

THE COURTS

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Proposed Rescission of Rule 13 and Amendment of Rule 14

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania rescind Rule 13 and amend Rule 14 of the Rules of Conduct for Magisterial District Judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are shown in bold and brackets.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel
Supreme Court of Pennsylvania
Minor Court Rules Committee
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9546
or email to: minorrules@pacourts.us

no later than June 28, 2013.

By the Minor Court Rules Committee

MARY P. MURRAY,
Chair

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

Rule 13. [Incompatible Practices] (Reserved).

[Magisterial district judges and all employees assigned to or appointed by magisterial district judges shall not engage, directly or indirectly, in any activity or act incompatible with the expeditious, proper and impartial discharge of their duties, including, but not limited to, (1) in any activity prohibited by law; (2) in the collection business; or (3) in the acceptance of any premium or fee for any

judicial bond. Magisterial district judges shall not exploit their judicial position for financial gain or for any business or professional advantage. Magisterial district judges shall not receive any fee or emolument for performing the duties of an arbitrator.

Official Note: The next to the last sentence of this rule is derived in part from Canon 5C(1) of the American Bar Association and Pennsylvania Supreme Court Code of Judicial Conduct.

Pursuant to the authority granted by Article V, Section 10 of the Pennsylvania Constitution, the Supreme Court adopted the Rules Governing Standards of Conduct of Magisterial District Judges as the exclusive means of regulating the conduct of magisterial district judges under the supervision of the Supreme Court. Disqualification from proceedings is the most appropriate means of ensuring judicial integrity and impartiality in proceedings, including, but not limited to, those arising from the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S.A. § 1101 et seq.).

No magisterial district judge shall have a financial interest, as defined by Section 1512(B) of the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S.A. § 1101 et seq.), in or be employed, directly or indirectly, by any licensed racing entity or licensed gaming entity, or any holding, affiliate, intermediary or subsidiary company thereof or any such applicant, or engage in the active ownership or participate in the management of any such entities and related companies.

Rule 8(A) of the Rules Governing Standards of Conduct of Magisterial District Judges continues to govern the disqualification of magisterial district judges where the interest in or relationship with a licensed racing or licensed gaming entity or related company thereto, or any such applicant therefor, of the magisterial district judge or a family member is at issue.]

Official Note: The provisions of former Rule 13 were added to Rule 14 to reflect limitations on outside activities applicable to all magisterial district judges.

Rule 14. [Prohibited Practice of Attorney Magisterial District Judges] Limitations Relating to Outside Activities.

[A. Attorneys who are magisterial district judges shall not practice before any magisterial district judge in the Commonwealth, nor shall they act as a lawyer in a proceeding in which they have served as a magisterial district judge or in any other proceeding related thereto. Nor shall they practice criminal law in the county within which their magisterial district is located. An employer, employe, partner of office associate of such magisterial district judges shall not appear or practice before them.

B. Attorneys who are magisterial district judges shall not practice before, or act as an attorney or solicitor for, any county or local municipal, governmental or quasi governmental agency, board, authority or commission operating within the Commonwealth.

Official Note: Subdivision A of this rule is derived from former Rule 3A and Compliance Exception A(2), American Bar Association Code of Judicial Conduct. Subdivision B is derived from former Rule 3B. This rule contains all the prohibitions upon the practice of law by attorney magisterial district judges that were thought necessary.]

A. Magisterial district judges shall not engage, directly or indirectly, in any activity or act incompatible with the expeditious, proper and impartial discharge of their duties, including, but not limited to, any of the following: (1) any activity prohibited by law; (2) any activity related to the collection of a claim or judgment for money; or (3) any activity related to judicial bonds.

B. Magisterial district judges shall not exploit their judicial position for financial gain or for any business or professional advantage.

C. Magisterial district judges shall not perform the duties of an arbitrator or mediator in any of the following situations in which they receive a fee or emolument: (1) in any proceeding in which venue would have been proper in the magisterial district in which they serve pursuant to Rule 302 and (2) in any proceedings in which venue would have been proper in the county within which their magisterial district is located unless serving as a neutral arbitrator, or in a non-binding arbitration or mediation proceeding.

D. Magisterial district judges who are attorneys shall not practice law (1) before any magisterial district judge in the Commonwealth; (2) in any proceeding in which they have served as a magisterial district judge; (3) in any proceeding related to a proceeding in which they served as a magisterial district judge; and (4) in any criminal proceeding in the county within which their magisterial district is located. Magisterial district judges who are attorneys shall neither practice before nor act as an attorney or solicitor for any county or local municipal, governmental or quasi-governmental agency, board, authority or commission operating within the Commonwealth.

E. Magisterial district judges who are attorneys shall not permit their employers, employees, partners or legal associates to appear or practice before them.

Official Note: Subdivisions A, B and C of this rule apply to all magisterial district judges, including magisterial district judges who are attorneys.

Magisterial district judges are permitted to supplement their income as long as it does not interfere with their judicial responsibilities. Rule 14C permits magisterial district judges to receive fees and emoluments for serving as an arbitrator or mediator in certain circumstances. There is no prohibition against any active judge serving as an

arbitrator or mediator without compensation so long as the judge follows the guidelines of Canon 3B of the Code of Judicial Conduct and that such an arbitration or mediation does not interfere with the prompt and efficient management of that judge's own court docket. Subdivision C of this rule applies to all types of alternative dispute resolution, including but not limited to, arbitration and mediation.

In Subdivision C, mediation was added to this rule in recognition of the growth of alternative dispute resolution after the rule was originally promulgated, and the fact that there should not be a distinction between a magisterial district judge serving as an arbitrator or mediator.

Subdivision D of this rule is derived from former Rule 13A and Compliance Exception A(2), American Bar Association Code of Judicial Conduct.

Subdivision E of this Rule is derived from former Rule 13B.

REPORT

Proposed Rescission of Rule 13 and Amendment of Rule 14 of the Rules of Conduct for Magisterial District Judges

Clarification Regarding Limitations on Outside Activities

I. Introduction

The Minor Court Rules Committee (the "Committee") is proposing the rescission of Rule 13 and the amendment of Rule 14 of the Rules of Conduct for Magisterial District Judges. These rules currently address activities prohibited to all magisterial district judges (Rule 13), as well as practices prohibited by attorney magisterial district judges only (Rule 14). The goal of this change is to combine these rules into one rule encompassing all limitations on magisterial district judges, as well as to modify the existing prohibition on magisterial district judges serving as paid arbitrators.

The issue of limitations on outside activities by magisterial district judges has been under review by the Committee since at least 2002. The issue initially arose as questions to the Committee asking whether or not an attorney magisterial district judge could also serve as an arbitrator, particularly in arbitration cases where the arbitrators' fees are paid by the parties. There appeared to be conflicting interpretations as to whether the prohibition on "receiving any fee or emolument for performing the duties of an arbitrator", set forth in Rule 13, applied to attorney magisterial district judges, who were also subject to the additional prohibited practices set forth in Rule 14. After consideration of the inquiry, and review of the relevant rules, statutes, and other authorities, the Committee agreed that amendments to the rules were advisable to clarify that no magisterial district judge, including a judge who was also an attorney, may act as an arbitrator for a fee.

The Committee published its initial proposal in 2003, at 33 Pa.B. 745 (February 8, 2003). After receiving comments from various sources, the Committee reworked the proposal, and subsequently tabled it while other groups attempted to achieve a legislative solution to the question. In the absence of a legislative solution, the Commit-

tee republished the proposal at 37 Pa.B. 6902 (December 29, 2007), and received additional valuable input. The Committee submitted a recommendation to the Pennsylvania Supreme Court (“Court”), but was instructed to engage in further review. The resulting proposal that follows is the product of the Committee’s ongoing review of the questions initially posed in 2002.

II. Discussion

As reflected in the versions of the rules previously published, the Committee’s past approach was an absolute prohibition on magisterial district judges receiving fees or emoluments for performing the duties of an arbitrators. However, upon further reflection, the Committee agreed that there could be less restrictive means of modifying the current rule, restricting paid activity only to cases within certain parameters. Additionally, the Committee decided to propose limitations on activities as a paid mediator in the same situations as paid arbitrators.

III. Proposed Rule Changes

A. Rule 13

The current version of Rule 13, titled “Incompatible Practices”, sets forth certain prohibitions applicable to all magisterial district judges. The Committee agreed that rescinding Rule 13 and incorporating its provisions into Rule 14 was the simplest way to ensure that all magisterial district judges, both attorneys and non-attorneys, were following the same guidelines for incompatible practices and prohibitions. The substantive material of Rule 13, with modification, is found in Rule 14. A note was added to Rule 13, directing readers to Rule 14.

B. Rule 14

The current version of Rule 14, titled, “Prohibited Practice of Attorney Magisterial District Judges”, sets forth those limitations applicable only to attorney magisterial district judges. As explained above, the Committee’s goal in redrafting Rules 13 and 14 was to clarify the limitations on all judges, remove the artificial distinction between attorney and non-attorney judges on the arbitration issue, and lessen restrictions on arbitration practices. Proposed subdivisions A and B are taken from the first two sentences of current Rule 13. Proposed subdivision D is based on current Rule 14A and 14B, while proposed subdivision E is based on the last sentence to current Rule 14A.

Proposed subdivision C is the revised provision addressing magisterial district judges serving as arbitrators or mediators. Specifically, magisterial district judges are not to serve as arbitrators or mediators for a fee or emolument in situations where venue would be proper in the judge’s district, or in proceedings in which venue would be proper in the county where the judge’s district is located, unless the judge is serving as a neutral arbitrator or in a non-binding arbitration or mediation proceeding. By modifying the existing prohibition on serving as a paid arbitrator, magisterial district judges will be able to participate in this arena in a manner that will not potentially overlap with parties, attorneys and matters with cases heard in the judge’s court or local area.

[Pa.B. Doc. No. 13-760. Filed for public inspection April 26, 2013, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 17]

Order Amending Note to Rule 1701 of the Rules of Appellate Procedure; No. 224 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 9th day of April, 2013, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 41 Pa.B. 4529 (August 20, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Pennsylvania Rule of Appellate Procedure 1701 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective to appeals and petitions for review filed 30 days after adoption.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 17. EFFECT OF APPEALS; SUPERSEDEAS AND STAYS

IN GENERAL

Rule 1701. Effect of Appeal Generally.

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Official Note: The following statutory provisions relate to supersedeas generally:

42 Pa.C.S. § 702(c) (supersedeas) provides that except as otherwise prescribed by general rule, a petition for permission to appeal under that section shall not stay the proceedings before the lower court or other government unit, unless the lower court or [**other**] other government unit or the appellate court or a judge thereof shall so order. *See also* Rule 1313 (effect of filing petition).

42 Pa.C.S. § 5105(e) (supersedeas) provides that an appeal shall operate as a supersedeas to the extent and upon the conditions provided or prescribed by law, and that unless a supersedeas is entered no appeal from an order concerning the validity of a will or other instrument or the right to the possession of or to administer any real or personal property shall suspend the powers or prejudice the acts of the appointive judicial officer, personal representative or other person acting thereunder.

Subdivision (a) codifies a well-established principle. *See e.g., Merrick Estate*, 432 Pa. 450, 454, 247 A.2d 786, 787 (1968); *Corace v. Balint*, 418 Pa. 262, 275-76, 210 A.2d

882, 889 (1965)[; *Gilbert v. Lebanon Val. St. Ry. Co.*, 303 Pa. 213, 154 Atl. 302 (1931); *Drabant v. Cure*, 274 Pa. 180, 118 Atl. 30 (1922); *Silver v. Edelstein*, 266 Pa. 531, 109 Atl. 679 (1920)]. Rule 5102 saves the provisions of Section 426 of [**The**] **the** Pennsylvania Workmen's Compensation Act (77 P. S. § 871), which permit a rehearing by the agency under certain circumstances during the pendency of an appeal. Rule [**311(e)**] **311(h)** (further proceedings in lower court) provides that Subdivision (a) is not applicable where an appeal as of right is taken from interlocutory orders relating to attachments, [**injunctions**] **injunctions**, etc., thus making clear that the procedure for seeking appellate review of these collateral matters does [**no**] **not** impair the power of the lower court to continue with the case proper.

Subdivision (b)(1) sets forth an obvious power of the lower court or agency under these rules[, **but is not intended to permit fundamental corrections in the record.** See *Corabi v. Curtis Pub. Co.*, 437 Pa. 143, 150, 262 A.2d 665, 668 (1970)] **to take actions to preserve the status quo and to clarify or correct an order or verdict. The power to clarify or correct does not extend to substantive modifications.** *Pa. Indus. Energy Coalition v. Pennsylvania PUC*, 653 A.2d 1336, 1344-45 (Pa. Cmwlth. 1995), *aff'd*, 543 Pa. 307, 670 A.2d 1152 (1996). Examples of permissible actions to preserve the status quo are those "auxiliary to the appellate process, such as a supersedeas or injunction." *Id.* Examples of permissible corrections are "non-substantial technical amendments to an order, changes in the form of a decree, and modification of a verdict to add prejudgment interest." *Id.* at 1344. "Such actions have no effect on the appeal or petition for review and cannot prompt a new appealable issue." *Id.* at 1345.

Among the permissible "corrections" is the addition or modification of contractual or statutory prejudgment interest, which is an element of contract damages. In such cases, the award of such interest is mandatory and not discretionary. *TruServ Corp. v. Morgan's Tool & Supply Co. Inc.*, Pa. , 39 A.3d 253, 264 (2012). Accordingly, even though the amount of a verdict is changed by the addition of prejudgment interest, the verdict has been "corrected" and not "modified."

The Supreme Court has held that, so long as a motion for attorneys' fees has been timely filed, a trial court may act on that motion under subdivision (b)(1) even after an appeal has been taken. *Samuel-Bassett v. Kia Motors Am., Inc.*, 613 Pa. 371, 34 A.3d 1, 48 (2011). Thus, unlike the court actions discussed in *Pa. Indus. Energy Coalition*, an award of attorneys' fees constitutes a separately appealable order that would be reviewable upon filing of a timely separate notice of appeal, measured from the date the fee award order was entered.

Generally an appeal does not operate as a supersedeas of government agency action.

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[Pa.B. Doc. No. 13-761. Filed for public inspection April 26, 2013, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Amendment of Rules 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-6 and 1910.16-7 of the Rules of Civil Procedure; No. 576 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 9th day of April, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 1642 (March 31, 2012):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-6, and 1910.16-7 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 9, 2013.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-1. Amount of Support. Support Guidelines.

(a) *Applicability of the Support Guidelines.*

(1) Except as set forth in subdivision (2) below, the support guidelines set forth the amount of support which a spouse or parent should pay on the basis of both parties' net monthly incomes as defined in Rule 1910.16-2 and the number of persons being supported.

(2) In actions in which the plaintiff is a public body or private agency pursuant to Rule 1910.3, the amount of the order shall be calculated under the guidelines based upon each obligor's net monthly income as defined in Rule 1910.16-2, with the public or private entity's income as zero. In such cases, each parent shall be treated as a separate obligor and a parent's obligation will be based upon his or her own monthly net income without regard to the income of the other parent.

(i) The amount of basic child support owed to other children not in placement shall be deducted from each parent's net income before calculating support for the child or children in placement, including the amount of direct support the guidelines assume will be provided by the custodial parent.

