

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT PALMER

BRISTOL PALIN,

Plaintiff,

vs.

LEVI JOHNSTON,

Defendant.

CASE NO. 3PA-09-2261 CI

ORDER GRANTING MOTION FOR INTERIM CHILD SUPPORT

The Court, having considered the *Motion for Interim Child Support* filed by the plaintiff on January 21, 2010, and the responses thereto, grants the motion. Defendant had an affirmative obligation to supply the court with a child support affidavit and documentation verifying income at the time that he filed his Answer on December 9, 2009. Alaska R. Civ. P. 90.3(e)(1). To date, defendant has not supplied the court with documentation verifying his income, to include his latest tax return and pay stubs. In response to the motion for interim child support, defendant suggests to the court that his annual income is roughly \$100,000 per year.¹ There is no reason for the court to delay a determination of interim child support any further. Therefore, this court will impute income at the cap provided for by law, as set forth in Alaska R. Civ. P. 90.3(c)(2).

¹ In his Affidavit filed February 9, 2010, defendant provides “[t]he income was in excess of \$100,000, but I am still working on obtaining the accounting so I can only say I am not sure what the total amount will add up to.” Defendant’s DR-305 Child Support Guidelines Affidavit dated February 5, 2010 provides an adjusted annual income of \$101,305.

Plaintiff has maintained primary physical custody of the parties' child since his birth on December 27, 2008.² Defendant therefore must provide child support equal to 20% of his adjusted annual income.³ When establishing support for a period of time before a complaint was served, the court should apply the most current version of the rule, except for portions of the rule that state dollar amounts.⁴ The income cap increased from \$100,000 to \$105,000 effective April 15, 2009. Applying the 20% multiplier, the interim child support obligation is calculated as follows:

1. January through March of 2009: $\$100,000 \times .20 = \$20,000$ annually,
= \$1666.67 per month.
2. May 2009 and forward: $\$105,000 \times .20 = \$21,000$ annually
= \$1750 per month.
3. April 2009: $(\$1666.67 \times 14 \text{ days} / 30 \text{ days}) + (\$1750 \times 16 \text{ days} / 30 \text{ days})$
= \$1711.11

If there is no objection to the court's imputation of income as set forth in this order, then the court will not require the parties to file a detailed income declaration.

Dated at Palmer, Alaska on March 1, 2010.

I certify that on 3/1/10
a copy of this document was sent to
 CSED Attorney(s) of record
 Plaintiff Defendant
 Other
At the address(es) of record:
Rec'd Jnl _____
Deputy Clerk K.F.

Van Flein
Butler

Kari C. Kristiansen
Kari C. Kristiansen
Superior Court Judge

- 2 Plaintiff's Affidavit, filed January 21, 2010.
- 3 Alaska R. Civ. P. 90.3(a)(2).
- 4 See Commentary to Alaska R. Civ. P. 90.3 § VI.E.2. ("[T]he dollar amounts in the rule, such as the minimum support amount (increased from \$40 to \$50) and the income cap (increased from \$60,000 to \$105,000), have been revised over time to reflect inflation or for other reasons. With regard to these amounts, the court should apply the version of the rule that was in effect in the month for which support is being calculated.").