THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT_____

_____ PETITIONER (protected person), ☐ M ☐ F Birthdate: _____ ☐ Petitioner is a child. Who is signing for the child? Name:_____ Birthdate: _____ Relationship to child: _____ v. _____ RESPONDENT (restrained person), ☐ M ☐ F Birthdate:_____ ☐ Respondent is a child. Who is signing for the child? Name:_____ Birthdate: _____ Relationship to child: _____	Case No. _____CI **TEMPORARY** **CHILD SUPPORT ORDER** **DOMESTIC VIOLENCE**

1. Children. This order affects the following children:

Full Names of Children	Birth Dates
_____	_____
_____	_____
_____	_____
_____	_____

2. Physical Custody. The court finds that physical custody of the above children for the term of this order has been awarded as follows:

☐ Primary ☐ Shared ☐ Divided ☐ Hybrid

(For divided custody, fill in both a and b. For hybrid custody, fill in a, b, and c.)

Primary Custody *(child lives with this parent more than 70% of the year)*

a. Mother, _____, will have primary physical custody of the following child(ren): _____

b. Father ,_____, will have primary physical custody of the following child(ren): _____

Shared Custody *(child lives with each parent at least 30% of the year)*

c. The parents will share physical custody of the following child(ren):

_____

The child(ren) will reside with _____ during the following periods: _____

_____

which equals _____% of the year, and with _____ during the following periods:_____

_____

which equals _____% of the year.

Failure to take physical custody of the child(ren) at least 30% of the year is grounds for modification of this support order. However, denial of visitation by the custodial parent is not cause to increase child support. Civil Rule 90.3(b)(1)(E)

3. **Child Support.** The court finds that the obligor, _____, has a legal obligation to support the above children.

It is ordered that the obligor shall pay child support for the children named above as follows: *(Put the current number of children on the first line. Subtract one number on each subsequent line and do the calculations for each line.)*

Number of Children	Basic Monthly Amount Owed	Health Insurance Adjustment (¶6)	Total Monthly Amount Owed
_____	_____	_____	$0.00
_____	_____	_____	$0.00
_____	_____	_____	$0.00
_____	_____	_____	$0.00

Except as provided below, as each child reaches the age of 18, is otherwise legally emancipated or dies, the amount of support will change to the next lower amount.

Support must continue while each child is 18 years old if the child is (1) unmarried, (2) actively pursuing a high school diploma or equivalent level of technical or vocational training, and (3) living as a dependent with the obligee parent or guardian or a designee of the parent or guardian, **unless the following box is checked:**

☐ Child support will end when each child reaches age 18.

The first payment is due no later than _____. Subsequent payments are due no later than the 1st day of each month thereafter.

4. **Extended Visitation Credit** (available only in primary custody situations).

Primary physical custody of the children listed in paragraph 2(a) or 2(b) has been given to the non-obligor parent. However, the obligor parent shall have physical custody of these child(ren) for the following periods of over 27 consecutive days:

_____

If this visitation is exercised, child support is reduced for the above period(s) as follows:

_____

(This reduction may not exceed 75% of the amount owed for the period.)
If this visitation is not exercised, child support is not reduced. [Civil Rule 90.3(a)(3)]

5. **Application of Civil Rule 90.3 Formula.**

The amount of child support in paragraph 3 was determined pursuant to:

a. ☐ The formula in Civil Rule 90.3(a) or (b).

b. ☐ 90.3(c)(2). Obligor's adjusted annual income is over $126,000.

c. ☐ 90.3(c)(3). Obligor's calculated amount of support is less than $600 per year so the $600 minimum was ordered. Obligor's income is low because obligor is:

☐ incarcerated.
☐ unable to work because _____
☐ other _____

d. ☐ 90.3(c)(1). The court finds good cause upon proof by clear and convincing evidence that manifest injustice would result if the support award were not varied. Reason(s) for the variation:

_____
_____
_____

The amount of support that would have been required but for the 90.3(c)(1) variation is $_____for _____ children per month to be paid by the ☐ mother ☐ father. The estimated value of any property conveyed instead of support calculated under 90.3 is $_____.

