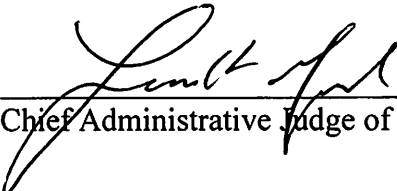


ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, I hereby prescribe the following five revised forms and instructions (attached as Exh. A) for inclusion in the Unified Court System Uncontested Divorce Packet for use in undefended matrimonial actions pursuant to 22 NYCRR §§ 202.21(i) and 202.50, and repeal the former versions of those forms, effective March 1, 2017:

- Maintenance Guidelines Worksheet (Form UD-8(2)) eff. 3/1/17
- Child Support Worksheet (Form UD-8(3)) eff. 3/1/17

Attached as Exh. B is a list of the forms comprising the Unified Court System's Uncontested Divorce Packet in effect as of March 1, 2017.



Chief Administrative Judge of the Courts

Dated: May 22, 2017

AO/102/17

EXHIBIT A

1 SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF

-----X

2

Plaintiff,

Index No.: _____ 4

3

-against-

**MAINTENANCE GUIDELINES
WORKSHEET (FORM UD-8(2))
Eff. 3/1/17**

Defendant.

-----X

IMPORTANT NOTE: DO NOT FILL OUT THIS FORM IF YOUR ACTION WAS COMMENCED BEFORE JANUARY 25, 2016, ¹

To assist you in making the calculations on this Worksheet, you may use the Maintenance/Child Support Calculators posted on the Court's Divorce Resources website at <http://www.nycourts.gov/divorce/MaintenanceChildSupportTools.shtml>. They are provided for your convenience as a tool. They have been tested with many scenarios to assure accuracy with appropriate entry of data. You may wish to make the calculations yourself on the Appendices to this Worksheet. Neither this Worksheet nor the Calculators are meant to predict what the court will order as to maintenance or child support in your case. Comments and questions about this Worksheet or the Calculators should be sent to NYMatCalc@nycourts.gov \

If you decide to use the Calculators, you must copy your work onto Appendix B.

5 This Worksheet was prepared by Plaintiff Defendant,

NOTE: If you and your spouse have entered into an agreement about maintenance² check the box below and submit a copy of the agreement or agreements to the court along with the completed Worksheet.

Plaintiff and Defendant have entered into a written agreement about maintenance.

¹ January 25, 2016 is the date the new Maintenance Guidelines Law (L. 2015, c. 269,) became effective. If your divorce action was commenced before that date, include any request for maintenance as "Ancillary" or other relief in the Summons with Notice or the Summons and Verified Complaint. See pages 14 and 16 of the Uncontested Divorce Packet Instructions.

² Note that "maintenance" is support to be paid by one party to the marriage for the support of the other party to the marriage after the divorce is final. Because it is to be paid after the divorce is final, it is sometimes referred to as "post-divorce" maintenance, or simply as "maintenance."

6 **1. Enter Income of Parties by copying the amounts from the Annual Income Worksheet, Line 1A and Line 1B (Form UD- 8(1)).**

A. Enter Plaintiff's Annual Income

\$ _____

B. Enter Defendant's Annual Income

\$ _____

7 **2. DETERMINE WHO IS THE PAYOR AND WHO IS THE PAYEE:**

A. Enter the higher of **Lines 1A and 1B.**

The person with the higher income is the **MAINTENANCE PAYOR**.....\$ _____

B. Enter the lower of **Lines 1A and 1B.**

The person with the lower income is the **MAINTENANCE PAYEE**.....\$ _____

8 **3. CALCULATE GUIDELINE MAINTENANCE AWARD ON INCOME UP TO AND INCLUDING \$178,000.**

A. Check the box to indicate how you made the calculation:

Use the Maintenance/Child Support Calculators posted at <http://www.nycourts.gov/divorce/MaintenanceChildSupportTools.shtml> and enter the Annual Guideline Maintenance Award from Line 19 of Part B of the Calculators in **Line 3B**.

