

To: Georgia Child Support Guidelines Statute Review Subcommittee
 From: Jane Venohr
 Date: June 22, 2023
 RE: Calculation of Different Timesharing Formulas and Case Examples

This memorandum compares the outcomes of the following timesharing formulas applied to the existing Georgia table:

- Cross-credit with 1.5 multiplier and no threshold (but the time-shared adjusted amount can never be more than the sole custody formula);
- The MN formula with an exponent of 3;
- The MI formula with an exponent of 2.5;
- The MN/MI formula with an exponent of 1.75 (which closely tracks to OR) and 2 (old MI); and
- The Oregon formula.

The scenarios were developed by subcommittee members. They underscore issues with defining overnights/days and split custody. Those issues are also addressed in this memorandum.

The next three exhibits demonstrate the manual calculation of

- the cross-credit formula;
- MN/MI formula with an exponent of 2; and
- the Oregon formula.

They appeared in the April memorandum and the May addendum. MN and MI do not step out the calculation in the worksheet; rather, they automate it.

Exhibit 1: Illustration of Cross-Credit Formula with 150% Multiplier and Using Existing Georgia Income Shares Table: One Child

Line		Parent A	Parent B	Combined
1	Monthly Adjusted Gross Income	\$3,100	\$4,300	\$7,400
2	Percentage Share of Income	42%	58%	100%
3	Basic Obligation for 1 Child (Combined Line 1 applied to table)	\$462	\$638	\$ 1,100
4	Each Parent's Share (Line 3 x each parent's Line 2)			
5	Shared Custody Basic Obligation (Line 3 x 1.5)			\$1,650
6	Each Parent's Share (Line 5 x each parent's Line 2)	\$693	\$957	
7	Overnights with Each Parent (must total 365)	265	100	365
8	Percentage Time with Each Parent (Line 7 divided by 365)	73%	27%	100%
9	Amount Retained (Line 6 x Line 8 for each parent)	\$506	\$258	
10	Each Parent's Obligation (Line 6 – Line 9)	\$187	\$699	
11	Shared Custody Obligation (Subtract smaller from larger on Line 10)		\$512	
12	Final Order (lessor of Line 4 and 11)		\$512	

MN/MI Formula (Instead of 2, MN uses 3)

$$\frac{(A_0)^2(B_s)^2 - (B_0)^2(A_s)^2}{(A_0)^2 + (B_0)^2}$$

Where

A₀ – Approximate annual number of overnights the children will spend with parent A

B₀ – Approximate annual number of overnights the children will spend with parent B

A_s – Parent A's base support obligation

B_s – Parent B's base support obligation

Exhibit 2: Illustration of MN/MI Formula Assuming an Exponent of 2 Using Existing Georgia Income Shares Table: One Child

Line		Parent A	Parent B	Combined
1	Monthly Adjusted Gross Income	\$3,100	\$4,300	\$7,400
2	Percentage Share of Income	41.89%	58.11%	100%
3	Basic Obligation for 1 Child (Combined Line 1 applied to table)			\$1,100
4	Each Parent's Share of Basic Obligation for 1 Child (Line 3 multiplied by Line 2 for each parent)	\$460.79	\$639.21	
5	Overnights with Each Parent (must total 365)	265	100	365
6	Percentage of Time with Each Parent (Line 5 divided by 365, DO NOT USE PERCENTAGE SIGN)	0.726	0.274	1.00
7	Other Parent's Time Share (for Parent A, use Parent B's Line 6; for Parent B, use Parent A's Line 6)	0.274	0.726	
8	Other Parent's Time Share (Enter information again from Line 7 on Line 8)	0.274	0.726	
9	Adjustment for disparity in timeshare (Add Parent A's Line 8 to Parent B's Line 8 and put the sum in the Combined Column)			0.6022
10	Timesharing to the 2 nd power (Line 7 multiplied by Line 8; this is the same thing as taking Line 7 to an exponent of 2)	0.0751	0.5271	
11	Each parent's timesharing weight (Line 10 for each parent divided by combined from Line 9)	0.1247	0.8753	
12	Amount Owed to Other Parent (Line 4 multiplied by Line 11)	\$57.46	\$559.50	
13	Child Support Order: for the parent with the larger amount on Line 12 subtract the smaller amount on Line 12 from the larger amount on Line 12		\$502.04	

Exhibit 3 Illustration of Oregon Using Existing Georgia Income Shares Table: One Child