6. Medical Support Order. AS 25.27.060(c) and Civil Rule 90.3(d)(1). This order concerns health insurance for the child(ren) covered by this child support order. It does not concern health insurance for any other children or for the parents.

a. Current Coverage.

☐ The ☐ obligor ☐ obligee must purchase health insurance for the child(ren) because such insurance is available at reasonable cost through his/her employer, union or otherwise. Name and address of employer/union through which insurance will be purchased: _____

_____

The insurance cost (currently $ _____ per month) will be divided between the parties equally unless a different division of the cost is ordered.

The child support calculation in paragraph 3 includes:

☐ a credit of $_____ per month (50% of the cost to the obligor) for health insurance purchased for the child(ren) by the obligor. If the obligor fails to purchase the insurance, the monthly child support obligation will increase by this amount, without further order of the court, until the obligor purchases the insurance and provides proof of the purchase to the other parent and to the Child Support Services Division (CSSD) if CSSD is handling collections.

☐ an extra $ _____ per month (50% of the cost to the obligee) for health insurance purchased for the child(ren) by the obligee. If the obligee fails to purchase the insurance, the monthly child support obligation will decrease by this amount, without further order of the court, until the obligee purchases the insurance and provides proof of the purchase to the other parent and to the Child Support Services Division (CSSD) if CSSD is handling collections.

If the cost of the insurance changes, the amount of the child support obligation will be adjusted accordingly, without further order of the court. The parent purchasing the insurance shall provide documentation of the change to the other parent and to the Child Support Services Division (CSSD) if CSSD is handling collections. If either parent believes the cost of the insurance has become unreasonable, that parent may file a motion asking the court to suspend the requirement that insurance be purchased.

☐ The children are eligible for services through

☐ the Indian Health Service ☐ military medical benefits

but these services are not available in the area where the children live. Therefore, insurance must be purchased as stated above until these services become available.

☐ The children are eligible for services through
☐ the Indian Health Service ☐ military medical benefits
and these services are available to the children. Therefore, no additional insurance is required while these services are available.

☐ Health insurance for the child(ren) is not now available at reasonable cost or its availability is unknown.

b. Future Coverage. If there is no health care coverage for the child(ren) and insurance becomes available to a parent at a reasonable cost, that parent must purchase the insurance after giving notice to the other parent. The cost of the insurance must be divided between the parents equally unless a different division of the cost is ordered. Without further order of the court, the monthly child support obligation will increase by 50% of the cost of the insurance if the obligee purchases it and decrease by 50% of the cost of the insurance if the obligor purchases it, unless otherwise ordered. If the parents disagree about whether the cost of insurance is reasonable or about which insurance policy should be purchased, either parent may file a motion asking the court to resolve the dispute.

c. Information for Other Parent. The parent purchasing the insurance must notify the insurance company that the other parent can apply for benefits on behalf of the child(ren) and should be reimbursed directly. The purchaser must also provide coverage information to the other parent and all forms and instructions necessary to apply for benefits. The parent with insurance who receives statements or Explanations of Benefits from the insurance company regarding any of the children must send a copy to the other parent upon request.

7. Uncovered Health Care Expenses (including medical, dental, vision and mental health counseling expenses). Civil Rule 90.3(d)(2) and (f)(5)

The cost of the children's reasonable health care expenses not covered by insurance must be paid as follows, unless the expenses exceed $5,000 in a calendar year:

☐ Obligor will pay half and obligee will pay half.

☐ Obligor will pay _____ and obligee will pay _____ because _____

_____

A party shall reimburse the other party for his or her share of the uncovered expenses within 30 days after receiving the health care bill, proof of payment and, if applicable, a health insurance statement showing what part of the cost is uncovered. The bill and other materials should be sent within a reasonable time.

If the uncovered expenses exceed $5,000 in a calendar year, the expenses must be allocated based on the parties' relative financial circumstances when the expenses occur.