OR

Use **Appendix B** to make the calculation and enter the amount from **Line 19 of Appendix B** in **Line 3B** below

B. **The Guideline Award of Maintenance** (based on Maintenance Payor's

Income up to \$178,000) \$ _____

9. **THE COURT WILL DETERMINE HOW LONG THE MAINTENANCE AWARD WILL BE PAID** ³

4a., please enter:

i) The date of your marriage _____; The date your divorce

³The court **must** determine how long the maintenance award will be paid using the 15 Factors for Post-Divorce Maintenance in Appendix. D. and the court **may** also consider the Advisory Schedule for Duration of Award in Appendix E setting forth percentages of the length of the marriage for which maintenance may be paid.

action was commenced _____; The number of years you were married to the date your divorce action was commenced : _____

- ii) The range that maintenance would be payable according to the Advisory Schedule for Duration of Award in Appendix E _____

Note: Multiply the number of years you have been married by the percentages in Appendix E to give the range on the schedule for that number of years married. For example, if you have been married 10 years on the date your action was commenced, the Advisory Schedule advises a duration of 15%-30% times the number of years married. Multiply 10 x 15% = 1.5; Next Multiply 10 x 30%= 3. Write 1.5 – 3 years on line ii) above.

- iii) How many years are you asking the Court to order that maintenance shall be payable? _____

- iv) Please describe retirement assets, benefits and retirement eligibility (age and other requirements) of you and your spouse if you can on the lines below. If you do not know them, write, "unknown."

Attach an additional page if needed and check the box below:

Additional Page Attached

4b. Review the 15 factors for post – divorce maintenance in Appendix D, and list any factors you would like the court to know about when deciding how long maintenance will be paid..

Attach an additional page if needed and check the box below:

Additional Page Attached

10 **5.** After reviewing the **15 factors for post-divorce maintenance**, check the applicable box or boxes to ask the Court to adjust the award of maintenance on income of the payor up to \$178,000 or to order maintenance on income of the Payor in excess of \$178,000 per year. Then list the factors you would like the Court to consider in making such decision.

Adjust Award of Maintenance on income up to \$178,000 because you believe it is unjust ⁴

Order Maintenance on Income in Excess of \$178,000 per year⁵

Attach an additional page if needed and check the box below:

Additional Page Attached

11 I have carefully read this statement and attest that it is true and accurate to the best of my knowledge.

Signature of Plaintiff Defendant,

Print or Type Name

Subscribed and Sworn to before me

on _____

⁴ **Unjust or Inappropriate Awards:** If a party believes that the Guideline Maintenance Award on income up to \$178,000 is unjust or inappropriate, the party can ask the Court to order the Maintenance Payor to pay an adjusted amount. In making such decision, the Court shall consider the **15 factors for post-divorce maintenance**.

⁵ **Awards on Income of the Payor above \$178,000.** If the Maintenance Payor's income exceeds \$178,000, the Court may award an additional amount of maintenance. In making such decision, the Court shall consider the **15 factors for post-divorce maintenance**.

Notary Public

See APPENDICES B, D, and E Attached

APPENDIX B.

**Calculation of Guideline Amount of Maintenance up to and Including
\$178,000 and Adjustment for Low Income**

APPENDIX D.

**15 Factor for Court to Consider for Post-Divorce Maintenance* Where
Income Exceeds \$178,000 or in Connection with Adjustment of Award or
in Considering Duration of Award.**

APPENDIX E.

Advisory Schedule for Duration of Post-Divorce* Maintenance

* Note that "maintenance" is support to be paid by one party to the marriage for the support of the other party to the marriage after the divorce is final. Because it is to be paid after the divorce is final, it is sometimes referred to as "post-divorce" maintenance, or simply as "maintenance."

