

Case Summary

In the District Court of Douglas County
 The Case ID is CI 10 9047070 Docket Number is 1027624
 *STATE OF NEBRASKA VSDONG, QI Y
 The Honorable Gregory M Schatz, presiding.
 REFEREE N
 Classification: Paternity
 Filed on 06/19/2003
 This case is Closed as of 08/25/2003

Parties/Attorneys to the Case

Party	Attorney
Petitioner ACTIVE State of Nebraska Obo	Melissa Epstein Schop 1400 Douglas St. Stop 310 Omaha NE 68179 402-544-0639
Petitioner ACTIVE Kevin Dong	
Respondent ACTIVE Qi Y Dong 207 W Broadway St Burlington IA 52655	
Other Party ACTIVE Mei D Zhang	

Judgment Information

on 08/25/2003 judgment of child support was entered for \$70.00
 simple interest rate is 2.9710%
 Financial records maintained by Health and Human Services
 The judgment creditor is Mei D Zhang
 The judgment debtor is Qi Y Dong
 obligation of \$70.00 is monthly from 09/01/2003 to 04/01/2022

Court Costs Information

Incurred By	Account	Date	Amount
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Financial Activity

No trust money is held by the court
 No fee money is held by the court

Register of Actions

09/17/2003 Notice-withhold Income

09/04/2003 Notice-Judgment sent

08/25/2003 Decree

This action initiated by James T Gleason
 Case Disposed of by Decree Jrn#3829000 RESP IS FATHER. PAY \$70 PER MO C/S
 UPP COMM 090103

08/25/2003 Report of Referee

08/25/2003 Affidavit-Child Support Guidelines

Case Search

07/30/2003 Notice-Hearing
ESC: #421 Sch 08/20/2003 01:30

07/02/2003 Return Filed
ESC: SUMS SRVD 6-24-03 DEFT PERSONALLY IN DES MOINES CTY IA

06/19/2003 Notice-Right to Counsel
This action initiated by party State of Nebraska obo

06/19/2003 Confidential Document *

06/19/2003 Praecipe-Summons/Alias
This action initiated by party State of Nebraska obo

06/19/2003 Petition
This action initiated by party State of Nebraska obo
ESC: 209000

Judges Notes

07/02/2003
SRVD 6-24-03 DEFT PERSONALLY IN DES MOINES CTY IA
08/25/2003
RESP IS FATHER. PAY \$70 PER MO C/SUPP COMM 090103

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA ON BEHALF OF)
KEVIN DONG,)
MINOR CHILD,)
PETITIONER,)
VS.)
QI Y. DONG,)
RESPONDENT.)

DOC.1027 NO. 624

PETITION TO ESTABLISH PATERNITY
AND SUPPORT

Assigned to Judge Schatz

COMES NOW the Petitioner, by its Authorized Attorney, and for its cause of
action against Respondent states and alleges as follows:

1. That the Authorized Attorney is acting pursuant to Neb. Rev. Stat. §43-512.03 et seq.
2. That Mei D. Zhang is the mother of the following dependent child presently in her physical possession:

Kevin Dong born April 2, 2003
3. That said minor child is a resident of Douglas County, Nebraska.
4. That Qi Y. Dong, Respondent, is a resident of Des Moines County, Iowa and is subject to the personal jurisdiction of this Court by engaging in sexual intercourse in Nebraska and the child may have been conceived by that act of intercourse.
5. That Mei D. Zhang and Qi Y. Dong have never been married to each other.
6. That during the probable period of conception Mei D. Zhang and Qi Y. Dong, Respondent, had sexual intercourse with each other and as a result Mei D. Zhang became pregnant and gave birth to said child.

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
JUN 19 2003
CSE0162
RUBY L. TERAF
CLERK DISTRICT COURT

RECEIVED

CC ID: CC 200306191534

7. That said minor child is in need of financial support from Qi Y. Dong, Respondent.
8. That Qi Y. Dong, Respondent, has failed to adequately support the minor child herein.
9. That Qi Y. Dong, Respondent, is capable of:
 - a) supporting said minor child by means of monthly payments;
 - b) providing for the support of said minor child since birth;
 - c) providing ongoing health and hospitalization insurance or health maintenance plan coverage for said minor child as defined in Neb. Rev. Stat. §43-512 (6)(b).

