## IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 70

Re: Kansas Child Support Guidelines

OCT 1 2 1989

WHEREAS, on October 1, 1987, the Kansas Supreme Court issued
Administrative Order No. 59 (1988 Kan. Ct. R. Annot. 54 et seq.)
promulgating the Kansas Child Support Guidelines which are now in
effect throughout the state; and

WHEREAS, in April 1989, the court appointed the Child Support Guidelines Advisory Committee to review the implementation of the statewide child support guidelines, solicit public input, and make recommendations addressing the new federal mandates of the Family Support Act of 1988; and

WHEREAS, the committee delivered its majority and minority reports to the court on September 27, 1989, which propose substantial amendments to the present Guidelines, and the court promptly distributed the reports to all judges across the state, seeking their comments; and

WHEREAS, within the last week the court has received many thoughtful letters from interested persons, stating with particularity objections and suggestions relating to the proposed changes; and

WHEREAS, changes in the Guidelines will directly affect many Kansans, and the court and the committee do not have sufficient time, under the time constraints of the federal legislation, to review the objections and suggestions received;

NOW. THEREFORE, IT IS ORDERED:

1. The Child Support Guidelines Advisory Committee is requested by the court to review the proposed changes in light of the comments, objections, and suggestions the court has received and make a further report to the court by the 15th of January, 1990.

- 2. Administrative Order No. 59 Re: Kansas Child Support Guidelines, 1988 Kan. Ct. R. Annot. 54 et seq., is hereby continued in full force and effect with the following modifications:
- A. Page 55. Paragraph I is hereby amended to read as follows:
- I. USE OF THE GUIDELINES

The Kansas Child Support Guidelines, are-a-suggested-basisfor-establishing-and-reviewing-child-support-orders-in-thedistrict-courts-in-Kansas: -- effective October 13, 1989, create a rebuttable presumption for the award of child support in all cases. Judges and hearing officers must follow the quidelines. The net child support obligation calculated on Worksheet A (Appendix I) in-the-absence-ofother-evidence-shall be deemed prima-facie-evidence-a rebuttable presumption of a reasonable child support order. However, -the-court-shall-consider-all-relevantevidence -presented -in -setting -the -amount -of -child -support; including but not limited to the - The supplemental considerations set forth in II.C. and III. -shall constitute the criteria sufficient to rebut the presumption, and raise or lower the support, giving due consideration to the best interests of the child. If-theparties-have-entered-into-an-overall-settlement-involvingchild-support-and-alimony,-the-court-shall-enforce-thesame if the overall settlement adequately provides for the children -- The -purpose -of -these -guidelines -is -not -to establish a rigid formula, but to produce more consistency in-child-support-orders-throughout-the-state.--Theultimate goal in each case should be justice and fairness for the children and parents in light of the ability of -

the-parents.—The-final-determination-of-child-supportrests within-the-sound-discretion of the trial court.—
A written finding on the record is required if the
application of the guidelines results in an unjust or
inappropriate child support award in a particular case.
Findings that rebut the guidelines shall state the amount
of support that would have been required; how the order
varies from the guidelines, including the value of any
property or other support awarded in lieu of support
presumed by the guidelines; the justification of how the
findings serve the best interests of the child; and, in
cases where items of value are conveyed in lieu of a
portion of the support presumed under the guidelines, the
estimated value of items conveyed.

В.		l, line ll of Appendix I ( d to read as follows:	Worksheet A)	is hereby
	llSubtract-Adjustment-for- Supplemental-Considerations			
	11.	Add or Subtract Adjustmen for Supplemental Considerations	<u>ts</u> +	+
c.	Page 62, line 11 of Appendix II (Worksheet A-Example) is hereby amended to read as follows:  11Eubtract-Adjustment-for-			
		Supplemental-Consideration	ns	
	11.	Add or Subtract Adjustment for Supplemental	<u>ts</u>	
		Considerations	<b>+</b> -	+-

ADOPTED BY ORDER OF THE COURT EFFECTIVE this 13th day of October, 1989.

ROBERT H. MILLER Chief Justice