APPENDIX B

Calculation of Guideline Maintenance Award on Maintenance Payor's Income up to and Including \$178,000; Includes Possible Low Income Adjustment

I. BASIC CALCULATION

STEP A: INCOME OF MAINTENANCE PAYOR AND MAINTENANCE PAYEE

1. Enter Maintenance Payor's income from Line 2A on page 1 of the Worksheet:
If this amount is greater than \$178,000, enter \$178,000 \$ _____
2. Enter Maintenance Payee's income from Line 2B on page 1 of the Worksheet \$ _____

STEP B:

**CALCULATE RESULT 1 and RESULT 2 USING FORMULAS B(1) AND B(2) BELOW;
THEN ANSWER QUESTIONS IN STEP C AND STEP D TO DETERMINE WHETHER
RESULT 1 OR RESULT 2 APPLIES**

STEP B(1)(3): Multiply Line 1 (Maintenance Payor's Income) by 20% \$ _____

STEP B(1)(4): Multiply Line 2 (Maintenance Payee's Income) by 25% \$ _____

STEP B(1)(5): Subtract Line 4 from Line 3: **Result 1** \$ _____

STEP B(2)(3): Multiply Line 1 (Maintenance Payor's Income) by 30% \$ _____

STEP B(2)(4): Multiply Line 2 (Maintenance Payee's Income) by 20% \$ _____

STEP B(2)(5): Subtract Line 4 from Line 3: **Result 2** \$ _____

STEP C: 6 Will child support be paid for children of the marriage? **YES**__ **NO**__

STEP D: 7 Is the Maintenance Payor the Non-Custodial Parent? **YES**__ **NO**__

**RESULT 1 OF STEP B(1) WILL APPLY IF THE ANSWERS TO BOTH OF THE QUESTIONS
IN STEP C AND STEP D IS YES. RESULT 2 OF STEP B(2) WILL APPLY IF THE ANSWER
TO EITHER QUESTION IN STEP C OR STEP D IS NO.**

STEP E: COMPLETE THE CALCULATIONS BELOW to arrive at Result 3:

8. Add Lines 1 and 2 \$ _____

9. Multiply 40% of Line 8. \$ _____

10. Subtract Line 2 from Line 9: **Result 3** \$ _____

11. Enter the lower of **Result 3** from Line 10 and Line 5 (from STEP B,
Result 1 or **Result 2**, whichever applies), but if Line 11 is less than or
equal to zero, enter zero \$ _____

THIS IS THE CALCULATED GUIDELINE AMOUNT

II. THE LOW INCOME ADJUSTMENT

STEP F: *(Determine if the low income adjustment applies)*

- 12. Enter Maintenance Payor's Income from Line 1 \$ _____
- 13. Enter calculated guideline amount from Line 11. - \$ _____
- 14. Subtract Line 13 from Line 12. \$ _____
 - ▶ *If Line 14 is greater than \$16,281, there is no low income adjustment.
Enter the amount from Line 11 in Line 18.*
 - ▶ *If Line 14 is less than \$16,281, there is a low income adjustment.
Go to Step G to calculate the amount of the award.*

STEP G: *(Determine the amount of the award after the low income adjustment)*

- 15. Enter Maintenance Payor's income from Line 1 \$ _____
- 16. Enter \$16,281 (the Self Support Reserve)*. - \$ _____
- 17. Subtract Line 16 from Line 15. \$ _____
 - ▶ *If the amount on Line 17 is greater than zero, enter that amount in Line 18.*
 - ▶ *If the amount on Line 17 is less than or equal to zero, enter zero in Line 18.*
- 18. Amount owed after low income adjustment. \$ _____

III. AWARD

- 19. Enter the amount as directed in either Step F or Step G, whichever applies.
Also enter this amount in Line 3B of the Worksheet. \$ _____

* Every March 1st the Self -Support Reserve changes. You may find the most current figures at https://newyorkchildsupport.com/quick_links.html. The current level of the Self-Support Reserve is \$16,281.