WHEREFORE, Petitioner prays for an order of the Court determining that Respondent:

1. Is the father of the minor child named herein;
2. Owes a duty of support for said minor child;
3. Shall pay a sum certain each month to meet that duty of support;
4. Shall pay for the support of said minor child since birth;
5. Shall provide ongoing health and hospitalization insurance or health maintenance plan coverage for said minor child and medical support as defined in Neb. Rev. Stat. §43-512(6)(b);

6. Shall pay the costs of this action and such other relief as the Court may allow.

STATE OF NEBRASKA ON BEHALF OF
KEVIN DONG,
MINOR CHILD,
PETITIONER,

By Melissa Schop # 22504
Melissa Schop #22504

Young Williams, P.C.
AUTHORIZED ATTORNEY
SUITE 110, FLAT IRON BUILDING
1722 ST. MARYS AVENUE
OMAHA, NE 68102
(402) 341-4554

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

)	
)	DOC. 1027 NO. 624
STATE OF NEBRASKA ON BEHALF OF)	
KEVIN DONG,)	
MINOR CHILD,)	DEFAULT DECREE
PETITIONER,)	
)	
)	
VS.)	
QI Y. DONG,)	
RESPONDENT.)	
)	

FILED
JOURNAL CLERK
 AUG 26 2003
 CLERK DISTRICT COURT

This matter came before the Court upon the Petition filed herein. The State of Nebraska, Petitioner, was represented by Melissa Schop, Authorized Attorney. The Respondent, Qi Y. Dong, having failed to answer or otherwise plead, ~~did~~ did not appear.

The Court, being fully advised in the premises, finds as follows:

1. That the Court has jurisdiction of the parties and the subject matter of this action.
2. That Mei D. Zhang is the mother of the following minor dependent child presently in her physical possession:
 Kevin Dong born April 2, 2003 whose Social Security Number is 508-45-3169
3. That Qi Y. Dong, Respondent, is the father of said child and owes a corresponding duty to provide child support and medical support for said child.
4. That Qi Y. Dong, Respondent, is able to pay and should pay child support and medical support in accordance with the Nebraska Child Support Guidelines.

5. That Qi Y. Dong, Respondent, shall provide health and medical insurance coverage for said minor dependent child which is or may become available to Respondent through an employer, organization or other group.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED

1. That Qi Y. Dong, Respondent, is the father of the following named child:

Kevin Dong born April 2, 2003

2. That Qi Y. Dong, Respondent, is able to and shall pay child support in accordance with the Nebraska Child Support Guidelines commencing on the first day of September, 2003 and continuing on the first day of each subsequent month thereafter in amounts as listed below:

\$ 70.00 for one minor child

Upon occurrence of any of the following events, child support and medical support for a child shall terminate effective the first day of the month following the event: the child attains the age of nineteen; the court finds that the child is married, has joined the military, or is self supporting, or otherwise emancipated; the death of the child and notice to the court of the same.

3. Said child support payments shall be paid to the Nebraska Child Support Payment Center, P.O. Box 82600, Lincoln, NE 68501-2600.

4. The child support obligation set forth herein shall be governed by the following:

(a) The making of direct payments to or for the benefit of the minor child, the giving of gifts, the purchasing of food, clothing and the like, or the payment of bills shall not satisfy the aforesaid child support obligation;

(b) Payment of support must be made through the Nebraska Child Support Payment Center as it becomes due on the first day of each month;

(c) Child support is based upon annual income, and it is the responsibility of the person with seasonal employment to budget income so that payments are made monthly throughout the year as ordered;

(d) Any party who marries and/or accepts additional obligations of support does so with full knowledge of his or her prior obligations under these proceedings;

(e) The payment of support takes priority over payment of debts and other obligations;

(f) The failure to secure or denial of visitation rights does not reduce or remove the obligation to pay support;

(g) Delinquent child support shall accrue interest at the following rate: 2.9710%.

5. In the event Qi Y. Dong, Respondent, fails to pay any support payments as such failure is certified each month by the Department of Health and Human Services Title IV-D Division in cases in which court-ordered support is delinquent in an amount equal to the support due and payable for a one-month period of time he may be required to appear in Court on a date to be determined by the Court and show cause why such payment was not made. In the event that, Qi Y. Dong, Respondent, fails to pay and appear as ordered, a warrant shall be issued for his arrest.

6. Qi Y. Dong, Respondent, shall provide written documentation of his address, telephone number, social security number, name and address of his employer, whether or not he has access to employer related to health insurance coverage, and, if so, the health insurance policy information to the Clerk of the District Court forthwith. Respondent shall also advise the Clerk of any changes in such information between the time of the entry of this Decree and the payment of this judgment in full.

7. Qi Y. Dong, Respondent, shall provide health and medical insurance coverage for the minor child, which is or may become available to him through an employer, organization, or other group. The Respondent shall immediately advise the custodial parent of the minor child in writing, in advance if

possible, in the event any such insurance becomes unavailable. The Respondent shall communicate with the custodial parent concerning coverage and policy number(s) and, shall assist in filing any medical claims when requested.

8. Income withholding shall be implemented pursuant to the Nebraska Income Withholding for Child Support Act.

9. Failure to comply with the terms of this Decree shall be punishable by contempt.

10. Mei D. Zhang shall be the payee of child support payments ordered herein subject to the assignment provision set forth at Neb. Rev. Stat. § 43-512.07(Reissue 1993).

