1. Plaintiff / Defendant, as supporting spouse, shall pay Plaintiff / Defendant post-separation support in the amount of \$_____.__ per month, beginning on the ___ day of _____, 20__ and continuing on the ___ day of each month thereafter;
- 2. This award of post-separation support is entered without prejudice to the rights of either party with respect to any pending claim for alimony; and
- 3. Additional Terms (if any):

This the ___ day of _____, 20__.

District Court Judge Presiding