APPENDIX C INTENTIONALLY OMITTED

APPENDIX D

15 FACTORS FOR POST-DIVORCE MAINTENANCE PURSUANT TO DRL §236B(6)(E)(1) FOR ADJUSTMENT OF AWARD, FOR DURATION OF AWARD, OR WHERE PAYOR'S INCOME EXCEEDS \$178,000

1. the age and health of the parties;
2. the present or future earning capacity of the parties, including a history of limited participation in the workforce;
3. the need of one party to incur education or training expenses;
4. the termination of a child support award before the termination of the maintenance award when the calculation of maintenance was based upon child support being awarded which resulted in a maintenance award lower than it would have been had child support not been awarded;
5. the wasteful dissipation of marital property, including transfers or encumbrances made in contemplation of a matrimonial action without fair consideration;;
6. the existence and duration of a pre-marital joint household or a pre-divorce separate household;
7. acts by one party against another that have inhibited or continue to inhibit a party's earning capacity or ability to obtain meaningful employment. Such acts include but are not limited to acts of domestic violence as provided in section four hundred fifty-nine-a of the social services law;
8. the availability and cost of medical insurance for the parties;
9. the care of children or stepchildren, disabled adult children or stepchildren, elderly parents or in-laws provided during the marriage that inhibits a party's earning capacity;;
10. the tax consequences to each party;
11. the standard of living of the parties established during the marriage;
12. the reduced or lost earning capacity of the payee as a result of having foregone or delayed education, training, employment or career opportunities during the marriage;
13. the equitable distribution of marital property and the income or imputed income on the assets so distributed;
14. the contributions and services of the payee as a spouse, parent, wage earner and homemaker and to the career or career potential of the other party; and
15. any other factor which the court shall expressly find to be just and proper.

APPENDIX E

THE COURT MAY DETERMINE THE DURATION OF POST-DIVORCE MAINTENANCE IN ACCORDANCE WITH THE FOLLOWING ADVISORY SCHEDULE: BUT IN ANY EVENT, THE COURT MUST CONSIDER THE 15 POST-DIVORCE MAINTENANCE FACTORS SET FORTH IN APPENDIX D.

Length of Marriage	Percent of the length of the marriage for which maintenance will be payable
0 up to and including 15 years	15% - 30%
More than 15 up to and including 20 years	30% - 40%
More than 20 years	35% - 50%

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF

1

-----X

2

Plaintiff,

Index No.: _____ 4

-against-

**CHILD SUPPORT
WORKSHEET (Form UD-8(3))
Eff. 3/1/17**

3

Defendant.

-----X

To assist you in making the calculations on this Worksheet, you may use the Maintenance/Child Support Calculators posted on the Court's Divorce Resources website at <http://www.nycourts.gov/divorce/MaintenanceChildSupportTools.shtml>. They are provided for your convenience as a tool. They have been tested with many scenarios to assure accuracy with appropriate entry of data. You may wish to make the calculations yourself on the Appendices to this Worksheet. Neither this Worksheet nor the Calculators are meant to predict what the court will order as to maintenance or child support in your case. Comments and questions about this Worksheet or the Calculators should be sent to NYMatCalc@nycourts.gov

If you decide to use the Calculators, you must copy your work onto Appendix G.

- 5 1. This Worksheet was prepared by Plaintiff Defendant,
- 6 2. If you and your spouse have entered into a written agreement about child support, check the box below
 - Plaintiff and Defendant have entered into a written agreement about Child Support.
- 3. If you and your spouse have entered into a written agreement about child support, submit a copy of the agreement to the court along with the completed Worksheet and check the box below.
 - A copy of the written agreement about child support was submitted to the court with this Worksheet.
- 4. If I am not represented by an attorney, I have received a copy of the Child Support Standards Act Chart.

7 5. CALCULATE BASIC ANNUAL CHILD SUPPORT OBLIGATION

If there are unemancipated children of the marriage, calculate the amount of child support that must be paid to the custodial parent by the non-custodial parent.

A. Check the box to indicate how you made the calculation:

Use the Maintenance/Child Support Calculators posted at the link above and enter the amount from Part C - IV, Line 1 of the Calculator in **Line 5B** below.