Example 1. Mother and Father have three children and do not live in the same household. Mother has primary custody of two children and net income of \$2,000 per month. Father's net monthly income is \$3,000. The parties' third child is in foster care placement. Pursuant to the schedule at Rule 1910.16-3, the basic child support amount for the two children with Mother is [**\$1,350**] **\$1,369**. As Father's income is 60% of the parties' combined monthly net income, his basic support obligation to

Mother is [\$810] \$821 per month. The guidelines assume that Mother will provide [\$540] \$548 per month in direct expenditures to the two children in her home. The agency/obligee brings an action against each parent for the support of the child in placement. Father/obligor's income will be [\$2,190] \$2,179 for purposes of this calculation (\$3,000 net less [\$810] \$821 in support for the children with Mother). Because the agency/obligee's income is zero, Father's support for the child in placement will be 100% of the schedule amount of basic support for one child at the [\$2,190] \$2,179 income level, or [\$528] \$520 per month. Mother/obligor's income will be [\$1,460] \$1,452 for purposes of this calculation (\$2,000 net less [\$540] \$548 in direct support to the children in her custody). Her support obligation will be 100% of the schedule amount for one child at that income level, or [\$354] \$348 per month.

Example 2. Mother and Father have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as above, Father's income for determining his obligation to the children in placement would be \$2,500 (\$3,000 less \$500 support for two children of prior marriage). His obligation to the agency would be [\$866] \$848 per month (100% of the schedule amount for two children at the \$2,500 per month income level). Mother's income would not be diminished as she owes no other child support. She would owe [\$698] \$685 for the children in placement (100% of the schedule amount for two children at the \$2,000 income level).

(ii) If the parents reside in the same household, their respective obligations to the children who remain in the household and are not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and that amount shall be deducted from the parents' net monthly incomes for purposes of calculating support for the child(ren) in placement.

Example 3. Mother and Father have four children, two of whom are in placement. Mother's net monthly income is \$4,000 and Father's is [\$2,000] \$3,000. The basic support amount for the two children in the home is [\$1,483] \$1,628, according to the schedule at Rule 1910.16-3. As Mother's income is [67%] 57% of the parties' combined net monthly incomes, her share would be [\$994] \$928, and Father's [33%] 43% share would be [\$489] \$700. Mother's income for purposes of calculating support for the two children in placement would be [\$3,006] \$3,072 (\$4,000 less [\$994] \$928). She would pay 100% of the basic child support at that income level, or [\$1,033] \$1,032, for the children in placement. Father's income would be [\$1,511] \$2,300 ([\$2,000] \$3,000 less [\$489] \$700) and his obligation to the children in placement would be [\$531] \$782.

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Explanatory Comment—2010

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H. *Other Amendments.* All of the examples in the guidelines have been updated to reflect the changes to the basic child support schedule. Prior explanatory comments have been deleted or revised and incorporated into new comments.

Explanatory Comment—2013

The schedule of basic child support has been updated to reflect newer economic data. The schedule was prepared by Jane Venohr, Ph.D., the economist who assisted in the last guideline review using the same methodology. It includes an increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.

Rule 1910.16-2. Support Guidelines. Calculation of Net Income.

Generally, the amount of support to be awarded is based upon the parties' monthly net income.

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(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

(1) *Public Assistance and SSI Benefits.* Neither public assistance nor Supplemental Security Income (SSI) benefits shall be counted as income for purposes of determining support.

(2) *Social Security Payments for a Child.* If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement, death or disability, the benefits the child receives shall be added to the combined monthly net incomes of the obligor and the obligee to calculate the income available for support on the vertical axis of the basic child support schedule set forth in Rule 1910.16-3. The presumptive amount of support as set forth on the schedule at the combined income of the obligee, obligor and child's benefits shall then be reduced by the amount of the child's benefits before apportioning the remaining support obligation between the parties pursuant to Rule 1910.16-4. This calculation presumes that the primary custodial parent, or the shared custodial parent who is the obligee, is receiving the child's benefits. In cases in which the obligor is receiving the child's benefits, the amount of the child's benefit shall be added to the obligor's income and support shall be calculated as in any other case without deduction of the amount of the benefit from the presumptive amount of support set forth in the basic support schedule. For purposes of determining the support obligation of a surviving parent when the child is receiving benefits as the result of the other parent's death, the income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child.

(3) *Foster Care Payments.* If either party to a support action is a foster parent and/or is receiving payments from a public or private agency for the care of a child who is not his or her biological or adoptive child, those payments shall not be included in the income of the foster parent or other caretaker for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

Example 1. If the obligor has net income of \$1,200 per month; the obligee has net monthly income of \$800; and the child receives Social Security derivative benefits of \$300 per month as a result of either the obligor's or obligee's retirement or disability, then the total combined

monthly net income is \$2,300. Using the schedule at Rule 1910.16-3 for one child, the amount of support is [\$551] \$543 per month. From that amount, subtract the amount the child is receiving in Social Security derivative benefits ([\$551] \$543 minus \$300 equals [\$251] \$243). Then, apply the formula at Rule 1910.16-4 to apportion the remaining child support amount of [\$251] \$243 between the obligor and the obligee in proportion to their respective incomes. The obligor's \$1,200 net income per month is 60% of the total of the obligor's and the obligee's combined net monthly income. Thus, the obligor's support obligation would be 60% of [\$251] \$243, or [\$151] \$146, per month.

Example 2. Two children live with Grandmother who receives \$400 per month in Social Security death benefits for the children as a result of their father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$1,500 net per month. For purposes of calculating Mother's support obligation, Grandmother's income will be \$500, the amount she receives on behalf of the children from the trust. Therefore, the obligee's and the obligor's combined net monthly incomes total \$2,000. Add to that the \$400 in Social Security benefits Grandmother receives for the children to find the basic child support amount in Rule 1910.16-3. The basic support amount at the \$2,400 income level for two children is [\$831] \$815. Subtracting from that amount the \$400 in Social Security derivative benefits Grandmother receives for the children, results in a basic support amount of [\$431] \$415. As Mother's income is 75% of the parties' combined income of \$2,000, her support obligation to Grandmother is [\$323] \$311 per month.

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(e) *Net Income Affecting Application of the Support Guidelines.*

(1) *Low Income Cases.*

(A) When the obligor's monthly net income and corresponding number of children fall into the shaded area of the schedule set forth in Rule 1910.16-3, the basic child support obligation shall first be calculated using the obligor's income only. For example, where the obligor has monthly net income of [\$950] \$1,100, the presumptive amount of support for three children is [\$77] \$156 per month. This amount is determined directly from the schedule in Rule 1910.16-3. Next, calculate the obligor's child support obligation as in any other case, using both parties' monthly net incomes. The lower of the two calculations shall be the obligor's basic child support obligation.

Example: The parties have two children. The obligor has net monthly income of \$1,500, which falls into the shaded area of the schedule for two children. Using only the obligor's income, the amount of support for two children would be \$518. Next, calculate support using both parties' incomes. The obligee has net monthly income of \$2,500 so the combined net monthly income of the parties is

\$4,000. The basic child support amount at that income level for two children is \$1,240. As the obligor's income is 38% of the combined net monthly income of the parties, the obligor's share of the basic support amount is \$471. As the amount of support the obligor would pay using the obligor's income alone is more than the amount calculated using both parties' incomes, the lower amount would be awarded. Thus, the obligor's basic child support obligation is \$471.

(B) In computing a basic spousal support or alimony pendente lite obligation, the presumptive amount of support shall not reduce the obligor's net income below the Self-Support Reserve of [\$867] \$931 per month. For example, if the obligor earns \$1,000 per month and the obligee earns \$300 per month, the formula in Part IV of Rule 1910.16-4 would result in a support obligation of \$280 per month. Since this amount leaves the obligor with only \$720 per month, it must be adjusted so that the obligor retains at least [\$867] \$931 per month. The presumptive minimum amount of spousal support, therefore, is [\$133] \$69 per month in this case.

(C) When the obligor's monthly net income is [\$867] \$931 or less, the court may award support only after consideration of the [obligor's] parties' actual financial resources and living expenses.

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Explanatory Comment—2010

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Subdivision (e) also has been amended to eliminate the application of *Melzer v. Witsberger*, 505 Pa. 462, 480 A.2d 991 (1984), in high income child support cases. In cases in which the parties' combined net monthly income exceeds \$30,000, child support will be calculated in accordance with the three-step process in new rule 1910.16-3.1(a).

Explanatory Comment—2013

The SSR has been increased to \$931, the 2012 federal poverty level for one person. Subdivision (e) has been amended to require that when the obligor's income falls into the shaded area of the basic child support schedule in Rule 1910.16-3, two calculations must be performed. One calculation uses only the obligor's income and the other is a regular calculation using both parties' incomes, awarding the lower amount to the obligee. The two step process is intended to address those cases in which the obligor has minimal income and the obligee's income is substantially greater.

Rule 1910.16-3. Support Guidelines. Basic Child Support Schedule.

The following schedule sets forth the amounts spent on children in intact families by combined income and number of children. Combined income is on the vertical axis of the schedule and number of children is on the horizontal axis of the schedule. This schedule is used to find the basic child support obligation. Unless otherwise provided in these rules, the obligor's share of the basic support obligation shall be computed using the formula set forth in Part I of Rule 1910.16-4.

<i>[Monthly Basic Child Support Schedule]</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
0-900	50	55	60	65	70	75
950	75	76	77	78	78	79
1000	120	121	123	124	125	127
1050	165	167	169	171	172	174
1100	210	212	215	217	219	222
1150	255	258	261	264	266	269
1200	294	303	307	310	313	317
1250	306	349	353	357	360	364
1300	318	394	399	403	407	412
1350	330	440	445	450	454	459
1400	342	485	491	496	501	507
1450	354	514	537	543	548	554
1500	365	531	583	589	595	602
1550	377	548	629	636	642	649
1600	389	565	665	682	689	697
1650	401	582	684	729	736	744
1700	412	598	704	775	783	792
1750	424	615	723	808	830	839
1800	436	631	742	829	877	887
1850	447	648	762	851	924	934
1900	459	664	781	872	960	982
1950	470	681	800	894	983	1029
2000	482	698	820	915	1007	1077
2050	493	714	839	937	1031	1120
2100	505	731	858	959	1054	1146
2150	517	747	877	980	1078	1172
2200	528	764	897	1002	1102	1198
2250	540	781	916	1023	1126	1223
2300	551	797	936	1045	1150	1250
2350	563	814	956	1068	1174	1277
2400	575	831	976	1090	1199	1304
2450	587	849	996	1113	1224	1330
2500	598	866	1016	1135	1249	1357
2550	610	883	1036	1158	1273	1384
2600	622	900	1057	1180	1298	1411
2650	634	917	1077	1203	1323	1438
2700	646	934	1097	1225	1348	1465
2750	657	951	1117	1248	1373	1492
2800	669	968	1137	1270	1397	1519
2850	681	985	1157	1293	1422	1546
2900	693	1002	1178	1315	1447	1573
2950	704	1019	1198	1338	1472	1600
3000	714	1033	1213	1354	1490	1619
3050	723	1045	1226	1370	1507	1638
3100	732	1057	1240	1385	1523	1656

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
3150	741	1070	1253	1400	1540	1674
3200	750	1082	1267	1415	1557	1692
3250	759	1094	1281	1431	1574	1711
3300	768	1107	1294	1446	1590	1729
3350	777	1119	1308	1461	1607	1747
3400	786	1131	1322	1476	1624	1765
3450	793	1141	1333	1489	1637	1780
3500	798	1149	1342	1500	1650	1793
3550	804	1157	1352	1511	1662	1806
3600	809	1165	1362	1522	1674	1819
3650	815	1173	1372	1533	1686	1832
3700	820	1182	1382	1543	1698	1846
3750	826	1190	1392	1554	1710	1859
3800	831	1198	1401	1565	1722	1872
3850	837	1206	1411	1576	1734	1885
3900	842	1214	1421	1587	1746	1898
3950	848	1222	1430	1597	1757	1910
4000	854	1231	1439	1608	1769	1922
4050	860	1239	1449	1618	1780	1935
4100	866	1247	1458	1629	1791	1947
4150	872	1255	1467	1639	1803	1960
4200	878	1264	1477	1649	1814	1972
4250	884	1272	1486	1660	1826	1984
4300	890	1280	1495	1670	1837	1997
4350	895	1286	1502	1677	1845	2006
4400	898	1291	1506	1682	1850	2011
4450	902	1295	1510	1686	1855	2016
4500	905	1299	1513	1691	1860	2021
4550	909	1303	1517	1695	1864	2027
4600	912	1307	1521	1699	1869	2032
4650	916	1312	1525	1704	1874	2037
4700	919	1316	1529	1708	1879	2042
4750	923	1320	1533	1712	1884	2047
4800	926	1325	1538	1718	1890	2054
4850	931	1331	1545	1726	1898	2064
4900	935	1337	1552	1734	1907	2073
4950	940	1343	1559	1742	1916	2082
5000	944	1350	1566	1749	1924	2092
5050	949	1356	1573	1757	1933	2101
5100	953	1362	1580	1765	1942	2111
5150	957	1368	1587	1773	1950	2120
5200	962	1374	1594	1781	1959	2129
5250	966	1380	1601	1789	1968	2139
5300	971	1387	1608	1797	1976	2148
5350	975	1393	1615	1804	1985	2157

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
5400	980	1399	1622	1812	1993	2167
5450	984	1405	1629	1820	2002	2176
5500	989	1412	1637	1829	2011	2186
5550	994	1419	1645	1837	2021	2197
5600	1000	1426	1653	1846	2031	2207
5650	1005	1433	1660	1855	2040	2218
5700	1010	1440	1668	1864	2050	2228
5750	1015	1447	1676	1872	2059	2239
5800	1020	1454	1684	1881	2069	2249
5850	1025	1461	1692	1890	2079	2260
5900	1031	1469	1700	1899	2088	2270
5950	1036	1476	1707	1907	2098	2281
6000	1041	1483	1715	1916	2108	2291
6050	1046	1490	1723	1925	2117	2301
6100	1051	1497	1731	1933	2127	2312
6150	1056	1504	1739	1942	2136	2322
6200	1061	1511	1747	1951	2147	2333
6250	1066	1518	1755	1961	2157	2344
6300	1071	1525	1763	1970	2167	2355
6350	1076	1532	1772	1979	2177	2366
6400	1081	1539	1780	1988	2187	2377
6450	1086	1546	1788	1997	2197	2388
6500	1091	1553	1796	2006	2207	2399
6550	1096	1560	1804	2015	2217	2410
6600	1101	1567	1812	2024	2227	2421
6650	1106	1574	1821	2034	2237	2432
6700	1111	1581	1829	2043	2247	2442
6750	1116	1588	1837	2052	2257	2453
6800	1121	1595	1845	2061	2267	2464
6850	1126	1602	1853	2070	2277	2475
6900	1131	1609	1861	2078	2286	2485
6950	1135	1616	1868	2087	2295	2495
7000	1140	1622	1876	2095	2304	2505
7050	1145	1629	1883	2103	2314	2515
7100	1150	1636	1891	2112	2323	2525
7150	1155	1643	1898	2120	2332	2535
7200	1160	1649	1906	2128	2341	2545
7250	1165	1656	1913	2137	2351	2555
7300	1170	1663	1921	2145	2360	2565
7350	1174	1670	1928	2154	2369	2575
7400	1179	1676	1936	2162	2378	2585
7450	1184	1683	1943	2170	2387	2595
7500	1189	1690	1951	2179	2397	2605
7550	1194	1696	1958	2187	2406	2615
7600	1199	1703	1966	2196	2415	2625