IT IS SO ORDERED THIS 25 day of August, 2003.

BY THE COURT:

James J. Kleasa
DISTRICT COURT JUDGE

Prepared and Submitted by:
MELISSA SCHOP, #022504
AUTHORIZED ATTORNEY
SUITE 110, FLAT IRON BUILDING
1722 ST. MARYS AVENUE
OMAHA, NE 68102
(402) 341-4554

APPROVED AS TO FORM AND CONTENT:

Respondent

Address

Employer

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

State of Nebraska, 01810,
 Kevin Dong,)
 minor child,)
 Petitioner)
 vs.)
 Qi Y. Dong)
 Respondent)

DOC. 1027 NO. 624

AFFIDAVIT RE: NEBRASKA CHILD SUPPORT GUIDELINES:

THIS FORM MUST BE FILED WITH THE CLERK OF THE DISTRICT COURT ALONG WITH THE FILING OF THE AFFIDAVIT RE: APPLICATION FOR SUPPORT, FEES, CUSTODY, ETC. AND FINANCIAL STATEMENT.

Any false statements made hereon shall subject you to the penalty for perjury and may be considered a fraud upon the court.

NEBRASKA CHILD SUPPORT GUIDELINES SEE INSERT

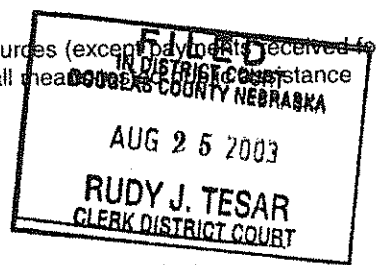
STATE OF NEBRASKA) Petitioner's S.S. # 508-45-3169
) ss.
 COUNTY OF DOUGLAS) Respondent's S.S. # 068-86-7754

_____, the Petitioner-Respondent herein, being first duly sworn on oath, respectfully represents to the court:

Worksheet 1

BASIC NET INCOME AND SUPPORT CALCULATION

	Mother	Father
1. Total monthly income from all sources (except payoffs received for children of prior marriages and all thead... assistance benefits)*	ABC	1,000.00
2. Deductions**		
a. Taxes***		74.00
b. FICA		16.00
c. Health insurance****		153.00
d. Retirement		0
e. Child support previously ordered for other children		0
f. Regular support for other children		0
g. Total deductions		304.00
3. Monthly net income (line 1 minus line 2g)		696.00
4. Combined monthly net income		8,354.00
5. Combined annual net income (line 4 times 12)		
6. Percent contribution of each parent (line 3, each parent, divided by line 4)*****		100%
7. Monthly support from table 1		70.00
8. Each parent's monthly share (line 7, times line 6, for each parent)	50.00	70.00



* Court will require copies of last 2 years' tax returns to verify "total income" figures and copies of present wage stubs to verify the pattern of present wage earnings except where a party is claiming an allowance of depreciation as a deduction from income, in which case a minimum of 5 years' tax returns shall be required. Income should be annualized and divided by 12 to arrive at monthly amounts.
 ** All claimed deductions should be annualized and divided by 12 to arrive at monthly amounts.
 *** Deductions for taxes will be based on the annualized income and the number of exemptions provided by law.
 **** The increased cost to the parent for health insurance for the child(ren) of the parent shall be allowed as a deduction from gross income. The parent requesting an adjustment for health insurance premiums must submit proof of the cost of the premium.
 ***** In the event of substantial fluctuations of annual earnings of either party during the immediate past 3 years, the income may be averaged to determine the percent contribution of each parent as shown in item 6. The calculation of the average income shall be attached to this worksheet.



SPLIT CUSTODY CALCULATION

1.	Child's Name	Custody (F or M)	Show combined monthly share from line 7, worksheet 1, divided by total number of children	Show each parent's share (apply percent from line 6, worksheet 1)	
				Father	Mother
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

- 2. Total amount owed to father by mother (mother's share from above for children in father's custody) _____
- 3. Total amount owed to mother by father (father's share from above for children in mother's custody) _____
- 4. Support to be paid by mother / father (difference between lines 2 and 3) _____
(mother/father)

CALCULATION FOR JOINT PHYSICAL CUSTODY

	Mother	Father
1. Each parent's monthly share (from line 8, worksheet 1)	_____	_____
2. Number of days annually child(ren) is in custody of each parent	_____	_____
3. Percentage of year child(ren) is in custody of each parent (line 2 divided by 365)	_____	_____
4. Mother's obligation to father (% line 3, father column, times line 1, mother column)	_____	_____
5. Father's obligation to mother (% line 3, mother column, times line 1, father column)	_____	_____
6. Father / mother obligation for support (difference between lines 4 and 5)	_____	_____

NUMBER OF CHILDREN CALCULATION

Number of Children	Combined Net Income	Table Amount	Payor's Percentage	Child Support Due
1. Six	_____	_____ x _____	_____ = _____	_____
2. Five	_____	_____ x _____	_____ = _____	_____
3. Four	_____	_____ x _____	_____ = _____	_____
4. Three	_____	_____ x _____	_____ = _____	_____
5. Two	_____	_____ x _____	_____ = _____	_____
6. One	_____	_____ x _____	_____ = _____	_____

The court order should specify the amount due for each possibility and the amount due should be decreased as the number of supported children decreases.

