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H.363

Introduced by Representatives LaLonde of South Burlington, Conquest of  
Newbury, and Grad of Moretown

Referred to Committee on

Date:

Subject: Family law; spousal support

Statement of purpose of bill as introduced: This bill proposes to provide  
reference guidelines for awards of spousal support.

An act relating to spousal support guidelines

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 15 V.S.A. § 752 is amended to read:

§ 752. MAINTENANCE

(a) In an action under this chapter, the court may order either spouse to  
make maintenance payments, either rehabilitative or permanent in nature, to  
the other spouse if it finds that the spouse seeking maintenance:

(1) lacks sufficient income, or property, or both, including property  
apportioned in accordance with section 751 of this title, to provide for his or  
her reasonable needs; and

1           (2) is unable to support himself or herself through appropriate  
2           employment at the standard of living established during the civil marriage or is  
3           the custodian of a child of the parties.

4           (b) The maintenance order shall be in such amounts and for such periods of  
5           time as the court deems just, after considering all relevant factors, including,  
6           ~~but not limited to:~~

7           (1) the financial resources of the party seeking maintenance, the  
8           property apportioned to the party, the party's ability to meet his or her needs  
9           independently, and the extent to which a provision for support of a child living  
10          with the party contains a sum for that party as custodian;

11          (2) the time and expense necessary to acquire sufficient education or  
12          training to enable the party seeking maintenance to find appropriate  
13          employment;

14          (3) the standard of living established during the civil marriage;

15          (4) the duration of the civil marriage;

16          (5) the age and the physical and emotional condition of each spouse;

17          (6) the ability of the spouse from whom maintenance is sought to meet  
18          his or her reasonable needs while meeting those of the spouse seeking  
19          maintenance; ~~and~~

1 (7) inflation with relation to the cost of living; and

2 (8) the following guidelines:

<u>Length of marriage</u>	<u>% of the difference between parties' gross income</u>	<u>Duration of alimony award as % length of marriage</u>
<u>0 to &lt;5 years</u>	<u>0-20%</u>	<u>Presumption of no alimony or short-term alimony up to one year</u>
<u>5 to &lt;10 years</u>	<u>15-35%</u>	<u>20-50% (1-5 yrs)</u>
<u>10 to &lt;15 years</u>	<u>20-40%</u>	<u>40-60% (3-9 yrs)</u>
<u>15 to &lt;20 years</u>	<u>24-45%</u>	<u>40-70% (6-14 yrs)</u>
<u>20+ years</u>	<u>30-50%</u>	<u>45% (9-20+ yrs)</u>

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2017.