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
7650	1204	1710	1973	2204	2424	2635
7700	1209	1717	1981	2212	2434	2645
7750	1214	1723	1988	2221	2443	2656
7800	1218	1731	1997	2230	2453	2667
7850	1223	1738	2005	2240	2464	2678
7900	1228	1745	2014	2249	2474	2689
7950	1233	1752	2022	2259	2485	2701
8000	1238	1759	2031	2268	2495	2712
8050	1243	1766	2039	2278	2505	2723
8100	1248	1774	2048	2287	2516	2735
8150	1253	1781	2056	2297	2526	2746
8200	1258	1788	2064	2306	2537	2757
8250	1263	1795	2073	2316	2547	2769
8300	1268	1802	2081	2325	2557	2780
8350	1273	1809	2090	2334	2568	2791
8400	1278	1816	2098	2344	2578	2803
8450	1283	1824	2107	2353	2589	2814
8500	1288	1831	2115	2363	2599	2825
8550	1293	1838	2124	2372	2609	2837
8600	1297	1845	2132	2382	2620	2848
8650	1302	1852	2141	2391	2630	2859
8700	1305	1856	2145	2396	2635	2864
8750	1307	1859	2149	2400	2640	2870
8800	1310	1863	2153	2404	2645	2875
8850	1313	1866	2156	2409	2650	2880
8900	1315	1870	2160	2413	2654	2885
8950	1318	1873	2164	2417	2659	2890
9000	1320	1877	2168	2422	2664	2896
9050	1323	1880	2172	2426	2669	2901
9100	1325	1884	2176	2430	2673	2906
9150	1328	1887	2180	2435	2678	2911
9200	1330	1891	2184	2439	2683	2916
9250	1333	1894	2188	2443	2688	2922
9300	1335	1898	2191	2448	2693	2927
9350	1338	1901	2195	2452	2697	2932
9400	1340	1905	2199	2457	2702	2937
9450	1343	1908	2203	2461	2707	2942
9500	1345	1912	2207	2465	2712	2948
9550	1348	1915	2211	2470	2716	2953
9600	1351	1920	2217	2476	2723	2960
9650	1356	1926	2223	2483	2731	2969
9700	1360	1932	2229	2490	2739	2977
9750	1364	1937	2235	2497	2746	2985
9800	1368	1943	2241	2504	2754	2994
9850	1372	1948	2248	2511	2762	3002

<i>Monthly Basic Child Support Schedule</i>						
<i>COMBINED ADJUSTED NET INCOME</i>	<i>ONE CHILD</i>	<i>TWO CHILDREN</i>	<i>THREE CHILDREN</i>	<i>FOUR CHILDREN</i>	<i>FIVE CHILDREN</i>	<i>SIX CHILDREN</i>
9900	1376	1954	2254	2518	2769	3010
9950	1381	1960	2260	2525	2777	3019
10000	1385	1965	2266	2532	2785	3027
10050	1389	1971	2273	2538	2792	3035
10100	1393	1977	2279	2545	2800	3044
10150	1397	1982	2285	2552	2808	3052
10200	1402	1988	2291	2559	2815	3060
10250	1406	1994	2297	2566	2823	3069
10300	1410	1999	2304	2573	2831	3077
10350	1414	2005	2310	2580	2838	3085
10400	1418	2010	2316	2587	2846	3093
10450	1422	2016	2322	2594	2854	3102
10500	1427	2022	2329	2601	2861	3110
10550	1431	2027	2335	2608	2869	3118
10600	1435	2033	2341	2615	2876	3127
10650	1439	2039	2347	2622	2884	3135
10700	1443	2044	2354	2629	2892	3143
10750	1448	2051	2361	2637	2901	3153
10800	1452	2057	2369	2646	2910	3164
10850	1457	2064	2376	2654	2920	3174
10900	1462	2070	2384	2663	2929	3184
10950	1466	2077	2391	2671	2938	3194
11000	1471	2083	2399	2679	2947	3204
11050	1475	2090	2406	2688	2957	3214
11100	1480	2097	2414	2696	2966	3224
11150	1485	2103	2421	2705	2975	3234
11200	1489	2110	2429	2713	2985	3244
11250	1494	2116	2437	2722	2994	3254
11300	1499	2123	2444	2730	3003	3264
11350	1503	2129	2452	2739	3012	3274
11400	1508	2136	2459	2747	3022	3285
11450	1512	2142	2467	2755	3031	3295
11500	1517	2149	2474	2764	3040	3305
11550	1522	2156	2482	2772	3049	3315
11600	1526	2162	2489	2781	3059	3325
11650	1531	2169	2497	2789	3068	3335
11700	1535	2175	2504	2798	3077	3345
11750	1540	2182	2512	2806	3087	3355
11800	1545	2188	2520	2814	3096	3365
11850	1549	2195	2527	2823	3105	3375
11900	1554	2201	2535	2831	3114	3385
11950	1558	2208	2542	2840	3124	3395
12000	1563	2214	2550	2848	3133	3405
12050	1568	2221	2557	2857	3142	3416
12100	1572	2228	2565	2865	3151	3426

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
12150	1577	2234	2572	2873	3161	3436
12200	1581	2241	2580	2882	3170	3446
12250	1586	2247	2588	2890	3179	3456
12300	1591	2254	2595	2899	3189	3466
12350	1595	2260	2603	2907	3198	3476
12400	1600	2267	2610	2916	3207	3486
12450	1605	2273	2618	2924	3216	3496
12500	1609	2280	2625	2932	3226	3506
12550	1613	2285	2632	2939	3233	3515
12600	1617	2290	2637	2945	3240	3522
12650	1620	2295	2642	2951	3246	3529
12700	1623	2300	2648	2957	3253	3536
12750	1627	2305	2653	2963	3260	3543
12800	1630	2309	2658	2969	3266	3550
12850	1634	2314	2664	2975	3273	3557
12900	1637	2319	2669	2981	3279	3565
12950	1641	2324	2674	2987	3286	3572
13000	1644	2328	2680	2993	3292	3579
13050	1648	2333	2685	2999	3299	3586
13100	1651	2338	2690	3005	3305	3593
13150	1654	2343	2695	3011	3312	3600
13200	1658	2347	2701	3017	3319	3607
13250	1661	2352	2706	3023	3325	3614
13300	1665	2357	2711	3029	3332	3621
13350	1668	2362	2717	3035	3338	3629
13400	1672	2366	2722	3041	3345	3636
13450	1675	2371	2727	3047	3351	3643
13500	1679	2376	2733	3053	3358	3650
13550	1682	2381	2738	3059	3364	3657
13600	1686	2385	2743	3064	3371	3664
13650	1689	2390	2749	3070	3377	3671
13700	1692	2395	2754	3076	3384	3678
13750	1696	2400	2759	3082	3391	3686
13800	1699	2404	2765	3088	3397	3693
13850	1703	2409	2770	3094	3404	3700
13900	1706	2414	2775	3100	3410	3707
13950	1710	2419	2781	3106	3417	3714
14000	1713	2423	2786	3112	3423	3721
14050	1717	2428	2791	3118	3430	3728
14100	1720	2433	2797	3124	3436	3735
14150	1723	2438	2802	3130	3443	3742
14200	1727	2442	2807	3136	3449	3750
14250	1730	2447	2813	3142	3456	3757
14300	1734	2452	2818	3148	3463	3764
14350	1737	2457	2823	3154	3469	3771

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
14400	1741	2461	2829	3160	3476	3778
14450	1744	2466	2834	3166	3482	3785
14500	1748	2471	2839	3172	3489	3792
14550	1751	2476	2845	3178	3495	3799
14600	1754	2481	2850	3184	3502	3807
14650	1758	2485	2855	3189	3508	3814
14700	1761	2490	2861	3195	3515	3821
14750	1765	2495	2866	3201	3522	3828
14800	1768	2500	2871	3207	3528	3835
14850	1772	2504	2877	3213	3535	3842
14900	1775	2509	2882	3219	3541	3849
14950	1779	2514	2887	3225	3548	3856
15000	1782	2519	2893	3231	3554	3863
15050	1786	2523	2898	3237	3561	3871
15100	1789	2528	2903	3243	3567	3878
15150	1792	2533	2909	3249	3574	3885
15200	1796	2538	2914	3255	3580	3892
15250	1799	2542	2919	3261	3587	3899
15300	1803	2547	2925	3267	3594	3906
15350	1806	2552	2930	3273	3600	3913
15400	1810	2557	2935	3279	3607	3920
15450	1813	2561	2941	3285	3613	3928
15500	1817	2566	2946	3291	3620	3935
15550	1820	2571	2951	3297	3626	3942
15600	1823	2576	2957	3303	3633	3949
15650	1827	2580	2962	3309	3639	3956
15700	1830	2585	2967	3315	3646	3963
15750	1834	2590	2973	3320	3653	3970
15800	1837	2595	2978	3326	3659	3977
15850	1841	2599	2983	3332	3666	3985
15900	1844	2604	2989	3338	3672	3992
15950	1848	2609	2994	3344	3679	3999
16000	1851	2614	2999	3350	3685	4006
16050	1854	2618	3005	3356	3692	4013
16100	1858	2623	3010	3362	3698	4020
16150	1861	2628	3015	3368	3705	4027
16200	1865	2633	3021	3374	3711	4034
16250	1868	2638	3026	3380	3718	4041
16300	1872	2642	3031	3386	3725	4049
16350	1875	2647	3037	3392	3731	4056
16400	1879	2652	3042	3398	3738	4063
16450	1882	2657	3047	3404	3744	4070
16500	1886	2661	3053	3410	3751	4077
16550	1889	2666	3058	3416	3757	4084
16600	1892	2671	3063	3422	3764	4091

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
16650	1896	2676	3069	3428	3770	4098
16700	1899	2680	3074	3434	3777	4106
16750	1903	2685	3079	3440	3783	4113
16800	1906	2690	3085	3445	3790	4120
16850	1910	2695	3090	3451	3797	4127
16900	1913	2699	3095	3457	3803	4134
16950	1917	2704	3101	3463	3810	4141
17000	1920	2709	3106	3469	3816	4148
17050	1923	2714	3111	3475	3823	4155
17100	1927	2718	3117	3481	3829	4162
17150	1930	2723	3122	3487	3836	4170
17200	1934	2728	3127	3493	3842	4177
17250	1937	2733	3133	3499	3849	4184
17300	1941	2737	3138	3505	3856	4191
17350	1944	2742	3143	3511	3862	4198
17400	1948	2747	3149	3517	3869	4205
17450	1951	2752	3154	3523	3875	4212
17500	1954	2756	3159	3529	3882	4219
17550	1958	2761	3165	3535	3888	4227
17600	1961	2766	3170	3541	3895	4234
17650	1965	2771	3175	3547	3901	4241
17700	1968	2775	3181	3553	3908	4248
17750	1972	2780	3186	3559	3914	4255
17800	1975	2785	3191	3565	3921	4262
17850	1979	2790	3197	3571	3928	4269
17900	1982	2794	3202	3576	3934	4276
17950	1986	2799	3207	3582	3941	4284
18000	1989	2804	3213	3588	3947	4291
18050	1992	2809	3218	3594	3954	4298
18100	1996	2814	3223	3600	3960	4305
18150	1999	2818	3229	3606	3967	4312
18200	2003	2823	3234	3612	3973	4319
18250	2006	2828	3239	3618	3980	4326
18300	2010	2833	3245	3624	3987	4333
18350	2013	2837	3250	3630	3993	4340
18400	2017	2842	3255	3636	4000	4348
18450	2020	2847	3260	3642	4006	4355
18500	2023	2852	3266	3648	4013	4362
18550	2027	2856	3271	3654	4019	4369
18600	2030	2861	3276	3660	4026	4376
18650	2034	2866	3282	3666	4032	4383
18700	2037	2871	3287	3672	4039	4390
18750	2041	2875	3292	3678	4045	4397
18800	2044	2880	3298	3684	4052	4405
18850	2048	2885	3303	3690	4059	4412

<i>Monthly Basic Child Support Schedule</i>						
<i>COMBINED ADJUSTED NET INCOME</i>	<i>ONE CHILD</i>	<i>TWO CHILDREN</i>	<i>THREE CHILDREN</i>	<i>FOUR CHILDREN</i>	<i>FIVE CHILDREN</i>	<i>SIX CHILDREN</i>
18900	2051	2890	3308	3696	4065	4419
18950	2055	2894	3314	3702	4072	4426
19000	2058	2899	3319	3707	4078	4433
19050	2061	2904	3324	3713	4085	4440
19100	2065	2909	3330	3719	4091	4447
19150	2068	2913	3335	3725	4098	4454
19200	2072	2918	3340	3731	4104	4461
19250	2075	2923	3346	3737	4111	4469
19300	2079	2928	3351	3743	4118	4476
19350	2082	2932	3356	3749	4124	4483
19400	2086	2937	3362	3755	4131	4490
19450	2089	2942	3367	3761	4137	4497
19500	2092	2947	3372	3767	4144	4504
19550	2096	2951	3378	3773	4150	4511
19600	2099	2956	3383	3779	4157	4518
19650	2103	2961	3388	3785	4163	4526
19700	2106	2966	3394	3791	4170	4533
19750	2110	2970	3399	3797	4176	4540
19800	2113	2975	3404	3803	4183	4547
19850	2117	2980	3410	3809	4190	4554
19900	2120	2985	3415	3815	4196	4561
19950	2123	2990	3420	3821	4203	4568
20000	2127	2994	3426	3827	4209	4575
20050	2130	2999	3431	3832	4216	4583
20100	2134	3004	3436	3838	4222	4590
20150	2137	3009	3442	3844	4229	4597
20200	2141	3013	3447	3850	4235	4604
20250	2144	3018	3452	3856	4242	4611
20300	2148	3023	3458	3862	4248	4618
20350	2151	3028	3463	3868	4255	4625
20400	2154	3031	3467	3873	4260	4630
20450	2157	3035	3471	3877	4265	4636
20500	2160	3039	3475	3881	4269	4641
20550	2164	3043	3479	3886	4274	4646
20600	2167	3047	3482	3890	4279	4651
20650	2170	3051	3486	3894	4284	4656
20700	2173	3055	3490	3899	4288	4661
20750	2176	3059	3494	3903	4293	4667
20800	2179	3063	3498	3907	4298	4672
20850	2182	3066	3502	3912	4303	4677
20900	2186	3070	3506	3916	4307	4682
20950	2189	3074	3510	3920	4312	4687
21000	2192	3078	3513	3924	4317	4692
21050	2195	3082	3517	3929	4322	4698
21100	2198	3086	3521	3933	4326	4703

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
21150	2201	3090	3525	3937	4331	4708
21200	2204	3094	3529	3942	4336	4713
21250	2207	3097	3533	3946	4341	4718
21300	2211	3101	3537	3950	4345	4724
21350	2214	3105	3541	3955	4350	4729
21400	2217	3109	3544	3959	4355	4734
21450	2220	3113	3548	3963	4360	4739
21500	2223	3117	3552	3968	4364	4744
21550	2226	3121	3556	3972	4369	4749
21600	2229	3125	3560	3976	4374	4755
21650	2233	3129	3564	3981	4379	4760
21700	2236	3132	3568	3985	4384	4765
21750	2239	3136	3571	3989	4388	4770
21800	2242	3140	3575	3994	4393	4775
21850	2245	3144	3579	3998	4398	4780
21900	2248	3148	3583	4002	4403	4786
21950	2251	3152	3587	4007	4407	4791
22000	2255	3156	3591	4011	4412	4796
22050	2258	3160	3595	4015	4417	4801
22100	2261	3163	3599	4020	4422	4806
22150	2264	3167	3602	4024	4426	4811
22200	2267	3171	3606	4028	4431	4817
22250	2270	3175	3610	4033	4436	4822
22300	2273	3179	3614	4037	4441	4827
22350	2276	3183	3618	4041	4445	4832
22400	2280	3187	3622	4046	4450	4837
22450	2283	3191	3626	4050	4455	4842
22500	2286	3195	3630	4054	4460	4848
22550	2289	3198	3633	4059	4464	4853
22600	2292	3202	3637	4063	4469	4858
22650	2295	3206	3641	4067	4474	4863
22700	2298	3210	3645	4071	4479	4868
22750	2302	3214	3649	4076	4483	4873
22800	2305	3218	3653	4080	4488	4879
22850	2308	3222	3657	4084	4493	4884
22900	2311	3226	3661	4089	4498	4889
22950	2314	3230	3664	4093	4502	4894
23000	2317	3233	3668	4097	4507	4899
23050	2320	3237	3672	4102	4512	4904
23100	2323	3241	3676	4106	4517	4910
23150	2327	3245	3680	4110	4521	4915
23200	2330	3249	3684	4115	4526	4920
23250	2333	3253	3688	4119	4531	4925
23300	2336	3257	3691	4123	4536	4930
23350	2339	3261	3695	4128	4540	4935

