

How Alimony Is Calculated

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How alimony is calculated depends on where you live and are getting your divorce. Some states, and even some counties, have alimony guideline charts, similar to the child support guideline charts that exist in all 50 states and the District of Columbia. The charts determine an amount of alimony depending on factors such as the income of the parties and whether and how many children are involved.

In California, for instance, there is no statewide alimony guideline chart; however, Santa Clara, CA has guidelines, and many other California counties have adopted those charts. The courts use them as a starting point, before making adjustments to fit the circumstances of the divorce case.

In Pennsylvania, there are guideline charts developed at the state level. Generally the courts must follow these guidelines, though they can deviate from them as long as they explain why in writing.

Texas, which does not have guidelines charts per se, actually goes one step further by imposing a maximum amount of alimony: \$2,500 per month, for three years.

Several other jurisdictions around the country have developed their own charts. But in most places, alimony is up to the discretion of the courts, both as to amount and duration. The judges take into account the income of both parties, and, in particular, the need of the receiving spouse.

As always, if you can negotiate a mutually acceptable agreement with your spouse, you will both be better off than rolling the dice in divorce court.

For more information:

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