9/02

INCOME SHARES FORMULA

Table 1

Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
0	50	50	50	50	50	50
100	50	50	50	50	50	50
200	50	50	50	50	50	50
300	50	50	50	50	50	50
400	50	50	50	50	50	50
500	50	50	50	50	50	50
550	50	50	50	50	50	50
600	50	50	50	50	50	50
650	50	50	50	50	50	50
700	50	50	50	50	50	50
750	114	120	127	133	139	146
800	139	148	157	165	174	183
850	164	175	187	198	209	221
900	189	203	217	230	244	258
950	214	230	247	263	279	296
1,000	239	258	277	295	314	333
1,050	254	285	307	328	349	371
1,100	266	313	337	360	384	408
1,150	277	340	367	393	419	446
1,200	289	368	397	425	454	483
1,250	301	395	427	458	489	521
1,300	313	423	457	490	524	558
1,350	325	450	487	523	559	596
1,400	336	478	517	555	594	633
1,450	348	502	547	588	629	671
1,500	360	519	577	620	664	708
1,550	371	536	607	653	699	746
1,600	383	553	637	685	734	775
1,650	395	570	667	718	769	798
1,700	407	586	697	750	804	820
1,750	418	603	725	793	827	843
1,800	430	620	745	814	849	866
1,850	442	636	765	836	871	888
1,900	453	653	785	857	894	911
1,950	465	670	805	879	916	933
2,000	477	686	824	900	938	956
2,050	488	703	844	921	960	978
2,100	500	720	864	943	982	1,001
2,150	512	736	884	964	1,004	1,023
2,200	523	753	903	985	1,026	1,046
2,250	535	769	923	1,007	1,048	1,068
2,300	546	786	943	1,028	1,070	1,090
2,350	558	803	962	1,049	1,092	1,113
2,400	570	819	982	1,070	1,114	1,135
2,450	581	836	1,001	1,092	1,136	1,157
2,500	593	852	1,021	1,113	1,158	1,179
2,550	604	869	1,041	1,134	1,180	1,202
2,600	616	885	1,060	1,155	1,202	1,224
2,650	627	902	1,080	1,176	1,224	1,246
2,700	639	918	1,099	1,197	1,245	1,268
2,750	651	935	1,119	1,218	1,267	1,290
2,800	662	951	1,138	1,239	1,289	1,312
2,850	674	967	1,158	1,260	1,311	1,334
2,900	685	984	1,177	1,281	1,332	1,356
2,950	697	1,000	1,197	1,302	1,354	1,378
3,000	708	1,017	1,216	1,323	1,376	1,400
3,050	720	1,033	1,235	1,344	1,397	1,422
3,100	731	1,049	1,255	1,365	1,419	1,444

Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
3,150	742	1,066	1,274	1,386	1,441	1,466
3,200	754	1,082	1,293	1,407	1,462	1,488
3,250	765	1,098	1,313	1,428	1,484	1,510
3,300	777	1,115	1,332	1,448	1,505	1,532
3,350	788	1,131	1,351	1,469	1,527	1,553
3,400	800	1,147	1,370	1,490	1,548	1,575
3,450	811	1,163	1,390	1,511	1,570	1,597
3,500	822	1,180	1,409	1,531	1,591	1,619
3,550	834	1,196	1,428	1,552	1,612	1,640
3,600	845	1,212	1,447	1,573	1,634	1,662
3,650	857	1,228	1,466	1,593	1,655	1,684
3,700	868	1,244	1,486	1,614	1,677	1,706
3,750	879	1,261	1,505	1,635	1,698	1,727
3,800	891	1,277	1,524	1,655	1,719	1,749
3,850	902	1,293	1,543	1,676	1,740	1,770
3,900	913	1,309	1,562	1,697	1,762	1,792
3,950	925	1,325	1,581	1,717	1,783	1,814
4,000	932	1,341	1,600	1,736	1,800	1,830
4,050	939	1,357	1,619	1,754	1,817	1,846
4,100	946	1,373	1,638	1,773	1,835	1,862
4,150	952	1,389	1,657	1,791	1,852	1,878
4,200	959	1,405	1,676	1,810	1,869	1,895
4,250	966	1,422	1,695	1,828	1,886	1,910
4,300	972	1,426	1,714	1,849	1,909	1,931
4,350	979	1,435	1,719	1,864	1,931	1,953
4,400	986	1,444	1,730	1,876	1,944	1,973
4,450	992	1,453	1,741	1,888	1,956	1,986
4,500	998	1,463	1,752	1,900	1,968	1,998
4,550	1,005	1,472	1,763	1,911	1,980	2,010
4,600	1,011	1,481	1,773	1,923	1,992	2,022
4,650	1,017	1,489	1,784	1,934	2,004	2,034
4,700	1,023	1,498	1,794	1,946	2,015	2,046
4,750	1,030	1,507	1,805	1,957	2,027	2,058
4,800	1,036	1,516	1,815	1,968	2,038	2,070
4,850	1,042	1,524	1,825	1,979	2,050	2,081
4,900	1,048	1,533	1,835	1,990	2,061	2,093
4,950	1,053	1,541	1,845	2,000	2,072	2,104
5,000	1,059	1,549	1,855	2,011	2,083	2,115
5,050	1,065	1,558	1,865	2,022	2,094	2,126
5,100	1,071	1,566	1,875	2,032	2,105	2,137
5,150	1,076	1,574	1,884	2,043	2,116	2,148
5,200	1,082	1,582	1,894	2,053	2,126	2,159
5,250	1,088	1,590	1,903	2,063	2,137	2,170
5,300	1,093	1,598	1,913	2,073	2,147	2,180
5,350	1,099	1,606	1,922	2,083	2,158	2,191
5,400	1,104	1,613	1,931	2,093	2,168	2,201
5,450	1,109	1,621	1,940	2,103	2,178	2,211
5,500	1,115	1,629	1,949	2,113	2,188	2,222
5,550	1,120	1,636	1,958	2,122	2,198	2,232
5,600	1,125	1,643	1,967	2,132	2,208	2,242
5,650	1,130	1,651	1,975	2,141	2,218	2,252
5,700	1,135	1,658	1,984	2,150	2,227	2,261
5,750	1,140	1,665	1,992	2,160	2,237	2,271
5,800	1,145	1,672	2,001	2,169	2,246	2,281
5,850	1,150	1,679	2,009	2,178	2,256	2,290
5,900	1,155	1,686	2,017	2,187	2,265	2,300
5,950	1,160	1,693	2,026	2,195	2,274	2,309
6,000	1,164	1,700	2,034	2,204	2,283	2,318
6,050	1,169	1,706	2,042	2,213	2,292	2,327

Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
6,100	1,174	1,713	2,049	2,221	2,301	2,336
6,150	1,178	1,720	2,057	2,230	2,309	2,345
6,200	1,183	1,726	2,065	2,238	2,318	2,354
6,250	1,187	1,733	2,072	2,246	2,327	2,362
6,300	1,192	1,739	2,080	2,254	2,335	2,371
6,350	1,196	1,745	2,087	2,262	2,343	2,379
6,400	1,200	1,751	2,095	2,270	2,352	2,388
6,450	1,205	1,757	2,102	2,278	2,360	2,396
6,500	1,209	1,763	2,109	2,286	2,368	2,404
6,550	1,213	1,769	2,116	2,294	2,376	2,412
6,600	1,217	1,775	2,123	2,301	2,384	2,420
6,650	1,221	1,781	2,130	2,309	2,391	2,428
6,700	1,225	1,787	2,137	2,316	2,399	2,436
6,750	1,229	1,792	2,143	2,323	2,406	2,443
6,800	1,233	1,798	2,150	2,330	2,414	2,451
6,850	1,236	1,803	2,157	2,337	2,421	2,458
6,900	1,240	1,809	2,163	2,344	2,428	2,466
6,950	1,244	1,814	2,169	2,351	2,436	2,473
7,000	1,247	1,819	2,176	2,358	2,443	2,480
7,050	1,251	1,824	2,182	2,365	2,449	2,487
7,100	1,255	1,829	2,188	2,371	2,456	2,494
7,150	1,258	1,834	2,194	2,378	2,463	2,501
7,200	1,261	1,839	2,200	2,384	2,470	2,508
7,250	1,265	1,844	2,205	2,390	2,476	2,514
7,300	1,268	1,849	2,211	2,397	2,483	2,521
7,350	1,271	1,854	2,217	2,403	2,489	2,527
7,400	1,275	1,858	2,222	2,409	2,495	2,534
7,450	1,278	1,863	2,228	2,415	2,501	2,540
7,500	1,281	1,867	2,233	2,420	2,507	2,546
7,550	1,284	1,872	2,238	2,426	2,513	2,552
7,600	1,287	1,876	2,244	2,432	2,519	2,558
7,650	1,290	1,880	2,249	2,437	2,525	2,564
7,700	1,293	1,884	2,254	2,443	2,531	2,570
7,750	1,295	1,888	2,259	2,448	2,536	2,575
7,800	1,298	1,892	2,263	2,453	2,542	2,581
7,850	1,301	1,896	2,268	2,459	2,547	2,586
7,900	1,303	1,900	2,273	2,464	2,552	2,592
7,950	1,306	1,904	2,277	2,469	2,557	2,597
8,000	1,309	1,908	2,282	2,473	2,563	2,602
8,050	1,311	1,911	2,286	2,478	2,568	2,607
8,100	1,313	1,915	2,290	2,483	2,572	2,612
8,150	1,316	1,918	2,295	2,488	2,577	2,617
8,200	1,318	1,922	2,299	2,492	2,582	2,622
8,250	1,320	1,925	2,303	2,496	2,586	2,626
8,300	1,323	1,928	2,307	2,501	2,591	2,631
8,350	1,325	1,931	2,310	2,505	2,595	2,635
8,400	1,327	1,934	2,314	2,509	2,600	2,640
8,450	1,329	1,938	2,318	2,513	2,604	2,644
8,500	1,331	1,940	2,321	2,517	2,608	2,648
8,550	1,333	1,943	2,325	2,521	2,612	2,652
8,600	1,335	1,946	2,328	2,525	2,616	2,656
8,650	1,337	1,949	2,332	2,528	2,620	2,660
8,700	1,338	1,951	2,335	2,532	2,623	2,664
8,750	1,340	1,954	2,338	2,535	2,627	2,668
8,800	1,342	1,957	2,341	2,539	2,630	2,671
8,850	1,343	1,959	2,344	2,542	2,634	2,675
8,900	1,345	1,961	2,347	2,545	2,637	2,678
8,950	1,346	1,964	2,350	2,548	2,640	2,682
9,000	1,348	1,966	2,352	2,551	2,644	2,685

Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
9,050	1,349	1,968	2,355	2,554	2,647	2,688
9,100	1,351	1,970	2,358	2,557	2,650	2,691
9,150	1,352	1,972	2,360	2,560	2,652	2,694
9,200	1,353	1,974	2,362	2,562	2,655	2,697
9,250	1,354	1,976	2,365	2,565	2,658	2,699
9,300	1,355	1,977	2,367	2,567	2,660	2,702
9,350	1,357	1,979	2,369	2,569	2,663	2,704
9,400	1,358	1,980	2,371	2,572	2,665	2,707
9,450	1,359	1,982	2,373	2,574	2,667	2,709
9,500	1,359	1,983	2,375	2,576	2,670	2,711
9,550	1,360	1,985	2,376	2,578	2,672	2,714
9,600	1,361	1,986	2,378	2,580	2,674	2,716
9,650	1,362	1,987	2,380	2,581	2,676	2,718
9,700	1,363	1,988	2,381	2,583	2,677	2,719
9,750	1,363	1,989	2,382	2,585	2,679	2,721
9,800	1,364	1,990	2,384	2,586	2,681	2,723
9,850	1,364	1,991	2,385	2,588	2,682	2,724
9,900	1,365	1,992	2,386	2,589	2,684	2,726
9,950	1,365	1,993	2,387	2,590	2,685	2,727
10,000	1,366	1,994	2,388	2,591	2,686	2,728

DEVIATIONS TO CHILD SUPPORT GUIDELINES

This worksheet may be completed by the Court and filed with the clerk in the event of a deviation or deviations under paragraph C. of the Child Support Guidelines.

	Mother	Father
1. Net income of the parties as computed under worksheet 1	\$ _____	\$ _____
2. Combined monthly income		\$ _____
3. Monthly Support for _____ child(ren) from table 1		\$ _____
4. Percent contribution of each parent	_____ %	_____ %
5. Each parent's monthly share (line 4 times line 5)	\$ _____	\$ _____
6. Further deviations (specify)		
a. _____ (+ / -)	\$ _____	\$ _____
b. _____ (+ / -)	\$ _____	\$ _____
c. _____ (+ / -)	\$ _____	\$ _____
d. Total (+ / -)	\$ _____	\$ _____
7. Each parent's monthly share (line 5 above)	\$ _____	\$ _____
8. (+ / -) Line 6d (+ / -)	\$ _____	\$ _____
9. Adjusted child support obligations	\$ _____	\$ _____