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
23400	2342	3264	3699	4132	4545	4941
23450	2345	3268	3703	4136	4550	4946
23500	2349	3272	3707	4141	4555	4951
23550	2352	3276	3711	4145	4559	4956
23600	2355	3280	3715	4149	4564	4961
23650	2358	3284	3719	4154	4569	4967
23700	2361	3288	3722	4158	4574	4972
23750	2364	3292	3726	4162	4579	4977
23800	2367	3296	3730	4167	4583	4982
23850	2370	3299	3734	4171	4588	4987
23900	2374	3303	3738	4175	4593	4992
23950	2377	3307	3742	4180	4598	4998
24000	2380	3311	3746	4184	4602	5003
24050	2383	3315	3750	4188	4607	5008
24100	2386	3319	3753	4193	4612	5013
24150	2389	3323	3757	4197	4617	5018
24200	2392	3327	3761	4201	4621	5023
24250	2396	3330	3765	4206	4626	5029
24300	2399	3334	3769	4210	4631	5034
24350	2402	3338	3773	4214	4636	5039
24400	2405	3342	3777	4219	4640	5044
24450	2408	3346	3781	4223	4645	5049
24500	2411	3350	3784	4227	4650	5054
24550	2414	3354	3788	4231	4655	5060
24600	2417	3358	3792	4236	4659	5065
24650	2421	3362	3796	4240	4664	5070
24700	2424	3365	3800	4244	4669	5075
24750	2427	3369	3804	4249	4674	5080
24800	2430	3373	3808	4253	4678	5085
24850	2433	3377	3811	4257	4683	5091
24900	2436	3381	3815	4262	4688	5096
24950	2439	3385	3819	4266	4693	5101
25000	2443	3389	3823	4270	4697	5106
25050	2446	3393	3827	4275	4702	5111
25100	2449	3396	3831	4279	4707	5116
25150	2452	3400	3835	4283	4712	5122
25200	2455	3404	3839	4288	4716	5127
25250	2458	3408	3842	4292	4721	5132
25300	2461	3412	3846	4296	4726	5137
25350	2465	3416	3850	4301	4731	5142
25400	2468	3420	3854	4305	4735	5147
25450	2471	3424	3858	4309	4740	5153
25500	2474	3428	3862	4314	4745	5158
25550	2477	3431	3866	4318	4750	5163
25600	2480	3435	3870	4322	4755	5168

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
25650	2483	3439	3873	4327	4759	5173
25700	2486	3443	3877	4331	4764	5178
25750	2490	3447	3881	4335	4769	5184
25800	2493	3451	3885	4340	4774	5189
25850	2496	3455	3889	4344	4778	5194
25900	2499	3459	3893	4348	4783	5199
25950	2502	3462	3897	4353	4788	5204
26000	2505	3466	3901	4357	4793	5210
26050	2508	3470	3904	4361	4797	5215
26100	2512	3474	3908	4366	4802	5220
26150	2515	3478	3912	4370	4807	5225
26200	2518	3482	3916	4374	4812	5230
26250	2521	3486	3920	4378	4816	5235
26300	2524	3490	3924	4383	4821	5241
26350	2527	3494	3928	4387	4826	5246
26400	2530	3497	3931	4391	4831	5251
26450	2533	3501	3935	4396	4835	5256
26500	2537	3505	3939	4400	4840	5261
26550	2540	3509	3943	4404	4845	5266
26600	2543	3513	3947	4409	4850	5272
26650	2546	3517	3951	4413	4854	5277
26700	2549	3521	3955	4417	4859	5282
26750	2552	3525	3959	4422	4864	5287
26800	2555	3529	3962	4426	4869	5292
26850	2559	3532	3966	4430	4873	5297
26900	2562	3536	3970	4435	4878	5303
26950	2565	3540	3974	4439	4883	5308
27000	2568	3544	3978	4443	4888	5313
27050	2571	3548	3982	4448	4892	5318
27100	2574	3552	3986	4452	4897	5323
27150	2577	3556	3990	4456	4902	5328
27200	2580	3560	3993	4461	4907	5334
27250	2584	3563	3997	4465	4911	5339
27300	2587	3567	4001	4469	4916	5344
27350	2590	3571	4005	4474	4921	5349
27400	2593	3575	4009	4478	4926	5354
27450	2596	3579	4013	4482	4930	5359
27500	2599	3583	4017	4487	4935	5365
27550	2602	3587	4021	4491	4940	5370
27600	2606	3591	4024	4495	4945	5375
27650	2609	3595	4028	4500	4950	5380
27700	2612	3598	4032	4504	4954	5385
27750	2615	3602	4036	4508	4959	5390
27800	2618	3606	4040	4513	4964	5396
27850	2621	3610	4044	4517	4969	5401

<i>Monthly Basic Child Support Schedule</i>						
COMBINED ADJUSTED NET INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
27900	2624	3614	4048	4521	4973	5406
27950	2627	3618	4051	4526	4978	5411
28000	2631	3622	4055	4530	4983	5416
28050	2634	3626	4059	4534	4988	5421
28100	2637	3629	4063	4538	4992	5427
28150	2640	3633	4067	4543	4997	5432
28200	2643	3637	4071	4547	5002	5437
28250	2646	3641	4075	4551	5007	5442
28300	2649	3645	4079	4556	5011	5447
28350	2653	3649	4082	4560	5016	5453
28400	2656	3653	4086	4564	5021	5458
28450	2659	3657	4090	4569	5026	5463
28500	2662	3661	4094	4573	5030	5468
28550	2665	3664	4098	4577	5035	5473
28600	2668	3668	4102	4582	5040	5478
28650	2671	3672	4106	4586	5045	5484
28700	2675	3676	4110	4590	5049	5489
28750	2678	3680	4113	4595	5054	5494
28800	2681	3684	4117	4599	5059	5499
28850	2684	3688	4121	4603	5064	5504
28900	2687	3692	4125	4608	5068	5509
28950	2690	3695	4129	4612	5073	5515
29000	2693	3699	4133	4616	5078	5520
29050	2696	3703	4137	4621	5083	5525
29100	2700	3707	4141	4625	5087	5530
29150	2703	3711	4144	4629	5092	5535
29200	2706	3715	4148	4634	5097	5540
29250	2709	3719	4152	4638	5102	5546
29300	2712	3723	4156	4642	5106	5551
29350	2715	3727	4160	4647	5111	5556
29400	2718	3730	4164	4651	5116	5561
29450	2722	3734	4168	4655	5121	5566
29500	2725	3738	4171	4660	5126	5571
29550	2728	3742	4175	4664	5130	5577
29600	2731	3746	4179	4668	5135	5582
29650	2734	3750	4183	4673	5140	5587
29700	2737	3754	4187	4677	5145	5592
29750	2740	3758	4191	4681	5149	5597
29800	2743	3762	4195	4685	5154	5602
29850	2747	3765	4199	4690	5159	5608
29900	2750	3769	4202	4694	5164	5613
29950	2753	3773	4206	4698	5168	5618
30000	2756	3777	4210	4703	5173	5623]

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
950	17	17	18	18	18	18
1000	62	63	64	64	65	66
1050	107	108	110	111	112	113
1100	152	154	156	157	159	161
1150	197	199	202	204	206	208
1200	242	245	248	250	253	256
1250	287	290	294	297	300	303
1300	313	336	340	343	347	351
1350	324	381	386	390	394	398
1400	336	427	432	436	441	446
1450	348	472	478	483	488	493
1500	360	518	524	529	535	541
1550	371	537	570	576	582	588
1600	383	554	616	622	629	636
1650	395	571	662	669	676	683
1700	406	587	690	715	723	731
1750	418	604	708	762	770	778
1800	429	620	727	808	817	826
1850	440	636	746	833	864	873
1900	452	652	765	854	911	921
1950	463	669	784	875	958	968
2000	474	685	803	897	986	1016
2050	486	701	821	918	1009	1063
2100	497	717	840	939	1032	1111
2150	509	733	859	960	1056	1147
2200	520	750	878	981	1079	1173
2250	531	766	897	1002	1102	1198
2300	543	782	916	1023	1125	1223
2350	554	798	934	1044	1148	1248
2400	565	815	953	1065	1171	1273
2450	577	831	973	1086	1195	1299
2500	588	848	992	1108	1219	1325
2550	600	865	1012	1130	1243	1352
2600	612	881	1032	1152	1268	1378
2650	623	898	1051	1174	1292	1404
2700	635	915	1071	1196	1316	1430
2750	646	931	1091	1218	1340	1457
2800	658	948	1110	1240	1364	1483
2850	669	965	1130	1262	1388	1509
2900	681	981	1150	1284	1412	1535
2950	692	998	1169	1306	1437	1562
3000	704	1015	1189	1328	1461	1588
3050	716	1032	1209	1350	1485	1614
3100	727	1048	1228	1372	1509	1640
3150	738	1065	1247	1393	1532	1666

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
3200	747	1077	1261	1408	1549	1684
3250	756	1089	1274	1423	1565	1701
3300	765	1101	1287	1438	1582	1719
3350	774	1113	1300	1453	1598	1737
3400	783	1125	1314	1468	1614	1755
3450	792	1137	1327	1482	1631	1772
3500	801	1149	1340	1497	1647	1790
3550	809	1161	1354	1512	1663	1808
3600	818	1173	1367	1527	1680	1826
3650	826	1184	1379	1540	1694	1841
3700	831	1192	1388	1551	1706	1854
3750	836	1200	1398	1562	1718	1867
3800	842	1208	1408	1572	1729	1880
3850	847	1216	1417	1583	1741	1893
3900	853	1224	1427	1594	1753	1906
3950	858	1232	1436	1604	1765	1918
4000	863	1240	1446	1615	1777	1931
4050	869	1248	1456	1626	1788	1944
4100	874	1256	1465	1637	1800	1957
4150	880	1264	1474	1647	1812	1969
4200	886	1272	1483	1657	1823	1981
4250	892	1280	1492	1667	1834	1993
4300	898	1288	1502	1677	1845	2005
4350	903	1296	1511	1687	1856	2018
4400	909	1304	1520	1697	1867	2030
4450	915	1312	1529	1708	1878	2042
4500	921	1320	1538	1718	1889	2054
4550	927	1328	1547	1728	1901	2066
4600	933	1336	1555	1737	1911	2078
4650	936	1340	1559	1742	1916	2083
4700	939	1344	1563	1746	1921	2088
4750	943	1348	1567	1750	1925	2093
4800	946	1352	1571	1754	1930	2098
4850	949	1356	1575	1759	1935	2103
4900	953	1360	1578	1763	1939	2108
4950	956	1364	1582	1767	1944	2113
5000	960	1369	1586	1772	1949	2118
5050	963	1373	1590	1776	1953	2123
5100	967	1378	1595	1781	1960	2130
5150	971	1384	1602	1789	1968	2139
5200	976	1390	1608	1797	1976	2148
5250	980	1396	1615	1804	1985	2157
5300	984	1402	1622	1812	1993	2167
5350	989	1408	1629	1820	2002	2176
5400	993	1414	1636	1827	2010	2185

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
5450	997	1420	1643	1835	2018	2194
5500	1002	1426	1650	1843	2027	2203
5550	1006	1432	1656	1850	2035	2212
5600	1011	1438	1663	1858	2044	2222
5650	1015	1444	1670	1866	2052	2231
5700	1019	1450	1677	1873	2061	2240
5750	1024	1456	1684	1881	2069	2249
5800	1028	1462	1691	1889	2077	2258
5850	1033	1469	1698	1897	2087	2268
5900	1038	1476	1706	1906	2096	2278
5950	1043	1483	1714	1914	2105	2289
6000	1048	1490	1721	1923	2115	2299
6050	1053	1497	1729	1931	2124	2309
6100	1058	1504	1736	1940	2134	2319
6150	1063	1511	1744	1948	2143	2329
6200	1069	1517	1752	1957	2152	2340
6250	1074	1524	1759	1965	2162	2350
6300	1079	1531	1767	1974	2171	2360
6350	1084	1538	1775	1982	2181	2370
6400	1089	1545	1782	1991	2190	2380
6450	1094	1552	1790	1999	2199	2391
6500	1099	1559	1798	2008	2209	2401
6550	1104	1566	1805	2017	2218	2411
6600	1109	1573	1813	2026	2228	2422
6650	1114	1580	1821	2034	2238	2433
6700	1119	1587	1829	2043	2248	2443
6750	1123	1593	1837	2052	2257	2454
6800	1128	1600	1845	2061	2267	2465
6850	1133	1607	1853	2070	2277	2475
6900	1138	1614	1861	2079	2287	2486
6950	1143	1621	1869	2088	2297	2497
7000	1148	1628	1877	2097	2306	2507
7050	1153	1635	1885	2106	2316	2518
7100	1158	1642	1893	2115	2326	2528
7150	1162	1649	1901	2124	2336	2539
7200	1167	1655	1909	2132	2346	2550
7250	1172	1662	1917	2141	2356	2560
7300	1177	1669	1924	2150	2365	2570
7350	1182	1676	1932	2158	2374	2580
7400	1187	1682	1939	2166	2383	2590
7450	1191	1689	1946	2174	2392	2600
7500	1196	1695	1954	2182	2401	2609
7550	1201	1702	1961	2191	2410	2619
7600	1206	1708	1968	2199	2419	2629
7650	1210	1715	1976	2207	2428	2639

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
7700	1215	1722	1983	2215	2437	2649
7750	1220	1728	1990	2223	2446	2658
7800	1225	1735	1998	2231	2455	2668
7850	1230	1741	2005	2240	2464	2678
7900	1234	1748	2012	2248	2473	2688
7950	1239	1754	2020	2256	2482	2697
8000	1244	1761	2027	2264	2491	2707
8050	1249	1768	2034	2272	2500	2717
8100	1254	1774	2042	2281	2509	2727
8150	1258	1781	2049	2289	2518	2737
8200	1263	1787	2056	2297	2527	2746
8250	1268	1794	2064	2306	2536	2757
8300	1273	1801	2072	2315	2546	2768
8350	1278	1808	2081	2324	2556	2779
8400	1283	1815	2089	2333	2567	2790
8450	1287	1822	2097	2343	2577	2801
8500	1292	1829	2105	2352	2587	2812
8550	1297	1836	2114	2361	2597	2823
8600	1302	1843	2122	2370	2607	2834
8650	1307	1850	2130	2379	2617	2845
8700	1312	1857	2138	2389	2628	2856
8750	1317	1864	2147	2398	2638	2867
8800	1321	1871	2155	2407	2648	2878
8850	1326	1878	2163	2416	2658	2889
8900	1331	1885	2172	2426	2668	2900
8950	1336	1892	2180	2435	2678	2911
9000	1341	1899	2188	2444	2688	2922
9050	1346	1906	2196	2453	2699	2933
9100	1350	1913	2205	2463	2709	2944
9150	1355	1920	2213	2472	2719	2956
9200	1360	1927	2220	2480	2728	2966
9250	1362	1930	2224	2485	2733	2971
9300	1365	1934	2228	2489	2738	2976
9350	1367	1937	2232	2493	2742	2981
9400	1370	1940	2236	2497	2747	2986
9450	1372	1944	2239	2501	2752	2991
9500	1375	1947	2243	2506	2756	2996
9550	1377	1951	2247	2510	2761	3001
9600	1380	1954	2251	2514	2766	3006
9650	1382	1958	2255	2518	2770	3011
9700	1385	1961	2258	2523	2775	3016
9750	1387	1964	2262	2527	2780	3021
9800	1389	1968	2266	2531	2784	3027
9850	1392	1971	2270	2535	2789	3032
9900	1394	1975	2274	2540	2794	3037