OR

Use **Appendix G** to make the calculation and enter the amount from **Section IV Line 1** of **Appendix G** in **Line 5B** below

B. The Annual Basic Child Support Obligation \$ _____

8 6. If you believe the Annual Basic Child Support Obligation is unjust and should be changed,¹ list the factors you would like the Court to consider in its decision, after reviewing the **10 child support adjustment factors** in Appendix F.

Attach an additional page if needed and check the box below:
Additional Page Attached

9 7. If you would like the Court to award child support on Combined Parental Income in excess of \$143,000, please list the factors you would like the Court to consider in its decision, after reviewing the 10 child support adjustment factors in Appendix F. ²

Attach an additional page if needed and check the box below:
Additional Page Attached

10 8. I have carefully read this statement and attest that it is true and accurate to the best of my knowledge.

Signature Plaintiff Defendant

Subscribed and Sworn to
before me on

print or type name

Notary Public

¹ If a party believes that NCP's Annual Child Support Obligation is unjust or inappropriate, the party can ask the Court to order the NCP to pay an adjusted amount after considering the **10 child support adjustment factors**. The 10 child support adjustment factors pursuant to DRL §240(1-b) (f) are listed on Appendix F.

² If the Combined Parental Income exceeds \$143,000, the Court may award an additional amount of child support. In making such decision, the Court will consider the **10 child support adjustment factors** and/or the child support percentages as shown for information only on Appendix G Section I lines 9- 9c and on Part C- I line 8 of the Calculators.

SEE APPENDICES F AND G ATTACHED

APPENDIX F.

**10 Child Support Adjustment Factors Where Income Exceeds \$143,000 or
When Considering Adjustment of Award (see DRL 240(1-b)(f))**

APPENDIX G.

Calculation of Annual Basic Child Support Obligation

APPENDIX F

10 CHILD SUPPORT ADJUSTMENT FACTORS PURSUANT TO DRL §240(B-1)(F) FOR ADJUSTMENT OF AWARD OR WHERE COMBINED PARENTAL INCOME EXCEEDS \$143,000

1. The financial resources of the custodial and non-custodial parent, and those of the child;
2. The physical and emotional health of the child and his/her special needs and aptitudes;
3. The standard of living the child would have enjoyed had the marriage or household not been dissolved;
4. The tax consequences to the parties;
5. The non-monetary contributions that the parents will make toward the care and well-being of the child;
6. The educational needs of either parent;
7. A determination that the gross income of one parent is substantially less than the other parent's gross income;
8. The needs of the children of the non-custodial parent for whom the non-custodial parent is providing support who are not subject to the instant action and whose support has not been deducted from income pursuant to subclause (D) of clause (vii) of subparagraph five of paragraph (b) of this subdivision, and the financial resources of any person obligated to support such children, provided, however, that this factor may apply only if the resources available to support such Children are less than the resources available to support the children who are subject to the instant action;
9. Provided that the child is not on public assistance (i) extraordinary expenses incurred by the non-custodial parent in exercising visitation, or (ii) expenses incurred by the non-custodial parent in extended visitation provided that the custodial parent's expenses are substantially reduced as a result thereof; and
10. Any other factors the court determines are relevant in each case, the court shall order the non-custodial parent to pay his or her pro rata share of the basic child support obligation, and may order the non-custodial parent to pay an amount pursuant to paragraph (e) of this subdivision.