Dated: _____ Judge _____

NEBRASKA CHILD SUPPORT GUIDELINES

- A. Introduction.** The main principle behind these guidelines is to recognize the equal duty of both parents to contribute to the support of their children in proportion to their respective net incomes.
- B. Temporary and Permanent Support.** The guidelines are intended to be used for both temporary and permanent support determinations.
- C. Rebuttable Presumption.** The child support guidelines shall be applied as a rebuttable presumption. All orders for child support obligations shall be established in accordance with the provisions of the guidelines unless the court finds that one or both parties have produced sufficient evidence to rebut the presumption that the guidelines should be applied. All stipulated agreements for child support must be reviewed against the guidelines and, if a deviation exists and is approved by the court, specific findings giving the reason for the deviation must be made. Findings must state the amount of support that would have been required under the guidelines and include a justification of why the order varies from the guidelines. Deviations must take into consideration the best interests of the child. In the event of a deviation, the reason for the deviation shall be contained in the findings portion of the decree or order; or worksheet 5 should be completed by the court and filed in the court file. Deviations from the guidelines are permissible under the following circumstances:
1. when there are extraordinary medical costs of either parent or child;
 2. when special needs of a disabled child exist;
 3. if total net income exceeds \$10,000 monthly, child support for amounts in excess of \$10,000 monthly may be more but shall not be less than the amount which would be computed using the \$10,000 monthly income unless other permissible deviations exist;
 4. for juveniles placed in foster care; or
 5. whenever the application of the guidelines in an individual case would be unjust or inappropriate.
- All orders for child support, including modifications, must include a basic income and support calculation worksheet 1, and if used, worksheet 2 or 3.
- D. Total Monthly Income.** This is income of both parties derived from all sources, except all means-tested public assistance benefits which includes any earned income tax credit and payments received for children of prior marriages. This would include income that could be acquired by the parties through reasonable efforts. For instance, a court may consider as income the retained earnings in a closely-held corporation of which a party is a shareholder if the earnings appear excessive or inappropriate. All income should be annualized and divided by 12. For example, a party who receives a salary of \$200 gross per week would have an annualized gross income of \$10,400 (\$200 times 52 weeks) and a monthly income of \$866.67 (10,400 divided by 12). If the person is paid \$200 every 2 weeks, his or her annualized gross income would be \$5,200 (\$200 times 26 weeks) and monthly income would be \$433.33 (5,200 divided by 12). The court may consider overtime wages in determining child support if the overtime is a regular part of the employment and the employee can actually expect to regularly earn a certain amount of income from working overtime. In determining whether working overtime is a regular part of employment, the court may consider such factors as the work history of the employee for the employer, the degree of control the employee has over work conditions, and the nature of the employer's business or industry. Depreciation calculated on the cost of ordinary and necessary assets may be allowed as a deduction from income of the business or farm to arrive at an annualized total monthly income. After an asset is shown to be ordinary and necessary, depreciation, if allowed by the trial court, shall be calculated by using the "straight-line" method, which allocates cost of an asset equally over its useful duration or life. An asset's life should be determined with reference to the Class-lives and Recovery Periods Table created pursuant to 26 CFR § 1.167(a)-11. A party claiming depreciation shall have the burden of establishing entitlement to its allowance as a deduction. Copies of at least 2 years' tax returns, financial statements, and current wage stubs should be furnished to the court and the other party to the action at least 3 days before any hearing requesting relief. Any party claiming an allowance of depreciation as a deduction from income shall furnish to the court and the other party copies of a minimum of 5 years' tax returns at least 14 days before any hearing pertaining to the allowance of the deduction. If applicable, earning capacity may be considered in lieu of a parent's actual, present income and may include factors such as work history, education, occupational skills, and job opportunities. Earning capacity is not limited to wage-earning capacity, but includes moneys available from all sources.
- E. Deductions.** The following deductions should be annualized to arrive at monthly net income:
1. **Taxes.** Standard deductions applicable to the number of exemptions provided by law will be used to establish the amount of federal and state income taxes.