Line		Parent A	Parent B	Combined
1	Monthly Adjusted Gross Income	\$3,100	\$4,300	\$7,400
2	Percentage Share of Income	41.89%	58.11%	100%
3	Basic Obligation for 1 Child (Combined Line 1 applied to table)			\$1,100
4	Each Parent's Share of Basic Obligation for 1 Child (Line 3 multiplied by Line 2 for each parent)	\$460.79	\$639.21	
5	Overnights with Each Parent (must total 365)	265	100	365
6	Percentage Adjustment from Oregon Table for Lesser Time Parent (If equal number of days use 0.50 for the higher income parent).		.1537	
7	Dollar Amount of Parenting Time Adjustment for Lesser Time Parent (Line 3 Combined multiplied by Line 6)		\$169.07	
8	Child Support Order (Line 4 minus Line 7 for Lesser Time Parent)		\$470.14	

From OR Table (excerpted on next page)

Exhibit 4: Excerpt of Oregon Table

0	0.00%	36	3.19%	72	8.67%	108	17.77%
1	0.07%	37	3.30%	73	8.87%	109	18.09%
2	0.14%	38	3.42%	74	9.07%	110	18.41%
3	0.21%	39	3.54%	75	9.27%	111	18.73%
4	0.28%	40	3.66%	76	9.48%	112	19.06%
5	0.35%	41	3.78%	77	9.68%	113	19.39%
6	0.42%	42	3.91%	78	9.90%	114	19.72%
7	0.49%	43	4.04%	79	10.11%	115	20.06%
8	0.57%	44	4.16%	80	10.33%	116	20.40%
9	0.65%	45	4.30%	81	10.55%	117	20.75%
10	0.72%	46	4.43%	82	10.77%	118	21.10%
11	0.80%	47	4.56%	83	11.00%	119	21.45%
12	0.88%	48	4.70%	84	11.23%	120	21.81%
13	0.96%	49	4.84%	85	11.47%	121	22.17%
14	1.04%	50	4.98%	86	11.70%	122	22.54%
15	1.13%	51	5.12%	87	11.94%	123	22.90%
16	1.21%	52	5.27%	88	12.19%	124	23.27%
17	1.29%	53	5.41%	89	12.43%	125	23.65%
18	1.38%	54	5.56%	90	12.68%	126	24.03%
19	1.47%	55	5.71%	91	12.94%	127	24.41%
20	1.56%	56	5.87%	92	13.19%	128	24.80%
21	1.65%	57	6.02%	93	13.45%	129	25.19%
22	1.74%	58	6.18%	94	13.72%	130	25.58%
23	1.84%	59	6.34%	95	13.98%	131	25.98%
24	1.93%	60	6.51%	96	14.25%	132	26.38%
25	2.03%	61	6.67%	97	14.53%	133	26.78%
26	2.12%	62	6.84%	98	14.80%	134	27.19%
27	2.22%	63	7.01%	99	15.08%	135	27.60%
28	2.32%	64	7.19%	100	15.37%	136	28.01%
29	2.43%	65	7.36%	101	15.66%	137	28.43%
30	2.53%	66	7.54%	102	15.95%	138	28.85%
31	2.64%	67	7.72%	103	16.24%	139	29.27%
32	2.74%	68	7.91%	104	16.54%	140	29.70%
33	2.85%	69	8.09%	105	16.84%	141	30.13%
34	2.96%	70	8.28%	106	17.15%	142	30.56%
35	3.08%	71	8.47%	107	17.46%	143	31.00%

Unit of Time

The Parenting Time Deviation Study Committee:

- recommended a two-year time frame for averaging days/overnights;
- did not reach consensus on a definition; and,
- recognized that some sister states had no definition, some used the term, “overnights.” And some used more than 12 hours in a 24-hour period.

There were several comments of Committee members that tried to solve the problem for parents with nontraditional workhours/time-sharing arrangements through various definitions of days, overnights, and counting of hours. Although a clear definition did not emerge from the comments, the Committee members obviously believe that nontraditional workhours/timesharing arrangements should be fairly addressed. Other comments underscored how electronic calculators and sample parenting schedules could be very helpful to counting days. Still, other comments expressed concerns about some state definitions being too complicated.

The Appendix (Exhibit A.1) shows examples of unit of time from other state guidelines. Minnesota’s definition is the least specific. Arizona is the most specific: Arizona breaks it down to a ¼ day (3 to 4-hour blocks). Kentucky, Tennessee and Virginia use 12-hour blocks. Arizona is written in the most plainspeak, although allowing ½ days and ¼ days can be a tedious calculation. On the other hand, ½ - ¼ days would recognize the costs associated with an evening meal for those schedules calling for an evening. Oregon addresses this by allowing 4-12 hours to be half days.