APPENDIX G

CALCULATION OF ANNUAL BASIC CHILD SUPPORT OBLIGATION

I. ADJUST FOR MAINTENANCE AND COMPUTE BASIC CHILD SUPPORT BEFORE LOW INCOME ADJUSTMENT OR ADD-ONS

- 1. Enter the amount of the guideline award of maintenance on Income of Maintenance Payor up to \$178,000 from Line 3B of the UD-8(2), **BUT ENTER ZERO INSTEAD IF NEITHER PARTY SEEKS MAINTENANCE, OR, IF YOU HAVE AN AGREEMENT AS TO MAINTENANCE WITH YOUR SPOUSE, ENTER THAT AMOUNT INSTEAD AND PROVIDE THE AGREEMENT TO THE COURT** \$ _____
- 2. Net Annual Income of Party with lower income, Adjusted for Maintenance (Line 1 above plus Line 1A or 1B of UD-8(1), whichever is lower) \$ _____
- 3. Net Annual Income of Party with higher income Adjusted for Maintenance (Line 1A or 1B of Annual Income Worksheet Form UD-8(1), whichever is higher, minus line 1 above). \$ _____
- 4. Combined Parental Income Adjusted for Maintenance (Total 2 plus 3) \$ _____
- 5. Determine whether the Non-Custodial parent (NCP) is the party with the higher or lower income and enter the Income of the NCP from Line 2 or 3, whichever applies \$ _____

ALSO ENTER THIS AMOUNT IN Section II, Line 1

- 5a. Enter the NCP's Percentage Share of Combined Parental Income %

Note: Divide Line 5 by Line 4

Note: The percentage share is sometimes referred to as the "pro rata share." You will use this same percentage for the NCP's share of Mandatory Add-on Expenses in Section III below.

- 5b. Enter the CP's Percentage Share of Combined Parental Income. %

Note: Divide Custodial Parent ("CP")'s Income (from Line 2 or Line 3, whichever applies), by Line 4

Note: The percentage share is sometimes referred to as the "pro rata share." You will use this same percentage for the CP's share of Mandatory Health insurance Expenses in Section III below

- 6. Enter the percentage that applies based on the number of children %

% 1 child =17%; 2 children =25%; 3 children =29%; 4 children =31%;
5 children= 35% (minimum)

- 7. Multiply the percentage in Line 6 by Combined Parental Income from Line 4, but only up to \$143,000 of Combined Parental Income \$ _____

This is the Combined Child Support on Combined Income up to \$143,000

Example: If Combined Parental Income in Line 4 is \$150,000, and if there are 2 children, multiply \$143,000 by 25%.

8. Multiply amount in Line 7 by percentage in Line 5a \$ _____

This is the NCP's Annual Percentage Share of Child Support on Combined Parental Income up to and including \$143,000.

ALSO ENTER THIS AMOUNT IN SECTION II, Line 2

Lines 9-9c below are for information only and are not to be included in the totals in this worksheet.

9. **Compute Child Support on Combined Parental Income Above \$143,000, if any.**

If there is none, skip to Section II below.

9a. If there is Combined Parental Income above \$143,000, enter the amount of such Income you asking the Court to use for child support. \$ _____

9b. Multiply amount in Line 9a by percentage in Line 6

This is Combined Child Support on Income above \$143,000 you are asking the court to consider for Child Support \$ _____

9c. Multiply Line 9b by the percentage in Line 5a

This is the NCP's Annual Percentage Share of Income Above \$143,000 that you are asking the court to consider for Child Support. \$ _____

NCP'S ANNUAL BASIC PAYMENT will be the total of Line 8 plus any possible increase at the court's discretion after consideration of the 10 child support adjustment factors and /or the child support percentage for child support on combined parental income in excess of \$143,000, if any. This is the amount the NCP must pay to the CP for all of the children's costs and expenses, before possible low income adjustment (See Section II), Add On Ex- penses (see Section III), and possible adjustment at the Court's discretion if the Court finds such amount to be unjust and inappropriate based on consideration of the 10 child support adjustment factors (See Appendix F).