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
9950	1397	1978	2277	2544	2798	3042
10000	1399	1981	2281	2548	2803	3047
10050	1402	1985	2285	2552	2808	3052
10100	1404	1988	2289	2557	2812	3057
10150	1407	1992	2293	2561	2817	3062
10200	1410	1997	2298	2567	2824	3070
10250	1415	2002	2304	2574	2831	3078
10300	1419	2008	2310	2581	2839	3086
10350	1423	2013	2316	2587	2846	3094
10400	1427	2019	2323	2594	2854	3102
10450	1431	2024	2329	2601	2861	3110
10500	1435	2030	2335	2608	2869	3118
10550	1439	2035	2341	2615	2876	3126
10600	1443	2041	2347	2621	2884	3134
10650	1447	2046	2353	2628	2891	3143
10700	1451	2052	2359	2635	2898	3151
10750	1456	2057	2365	2642	2906	3159
10800	1460	2063	2371	2649	2913	3167
10850	1464	2068	2377	2655	2921	3175
10900	1468	2074	2383	2662	2928	3183
10950	1472	2079	2389	2669	2936	3191
11000	1476	2085	2395	2676	2943	3199
11050	1480	2090	2402	2683	2951	3207
11100	1484	2096	2408	2689	2958	3216
11150	1488	2101	2414	2696	2966	3224
11200	1492	2107	2420	2703	2973	3232
11250	1496	2112	2426	2710	2981	3240
11300	1501	2118	2432	2716	2988	3248
11350	1505	2123	2438	2723	2996	3256
11400	1509	2130	2445	2731	3004	3265
11450	1514	2136	2452	2739	3013	3275
11500	1518	2142	2460	2747	3022	3285
11550	1523	2149	2467	2756	3031	3295
11600	1527	2155	2474	2764	3040	3305
11650	1532	2162	2482	2772	3049	3315
11700	1536	2168	2489	2780	3058	3324
11750	1541	2174	2496	2788	3067	3334
11800	1545	2181	2504	2797	3076	3344
11850	1550	2187	2511	2805	3085	3354
11900	1554	2194	2519	2813	3094	3364
11950	1559	2200	2526	2821	3104	3374
12000	1563	2206	2533	2830	3113	3383
12050	1568	2213	2541	2838	3122	3393
12100	1572	2219	2548	2846	3131	3403
12150	1577	2226	2555	2854	3140	3413

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
12200	1581	2232	2563	2863	3149	3423
12250	1586	2238	2570	2871	3158	3433
12300	1591	2245	2577	2879	3167	3442
12350	1595	2251	2585	2887	3176	3452
12400	1600	2258	2592	2895	3185	3462
12450	1604	2264	2600	2904	3194	3472
12500	1609	2271	2607	2912	3203	3482
12550	1613	2277	2614	2920	3212	3492
12600	1618	2283	2622	2928	3221	3501
12650	1622	2290	2629	2937	3230	3511
12700	1627	2296	2636	2945	3239	3521
12750	1631	2303	2644	2953	3248	3531
12800	1636	2309	2651	2961	3257	3541
12850	1640	2315	2658	2969	3266	3551
12900	1645	2322	2666	2978	3275	3560
12950	1649	2328	2673	2986	3285	3570
13000	1654	2335	2681	2994	3294	3580
13050	1658	2341	2688	3002	3303	3590
13100	1663	2347	2695	3011	3312	3600
13150	1668	2354	2703	3019	3321	3610
13200	1672	2360	2710	3027	3330	3619
13250	1677	2367	2717	3035	3339	3629
13300	1681	2373	2725	3044	3348	3639
13350	1685	2378	2730	3050	3355	3646
13400	1688	2383	2735	3055	3361	3653
13450	1691	2387	2741	3061	3367	3660
13500	1695	2392	2746	3067	3374	3667
13550	1698	2397	2751	3073	3380	3674
13600	1702	2401	2756	3079	3386	3681
13650	1705	2406	2761	3084	3393	3688
13700	1708	2411	2767	3090	3399	3695
13750	1712	2415	2772	3096	3406	3702
13800	1715	2420	2777	3102	3412	3709
13850	1718	2424	2782	3108	3418	3716
13900	1722	2429	2787	3113	3425	3723
13950	1725	2434	2793	3119	3431	3730
14000	1729	2438	2798	3125	3438	3737
14050	1732	2443	2803	3131	3444	3744
14100	1735	2448	2808	3137	3450	3751
14150	1739	2452	2813	3143	3457	3758
14200	1742	2457	2819	3148	3463	3764
14250	1746	2462	2824	3154	3470	3771
14300	1749	2466	2829	3160	3476	3778
14350	1752	2471	2834	3166	3482	3785
14400	1756	2476	2839	3172	3489	3792

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
14450	1759	2480	2845	3177	3495	3799
14500	1763	2485	2850	3183	3502	3806
14550	1766	2490	2855	3189	3508	3813
14600	1769	2494	2860	3195	3514	3820
14650	1773	2499	2865	3201	3521	3827
14700	1776	2504	2871	3206	3527	3834
14750	1779	2508	2876	3212	3533	3841
14800	1783	2513	2881	3218	3540	3848
14850	1786	2518	2886	3224	3546	3855
14900	1790	2522	2891	3230	3553	3862
14950	1793	2527	2897	3235	3559	3869
15000	1796	2532	2902	3241	3565	3876
15050	1800	2536	2907	3247	3572	3883
15100	1803	2541	2912	3253	3578	3890
15150	1807	2546	2917	3259	3585	3896
15200	1810	2550	2923	3265	3591	3903
15250	1813	2555	2928	3270	3597	3910
15300	1817	2559	2933	3276	3604	3917
15350	1820	2564	2938	3282	3610	3924
15400	1823	2569	2943	3288	3617	3931
15450	1827	2573	2949	3294	3623	3938
15500	1830	2578	2954	3299	3629	3945
15550	1834	2583	2959	3305	3636	3952
15600	1837	2587	2964	3311	3642	3959
15650	1840	2592	2969	3317	3649	3966
15700	1844	2597	2975	3323	3655	3973
15750	1847	2601	2980	3328	3661	3980
15800	1851	2606	2985	3334	3668	3987
15850	1854	2611	2990	3340	3674	3994
15900	1857	2615	2995	3346	3680	4001
15950	1861	2620	3001	3352	3687	4008
16000	1864	2625	3006	3357	3693	4015
16050	1868	2629	3011	3363	3700	4022
16100	1871	2634	3016	3369	3706	4028
16150	1874	2639	3021	3375	3712	4035
16200	1878	2643	3027	3381	3719	4042
16250	1881	2648	3032	3387	3725	4049
16300	1884	2653	3037	3392	3732	4056
16350	1888	2657	3042	3398	3738	4063
16400	1891	2662	3047	3404	3744	4070
16450	1895	2667	3053	3410	3751	4077
16500	1898	2671	3058	3416	3757	4084
16550	1901	2676	3063	3421	3764	4091
16600	1905	2681	3068	3427	3770	4098
16650	1908	2685	3073	3433	3776	4105

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
16700	1912	2690	3079	3439	3783	4112
16750	1915	2694	3084	3445	3789	4119
16800	1918	2699	3089	3450	3795	4126
16850	1922	2704	3094	3456	3802	4133
16900	1925	2708	3099	3462	3808	4140
16950	1928	2713	3105	3468	3815	4147
17000	1932	2718	3110	3474	3821	4153
17050	1935	2722	3115	3480	3827	4160
17100	1939	2727	3120	3485	3834	4167
17150	1942	2732	3125	3491	3840	4174
17200	1945	2736	3131	3497	3847	4181
17250	1949	2741	3136	3503	3853	4188
17300	1952	2746	3141	3509	3859	4195
17350	1956	2750	3146	3514	3866	4202
17400	1959	2755	3151	3520	3872	4209
17450	1962	2760	3157	3526	3879	4216
17500	1966	2764	3162	3532	3885	4223
17550	1969	2769	3167	3538	3891	4230
17600	1973	2774	3172	3543	3898	4237
17650	1976	2778	3177	3549	3904	4244
17700	1979	2783	3183	3555	3911	4251
17750	1983	2788	3188	3561	3917	4258
17800	1986	2792	3193	3567	3923	4265
17850	1989	2797	3198	3572	3930	4272
17900	1993	2802	3203	3578	3936	4279
17950	1996	2806	3209	3584	3942	4285
18000	2000	2811	3214	3590	3949	4292
18050	2003	2816	3219	3596	3955	4299
18100	2006	2820	3224	3602	3962	4306
18150	2010	2825	3229	3607	3968	4313
18200	2013	2829	3235	3613	3974	4320
18250	2017	2834	3240	3619	3981	4327
18300	2020	2839	3245	3625	3987	4334
18350	2023	2843	3250	3631	3994	4341
18400	2027	2848	3255	3636	4000	4348
18450	2030	2853	3261	3642	4006	4355
18500	2033	2857	3266	3648	4013	4362
18550	2037	2862	3271	3654	4019	4369
18600	2040	2867	3276	3660	4026	4376
18650	2044	2871	3281	3665	4032	4383
18700	2047	2876	3287	3671	4038	4390
18750	2050	2881	3292	3677	4045	4397
18800	2054	2885	3297	3683	4051	4404
18850	2057	2890	3302	3689	4058	4411
18900	2061	2895	3307	3694	4064	4417

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
18950	2064	2899	3313	3700	4070	4424
19000	2067	2904	3318	3706	4077	4431
19050	2071	2909	3323	3712	4083	4438
19100	2074	2913	3328	3718	4089	4445
19150	2078	2918	3333	3724	4096	4452
19200	2081	2923	3339	3729	4102	4459
19250	2084	2927	3344	3735	4109	4466
19300	2088	2932	3349	3741	4115	4473
19350	2091	2937	3354	3747	4121	4480
19400	2094	2941	3360	3753	4128	4487
19450	2098	2946	3365	3758	4134	4494
19500	2101	2951	3370	3764	4141	4501
19550	2105	2955	3375	3770	4147	4508
19600	2108	2960	3380	3776	4153	4515
19650	2111	2964	3386	3782	4160	4522
19700	2115	2969	3391	3787	4166	4529
19750	2118	2974	3396	3793	4173	4536
19800	2122	2978	3401	3799	4179	4543
19850	2125	2983	3406	3805	4185	4549
19900	2128	2988	3412	3811	4192	4556
19950	2132	2992	3417	3816	4198	4563
20000	2135	2997	3422	3822	4205	4570
20050	2138	3002	3427	3828	4211	4577
20100	2142	3006	3432	3834	4217	4584
20150	2145	3011	3438	3840	4224	4591
20200	2149	3016	3443	3846	4230	4598
20250	2152	3020	3448	3851	4236	4605
20300	2155	3025	3453	3857	4243	4612
20350	2159	3030	3458	3863	4249	4619
20400	2162	3034	3464	3869	4256	4626
20450	2166	3039	3469	3875	4262	4633
20500	2169	3044	3474	3880	4268	4640
20550	2172	3048	3479	3886	4275	4647
20600	2176	3053	3484	3892	4281	4654
20650	2179	3058	3490	3898	4288	4661
20700	2183	3062	3495	3904	4294	4668
20750	2186	3067	3500	3909	4300	4675
20800	2189	3072	3505	3915	4307	4681
20850	2193	3076	3510	3921	4313	4688
20900	2196	3081	3516	3927	4320	4695
20950	2199	3086	3521	3933	4326	4702
21000	2203	3090	3526	3938	4332	4709
21050	2206	3095	3531	3944	4339	4716
21100	2210	3099	3536	3950	4345	4723
21150	2213	3104	3542	3956	4352	4730

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
21200	2216	3109	3547	3962	4358	4737
21250	2220	3113	3552	3968	4364	4744
21300	2223	3118	3557	3973	4371	4751
21350	2227	3123	3562	3979	4377	4758
21400	2230	3127	3568	3985	4383	4765
21450	2233	3132	3573	3991	4390	4772
21500	2237	3137	3578	3997	4396	4779
21550	2240	3141	3583	4002	4403	4786
21600	2243	3146	3588	4008	4409	4793
21650	2247	3150	3593	4013	4415	4799
21700	2250	3155	3597	4017	4419	4804
21750	2253	3159	3601	4022	4424	4809
21800	2257	3163	3605	4026	4428	4814
21850	2260	3167	3609	4030	4433	4819
21900	2263	3171	3613	4034	4438	4824
21950	2267	3175	3618	4039	4442	4829
22000	2270	3179	3622	4043	4447	4834
22050	2273	3183	3626	4047	4452	4839
22100	2277	3187	3630	4051	4456	4844
22150	2280	3191	3634	4055	4461	4849
22200	2283	3196	3638	4060	4466	4854
22250	2287	3200	3642	4064	4470	4859
22300	2290	3204	3646	4068	4475	4864
22350	2293	3208	3650	4072	4480	4869
22400	2297	3212	3654	4077	4484	4874
22450	2300	3216	3659	4081	4489	4879
22500	2303	3220	3663	4085	4493	4884
22550	2307	3224	3667	4089	4498	4889
22600	2310	3228	3671	4093	4503	4894
22650	2313	3233	3675	4098	4507	4900
22700	2316	3237	3679	4102	4512	4905
22750	2320	3241	3683	4106	4517	4910
22800	2323	3245	3687	4110	4521	4915
22850	2326	3249	3691	4114	4526	4920
22900	2330	3253	3695	4119	4531	4925
22950	2333	3257	3700	4123	4535	4930
23000	2336	3261	3704	4127	4540	4935
23050	2340	3265	3708	4131	4544	4940
23100	2343	3269	3712	4136	4549	4945
23150	2346	3274	3716	4140	4554	4950
23200	2350	3278	3720	4144	4558	4955
23250	2353	3282	3724	4148	4563	4960
23300	2356	3286	3728	4152	4568	4965
23350	2360	3290	3732	4157	4572	4970
23400	2363	3294	3736	4161	4577	4975

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
23450	2366	3298	3740	4165	4582	4980
23500	2370	3302	3745	4169	4586	4985
23550	2373	3306	3749	4174	4591	4990
23600	2376	3311	3753	4178	4596	4995
23650	2380	3315	3757	4182	4600	5000
23700	2383	3319	3761	4186	4605	5005
23750	2386	3323	3765	4190	4609	5010
23800	2389	3327	3769	4195	4614	5016
23850	2393	3331	3773	4199	4619	5021
23900	2396	3335	3777	4203	4623	5026
23950	2399	3339	3781	4207	4628	5031
24000	2403	3343	3786	4212	4633	5036
24050	2406	3347	3790	4216	4637	5041
24100	2409	3352	3794	4220	4642	5046
24150	2413	3356	3798	4224	4647	5051
24200	2416	3360	3802	4228	4651	5056
24250	2419	3364	3806	4233	4656	5061
24300	2423	3368	3810	4237	4661	5066
24350	2426	3372	3814	4241	4665	5071
24400	2429	3376	3818	4245	4670	5076
24450	2433	3380	3822	4250	4674	5081
24500	2436	3384	3827	4254	4679	5086
24550	2439	3389	3831	4258	4684	5091
24600	2443	3393	3835	4262	4688	5096
24650	2446	3397	3839	4266	4693	5101
24700	2449	3401	3843	4271	4698	5106
24750	2452	3405	3847	4275	4702	5111
24800	2456	3409	3851	4279	4707	5116
24850	2459	3413	3855	4283	4712	5121
24900	2462	3417	3859	4287	4716	5127
24950	2466	3421	3863	4292	4721	5132
25000	2469	3425	3867	4296	4726	5137
25050	2472	3430	3872	4300	4730	5142
25100	2476	3434	3876	4304	4735	5147
25150	2479	3438	3880	4309	4739	5152
25200	2482	3442	3884	4313	4744	5157
25250	2486	3446	3888	4317	4749	5162
25300	2489	3450	3892	4321	4753	5167
25350	2492	3454	3896	4325	4758	5172
25400	2496	3458	3900	4330	4763	5177
25450	2499	3462	3904	4334	4767	5182
25500	2502	3467	3908	4338	4772	5187
25550	2506	3471	3913	4342	4777	5192
25600	2509	3475	3917	4347	4781	5197
25650	2512	3479	3921	4351	4786	5202