Parts of Kentucky’s definition seem appropriate for Georgia (e.g., reference to 12 consecutive hours in 24-hour period). Kentucky does not require the averaging of overnights/days over a 2-year period, which is a tall order in practice. Further, it may be simpler to use the criteria that many states use: the amount of time that is ordered and exercised. Many parents will not have been separated for two years. Oregon and Minnesota specifically mention alternatives to “overnights/days” aimed at parents with non-traditional work schedules/non-traditional timesharing schedules.

Counting 1st, 3rd and 5th week of Every Month

One issue specific to Georgia is the parenting plan template published by many local Georgia courts use the parenting-time option of the 1st, 3rd and 5th Week of Every Month.¹ Most of these templates mirror the form in Ga.

¹ See Southern District Court at <https://www.southernjudicialcircuit.com/selfhelp/parentingplan/contestedplan.pdf> Fulton Court at <https://www.fultoncourt.org/sites/default/files/family/forms/general/Parenting%20Plan.pdf>, and the Chattahoochee Court at

R. Super. Ct. 24.10 (See Appendix A.2 for statutory provision directing the court to provide the parenting plan template.) As shown in Exhibit 5, it provides an option that includes a 5th week. This makes the calculation of overnights/days per year (which is the basis of all of the timesharing adjustments) more difficult to calculate. This is because, on average, a month has 4.33 weeks based on 12 months divided by 52 weeks per year; yet, months have either 28, 30 or 31 days. Exacerbating the difficulty of the calculation is the inconsistency of a 5th weekend, and when there is a 5th weekend, it doesn't occur in the same month from year to year. Exhibit 5 also shows that start time and end time of a weekend can vary. In contrast, DeKalb County's version limits the template to first and third weekend of every month from Friday at 6:00 pm until Sunday at 6:00 pm.

Exhibit 5: Excerpt of Parenting-Plan Template

b) Parenting Time/Visitation Schedules

During the term of this parenting plan the non-custodial parent shall have at a minimum the following rights of parenting time/ visitation (choose an item):

- The weekend of the first and third Friday of each month.
- The weekend of the first, third, and fifth Friday of each month.
- The weekend of the second and fourth Friday of each month.
- Every other weekend starting on _____.

-
- Each _____ starting at _____ a.m./p.m. and ending _____ a.m./p.m.

<https://cflc.columbusga.gov/Portals/CFLC/Forms/Legitimation/Parenting-Plan-v2.pdf> The DeKalb template specifies it a little differently https://www.dekalbsuperiorcourt.com/wp-content/uploads/2014/10/fillable_ParentingPlanAgreement.pdf

Exhibit 6: Excerpt of DeKalb County Parenting-Plan Template

“Exhibit A” - Visitation Schedule

If the parents cannot agree on specific visitation, the _____ shall have the right to visitation according to the schedule below. To resolve any conflicts in the visitation provided under this schedule, the holiday visitation provided under paragraph (b) shall have priority over the weekend and summer visitation in paragraphs (a) and (c).

- (a) **Weekends** — The first and third weekends of every month, from Friday at 6:00 p.m. until Sunday at 6:00 p.m. The first and third weekends shall be defined as the weekends containing the first and third Fridays of the month.

[NOTE: When filling out the Holiday section, please check only one preference and be careful not to check the same years for both parents. For example, if you check Even-number years for Father to have Spring vacation, then you should not also check Even-number years for Mother to have Spring vacation.]

- (b) **Holidays** — The child(ren) shall spend holidays with each parent on the following schedule:

Holiday	With Father	With Mother
<p>Spring vacation, from 6:00 p.m. on the day school lets out for vacation, until 6:00 p.m. on the day before the child(ren) return to school.</p> <p>If none of the child(ren) is enrolled in school, this vacation shall be for up to one week (seven consecutive days) during the months of March or April; provided that the visiting parent shall give written notice of the chosen week to the other parent at least 30 days prior to the beginning of this visitation.</p>	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years

Questions for Subcommittee on Definition of Days/Overnights

- a. What are the reactions to Kentucky’s language about 12-consecutive hours in a 24-hour period under the care, control, and etc...?
 1. Can it be tweaked for Georgia?
 2. Does it matter if the term, “day” or “overnight” is used? Kentucky uses “day” but defines it carefully.
 3. Is the KY provision about “ordered” and “consistently exercised” appropriate as criteria for Georgia?
- b. Should Georgia add discretionary language such as Minnesota and Oregon provide to accommodate alternative work schedules/timesharing schedules?
- c. Should Georgia account for ½ days such as Arizona and Oregon do? On the one hand, this would account for the food cost of every other evening. On the other hand, it complicates the calculation of days/overnights.
- d. How should Georgia address the complicated calculation of a 5th weekend?
 1. Can and should the parenting plan template provided by the Court be modified?
 2. Can the parenting plan template provided by the Court be automated to calculate days automatically like Oregon’s template does?
- e. Is Georgia attached to the idea of using “average of two consecutive years” when it is a tall order for parents to have that evidence or would “ordered and exercised” be sufficient?

