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

9 Sec. 2. EFFECTIVE DATE

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