

1 Introduced by Committee on Judiciary

2 Date:

3 Subject: Family law; spousal support and maintenance

4 Statement of purpose of bill as introduced: This bill proposes to amend the  
5 spousal support and maintenance guidelines to reflect the change in federal tax  
6 law relating to the treatment of spousal maintenance.

7 An act relating to revising the spousal support and maintenance guidelines

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

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

10 § 752. MAINTENANCE

11 \* \* \*

12 (b) The maintenance order shall be in such amounts and for such periods of  
13 time as the court deems just, after considering all relevant factors, including:

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

18 (2) the time and expense necessary to acquire sufficient education or  
19 training to enable the party seeking maintenance to find appropriate  
20 employment;

- 1 (3) the standard of living established during the civil marriage;
- 2 (4) the duration of the civil marriage;
- 3 (5) the age and the physical and emotional condition of each spouse;
- 4 (6) the ability of the spouse from whom maintenance is sought to meet
- 5 his or her reasonable needs while meeting those of the spouse seeking
- 6 maintenance;
- 7 (7) inflation with relation to the cost of living; and
- 8 (8) the following guidelines:

9 Length of marriage	% of the difference	Duration of alimony award
	between parties'	as % length of marriage
	gross incomes	
12 0 to <del>&lt;5</del> <u>≥5</u> years	0- <del>20</del> <u>16</u> %	No alimony
		or short-term alimony
		up to one year
15 5 to <del>&lt;=</del> <u>≥</u> 10 years	<del>15-35</del> <u>12-29</u> %	20-50% (1-5 yrs)
16 10 to <del>&lt;=</del> <u>≥</u> 15 years	<del>20-40</del> <u>16-33</u> %	40-60% (3-9 yrs)
17 15 to <del>&lt;=</del> <u>≥</u> 20 years	<del>24-45</del> <u>20-37</u> %	40-70% (6-14 yrs)
18 20+ years	<del>30-50</del> <u>24-41</u> %	45% (9-20+ yrs)

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on passage.