- 2. **FICA.** Social Security deductions, or any other mandatory contributions in lieu of Social Security deductions including any self-employment tax paid.
 - 3. **Health Insurance.** The increased cost to the parent for health insurance for the child(ren) of the parent shall be allowed as a deduction from gross income. The parent requesting an adjustment for health insurance premiums must submit proof of the cost of the premium.
 - 4. **Retirement.** Individual contributions, in a minimum amount required by a mandatory retirement plan. Where no mandatory retirement plan exists, a deduction shall be allowed for a continuation of actual voluntary retirement contributions not to exceed 4 percent of the gross income from employment or 4 percent from the net income from self-employment.
 - 5. **Child Support.** Child support previously ordered for other children.
 - 6. **Other Children.** Subject to Paragraph T, credit may be given for biological or adopted children for whom the obligor provides regular support.
- F. **Monthly Support.** The combined monthly net income of both parties from line 4 of worksheet 1 is compared to table 1. For example, if the combined monthly net income was \$1,500 and there were three children, we would find \$577 as the child support from table 1 (read across the table from \$1,500 to the "Three" column to find \$577).
- G. **Parent's Monthly Share.** This is the child support amount from line 7, worksheet 1, multiplied by the percentage contribution of each parent from line 6, worksheet 1. In our example, if F had a monthly net income of \$1,000 and M had a monthly income of \$500, each parent's monthly share would be \$386.59 for F (.67 times \$577) and \$190.41 for M (.33 times \$577). F would be required to pay M his share \$386.59 in the event M was awarded custody of the children.
- H. **More Than One Child.** If there is more than one child, the court's order should specify the amount of child support due for the children, with the amount recalculated and reduced as the obligation to support terminates for each child. The amount due for each possibility should be calculated separately from table 1. In our example, if M was awarded custody of the children, F would be required to pay \$386.59 (.67 times \$577) when there are three children, \$347.73 (.67 times \$519) when there are two children, and \$241.20 (.67 times \$360) when there is one child. See worksheet 4. The order should direct that child support continue only until each child reaches majority under Nebraska law, becomes emancipated, becomes self-supporting, marries, or dies, or until further order of the court.
- I. **Minimum Support.** It is recommended that even in very low income cases, a minimum support of \$50, or 10 percent of the obligor's net income, whichever is greater, per month be set. This will help to maintain information on such obligor, such as his or her address, employment, etc., and, hopefully, encourage such person to understand the necessity, duty and importance of supporting his or her children.
- J. **Visitation or Parenting Time Adjustments.** Visitation or parenting time adjustments or direct cost sharing should be specified in the support order. An adjustment in child support may be made at the discretion of the court when visitation or parenting time substantially exceeds alternating weekends and holidays and 28 days or more in any 90-day period. During visitation or parenting time periods of 28 days or more in any 90-day period, support payments may be reduced by up to 80 percent. The amount of any reduction for extended parenting time shall be specified in the court's order and shall be presumed to apply to the months designated in the order. Any documented substantial and reasonable long-distance transportation costs directly associated with visitation or parenting time may be considered by the court and, if appropriate, allowed as a deviation from the guidelines.
- K. **Split Custody.** Split custody is defined as each parent having physical custody of one or more of the children. Worksheet 2 shows how to do this calculation.
- L. **Joint Physical Custody.** When a specific provision for joint physical custody is ordered, support may be calculated using worksheet 3.
- M. **Alimony.** These guidelines intend that spousal support be determined from income available to the parties after child support has been established.
- N. **Child-Care Expenses.** Child-care expenses are not specifically computed into the guidelines amount and are to be considered independently of any amount computed by use of these guidelines. Child-care expenses for the child for whom the support is being set, which are due to employment of either parent or to allow the parent to obtain training or education necessary to obtain a job or enhance earning potential, shall be allocated to the obligor parent as determined by the court, but shall not exceed the proportion of the obligor's parental contribution (worksheet 1, line 6) and shall be added to the basic support obligation computed under these guidelines. The value of the federal income tax credit for child care shall be subtracted from actual costs to arrive at a figure for net child-care expenses.
- O. **Health Care.** Children's health care expenses are specifically included in the guidelines amount of up to \$1,200 per family unit per year. Children's health care needs are to be met by requiring either parent to provide health insurance as required by state law. All nonreimbursed reasonable and necessary children's health care costs in excess of \$1,200 per family unit per year shall be allocated to the obligor parent as determined by the court, but shall not exceed the proportion of the obligor's parental contribution (worksheet 1, line 6).
- P. **Review.** The State Court Administrator shall review the Nebraska Child Support Guidelines not less than every 4 years, beginning in October 1993, and recommend revisions, if any, to the Nebraska Supreme Court. In addition, the Supreme Court will review reports submitted to it by the State Disbursement and Child Support Advisory Commission.
- Q. **Modification.** Application of the child support guidelines which would result in a variation by 10 percent or more, but not less than \$25, upward or downward, of the current child support obligation, child care obligation, or health care obligation, due to financial circumstances which have lasted 3 months and can reasonably be expected to last for an additional 6 months, establishes a rebuttable presumption of a material change of circumstances.
- R. **Basic Subsistence Limitation.** A parent's support, child care, and health care obligation shall not reduce his or her net income below the minimum of \$738 net monthly for one person; or the poverty guidelines updated annually in the Federal Register by the U. S. Department of Health and Human Services under authority of 42 U.S.C. § 9902(2), except minimum support may be ordered as defined in paragraph I above.
- S. **Limitation on Increase.** Under no circumstances shall there be an increase in support due from the obligor solely because of an increase in the income of the obligee.
- T. **Limitation on Decrease.** An obligor shall not be allowed a reduction in an existing support order solely because of the birth, adoption, or acknowledgment of subsequent children of the obligor; however, a duty to provide regular support for subsequent children may be raised as a defense to an action for upward modification of such existing support order.

THE APPLICANT swears under the penalties of perjury that the foregoing, including any attachments, is true and correct.

RECEIVED
 AUG 26 2003
 COUNTY CLERK
 DAVENPORT
 IOWA

S. Melissa Schop
 Petitioner-Respondent-Attorney

SUBSCRIBED AND SWORN TO before me this 17th day of August, 2003

My Commission Expires June 9, 2007

Kelly & Jensen
 Notary Public Douglas County, Nebraska