Split Custody/Children with Different Parenting Time Schedules

The current Georgia guidelines address split custody. It requires two worksheets to be completed: one for each parent.

Exhibit 7: Excerpts from Current GA Guidelines on Split Custody

20. Split parenting" can occur in a child support case only if there are two or more children of the same parents, when one parent is the custodial parent for at least one child of the parents, and the other parent is the custodial parent for at least one other child of the parents. In a split parenting case, each parent is the custodial parent of any child spending more than 50 percent of the time with that parent and is the noncustodial parent of any child spending more than 50 percent of the time with the other parent. A split parenting situation shall have two custodial parents and two noncustodial parents, but no child shall have more than one custodial parent or noncustodial parent.

10. In a split parenting case, there shall be a separate calculation and final order for each parent;

Most states also take the approach of two worksheets with an additional step: specify that the order shall be the difference between the two worksheets with the difference being owed by the parent owing the larger amounts.

Arizona has very clear language for split custody. It also specifies that if all of the children have the majority of time with one parent, average the time among the children. Arizona specifies to use the difference from the two worksheet approach if each parent has more than 50% time with at least one child.

Questions for Subcommittee on Split Custody and Different Shared-Parenting Time

- a. For split custody, instead of specifying two orders, should Georgia specify that the order is the difference between the two order amounts and owed by the parent owing the great amount? This is the approach used by most states. An advantage of this approach is that there is one order, which is less confusing.
- b. Should Georgia adopt Arizona's language about using
 1. the split custody formula when each parent has more than 50% time with at least one child; and,
 2. averaging the time when one parent has more than 50% of time with all children for whom support is being determined but the parenting time schedule varies among the children?

Case Scenarios

Exhibit 8: Case Scenarios Provided by Subcommittee Members (Cases are reordered so the more complicated cases occur at the end)

	Case Scenario	# of children	Dad's Gross income	Mom's Gross Income	Primary Custody	Number of overnights with alternate primary	GA Sole	Cross-Credit	Old MI (e = 2.0)	MI (e = 2.5)	MN (e = 3)	MI/MN (e = 1.75)	OR
5	Dad's gross income is \$2,088/mo. and mom's is \$3,828/mo. Two children. Dad's parenting time is approximately 125 nights per year.	2	\$2,088	\$3,828	Mom	125 overnights	\$485	\$22 (if no threshold)	\$192	\$260	\$315	\$152	\$160
6	Same as above with equal parenting time.	2	\$2,088	\$3,828	Equal	182.5 overnights	\$485	Mom owes dad \$303	Mom owes dad \$202	Mom owes dad \$202	Mom owes dad \$202	Mom owes dad \$202	Mom owes dad \$202
7	Mom's gross income is \$2,615/mo. dad's is \$3,464. One child. Dad's parenting time is approximately 100 nights per year.	1	\$3,464	\$2,615	Mom	100 overnights	\$567	\$294 (if no threshold)	\$443	\$487	\$516	\$414	\$414
8	Same as above with equal parenting time.	1	\$3,464	\$2,615	Equal	182.5 overnights	\$567	\$104	\$69	\$69	\$69	\$69	\$69
9	Same as above with dad exercising only about 50 nights per year.	1	\$3,464	\$2,615	Mom	50 overnights	\$567	\$567 (cross-credit is not less than sole calculation)	\$543	\$557	\$563	\$529	\$517
4	Two kids. Dad's monthly gross income is: \$14,746. Mom's monthly gross income is: \$8,795. The kids live with mom. Dad's parenting time is	2	\$14,746	\$8,795	Mom	153 overnights	\$1,773	\$880	\$804	\$905	\$1,000	\$751	\$767