8. Travel Expenses. Civil Rule 90.3(g)

Travel expenses which are necessary to exercise visitation will be allocated between the parties as follows:_____

_____

_____

9. Income Withholding Order. Unless one of the following boxes is checked (or CSSD later authorizes an exemption for one of these reasons), the obligor, any employer of the obligor and any person, political subdivision, department of the State, or other entity possessing property of the obligor shall immediately withhold from the obligor's income and any other money due to the obligor the amount of child support due pursuant to AS 25.27.062 and shall pay this amount to the Child Support Services Division.

☐ The parties have agreed on the alternative arrangement described in the attached document signed by both parties.*

☐ The court finds good cause not to require immediate income withholding because it would not be in the best interests of the child(ren) for the following reason:*

_____

_____

☐ The obligor is receiving social security or other disability compensation that includes regular payments to the child(ren) at least equal to the support owed each month. To the extent these payments to the child(ren) do not satisfy the monthly amount owed, the remaining amount due shall be withheld from the obligor's income pursuant to AS 25.27.062.

Even if one of the above boxes is checked, exempting the obligor from immediate income withholding, such withholding may be initiated under AS 25.27.062(c) through the court or through CSSD.

10. CSSD Services. All child support payments must be made to the Child Support Services Division (CSSD) if one of the parties applies for the services of CSSD. In addition, if the above income withholding order is served on the obligor's employer or anyone holding money belonging to the obligor, the money withheld pursuant to the order must be paid to CSSD.

When payments are made through CSSD:

a. Payments shall include the **case number** and names of both parties and shall be made payable to the CHILD SUPPORT SERVICES DIVISION, PO Box 100380, Anchorage, Alaska 99510-0380. CSSD shall disburse the payments as required by law after deducting any fee required by law.

b. CSSD shall maintain a record of support payments.

c. Interest will be imposed in accordance with AS 25.27.020 on payments which are 10 or more days overdue or if payment is made by a check backed by insufficient funds. No interest will be charged, except on arrearages more than 30 days past due, if payments are made under an income withholding order.

d. The parties shall notify CSSD, in writing, of any change in their mailing or residence addresses within 5 days after any such change.

e. The obligor shall keep CSSD informed of the name and address of his or her current employer. Whenever employment changes, the obligor must notify CSSD in writing within 20 days. This employment information must be given to the obligee instead of CSSD if CSSD is not enforcing the order.

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* In addition, the obligor has agreed to keep the obligee (or CSSD if CSSD is enforcing the order) informed of the obligor's current employer and the availability of employment-related health insurance coverage for the children until the support order is satisfied.

f. The party ordered to provide insurance shall provide to CSSD proof of medical insurance coverage for the children within 20 days of this order. If insurance becomes unavailable, that party shall notify CSSD within 20 days. When insurance again becomes available, that party must, within 20 days, give CSSD proof that the children are insured. The above proof and notice of insurance must be given to the other party instead of CSSD if CSSD if not enforcing the order.

g. If a party applies for CSSD services:

(1) CSSD shall take whatever Services action is deemed legally proper, including recommending contempt proceedings against the party ordered to pay support. **Failure to pay support as ordered may result in execution against the property of the obligor or arrest of the obligor.**

(2) Either party may ask CSSD to review the amount of child support. CSSD may require that the request be made in writing on a form specified by CSSD. The parties shall provide income information requested by CSSD in connection with a review of the amount of child support within 20 days after the date the request is mailed.

(3) Unless the box below is checked, CSSD may issue a withholding order, pursuant to AS 25.27.062 or AS 25.27.250, to attach funds owed to the obligor by any corporation created by the Alaska Native Claims Settlement Act (ANCSA) or any settlement trusts established pursuant to section 39 of ANCSA, codified at 43 USC 1629e. Upon service of such an order, the obligor's dividends, distributions and/or other periodic monetary benefits of ANCSA stock or benefits paid by a settlement trust shall be transferred to the child support obligee pursuant to the terms of the withholding order. The ANCSA corporation or settlement trust shall pay the funds so transferred to CSSD for distribution to the child support obligee. The obligor is prohibited from transferring, selling or otherwise alienating his/her ANCSA stock or trust benefits after CSSD issues a withholding order based on an arrearage.