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
25700	2515	3483	3925	4355	4790	5207
25750	2519	3487	3929	4359	4795	5212
25800	2522	3491	3933	4363	4800	5217
25850	2525	3495	3937	4368	4804	5222
25900	2529	3499	3941	4372	4809	5227
25950	2532	3503	3945	4376	4814	5232
26000	2535	3508	3949	4380	4818	5238
26050	2539	3512	3954	4385	4823	5243
26100	2542	3516	3958	4389	4828	5248
26150	2545	3520	3962	4393	4832	5253
26200	2549	3524	3966	4397	4837	5258
26250	2552	3528	3970	4401	4842	5263
26300	2555	3532	3974	4406	4846	5268
26350	2559	3536	3978	4410	4851	5273
26400	2562	3540	3982	4414	4855	5278
26450	2565	3545	3986	4418	4860	5283
26500	2569	3549	3990	4423	4865	5288
26550	2572	3553	3994	4427	4869	5293
26600	2575	3557	3999	4431	4874	5298
26650	2579	3561	4003	4435	4879	5303
26700	2582	3565	4007	4439	4883	5308
26750	2585	3569	4011	4444	4888	5313
26800	2588	3573	4015	4448	4893	5318
26850	2592	3577	4019	4452	4897	5323
26900	2595	3581	4023	4456	4902	5328
26950	2598	3586	4027	4460	4907	5333
27000	2602	3590	4031	4465	4911	5338
27050	2605	3594	4035	4469	4916	5343
27100	2608	3598	4040	4473	4920	5349
27150	2612	3602	4044	4477	4925	5354
27200	2615	3606	4048	4482	4930	5359
27250	2618	3610	4052	4486	4934	5364
27300	2622	3614	4056	4490	4939	5369
27350	2625	3618	4060	4494	4944	5374
27400	2628	3623	4064	4498	4948	5379
27450	2632	3627	4068	4503	4953	5384
27500	2635	3631	4072	4507	4958	5389
27550	2638	3635	4076	4511	4962	5394
27600	2642	3639	4081	4515	4967	5399
27650	2645	3643	4085	4520	4972	5404
27700	2648	3647	4089	4524	4976	5409
27750	2651	3651	4093	4528	4981	5414
27800	2655	3655	4097	4532	4985	5419
27850	2658	3659	4101	4536	4990	5424
27900	2661	3664	4105	4541	4995	5429

<i>Monthly Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
27950	2665	3668	4109	4545	4999	5434
28000	2668	3672	4113	4549	5004	5439
28050	2671	3676	4117	4553	5009	5444
28100	2675	3680	4121	4558	5013	5449
28150	2678	3684	4126	4562	5018	5454
28200	2681	3688	4130	4566	5023	5460
28250	2685	3692	4134	4570	5027	5465
28300	2688	3696	4138	4574	5032	5470
28350	2691	3701	4142	4579	5036	5475
28400	2695	3705	4146	4583	5041	5480
28450	2698	3709	4150	4587	5046	5485
28500	2701	3713	4154	4591	5050	5490
28550	2705	3717	4158	4595	5055	5495
28600	2708	3721	4162	4600	5060	5500
28650	2711	3725	4167	4604	5064	5505
28700	2715	3729	4171	4608	5069	5510
28750	2718	3733	4175	4612	5074	5515
28800	2721	3737	4179	4617	5078	5520
28850	2724	3742	4183	4621	5083	5525
28900	2728	3746	4187	4625	5088	5530
28950	2731	3750	4191	4629	5092	5535
29000	2734	3754	4195	4633	5097	5540
29050	2738	3758	4199	4638	5101	5545
29100	2741	3762	4203	4642	5106	5550
29150	2744	3766	4207	4646	5111	5555
29200	2748	3770	4212	4650	5115	5560
29250	2751	3774	4216	4655	5120	5565
29300	2754	3779	4220	4659	5125	5571
29350	2758	3783	4224	4663	5129	5576
29400	2761	3787	4228	4667	5134	5581
29450	2764	3791	4232	4671	5139	5586
29500	2768	3795	4236	4676	5143	5591
29550	2771	3799	4240	4680	5148	5596
29600	2774	3803	4244	4684	5153	5601
29650	2778	3807	4248	4688	5157	5606
29700	2781	3811	4253	4693	5162	5611
29750	2784	3816	4257	4697	5166	5616
29800	2787	3820	4261	4701	5171	5621
29850	2791	3824	4265	4705	5176	5626
29900	2794	3828	4269	4709	5180	5631
29950	2797	3832	4273	4714	5185	5636
30000	2801	3836	4277	4718	5190	5641

Explanatory Comment—2010

The basic child support schedule has been amended to reflect updated economic data. The schedule has been expanded to include all cases in which the parties' combined net monthly income is \$30,000 or less. It also reflects an increase in the Self-Support Reserve to \$867, the 2008 poverty level for one person. The schedule was further adjusted to incorporate an assumption that the children spend 30% of the time with the obligor.

Explanatory Comment—2013

The basic child support schedule has been amended to reflect updated economic data. It also reflects an increase in the Self-Support Reserve to \$931, the 2012 poverty level for one person, which has been incorporated into the schedule.

Rule 1910.16-3.1. Support Guidelines. High Income Cases.

(a) *Child Support Formula.* When the parties' combined monthly net income is above \$30,000, the following three-step process shall be applied to calculate the parties' respective child support obligations. The amount of support calculated pursuant to this three-step process shall in no event be less than the amount of support that would have been awarded if the parties' combined net monthly income were \$30,000. That amount shall be a presumptive minimum.

(1) First, the following formula shall be applied as a preliminary analysis in calculating the amount of basic child support to be apportioned between the parties according to their respective incomes:

- One child: [\$2,756 + 6.5%] \$2,801 + 8.5% of combined net income above \$30,000 per month.
 - Two children: [\$3,777 + 8.0%] \$3,836 + 11.6% of combined net income above \$30,000 per month.
 - Three children: [\$4,210 + 9.2%] \$4,277 + 12.6% of combined net income above \$30,000 per month.
 - Four children: [\$4,703 + 10.3%] \$4,718 + 14.3% of combined net income above \$30,000 per month.
 - Five children: [\$5,173 + 11.3%] \$5,190 + 15.8% of combined net income above \$30,000 per month.
 - Six children: [\$5,623 + 12.3%] \$5,641 + 17.1% of combined net income above \$30,000 per month;
- * * * * *

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.

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(c) *Substantial or Shared Physical Custody.*

(1) When the children spend 40% or more of their time during the year with the obligor, a rebuttable presumption arises that the obligor is entitled to a reduction in the basic support obligation to reflect this time. This rebuttable presumption also applies in high income cases decided pursuant to Rule 1910.16-3.1. Except as provided in subsections (2) and (3) below, the reduction shall be calculated pursuant to the formula set forth in Part II of subdivision (a) of this rule. For purposes of this provision,

the time spent with the children shall be determined by the number of overnights they spend during the year with the obligor.

Example. Where the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300 respectively, their combined child support obligation is [\$1,663] \$1,669 for two children. Using the income shares formula in Part I, the obligor's share of this obligation is 68%, or [\$1,131] \$1,135. If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or [\$965] \$968. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or [\$881] \$885. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or [\$798] \$801.

(2) Without regard to which parent initiated the support action, when the children spend equal time with both parents, the Part II formula cannot be applied unless the obligor is the parent with the higher income. In no event shall an order be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, nothing in this subdivision shall prevent the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Rule 1910.16-6. Pursuant to either party's initiating a support action, the trier of fact may enter an order against either party based upon the evidence presented without regard to which party initiated the action. [**If application of the formula in Part II**] In all cases in which the parties share custody equally and the support calculation results in the obligee receiving a larger share of the parties' combined income [**in cases in which the parties share custody equally**], then the court shall adjust the support obligation so that the combined income is allocated equally between the two households. In those cases, no spousal support or alimony pendente lite shall be awarded.

Example 1. Mother and Father have monthly net incomes of \$3,000 and \$2,700 respectively. Mother has filed for support for the parties' two children with whom they share time equally. Pursuant to the [**Basic Child Support Schedule**] basic child support schedule at Rule 1910.16-3, the support amount for two children at their parents' combined net income level is [\$1,440] \$1,450 per month. Mother's share is 53% of that amount, or [\$763] \$769. Father's share is 47%, or [\$677] \$682. Application of subdivisions a. and b. of the Part II formula results in a 20% reduction in support when each parent spends 50% of the time with the children. Because the parties share custody equally, Mother cannot be the obligee for purposes of the Part II calculation because she has the higher income of the two parents. In these circumstances, although Mother initiated the support action, she would become the obligor even if Father has not filed for support. Father cannot be an obligor in the Part II calculations nor can the amount of support Mother is obligated to pay to Father be offset by calculating Father's adjusted amount of support under Part II because a support order cannot be entered against the parent with the lesser income. Using Mother as the obligor, her adjusted percentage share of the basic support amount is 33% (53%-20%=33%). Her adjusted share of the basic support amount is [\$475] \$479 (33% of [\$1,440] \$1,450). However, instead of [\$475] \$479 per

month, Mother's support obligation would be adjusted to \$150 per month to allocate the parties' combined income equally between the two households. This is the presumptive amount of basic support payable to Father under these circumstances.

Example 2. Where the obligor and the obligee have monthly net incomes of \$3,000 and \$2,500 respectively, their combined child support obligation for two children is [\$1,412] \$1,426. The obligor's share of this obligation is 55%, or [\$777] \$784. If the children spend equal time with both parents, the formula in Part II results in a support obligation of [\$494] \$499 payable to the obligee. Since this amount gives the obligee [\$2,994] \$2,999 of the combined income, and leaves the obligor with only [\$2,506] \$2,501 of the combined income, the obligor's support obligation must be adjusted to \$250 to equalize the combined income between the parties' households. This is the presumptive amount of basic support payable to the obligee under these circumstances.

[(3) Reductions for substantial or shared custody shall not apply when the obligor's income falls within the shaded area of the schedule in Rule 1910.16-3 or when the obligee's income is 10% or less of the parties' combined income.]

(d) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children. Varied Custodial Schedules.*

(1) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside primarily with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. For example, if the parties have three children, one of whom resides with Father and two of whom reside with Mother, and their net monthly incomes are \$2,500 and \$1,250 respectively, Father's child support obligation is calculated as follows. Using the schedule in Rule 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is [\$1,190] \$1,200. As Father's income is 67% of the parties' combined net monthly income, Father's support obligation for the two children living with Mother is [\$797] \$804. Using the schedule in Rule 1910.16-3 for one child, Mother's support obligation for the child living with Father is [\$273] \$276. Subtracting [\$273] \$276 from [\$797] \$804 produces a net basic support amount of [\$524] \$528 payable to Mother as child support.

* * * * *

(f) *Allocation. Consequences.*

(1) An order awarding both spousal and child support may be unallocated or state the amount of support allocable to the spouse and the amount allocable to each child. **Each order shall clearly state whether it is allocated or unallocated even if the amounts calculated for child and spousal support are delineated on the order.** However, Part IV of the formula provided by these rules assumes that an order will be unallocated. Therefore, if the order is to be allocated, the formula set forth in this rule shall be utilized to determine the amount of support allocable to the spouse. If allocation of an order utilizing the formula would be inequitable, the court shall make an appropriate adjustment. Also, if an order is to be allocated, an adjustment shall be made to

the award giving consideration to the federal income tax consequences of an allocated order as may be appropriate under the circumstances. No consideration of federal income tax consequences shall be applied if the order is unallocated or the order for the spousal support or alimony pendente lite only.

* * * * *

Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation. Allocation of Additional Expenses.

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if the parties' incomes do not justify an order of basic support.

(a) *Child care expenses.* Reasonable child care expenses paid by either parent, if necessary to maintain employment or appropriate education in pursuit of income, shall be allocated between the parties in proportion to their net incomes and added to his and her basic support obligation. When a parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the [full unsubsidized cost of the child care, not just the] amount actually paid by the parent receiving the subsidy. **[However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 is warranted.]**

Example. Mother has primary custody of the parties' two children and Father has partial custody. Mother's monthly net income is \$2,000 and Father's is \$3,500. At their combined income level of \$5,500, the basic monthly child support from the schedule in Rule 1910.16-3 is [\$1,412] \$1,426 for two children. As Father's income is 64% of the parties' combined income, his share is [\$904] \$913. Mother incurs child care expenses of \$400 per month and Father incurs \$100 of such expenses each month. The total amount of child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As he is already paying \$100 for child care while the children are in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of [\$1,124] \$1,133 ([\$904] \$913 + \$220 = [\$1,124] \$1,133).

(1) Except as provided in subsection (2), the total child care expenses shall be reduced to reflect the amount of the federal child care tax credit available to the eligible parent, whether or not the credit is actually claimed by that parent, up to the maximum annual cost allowable under the Internal Revenue Code.

(2) The federal child care tax credit shall not be used to reduce the child care expenses subject to allocation between the parties if the eligible parent is not qualified to receive the credit.

[Official Note: A child care subsidy provided by the Department of Public Welfare should not be used to reduce the child care expenses subject to allocation between the parties to the extent that the obligor has the financial resources to contribute to the actual costs of child care. Nor is it appropriate to order the obligee to seek a child care subsidy in order to reduce the obligor's share of child care expenses if the obligor has the financial ability to contribute to those expenses. While public policy requires that parents, rather than

taxpayers, pay for their children's child care when they are able to do so, allocation of the full unsubsidized cost of child care may result in a support order that is overly burdensome to the obligor. In those circumstances, in addition to considering deviation to relieve the burden on the obligor, the trier of fact also has the discretion to determine whether or not to include in the order other adjustments under Rule 1910.16-6, such as a mortgage contribution, which are not mandatory. No adjustment to the basic support amount shall be permitted if such would cause the obligor's remaining net monthly income to fall below the Self-Support Reserve of \$867. Implicit in the rule requiring apportionment of the unsubsidized cost of child care is recognition of the duty of the subsidy recipient to report any additional income pursuant to Department of Public Welfare regulations so that adjustments can be made to entitlements accordingly.]

(b) *Health Insurance Premiums.*

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Rule 1910.16-7. Support Guidelines. Awards of Child Support When There are Multiple Families.

(a) When the total of the obligor's basic child support obligations equals fifty percent or less of his or her monthly net income, there will generally be no deviation from the guideline amount of support on the ground of the existence of a new family. For example, where the obligor requests a reduction of support for one child of the first marriage on the basis that there is a new child of the second intact marriage, and the relevant monthly net incomes are \$2,500 for the obligor, \$500 for the former spouse and \$1,300 for the current spouse, the request for a reduction will be denied because the total support obligation of \$1,141 (\$593 for the first child and \$548 for the second child) is less than half of the obligor's monthly net income.

(b) When the total of the obligor's basic support obligations exceeds fifty percent of his or her monthly net income, the court may consider a proportional reduction of these obligations. Since, however, the goal of the guidelines is to treat each child equitably, in no event should either a first or later family receive preference. Nor shall the court divide the guideline amount for all of the obligor's children among the households in which those children live.