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	Case Scenario	# of children	Dad's Gross income	Mom's Gross Income	Primary Custody	Number of overnights with alternate primary	GA Sole	Cross-Credit	Old MI (e = 2.0)	MI (e = 2.5)	MN (e = 3)	MI/MN (e = 1.75)	OR
	every 1st, 3rd, and 5th weekend from Thurs – Monday + Thursday night in the off week and a dinner on Monday after mom's weekend. That's 5 of 14 overnights + a dinner during the school year (10 months) then, equal split in the summer. Plus, the parents split holidays. Dad's time is about 153 over nights per year.												
1 a	Two minor children, a boy 5yrs and a girl 3yrs Dad's gross income was somewhere between \$3500 (base) to \$6,000 (with overtime) per month. Mom's gross income was \$2600 per month the parenting time for the non-custodial parent would be 5 out of 14 nights for 10 months per year and week-on/ week-off for 2 months.	2	\$4,750	\$2,600	Mom	10 mos 10 mos X 2.5 nights per week X 4.33 wks/per month = 108.25 2 mos ½ *2 mos X 4.33 wks X 7 days = 30.31 TOTAL = 138.56 (38% timesharing)	\$988	\$609	\$568	\$638	\$700	\$530	\$547
1 b	If Dad gets primary custody of the 5 yr	2	\$4,750	\$2,600	Split	Each parent has the	Dad owes mom:\$708	Dad owes mom:\$436	Dad owes mom:\$407	Dad owes mom:\$458	Dad owes mom:\$501	Dad owes mom:\$380	Dad owes mom:\$392

	Case Scenario	# of children	Dad's Gross income	Mom's Gross Income	Primary Custody	Number of overnights with alternate primary	GA Sole	Cross-Credit	Old MI (e = 2.0)	MI (e = 2.5)	MN (e = 3)	MI/MN (e = 1.75)	OR
	old while Mom has primary custody of the 3 year old, what is the child support?					above for 1 child	Mom owes Dad: \$388 Difference = \$320	Mom owes Dad: -\$45 Difference = \$481*	Mom owes Dad: \$87 Difference = \$320*	Mom owes Dad: \$137 Difference = \$321*	Mom owes Dad: \$181 Difference = \$320	Mom owes Dad: \$60 Difference = \$320	Mom owes Dad: \$72 Difference = \$320
3	Two kids. Mom's gross income is: \$12,022/ mo. Dad's gross income is \$13,523/mo. Mom pays kids' health insurance premiums of \$382.78. Mom has primary physical custody of both kids. Dad has no parenting time with oldest child. Dad's parenting time with younger child is 4 overnights out of 14 and one dinner. In the summer dad's has parenting time (with only the youngest) is the same, plus one full week.	2	\$13,523	\$12,022	Mom	Dad's time w/ oldest child = 0 Dad's time w/ youngest child = ... 2 nights/week X 52 weeks = 104 1 full week = 7 = 7 Subtotal = 111 1 dinner X 26 weeks x ½ day = 13 If ¼ day = 6.5 TOTAL = 104 if dinner doesn't count 111 if dinner counts as ¼ day	\$1,537 + \$203 for prorated share of insurance = \$1,740	support for 52nights = \$1,537 55 nights = \$1,537 62 nights = \$1,537 Base +prorated insurance = \$1,740	Base support for 52nights = \$1,459 55 nights = \$1,449 62 nights = \$1,421 Base +prorated insurance = \$1,662, \$1,652, & \$1,624	Base support for 52nights = \$1,505 55 nights = \$1,499 62 nights = \$1,483 Base +prorated insurance = \$1,708, \$1,702, & \$1,686	Base support for 52nights = \$1,524 55 nights = \$1,521 62 nights = \$1,513 Base +prorated insurance = \$1,727, \$1,724, & \$1,716	Base support for 52nights = \$1,417 55 nights = \$1,403 62 nights = \$1,367 Base +prorated insurance = \$1,620, \$1,606, & \$1,570	Base support for 52nights = \$1,384 55 nights = \$1,371 62 nights = \$1,339 Base +prorated insurance = \$1,587, \$1,574, & \$1,542

	Case Scenario	# of children	Dad's Gross income	Mom's Gross Income	Primary Custody	Number of overnights with alternate primary	GA Sole	Cross-Credit	Old MI (e = 2.0)	MI (e = 2.5)	MN (e = 3)	MI/MN (e = 1.75)	OR
						<p>124 if dinner counts as ½ day</p> <p>Divide it in half because 1 child, so either 52, 55 or 62 overnights</p>							
2	<p>Parties agree to a 2,2,3 equal custody arrangement for 1 child 10yrs old. Mom's gross income is \$8,500 per month and Dad's is \$6,000. Mom paid health insurance premiums at about \$180 per month. Dad wanted Mom to pay him some child support and Mom was not asking for any support from Dad.</p>	1	\$6,000	\$8,500	Equal with tip to mom assuming she has the 4 days per week	Use 50/50 for 1 option and 57%/43% for the other option because 4 nights out of 7 is 57%	Dad pays mom: \$659	<p>Equal: Mom pays dad = \$206</p> <p>57/43: Dad pays mom \$39</p>	<p>50/50: Mom owes dad \$137</p> <p>57/32: Mom owes dad \$26</p>	<p>50/50: Mom owes dad \$137</p> <p>57/32: Dad owes mom \$81</p>	<p>50/50: Mom owes dad \$137</p> <p>57/32: Dad owes mom \$81</p>	<p>50/50: Mom owes dad \$137</p> <p>57/32: Dad owes mom \$55</p>	<p>50/50: Mom owes dad \$137</p> <p>57/32: Dad owes mom \$63</p>

*Could be capped at split custody amount.