II. DETERMINE WHETHER LOW INCOME EXEMPTION APPLIES

1. NCP's Annual Income (Line 5 of Section I) \$ _____

2. Basic Child Support Obligation (Line 8 of Section I) \$ _____

3. Subtract Line 2 from Line 1 \$ _____

This is the NCP's Annual Income after the Basic Child Support Obligation \$ _____

- ▶ *If Line 3 is less than the Self-Support Reserve (SSR) of \$16,281, there will be a low income adjustment.*
- ▶ *If Line 3 is less than the SSR of \$16,281 but greater than \$12,060 (poverty level), child support shall be the greater of \$600 or the difference between NCP Income and the SSR of \$16,281. Proceed to Line 4a to compute the difference. Enter the greater of \$600 or the difference in Line 4b. (Note: Add-on expenses may apply in the Court's discretion).*
- ▶ *If Line 3 is equal to or greater than the Self-Support Reserve (SSR) of \$16,281, there will be no low income adjustment. Skip the rest of this section and proceed to Section III below.*
- ▶ *If Line 3 is less than \$12,060 (the poverty level), the Basic Child Support shall be \$300 ¹;*
Enter \$300 in Line 4b below. Add on Expenses will not apply.

4a. NCP Income minus SSR: Subtract \$16,281 from amount in Line 1 \$ _____

4b. Enter the Basic Child Support Obligation with Low Income

Exemption if applicable \$ _____

In Line 4b, enter \$300 if Line 3 is less than \$12,060.

ALSO ENTER THIS AMOUNT ON LINE 5B at page 2 of the Worksheet.

Skip Section III.

OR

In Line 4b, enter the greater of \$600 and Line 4a, if Line 3 is greater than \$12,060 but less than \$16,281. Then proceed to Section III.

OR

In Line 4b, enter amount from Line 2 if Line 3 is equal to or greater than \$16,281. Then Proceed to Section III.

¹ However, if the Court finds such amount to be unjust and inappropriate, based on the factors in DRL§ 240 (1-b)(f), the Court can order the NCP to pay less than \$300 per year.

III. ADD-ON EXPENSES (SKIP THIS SECTION IF THE BASIC CHILD SUPPORT OBLIGATION WITH LOW INCOME EXEMPTION IS \$300 IF LINE 3 of SECTION II IS LESS THAN THE SSR BUT GREATER THAN THE POVERTY LEVEL, THE COURT HAS DISCRETION WHETHER OR NOT TO AWARD THE MANDATORY ADD ON EXPENSES (see DRL 240(1-b)(d)).

A. Mandatory Child Care Expenses

1. Enter annual cost of child care (child care costs from custodial parent's working, or receiving elementary, secondary or higher education or vocational training leading to employment.) \$ _____
2. NCP's Percentage Share of Child Care Expenses (from Line 5a of Section I) _____ %
3. NCP's Dollar Share of Child Care Expenses (multiply Line 1 x line 2) \$ _____

B. Mandatory Health Expenses (health insurance premiums and future unreimbursed health-related expenses)

- 4a. NCP's % share of health insurance premiums and future unreimbursed health-related expense _____ %
- 4b. CP's % share of health insurance premiums and future unreimbursed health-related expense _____ %
5. Annual cost of health insurance for the children \$ _____
6. Does the NCP provide the Health Insurance? **YES** _____ **NO** _____
- 6a. If No, NCP's dollar share of Health Insurance (added to the Basic Child Support Obligation) (multiply Line 4a x line 5) . . \$ _____
- 6b. If yes, CP's dollar Share of Health Insurance (deducted from Basic Child Support Obligation)(multiply Line 4b x line 5). . \$ _____
7. Health Care Adjustment (Add amount from Line 6a or subtract amount from Line 6b, whichever applies) \$ _____
8. Total Mandatory Add-On Expenses (Total Lines 3 and 7) \$ _____
9. For Information Only, (not to add to the totals in this Worksheet), enter the total Discretionary Expenses for Child Care and Education if you are asking the Court to consider awarding them** \$ _____

**** Note:** In addition to Mandatory Add-On Expenses in A and B above, the Court may determine and apportion additional Discretionary Expenses for child care expenses, and additional Discretionary Expenses for education.

IV. BASIC ANNUAL CHILD SUPPORT OBLIGATION*

Add Line 4b of Section II and Line 8 of Section III, BUT

IF LINE 3 of SECTION II IS LESS THAN THE SSR BUT GREATER THAN THE POVERTY LEVEL (the “SSR Adjustment”) KEEP IN MIND THAT THE TOTAL MAY BE LOWER AFTER THE COURT DECIDES WHETHER TO AWARD THE ADD-ON EXPENSES.