Example 1. The obligor is sued for support of an out of wedlock child. The obligor is already paying support for two children of the first marriage, and has an intact second marriage with one child. The relevant monthly net incomes are \$3,800 for the obligor, \$1,100 for the former spouse, \$0 for the current spouse and \$1,500 for the parent of the new child. The obligor's basic support obligations to each family are [\$1,043] \$1,061 for the two children of the first marriage, [\$831] \$842 for the one child of the second marriage, and [\$699] \$708 for the one child out of wedlock for a total support obligation of [\$2,573] \$2,611. Since the total of these obligations exceeds fifty percent of the obligor's net monthly income of \$3,800 per month, the court may consider a proportional reduction of all of the orders.

Example 2. The obligor is sued for support of three children of a second marriage. There is already an order in effect for two children of the first marriage. The relevant monthly net incomes are [\$1,500] \$1,600 for the obligor, \$0 for the first spouse and \$500 for the second spouse. The obligor's basic support obligations to each family are [\$531] \$554 for the two children of the first marriage and [\$615] \$638 for the three children of the second marriage for a total support obligation of [\$1,146] \$1,192. Since this total obligation leaves the obligor with only [\$354] \$408 on which to live, the order for the three children of the second family is too high. **The obligor also must be left with a Self-Support Reserve of \$931.** However, reducing the order for three children while leaving the existing order intact would give preference to the first family, contrary to the rule. Therefore, both orders must be reduced proportionally.

Example 3. The obligor is sued to establish orders for three children born out of wedlock. The net monthly incomes for the obligor and for each obligee is \$1,500. The court would determine that the obligor's basic support obligation for each child is [\$357] \$352 for a total obligation of [\$1,071] \$1,056 for three children. It would be incorrect to determine the guideline amount for three children, in this case [\$1,213] \$1,189, and then divide that amount among the three children.

(c) For purposes of this rule, the presumptive amount of the obligor's basic support obligation is calculated using only the basic guideline amounts of support, as determined from the formula in Rule 1910.16-4, and does not include any additional expenses that may be added to these amounts pursuant to Rule 1910.16-6. In calculating the presumptive amount of the obligor's basic support obligation, the court should ensure that obligor retains at least [\$867] \$931 per month consistent with Rule 1910.16-2(e).

Example 1. Assume that the obligor is paying [\$575] \$565 per month support for one child of the first marriage, plus an additional \$200 per month for child care expenses. The obligor requests a reduction in this support obligation on the basis that there is one new child of the second intact marriage. The relevant incomes are \$2,400 for the obligor and \$0 for both the former and current spouses. The obligor's request for a reduction should be denied because the total of the basic guideline obligations for both children is only [\$1,150] \$1,130 ([\$575] \$565 for each child) and this amount does not exceed 50% of the obligor's net monthly income. No reduction should be given on the basis that the obligor's contribution to child care expenses for the first child results in an overall support obligation of [\$1,350] \$1,330 which exceeds 50% of the obligor's net monthly income. Thus, the presumptive amount of basic support for the two children is still [\$1,150] \$1,130 ([\$575] \$565 for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

Example 2. Assume that the obligor is paying [\$365] \$360 per month support for one child of the first marriage. The obligor has one new child of the second intact marriage. The relevant incomes are \$1,500 for the obligor and \$0 for both the former and current spouses. No reduction should be given on the basis of the obligor's new child because the total of the basic guideline obliga-

tions for both children is only [**\$730**] **\$720** ([**\$365**] **\$360** for each child) and this amount does not exceed 50% of the obligor's net monthly income. Since, however, this amount leaves the obligor with only [**\$770**] **\$780** per month, the court should proportionally reduce the support obligations so that the obligor retains [**\$867**] **\$931** per month. Thus, the presumptive amount of basic support for the two children is [**\$633**] **\$569** ([**\$316.50**] **\$284.50** for each child). The court must then consider the deviation factors under Rule 1910.16-5 and the parties' respective contributions to additional expenses under Rule 1910.16-6 in arriving at an appropriate amount of total support for each child.

Explanatory Comment—2010

Rule 1910.16-7 has been amended to reflect the updated schedule in Rule 1910.16-3 and the increase in the Self-Support Reserve to \$867 per month, the 2008 federal poverty level for one person. The distribution priorities formerly in subdivision (d) have been moved to Rule 1910.17(d) to clarify that these priorities apply to all support orders, not just those involving multiple families.

Explanatory Comment—2013

Rule 1910.16-7 has been amended to reflect the updated schedule in Rule 1910.16-3 and the increase in the Self-Support Reserve to \$931 per month, the 2012 federal poverty level for one person.

[Pa.B. Doc. No. 13-762. Filed for public inspection April 26, 2013, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 6]

Proposed Amendments to Pa.R.Crim.P. 645

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania amend Rule 645 (Seating and Discharge of Alternate Jurors) to require that alternate jurors be retained after the jury has retired to consider its verdict and to provide procedures for a retained alternate juror to replace a principal juror who becomes unable to perform his or her duties or is disqualified. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rule precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

no later than Friday, June 7, 2013.

By the Criminal Procedural Rules Committee

NANCY L. BUTTS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

PART C(2). Conduct of Jury Trial

Rule 645. Seating and [**Discharge**] **Retention** of Alternate Jurors.

(A) Alternate jurors, in the order in which they are called, shall replace principal jurors who [**, prior to the time the jury retires to consider its verdict,**] become unable or disqualified to perform their duties.

(B) [**An alternate juror who does not replace a principal juror shall be discharged before the jury retires to consider its verdict.**] Alternate jurors shall be retained after the jury retires to consider its verdict. The trial judge shall instruct the retained alternate jurors to continue to observe the admonitions to jurors until they are informed that a verdict has been returned or the jury discharged. A retained alternate juror shall not be permitted to be present in the jury room during deliberations unless he or she replaces a principal juror as provided in paragraph (C).

(C) After the jury has retired to consider its verdict, a principal juror who becomes unable to perform his or her duties or is disqualified may be replaced with a retained alternate juror only if the trial judge is satisfied that the proper jury function is not harmed by the replacement. To ensure this, the trial judge shall:

(1) **colloquy the alternate juror on the record that the alternate juror has not been exposed to any improper outside influences; and**

(2) **once the jury is reconstituted following the replacement of the principal juror by the alternate juror, colloquy and instruct the reconstituted jury that**

(a) **the jurors understand that the reason the discharged juror was being replaced has nothing to do with the discharged juror's views on the case or the juror's relationship to fellow jurors; and**

(b) **the reconstituted jury understands that they must set aside and disregard all past deliberations and begin deliberations anew so as to eliminate the influence of the excused juror and so that the reconstituted jury will consider the evidence in the context of full and complete deliberations with the new juror.**

Comment

This rule is derived from the last two sentences of former Rule 1108(a). *See* Rule 633 for the procedures for the examination and challenges of alternate trial jurors.

This rule was amended in 2013 to require that alternate jurors be retained after the jury retires to consider its verdict and to permit the trial judge to seat an alternate juror when a principal juror is unable to perform his or her duties or is disqualified, and requires replacement. The amendment recognizes that, in cases in which a principal juror becomes unable to serve after deliberations have begun, substitution of a retained alternate juror will be an appropriate alternative to the remedy of a mistrial so long as appropriate steps are taken to ensure that the juror function is not compromised. Paragraph (C)(2) provides the required colloquies and instructions that must be placed on the record when a principal juror is replaced by an alternate juror after the jury has retired to consider its verdict. *See also Commonwealth v. Saunders*, 686 A.2d 25 (Pa. Super. 1996) (Replacement of a principal by an alternate juror is proper if steps have been taken to ensure that the jury function remains protected).

The rule does not require that all retained alternate jurors be sequestered. Rather, it is within the discretion of the trial judge to determine what restrictions are placed upon the retained alternate jurors to ensure that the alternate jurors are available and eligible for substitution should that be necessary.

Retained alternate jurors remain in jury service, subject to all conditions thereof, until all jurors have been discharged. *See, e.g.*, 42 Pa.C.S. § 4561.

When an alternate is seated pursuant to paragraph (C), the trial judge has the discretion in re-instructing the reconstituted jury with the original charge in whole or in part.

Nothing in the rule was intended to preclude an agreement among the parties to be tried by less than 12 jurors as provided in Rule 641.

Official Note: New Rule 645 adopted March 1, 2000, effective April 1, 2001; amended , 2013, effective , 2013.

Committee Explanatory Reports:

Final Report explaining the reorganization and renumbering of the rules and the provisions of Rule 645 published **with the Court's Order** at 30 Pa.B. [1477] 1478 (March 18, 2000).

Report explaining the proposed amendment requiring the retention and permitting the substitution of alternate jurors after deliberations have begun published for comment at 43 Pa.B. 2305 (April 27, 2013).

REPORT

Proposed amendments to Pa.R.Crim.P. 645

Retention and Seating of Alternate Jurors After Deliberations Have Begun

As directed by the Supreme Court of Pennsylvania, the Committee has been examining the efficacy of the current requirement of discharging alternate jurors before the jury retires for deliberations and whether it might be

more effective to provide for the retention of alternate jurors to be available to replace an incapacitated principal juror.

Current Rule 645(B) provides that "An alternate juror who does not replace a principal juror shall be discharged before the jury retires to consider its verdict." Rule 645 developed out of two sentences in original Rule 1108(a). Then-Rule 1108 contained the provision regarding discharge of alternates prior to deliberation at least since 1975 and most likely reflected the view of post-submission substitution common at that time. Given the difficulty and expense in re-trying large and complex cases, the provision has come into question, most recently in the case of *Commonwealth v. Jones*, 986 A.2d 1257 (Pa. Super. 2009), *appeal granted* 2 A.3d 467 (Pa. 2010), *appeal dismissed as improvidently granted* 55 A.3d 1044 (Pa. 2012).

As an initial step, the Committee examined whether there were any constitutional prohibitions against substituting an alternate juror after deliberations have begun. Claims that such substitutions violate the U.S. Constitution's double jeopardy provision have generally been rejected, as well as claims that the substitution violated the right to jury trial. *See Claudio v. Snyder*, 68 F.3d 1573 (3rd Cir. 1995), *cert denied* 517 U.S. 1109 (1996); *United States v. Hillard*, 701 F.2d 1052 (2nd Cir. 1983), *cert denied*, 461 U.S. 958 (1983). Rather, in those jurisdictions where the practice has been prohibited, the prohibition is contained in a rule or statute. The main concern is to balance society's interest while protecting the defendant's trial right and this is done by taking steps to ensure that the integrity of the jury process be undiminished by the replacement. *See e.g. Commonwealth v. Haywood*, 377 Mass. 755, 388 NE.2d 648 (1979).

Some of the members noted that several jurisdictions allow for the retention of alternate jurors to be available for substitution after deliberations have begun, most notably in the federal system. It was suggested that federal practice might be the best model upon which to base this change. The Committee therefore examined Federal Rule of Criminal Procedure 24 that provides that alternate jurors may be retained after the jury retires to deliberate but the trial court must ensure that the alternate does not discuss the case with anyone. Under the federal rule, if the alternate replaces a principal juror, the court must instruct the jury to begin its deliberations anew.

Furthermore, when Rule 645 was last reviewed, in *Commonwealth v. Saunders*, 686 A.2d 25 (Pa. Super. 1996), the Superior Court declined to interpret Rule 645 as a bright-line restriction. In acknowledging the requirement to release alternates at the start of deliberations, the Superior Court held that a violation of the rule raised a presumption of prejudice toward the defendant that should mandate a new trial. However, the Superior Court held that the presumption could "be rebutted by evidence which establishes that sufficient protective measures were taken to insure the integrity of the jury function." *Id.* at 27. Those procedures were (1) ensuring that the "alternate has not been exposed to any improper outside influences;" (2) directing the recomposed jury to "begin deliberations anew," so to eliminate "the influence of the excused juror" and allow the regular jurors "to consider the evidence in the context of full and complete deliberations with the new juror;" and (3) instructing the recomposed jury that the removal of the original juror had nothing to do with his or her views on the case or relationship with the fellow jurors to eliminate any

impression that the remaining jurors risk removal for having similar beliefs. *Id.* at 29.¹

The Committee therefore concluded that Rule 645 should be amended to permit the retention of an alternate juror for replacing a principal juror who becomes incapacitated even after deliberations have begun. One member suggested that the “default” for the rule should be that the alternates would be retained and the court would have the discretion to release the alternate. This led to an examination of exactly what it would mean to “retain” the alternate jurors.

The Committee considered the fact that sitting juries are rarely sequestered in current practice and jurors are often permitted to return to their homes at the end of the day during deliberations. Proper instructions given in these situations are sufficient to ensure an untainted jury. The Committee concluded that the same procedure could be applied to alternate jurors and agreed that the rule should provide that alternate jurors be retained in every case. Such a provision is not unprecedented. *See* Arizona Rule of Criminal Procedure 18.5(h).

It would be within the trial judge’s discretion whether the alternates would be sequestered, ordered to remain in the courthouse or could be released to their homes with instructions to remain available for recall if needed. However, it is clear that alternate jurors are not permitted to be present in the jury room during deliberations unless they have replaced an excused principal juror. *See Commonwealth v. Coleman*, 119 A.2d 261 (Pa. 1956). The alternates would be treated the same as any other juror while retained on jury service.

The proposed amendments would delete current paragraph (B) that contains the requirement that the alternates be discharged prior to deliberations. New paragraph (B) would contain the requirement that the alternates be retained on jury service while language to be added to the Comment would explain that the restrictions to be placed on such retained jurors were within the discretion of the trial judge. Paragraph (B) would also contain the procedures designed to ensure that the alternates would not be tainted once deliberations were undertaken.

New paragraph (C) would provide the procedures to be followed for replacing a juror post-submission, incorporating the required steps described in *Saunders*. These requirements are subdivided to describe the provisions related to (1) the colloquy of and instructions to the alternate juror before that alternate is placed on the jury and (2) the instructions to be given to the reconstituted jury once that alternate has been seated.

The Comment would also provide that, once the jury is reconstituted, the trial judge would have the discretion to re-instructing the reconstituted jury with the original charge. Finally, language would be added to the Comment to ensure that nothing in the rule was construed as intending to preclude an agreement among the parties to be tried by less than 12 jurors as provided in Rule 641.

[Pa.B. Doc. No. 13-763. Filed for public inspection April 26, 2013, 9:00 a.m.]

¹ Ultimately, a new trial was ordered in *Saunders* due to the failure of the trial court to instruct the original jurors to disregard their prior deliberations but, in fact, ordered to the contrary by directing original jurors to disclose to alternate what had transpired during prior deliberations.

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1 AND 11]

Proposed Rules 182 and 1182

The Juvenile Court Procedural Rules Committee is planning to recommend to the Supreme Court of Pennsylvania that new Rules 182 and 1182 be adopted. These proposed additions address qualifications of masters.

It is also important to note that the Committee is recommending a two-year effective date from the date of adoption to give the Pennsylvania Continuing Legal Education Board ample time to approve courses and for masters to gain additional experience and training.

The following Explanatory Report highlights the intent of these Rules. Please note that the Committee’s Reports should not be confused with the official Committee Comments to the Rules. Also note that the Supreme Court does not adopt the Committee’s Comments or the contents of the Explanatory Reports.

The Committee requests that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Christine Riscili at juvenilerules@pacourts.us. Email is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of Comments to the Committee. Emailed comments need not be reproduced and sent via hard copy. The Committee will acknowledge receipt of your comment.

For those who do not have access to email, comments may be faxed to the Committee at 717-231-9541 or written comments may be mailed to:

Christine Riscili, Esq.
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635.

All comments shall be received no later than June 21, 2013.

*By the Juvenile Court
Procedural Rules Committee*

HONORABLE TODD A. HOOVER,
Chairperson

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART D. MASTERS

Rule 182. Qualifications of Master.