Appendices

Exhibit A.1: Examples of Unit of Time in Other States

State	Definition of Days/Overnights
AZ (guidelines set in court rule)	<p>C. To adjust for the costs of parenting time, first determine the total annual amount of parenting time indicated in a court order, a parenting plan, by the parents' expectation, or by historical practice. Using the following for guidance, add together each block of parenting time to arrive at the total number of parenting-time days per year. Calculate the number of parenting-time days arising from any block of time the child spends with the parent with less parenting time in the following manner:</p> <ol style="list-style-type: none"> 1. Count 1 day of parenting time for each 24 hours within any block of time; and 2. To the extent there is a period of less than 24 hours remaining in the block of time, after all 24-hour days are counted or for any block of time which is in total less than 24 hours in duration: <ol style="list-style-type: none"> a. A period of 12 hours or more counts as 1 day; b. A period of 6 to 11 hours counts as a 1/2-day; c. A period of 3 to 5 hours counts as a 1/4-day; and d. Periods of less than 3 hours may count as a 1/4-day if, during those hours, the parent with less parenting time pays for routine expenses of the child, such as meals. <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Example 1: Bailey and Jules have 1 child. Bailey has less parenting time than Jules. In alternating weeks, Bailey receives the child at 8:00 p.m. on Thursday and returns the child to Jules at 7:00 a.m. on Monday.</p> <p>8:00 p.m. Thursday to 8:00 p.m. Sunday is 3 days. 8:00 p.m. Sunday to 7:00 a.m. Monday is 11 hours, which equals a 1/2 day. Total parenting time for Bailey is 3 and 1/2 days for that alternating week.</p> </div>
KY'	<p>Section 403.2121 - "Day" defined - Minimum requirement for shared parenting time credit - Establishment of adjustment to child support obligations based upon parenting time - Modification of child support - Children receiving public assistance</p> <p>(1) For purposes of this section, "day":</p> <p>(a) Means more than twelve (12) consecutive hours in a twenty-four (24) hour period under the care, control, or direct supervision of one (1) parent or caretaker, or as the court determines based on findings of substantially equivalent care or expense; and</p> <p>(b) Unless the context requires otherwise, includes housing, entertaining, feeding, and transporting the child, attending to school work, athletic events, extracurricular activities, or other activities that transfer with the child as he or she moves from one parent to the other.</p> <p>(2)</p> <p>(a) In order to receive a shared parenting time credit, a parent shall maintain care, custody, and control over the child for a minimum of seventy-three (73) days per year, as defined by this section.</p> <p>(b) The shared parenting time credit shall only be applicable for parenting time that is court-ordered or approved and consistently exercised.</p>

<p>MI</p>	<p>3.03(C) Apply the parental time offset to adjust a base support obligation whenever the approximate annual number of overnights that each parent will likely provide care for the children-in-common can be determined. When possible, determine the approximate number based on past practice.</p> <p>3.03(C) Apply the parental time offset to adjust a base support obligation whenever the approximate annual number of overnights that each parent will likely provide care for the children-in-common can be determined. When possible, determine the approximate number based on past practice.</p> <ol style="list-style-type: none"> (1) When different children spend different numbers of overnights with the parents, use the average of the children’s overnights. (2) Absent credible evidence of changed practices, presume the same approximate number that was used in determining the most recent support order. (3) In cases without a past determination or other credible evidence, presume the approximate number of overnights granted in the terms of the current custody or parenting time order. (4) Credit a parent for overnights a child lawfully and actually spends with that parent including those exercised outside the terms of the currently effective order. This may happen by agreement, or when one parent voluntarily foregoes time granted in the order. Do not consider overnights exercised in violation of an order. <ol style="list-style-type: none"> (a) If a parent produces credible evidence that the approximate number exercised differs from the number granted by the custody or parenting time order, credit the number according to the evidence without requiring someone to formally petition to modify the custody or parenting time order. (b) When the most recent support order deviated based on an agreement to use a number of overnights that differed from actual practice, absent some other change warranting modification, credible evidence of changed practices only includes an order changing the custody or parenting time schedule. <p>3.03(D) If a substantial difference occurs in the number of overnights used to set the order and those actually exercised (at least 21 overnights or that causes a change of circumstances exceeding the modification threshold (§4.05)), either parent or a support recipient may seek adjustment by filing a motion to modify the order.</p> <p>3.03(E) So the court can know if circumstances have changed at the time of a subsequent determination, every child support order must indicate whether it includes a parental time offset and the number of overnights used in its calculation.</p>
<p>MN</p>	<p>Every child support order shall specify the percentage of parenting time granted to or presumed for each parent. For purposes of this section, the percentage of parenting time means the percentage of time a child is scheduled to spend with the parent during a calendar year according to a court order averaged over a two-year period. Parenting time includes time with the child whether it is designated as visitation, physical custody, or parenting time. The percentage of parenting time may be determined by calculating the number of overnights or overnight equivalents that a parent spends with a child pursuant to a court order. For purposes of this section, overnight equivalents are calculated by using a method other than overnights if the parent has significant time periods on separate days where the child is in the parent's physical custody and under the direct care of the parent but does not stay overnight. The court may consider the age of the child in determining whether a child is with a parent for a significant period of time.</p>
<p>OR</p>	<p>(a) Determine the average number of overnights using two consecutive year</p> <p>(c) Notwithstanding the calculation provided in subsections (2)(a) and (2)(b), parenting time may be determined using a method other than overnights if the parents have an alternative parenting time schedule in which a parent has significant time periods where the minor child is in the parent’s physical custody but does not stay overnight. For example, in lieu of overnights,12 continuous hours may be counted as one day. Additionally, blocks of time of four hours up to 12-hours may be counted as half-days, but not in conjunction</p>

