

Enclosure 2

The following chart provides a comparison of the formulas in Memo No. 3, as applied to Spouse A, earning \$5,000 gross per month, and Spouse B, earning \$3,000 gross per month. The couple were married 20 years, and there is no child support ordered for their adult children. The formula widely used in Michigan is not included, as the calculation is provided only in a software program.

Source	American Academy of Matrimonial Lawyers Commission	American Law Institute	Arizona Guidelines	California Guidelines; Colorado Law	New Mexico Guidelines; Fairfax County Virginia Bar Association	Pennsylvania Law
Formula for Amount of Maintenance Award	30% of payer's gross income, minus 20% of the recipient's gross income. Not to exceed 40% of combined income.	Difference in incomes multiplied by factor (equal to .01 for each year of marriage, not to exceed .4).	Difference in income multiplied by factor (equal to .015 for each year of marriage, not to exceed .5)	40% of payer's gross income, minus 50% of recipient's gross income.	30% of payer's gross income, minus 50% of recipient's gross income	Payer's net income, minus recipient's net income, multiplied by 40%.
Calculation from Formula	$(5,000) (.3) = 1,500$ $(3,000) (.2) = 600$ $1,500 - 600 = 900$ $(8,000) (.4) = 3,200$ limit	$5,000 - 3,000 = 2,000$ $(20) (.01) = .2$ $(2,000) (.2) = 400$	$5,000 - 3,000 = 2,000$ $(20) (.015) = .3$ $(2,000) (.3) = 600$	$(5,000) (.4) = 2,000$ $(3,000) (.5) = 1,500$ $2,000 - 1,500 = 500$	$(5,000) (.3) = 1,500$ $(3,000) (.5) = 1,500$ $1,500 - 1,500 = 0$	Assume 25% federal tax rate. $(5,000) (.75) = 3,750$ $(3,000) (.75) = 2,250$ $3,750 - 2,250 = 1,500$ $(1,500) (.4) = 600$
Amount of Monthly Maintenance Payment	\$200	\$400	\$600	\$500	none	\$600
Monthly Income After Maintenance for Spouse A / Spouse B	\$4,800 / \$3,200	\$4,600 / \$3,400	\$4,400 / 3,600	\$4,500 / \$3,500	\$5,000 / \$3,000	\$4,400 / \$3,600
Percentage of Total Combined Income After Maintenance for Spouse A / Spouse B	60 / 40	58 / 42	55 / 45	56 / 44	63 / 37	55 / 45

Source	American Academy of Matrimonial Lawyers Commission	American Law Institute	Arizona Guidelines	California Guidelines; Colorado Law	New Mexico Guidelines; Fairfax County Virginia Bar Association	Pennsylvania Law
Formula for Duration of Maintenance Award	(0-3 years) (.3) (3-10 years) (.5) (10-20 years) (.75) (>20) = indefinite	<20 = ½ length. 20 or more years plus age over 40 = indefinite		<10 = ½ length. 10-20 years = (months married/240) x (months married)	0-4 = none 5-9 = transitional 10-19 = 1/3 to ½ 20+ = indefinite	<20 = 1/3 length. (20+) = indefinite
Duration of Maintenance Award	Indefinite	Indefinite, if over age 40		20 years	Indefinite	Indefinite