NCP’s Basic Child Support Obligation Adjusted for low income
from Line 4b of Section II \$ _____

NCP’s Total Share of Mandatory Child Care Expenses
from Line 3 of Section III \$ _____

NOTE: Leave this blank for the Court to fill in if there is an SSR Adjustment

NCP’s Total Share of Mandatory Health Insurance Premiums for the Children
from Line 7 of Section III \$ _____

NOTE: Leave this blank for the Court to fill in if there is an SSR Adjustment

Total Line 1 Section IV \$ _____

**This is the NCP’s Annual Basic Payment Adjusted for Low Income
If any, Including Add On Expenses and Health Insurance
Adjustment, if applicable**

ENTER THIS AMOUNT ON LINE 5B of the Worksheet

* **Note:** The Basic Annual Child Support Obligation will also include whatever the Court may order the NCP to pay in child support on combined parental income above \$143,000, if any, after considering the 10 child support adjustment factors and/or the child support percentage.

EXHIBIT B

Unified Court System Uncontested Divorce Packet Forms
(in effect as of March 1, 2017)

- Instructions (rev. 3/1/16)
- Notice of Automatic Orders (rev. 1/13)
- Notice Concerning Continuation of Health Care Coverage
- Notice of Guideline Maintenance rev. 1/31/16
- Summons With Notice (Form UD-1 rev. 1/25/16)
- Summons (to be served with Verified Complaint) (Form UD-1a rev. 5/99)
- Verified Complaint (Form UD-2 rev. 1/25/16)
- Affidavit of Service (Form UD-3 rev. 1/25/16)
- Sworn Statement of Removal of Barriers to Remarriage (Form UD-4 rev. 5/99)
- Affidavit of Service (Form UD-4a rev. 5/99)
- Affirmation (Affidavit) of Regularity (Form UD-5 rev. 1/25/16)
- Affidavit of Plaintiff (Form UD-6 rev.1/25/16)
- Affidavit of Defendant (Form UD-7 rev. 3/1/16)
- Annual Income Worksheet (Form UD-8(1) rev. 1/31/16)
- Maintenance Guidelines Worksheet (Form UD-8(2) eff. 3/1/17)
- Child Support Worksheet (Form UD-8(3) eff. 3/1/17)
- Support Collection Unit Information Sheet (Form UD-8a) rev. 1/25/16
- Qualified Medical Child Support Order ("QMCSO") (Form UD-8b rev. 5/99)
- Note of Issue (Form UD-9 rev. 9/11)
- Findings of Fact/Conclusions of Law (Form UD-10 rev. 3/1/16)
- Judgment of Divorce (Form UD-11 rev. 3/1/16)
- Part 130 Certification (Form UD-12 rev. 5/99)
- Request for Judicial Intervention ("RJI") (Form UD-13 rev. 5/2011)
- Addendum (Form 840M rev. 3/11)
- Notice of Entry (Form UD-14 rev. 5/99)
- Affidavit of Service by Mail of Judgment of Divorce (Form UD-15 eff. 1/25/16)
- Certificate of Dissolution of Marriage (Form DOH 2168 rev. 7/2011)
- Self-Addressed and Stamped Postcard (rev. 5/99)
- UCS-111 (UCS Divorce and Child Support Summary Form rev. 1/25/16)
- DRL 255 Addendum
- Notice of Settlement (rev. 5/99)
- Poor Person Order (rev.10/10)
- Affidavit in Support of Application to Proceed as a Poor Person (rev. 10/10)
- Affidavit of Service of Proposed Poor Person's Order (eff. 1/25/16)
- NYS Case Registry Filing Form (rev. 8/12)
- LDSS-5037 (5/15) (Non IV-D IWO, for Child Support and Combined Child and Spousal Support)
- LDSS-5038 (5/15) (Spousal Support Only IWO)