	with overnights. Regardless of the method used, blocks of time may not be used to equal more than one full day per 24-hour period.
TN	(10) "Days" — For purposes of this chapter, a "day" of parenting time occurs when the child spends more than twelve (12) consecutive hours in a twenty-four (24) hour period under the care, control or direct supervision of one parent or caretaker. The twenty-four (24) hour period need not be the same as a twenty-four (24) hour calendar day. Accordingly, a "day" of parenting time may encompass either an overnight period or a daytime period, or a combination thereof. In extraordinary circumstances, routinely incurred parenting time of shorter duration may be cumulated as a single day for parenting time purposes
VA	Definition of a day. For the purposes of this section, "day" means a period of 24 hours; however, where the parent who has the fewer number of overnight periods during the year has an overnight period with a child, but has physical custody of the shared child for less than 24 hours during such overnight period, there is a presumption that each parent shall be allocated one-half of a day of custody for that period.

Exhibit A.2: Georgia Code on Parenting Plans

<p>2022 Georgia Code Title 19 - Domestic Relations Chapter 9 - Child Custody Proceedings Article 1 - General Provisions § 19-9-1. Parenting Plans; Requirements for Plan Universal Citation: GA Code § 19-9-1 (2022)</p> <p>a. Except when a parent seeks emergency relief for family violence pursuant to Code Section 19-13-3 or 19-13-4, in all cases in which the custody of any child is at issue between the parents, each parent shall prepare a parenting plan or the parties may jointly submit a parenting plan. It shall be in the court's discretion as to when a party shall be required to submit a parenting plan to the court. A parenting plan shall be required for permanent custody and modification actions and in the court's discretion may be required for temporary hearings. The final order in any legal action involving the custody of a child, including modification actions, shall incorporate a permanent parenting plan as further set forth in this Code section; provided, however, that unless otherwise ordered by the court, a separate court order exclusively devoted to a parenting plan shall not be required.</p> <p>b. 1. Unless otherwise ordered by the court, a parenting plan shall include the following:</p> <p>A. A recognition that a close and continuing parent-child relationship and continuity in the child's life will be in the child's best interest;</p> <p>B. A recognition that the child's needs will change and grow as the child matures and demonstrate that the parents will make an effort to parent that takes this issue into account so that future modifications to the parenting plan are minimized;</p> <p>C. A recognition that a parent with physical custody will make day-to-day decisions and emergency decisions while the child is residing with such parent; and</p> <p>D. That both parents will have access to all of the child's records and information, including, but not limited to, education, health, health insurance, extracurricular activities, and religious communications.</p> <p>2. Unless otherwise ordered by the court, or agreed upon by the parties, a parenting plan shall include, but not be limited to:</p> <p>A. Where and when a child will be in each parent's physical care, designating where the child will spend each day of the year;</p> <p>B. How holidays, birthdays, vacations, school breaks, and other special occasions will be spent with each parent including the time of day that each event will begin and end;</p> <p>C. Transportation arrangements including how the child will be exchanged between the parents, the location of the exchange, how the transportation costs will be paid, and any other matter relating to the child spending time with each parent;</p> <p>D. Whether supervision will be needed for any parenting time and, if so, the particulars of the supervision;</p> <p>E. An allocation of decision-making authority to one or both of the parents with regard to the child's education, health, extracurricular activities, and religious upbringing, and if the parents agree the matters should be jointly decided, how to resolve a situation in which the parents disagree on resolution;</p> <p>F. What, if any, limitations will exist while one parent has physical custody of the child in terms of the other parent contacting the child and the other parent's right to access education, health, extracurricular activity, and religious information regarding the child; and</p> <p>G. If a military parent is a party in the case...</p>
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Exhibit A.3: Treatment of Split Custody/Different Parenting Time Arrangements among Children