A. Education, Experience, and Training. To be eligible to be appointed to preside over cases governed by the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, an individual shall:

- 1) be a member, in good standing, of the bar of this Commonwealth;
- 2) have been licensed to practice law for at least five years; and

3) one of the following:

a) have at least two years of practical experience in juvenile law; or

b) have completed a course approved by the Pennsylvania Continuing Legal Education Board for new masters prior to hearing cases that shall include:

- i) the Juvenile Act;
- ii) the Pennsylvania Rules of Juvenile Court Procedure;
- iii) the penal laws of Pennsylvania;
- iv) the Child Protective Services Law;
- v) the collateral consequences to an adjudication of delinquency; and
- vi) any local procedures and state regulations.

B. Continuing Education. A master shall complete six hours of instruction in juvenile delinquency law, policies, or related social science research every two years, which shall include:

- 1) updates in the initial training areas as provided in paragraphs (A)(3)(b)(i)—(vi); and
- 2) child and adolescent development.

C. Compliance. A master shall sign an affidavit attesting that he or she has met the requirements of this rule. The affidavit shall be sent to the President Judge or his or her designee of each judicial district where the attorney is appointed as a master.

Comment

Pursuant to paragraph (A), masters are to have at least five years of experience as an attorney with at least two years of experience in juvenile law. If attorneys do not have two years of experience in juvenile law, they may attend a training to qualify as masters over juvenile cases.

The training program is to be approved by the Pennsylvania Continuing Legal Education Board.

The Pennsylvania Continuing Legal Education Board may approve courses designed to address the requirements of paragraph (B) for continuing education. These requirements are additional requirements to the Pa.R.C.L.E. because they mandate specific training in juvenile delinquency law. However, the credit hours received do count towards the total maximum required under Pa.R.C.L.E. 105.

Pursuant to paragraph (C), a master is to certify to the court that the requirements of this rule have been met.

Official Note: Rule 182 adopted _____, effective _____ (Committee recommending two years after adoption date).

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART D. PROCEEDINGS IN CASES BEFORE MASTER

Rule 1182. Qualifications of Masters.

A. Education, Experience, and Training. To be eligible to be appointed to preside over cases governed by the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, an individual shall:

1) be a member, in good standing, of the bar of this Commonwealth;

2) have been licensed to practice law for at least five years; and

3) one of the following:

a) have at least two years of practical experience in juvenile law; or

b) have completed a course approved by the Pennsylvania Continuing Legal Education Board for new masters prior to hearing cases that shall include:

- i) the Juvenile Act;
- ii) the Pennsylvania Rules of Juvenile Court Procedure;
- iii) the Child Protective Services Law; and
- iv) any local procedures and state regulations.

B. Continuing Education. A master shall complete six hours of instruction in juvenile dependency law, policies, or related social science research every two years, which shall include:

- 1) updates in the initial training areas as provided in paragraphs (A)(3)(b)(i)—(iv); and
- 2) child and adolescent development.

C. Compliance. A master shall sign an affidavit attesting that he or she has met the requirements of this rule. The affidavit shall be sent to the President Judge or his or her designee of each judicial district where the attorney is appointed as a master.

Comment

Pursuant to paragraph (A), masters are to have at least five years of experience as an attorney with at least two years of experience in juvenile law. If attorneys do not have two years of experience in juvenile law, they may attend a training to qualify as masters over juvenile cases.

The training program is to be approved by the Pennsylvania Continuing Legal Education Board.

The Pennsylvania Continuing Legal Education Board may approve courses designed to address the requirements of paragraph (B) for continuing education. These requirements are additional requirements to the Pa.R.C.L.E. because they mandate specific training in juvenile dependency law. However, the credit hours received do count towards the total maximum required under Pa.R.C.L.E. 105.

Pursuant to paragraph (C), a master is to certify to the court that the requirements of this rule have been met.

Official Note: Rule 1182 adopted _____, effective _____ (Committee recommending two years after adoption date).

Explanatory Report

Background

This recommendation was prompted by the Recommendation of the Interbranch Commission on Juvenile Justice (ICJJ) and will only address master qualifications. On page 46 of the ICJJ Report, the ICJJ recommended the need for “masters to be properly educated about the Juvenile Act, child development, and problems unique to the relationship between children and their families.” Further, the ICJJ recommended that the Supreme Court develop mandatory continuing education standards for juvenile masters. *See* ICJJ Report at pg. 46.

In addition to the recommended educational requirements by the ICJJ for “delinquency” matters of juvenile

court, the Committee believed educational requirements were just as important and necessary for “dependency” matters.

The purpose of these rule additions is to provide a minimum standard for education, experience, and training of masters. Judicial districts are encouraged to provide additional educational and training courses for its masters.

Rule Discussion

Rules 182 and 1182—Qualifications of Master

These new proposed rules govern the qualifications of masters. Prior to presiding over juvenile cases, these attorneys must be a member, in good standing, of the Bar of this Commonwealth, have been licensed to practice law for five years, and either: 1) have consistently practiced in juvenile law for at least two years; or 2) have completed the initial training program.

In addition, these attorneys should have experience in diverse cases. It would be beneficial if the attorney handled juvenile cases prior to becoming a master with experience in several different types of allegations and at different stages of the process, including detention or shelter-care hearings, adjudicatory hearings, transfer or permanency hearings, dispositional hearings, and dispositional review hearings.

After the initial training or experience requirement has been met, attorneys are required to continue their legal education with updates in delinquency or dependency law and child and adolescent development. This requirement is an additional requirement to the Pa.R.C.L.E. because it mandates education specifically in juvenile delinquency or dependency law; whereas the Pa.R.C.L.E. do not mandate specific training areas. *See* paragraph (B). Six hours of this specific education must be completed every two years. However, these hours will count towards the mandatory twelve hours of continuing legal education each year mandated by Pa.R.C.L.E. 105.

Pursuant to paragraph (C), masters must attest that they have met the requirements of this rule prior to presiding over juvenile matters, and every two years after the initial affidavit, they must submit a new affidavit.

[Pa.B. Doc. No. 13-764. Filed for public inspection April 26, 2013, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Amendment of Rules of Judicial Administration; Administrative Order No. 23 of 2013

Order of Court

And Now, this 10th day of April, 2013, the Court hereby Orders that the Adams County Rules of Judicial Administration shall be amended as follows:

440. Petition for Appointment to Fill Vacancy in Office of Constable.

A. Any person seeking to be appointed to serve as constable to serve a vacancy in said office pursuant to 44 Pa.C.S.A. § 7121 shall file petition in the

Adams County Clerk of Courts Office. The petition shall include the following:

- 1. A statement identifying the borough, city, ward, or township in which a vacancy exists;**
- 2. The expiration date of the term of office for which the appointment is being sought;**
- 3. A statement that the petitioner is a resident of the municipality where the vacancy exists; and**
- 4. A statement that the petitioner has or will satisfy all the statutory requirements to serve as a constable.**

B. The petition shall be signed by ten (10) qualified electors residing in the borough, city, ward, or township in which the vacancy exists. In addition to original signature, each qualified elector shall be identified by printed name and address.

C. Upon the filing of a petition in compliance with the requirements of this rule, the Adams County Clerk of Courts Office shall forward the same to the President Judge, or designee, within five (5) business days of the filing of the same. The President Judge, or designee, shall schedule hearing or take other appropriate action as necessary.

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. It is further directed that:

a. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

b. Seven (7) certified copies of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa. R.J.A. No. 103(c)(2); and

c. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 13-765. Filed for public inspection April 26, 2013, 9:00 a.m.]

MONTGOMERY COUNTY

Prothonotary's Office—Fee Schedule; Case No. 2013-00007

Order

And Now, to wit, this 12th day of April, 2013, upon consideration of the within Petition to establish new fees presented by the Prothonotary, Mark Levy, and in accordance with Title 42 P. S. § 21042.1 of the Prothonotary Fee Law, it is hereby *Ordered* and *Decreed* that the fee schedule of the Montgomery County Prothonotary Office is amended effective the 1st day of June, 2013. It is further *Ordered* and *Decreed* that the fee schedule of the Montgomery County Prothonotary which is attached to

the Petition as Exhibit "2" is hereby approved and adopted effective the 1st day of June, 2013.

By the Court

WILLIAM J. FURBER,
President Judge

[Pa.B. Doc. No. 13-766. Filed for public inspection April 26, 2013, 9:00 a.m.]

WESTMORELAND COUNTY

Rescinding Rules W1915.3—W1915.17; Adopting New Rules W1915.3—W1915.17; No. 3 of 2013

Order

And Now, this 25th day of March, 2013 *It Is Hereby Ordered* that current Westmoreland Rules of Civil Procedure W1915.3 through W1915.17 are rescinded and that new Rules of Civil Procedure W1915.3 through W1915.17 are adopted.

By the Court

GARY P. CARUSO,
President Judge

Actions for Custody, Partial Custody and Visitation of Minor Children

Rule W1915.3. Commencement of Action, Complaint, Order.

(a) All actions raising issues of custody, partial custody, or visitation of minor children shall be commenced by the filing of a verified complaint or petition and a separate scheduling order as set forth in W1915.15. Forms are available at the Westmoreland Pro Bono Office on the fourth floor of the Westmoreland County Courthouse or on-line at www.co.westmoreland.pa.us.

(b) The petitioner shall, at the time of filing, proceed to the Westmoreland County Family Court Administrator (Custody Office) for an assignment of a date and time for the custody conciliation conference. The custody conciliation conference shall be scheduled for a date and time not later than 45 days after filing of the complaint or count.

(c) The moving party shall file proof of service of the action with the Westmoreland County Prothonotary prior to the custody conciliation conference.

Rule W1915.4. Child Program.

All parties shall be ordered, at the time of filing, to attend the mandatory Children Hurt In Loss through Divorce/separation (CHILD) Program prior to the custody conciliation conference. In addition, other persons in a caretaking capacity may be ordered to attend.

Rule W1915.4-3. Custody Conciliation Conference.

(a) Each party shall submit to the Westmoreland County Family Court Administrator (Custody Office) at the time of the conference a completed Westmoreland County Parent Information Form and proof of his or her most recent earnings. The Parent Information Form is available from the Westmoreland County Custody Office or on-line at www.co.westmoreland.pa.us.

(b) The parties may file with the family court administrator (custody office), an Election to Proceed Through Mediation. The party filing the Election to Proceed Through Mediation must Certify that all parties agree to mediation. Upon receipt of the Election and Certification,

the family court administrator shall continue the scheduled Conciliation Conference, and inform the mediator to schedule the Mediation.

(c) The parties may also at any time file a Consent Custody Agreement with the family court administrator (custody office). Forms are available from the Westmoreland Pro Bono Office on the fourth floor of the Westmoreland County Courthouse Annex or on-line at www.co.westmoreland.pa.us.

(d) If neither an Election to Proceed Through Mediation pursuant to subsection (b), nor a Custody Agreement pursuant to subsection (c) are filed with the family court administrator (custody office), the Conciliation Conference shall proceed as follows:

(1) All parties, and any child, for whom custody or visitation is sought, shall be present at the Custody Conciliation Conference, unless otherwise ordered by the court. Failure of a party to appear at the Custody Conciliation Conference may result in the entry of a custody order by the Court on the recommendation of the custody conference officer in the absence of that party. The absent party may also be subject to contempt proceedings.

(2) The custody conference officer, who is an attorney, shall conduct the non-record, informal Conciliation Conference actively engaging the parties in order to reach an agreement. The parties are given the opportunity to present the issues or problems and to explore all available options for resolution.

(3) A Custody Agreement form is completed and signed when an agreement is reached.

(4) If the parties cannot agree, the custody conference officer will forward a report and recommended Order to the court.

A. The report shall contain the following:

1. An indication that the parties consent to an evaluation including requirements such as physical or mental evaluations or home studies be undertaken pursuant to Rule W1915.8;

2. Findings of fact on jurisdiction or venue issues; and
3. Recommendations for custody.

B. The order will include all areas of prior agreement.

C. Except as provided in subsection D., the order shall become a final order unless a Request For Custody Pretrial Conference is filed within 30 days of the date of service of the order. A copy of the order shall be served in accordance with Pa.R.C.P. 236, with a copy to the family court administrator (custody office).

D. When the court orders an evaluation, the order will also direct that a Pretrial Conference be scheduled. The Request requirement of subsection C. does not apply when the Pretrial Conference is ordered.

E. The Request For Custody Pretrial Conference is available at the family court administrator (custody office) on the fourth floor of the Westmoreland County Courthouse Annex or on-line at www.co.westmoreland.pa.us.

Rule W1915.4-4. Voluntary Mediation.

(a) The parties may agree to mediate custody and visitation matters before a neutral mediator. The parties are responsible to pay for mediation services. Mediation shall be conducted in accordance with Pa.R.C.P. 1940-1 et. seq.

(b) All matters before the mediator shall remain confidential except as provided at 42 Pa.C.S.A. § 5949(b). Confidentiality may be waived in writing by the parties.

(c) All agreements shall be reduced to writing and submitted to the court.

(d) The Westmoreland County Family Court Administrator (Custody Office) shall provide the mediators with dates and times for which to schedule a Conciliation Conference for those who have not succeeded through mediation. The mediator shall immediately schedule by Notice those who have not settled through Mediation. The date and time scheduled for the conciliation conference shall forthwith be reported by phone or facsimile to the family court administrator (custody office).

Rule W1915.8. Physical and Mental Examination of Persons.

(a) The court may order Evaluations in accordance with Pa.R.C.P. 1915.8 on its own motion, if consented by the parties and indicated in the report of the custody conciliation officer, or in ruling on a motion or petition of either party. In the event an evaluation is ordered, a Pretrial Conference will be automatically scheduled.

(b) Failure to pay for the examination as ordered may result in contempt proceedings and appropriate penalties as provided in Pa.R.C.P. 1915, et seq.

Rule W1915.10. Request for Custody Pretrial Conference. Pretrial Conference. Decision.

(a) A party may file a Request for a Custody Pretrial Conference in the Westmoreland County Prothonotary's office anytime within 30 days from the date of service of a Custody Order issued as a result of a Conciliation Conference. Prior to filing the Request, the moving party shall deliver the Request to the chambers of the assigned judge for the scheduling of a Pretrial Conference. When Custody Evaluations have been ordered, a Pretrial Conference is automatically scheduled and a Request need not be filed. (See: W1915.8(a).)

(b) The moving party must serve a copy of the Request and signed Scheduling Order on the other counsel/parties, and on the family court administrator (custody office)

within 3 days of receiving the signed Order. The Request For Custody Pretrial Conference and Scheduling Order are available at the Westmoreland County Custody Office on the fourth floor of the Westmoreland County Annex or on-line at www.co.westmoreland.pa.us.

Rule W1915.13. Special Relief.

Motions for Special Relief will be screened before any hearing is scheduled. Special Relief may be denied without a hearing.

Rule W1915.15. Form of Complaint. Caption. Order. Petition to Modify a Partial Custody or Visitation Order.

Custody forms are available at the Westmoreland Pro Bono Office on the fourth floor of the Courthouse Annex or on-line at www.co.westmoreland.pa.us.

Rule W1915.17. Judicial Custody (Pretrial) Conference.

(a) The Pretrial Narrative Form, which may be obtained from the custody office or on-line at www.co.westmoreland.pa.us, shall list all witnesses, including experts. It shall be completed by the parties or counsel and must be filed, submitted to the court, and served on the opposing party at least ten days prior to the Pretrial Conference.

(b) All parties and any child for whom custody or visitation is sought shall be present at the Judicial Custody Conference unless either waived by the parties or their counsel, or permitted to be absent by court order. Failure of a party to appear at the Judicial Custody Conference may result in the entry of a custody/visitation order by the court.

(c) The court shall attempt to obtain a Consent Custody Agreement on any pending custody issues. Any Agreement shall be reduced to writing and entered as an Order of Court.

(d) If no agreement is reached, the court may enter a new Order pending the Custody Hearing and shall issue an Order listing the matter for trial.

[Pa.B. Doc. No. 13-767. Filed for public inspection April 26, 2013, 9:00 a.m.]