

Appendix A (2005)

This sample order is one of a number of different ways to share expenses in a Shared Residency arrangement. The Committee has provided this sample as an aid to the drafting of such an order. Counsel and parties should draft an order or agreement that is appropriate for the particular family

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT
DIVISION NO.

In the Matter of the Marriage of

Case No.
Chapter 60

SHARED CUSTODY SUPPORT ORDER

NOW on this ____ day of _____, 20__, the above matter comes on for hearing. The petitioner appears in person and by _____; the respondent *[does not appear] [appears in person and by _____] [appears by _____]*. Thereupon a hearing is had and the Court, having examined and considered the pleadings filed herein, and having heard the evidence presented and being well and fully advised in the premises, finds as follows:

1. Husband shall pay to Wife, as and for child support, the sum of \$_____ per month, *to be paid in equal installments of \$_____ o n the 1st and 15th day of each month*, commencing on the _____ day of _____, 20__. A copy of the Court's Child Support Worksheet is attached hereto as Exhibit 1.

2. The child support ordered by the Court is based on a shared custody arrangement as contemplated by Kansas Supreme Court Guidelines and the sharing by the parties of direct expenses for children. The following are examples of direct expenses to be shared by the parties:

Common Direct Expenses

Clothing
School uniforms
Sports uniforms
Scout uniforms

Band Instruments

Sports fees
Sports equipment

School supplies
School tuition
School fees

Music lessons
Tutoring

Maintenance for child's car
Fuel for child's car
Insurance for child's car

Testing fees
Field trip fees

Discretionary Direct Expenses

Cost of purchase of child's car
Allowance
Gifts for child to give to third parties
Child's church donations

Non-direct expenses, not to be shared by the parties, including housing costs, food, transportation, entertainment, and gifts.

3. The following orders are entered for the sharing of direct expenses as described above:

a) The purchase of school clothing shall be done jointly by the parties during the month of July. The parties shall each be responsible for one-half of the cost of school clothing.

b) The parties shall shop for summer clothes during April or May. Each party shall be responsible for one-half of the cost of the summer clothing.

c) The parties are each free to buy additional clothing for a child at any time at their own expense. Clothing shall be permitted to pass back and forth between households.

d) The parties shall share the cost of school, enrollment, books, and supplies on an equal basis.

e) The parties shall share the costs of any field trips on an equal basis. Each party shall be responsible for making the payments directly to the school.

f) A child may be involved in extracurricular activities with the consent of both parents. The cost of such agreed activity, including any fees, travel, uniforms, or equipment, shall be shared on an equal basis.

g) Failure to make the respective contributions for the direct expenses of a child may result in termination of the shared child support formula, attorney fees, or other sanctions.

h) This arrangement is deemed to be in the best interest of the minor child.

4. Health Care Expenses - _____ shall continue to maintain health insurance benefits equal to, or better than, those currently being provided. In addition, each party shall pay any uninsured medical and dental expenses, including deductible amounts, in the percentages set forth in Line D.2 of the most recent child support worksheet approved by the Court in this case.

The party providing health insurance shall provide the other party with an identification card or other evidence of insurance coverage necessary to receive prompt

admission of any covered party to hospitals, clinics and/or other institutions. Each party shall provide and/or complete all necessary claim forms and other documents and shall cooperate fully in submitting claims hereunder as quickly as possible.

5. Income Tax Dependency Entitlement - The amount of child support ordered in this matter assumes that the parties will share child dependency exemptions for federal and state income tax purposes. In the event that a party is not able to use such exemptions, the other party shall be allowed to do so.

6. Support Payments – All support payments shall be made payable to the order of the Kansas Payment Center and mailed to Kansas Payment Center, P.O. Box 758599, Topeka, Kansas 66675-8599. The two digit County designation of JO and the case number shall be included in the memo portion of each payment. Each party shall inform the District Court Trustee in writing of any change of name, residence or employer (with business address) within seven (7) days after such change.

Unless the Court makes findings in conformity with K.S.A. 23-4107(j) income withholding from the obligor's income shall take effect immediately to enforce the order of child support granted herein.

7. Duration and Modification. - Except as otherwise provided, the obligation to support a child hereunder shall terminate when such child dies, marries, becomes self-supporting or reaches the age of 18 years, whichever shall first occur. If the child reaches 18 years of age before completing the child's high school education, child support payments shall not terminate automatically, unless otherwise ordered by the Court, until June 30 of the school year during which the child became 18 years of age if the child is still attending high school or if the child is still a *bona fide* high school student

after June 30 of the school year during which the child became 18 years of age, in which case the Court, on motion, may order support to continue through the school year during which the child becomes 19 years of age so long as the child is a *bona fide* high school student, and the parties jointly participated or knowingly acquiesced in the decision which delayed the child's completion of high school. For the purposes of this section, "*bona fide* high school student" means a student who is enrolled in full accordance with the policy of the accredited high school in which the student is pursuing a high school diploma or a graduate equivalency diploma (GED).

IT IS SO ORDERED, ADJUDGED AND DECREED effective upon the filing of this instrument with the Clerk of this Court.

Judge, District Court
Johnson County, Kansas

APPROVED:

ATTORNEYS FOR

ATTORNEY FOR