State	Split Custody/Different Parenting-Time Schedules
AZ (guidelines set in court rule)	<p>If the parents have multiple children and each parent exercises more than half of the parenting time with at least 1 child, 2 Child Support Worksheets are prepared. Each worksheet will calculate the child support owed based on which parent has the most parenting time with the child. The amount of child support to be paid by the parent having the greater child support obligation is reduced by the amount of child support owed to that parent by the other parent.</p> <p>If the parents have multiple children with different parenting plans but one parent does not have more than half of the parenting time with any of the children, prepare only 1 Child Support Worksheet. The child support obligation is determined by using an average of the total number of parenting days by adding the total amount of parenting days for each child and dividing that number by the total number of children.</p>
MI	<p>(1) When different children spend different numbers of overnights with the parents, use the average of the children's overnights.</p>
MN	<p>(c) If the parents have split custody of joint children, child support must be calculated for each joint child as follows:</p> <p>(1) the court shall determine each parent's basic support obligation under paragraph (b) and include the amount of each parent's obligation in the court order. If the basic support calculation results in each parent owing support to the other, the court shall offset the higher basic support obligation with the lower basic support obligation to determine the amount to be paid by the parent with the higher obligation to the parent with the lower obligation. For the purpose of the cost-of-living adjustment required under section 518A.75, the adjustment must be based on each parent's basic support obligation prior to offset. For the purposes of this paragraph, "split custody" means that there are two or more joint children and each parent has at least one joint child more than 50 percent of the time;</p> <p>(2) if each parent pays all child care expenses for at least one joint child, the court shall calculate child care support for each joint child as provided in section 518A.40. The court shall determine each parent's child care support obligation and include the amount of each parent's obligation in the court order. If the child care support calculation results in each parent owing support to the other, the court shall offset the higher child care support obligation with the lower child care support obligation to determine the amount to be paid by the parent with the higher obligation to the parent with the lower obligation; and</p> <p>(3) if each parent pays all medical or dental insurance expenses for at least one joint child, medical support shall be calculated for each joint child as provided in section 518A.41. The court shall determine each parent's medical support obligation and include the amount of each parent's obligation in the court order. If the medical support calculation results in each parent owing support to the other, the court shall offset the higher medical support obligation with the lower medical support obligation to determine the amount to be paid by the parent with the higher obligation to the parent with the lower obligation. Unreimbursed and uninsured medical expenses are not included in the presumptive amount of support owed by a parent and are calculated and collected as provided in section 518A.41.</p>
OR	<p>(b) "Split custody" means that there are two or more children and each parent has at least one child more than 50 percent of the time</p>
TN	<p>Average Parenting Time.</p> <p>If there are multiple children for whom support is being calculated, and the ARP is spending a different amount of time with each child, then an annual average of parenting time with all of the children shall be</p>

calculated. For example, if the ARP has sixty-seven (67) days of parenting time per year with Child A, eighty-four (84) days of parenting time per year with Child B, and one hundred thirty-two (132) days of parenting time per year with Child C, then the Parenting Time Adjustment would be calculated based upon ninety-four (94) days of parenting time $[67 + 84 + 132 = 283 / 3 = 94]$. The Income Shares Worksheet formula will automatically calculate this average by using the actual number of days spent with each child. For this purpose, standard rounding rules apply.

(c) In cases of split parenting, both parents are eligible for a parenting time adjustment for the child(ren) for whom the parent is the ARP unless a SSR is applied

(26) "Split Parenting" — For purposes of this chapter, "split parenting" can only occur in a child support case if there are two (2) or more children of the same parents, where one (1) parent is PRP for at least one (1) child of the parents, and the other parent is PRP for at least one (1) other child of the parents. In a split parenting case, each parent is the PRP of any child spending more than fifty percent (50%) of the time with that parent and is the ARP of any child spending more than fifty percent (50%) of the time with the other parent. A split parenting situation will have two (2) PRPs and two (2) ARPs, but no child will have more than one (1) PRP or ARP