☐ CSSD is not authorized to issue the withholding order described above because _____
But, CSSD may issue a withholding order if obligor accrues arrears more than two times the monthly support obligation under this order.

11. Effect of Assignment of Right to Child Support to State. This order does not bind the Child Support Services Division of Alaska or of any other state to the child support herein ordered if the person receiving child support is receiving or has currently applied for welfare benefits and assigns his or her rights to child support to the state. AS 25.27.120 - .130. If child support rights are assigned to the state, any alternative arrangement for immediate income withholding will not be allowed unless approved by CSSD.

12. Application For Permanent Fund Dividend (PFD) Required. AS 22.10.025(b)

Unless the following box is checked, the party ordered to pay support is ordered to apply for an Alaska Permanent Fund Dividend (PFD) if he or she is an Alaska resident and is more than two months in arrears as of December 31 of the previous year. The party shall submit a complete and accurate PFD application to the Permanent Fund Dividend Division by January 15 and shall timely submit any supplemental information or documentation requested by the Permanent Fund Dividend Division. If the party is not eligible for a dividend, the party must file proof of non-eligibility with CSSD if CSSD is enforcing this support order.

☐ The party ordered to pay support is not required to apply for an Alaska Permanent Fund Dividend because: _____

13. Notice to Party Ordered to Pay Support (Obligor).

a. You must pay the amount of support stated in this order. You cannot give gifts, clothes, food, or other things instead of paying this money.

b. You must pay support on time. You are not excused from paying even if the other party denies you visitation with the child(ren). If you are denied visitation, you can file a motion to enforce visitation with the court, but you must still pay the child support.

c. You must pay child support before your other bills and debts. Child support payments have priority over most other debts.

d. If you get married or take on an obligation to support someone else, you will still be expected to make all the payments ordered in this order. If you fail to do so and a case is brought against you to enforce payment, your new obligations will not excuse your failure to pay.

14. Notice to Both Parties: If your situation changes, ask the court to change this order right away.

This child support order is based on:

- your current income, and
- your current custody and visitation arrangement.

If either changes significantly (for example, if a child starts living with a different parent), you can ask the court to change the custody order or child support order. The court has forms to help you do this (the DR-700 Packet).

It is very important to ask the court **as soon as a change occurs** because child support cannot be changed retroactively (that is, a new order cannot cancel the amount ordered to be paid in the past).

Past due amounts continue to remain due even if the person owed support does not ask for payment (except in the special situation described in Civil Rule 90.3(h)(3)). With interest added, these past due amounts can grow into a substantial debt.

Once a year, either party can ask the other party to provide documents such as tax returns and pay stubs showing the party's income for the prior calendar year. The request must be in writing and the party making it must attach copies of his or her tax return and pay stubs to the request. The other party must respond with documentation of his or her income within 30 days.

15. Other Child Support Orders.

☐ The court is aware of no other child support order currently in effect concerning these parties.

☐ While this order is in effect, it supersedes the following child support order:
Case No. _____ Effective Date: _____

16. Duration of Order. This child support order is effective from _____ to _____ unless either:

a. the custody order in this case is modified or dissolved earlier by court order, or
b. a superior court or CSSD enters a child support order concerning these parties.

_____ Effective Date

_____ Judicial Officer

Printed Name:_____

I certify that on _____ I sent a copy of this order to:

☒ CSSD at DOR.CSSD.records.tracking@alaska.gov for the state case registry

☐ Both Parties (list): _____

☐ Attorneys (list): _____

☐ If 5.d on page 2 is checked, I also sent a copy to the Administrative Director of the Court System

☐ If 6.a on page 3 is checked, I also sent a copy of this order & the DR-330 Notice** to:
_____ Employer(s) of: ☐ Obligor ☐ Obligee

Clerk/Judicial Assistant: _____

** A copy of the order and the DR-330 *Notice to Employer Re: Children's Medical Insurance* must be sent to the employer of the party ordered to purchase insurance for the children if that party is eligible for family health care coverage through his/her employer. AS 25.27.063(b).

CourtView Instructions: Enter this order and disposition into CourtView's petition screen.