

Jefferson County Circuit Court  
129 SW "E" Street, Suite 101  
Madras, OR 97741-1794  
www.courts.oregon.gov/Jefferson  
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Reply to ( )



Crook County Circuit Court  
300 NE Third Street  
Prineville, OR 97754-1919  
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541.447.6541  
Reply to (✓)

Annette C. Hillman  
Circuit Court Judge

Daniel J. Ahern  
Presiding Judge

Daina A. Vitolins  
Circuit Court Judge

## Twenty-Second Judicial District

December 27, 2018

Joel J. Kent  
Stahancyk Kent & Hook, PC  
158 NE Greenwood Ave., Ste. 1  
Bend, OR 97701

James E. Leuenberger  
Attorney at Law  
PO Box 1684  
Lake Oswego, OR 97035

Re: *Leslie Mott v. Casey Mott*  
Crook Co. Circuit Court Case No. 17DR13252

Dear Mr. Kent and Mr. Leuenberger:

This matter came before the Court over four days beginning on October 29 and ending on November 1, 2018.

I do not intend to make one, comprehensive finding of facts. Rather, I will summarize my findings in the paragraph below and then include specific findings of fact throughout the opinion.

### SUMMARY FINDINGS

This has been a long-term marriage of eighteen years. The parties were married on March 18, 2000. They separated in June of 2017 and remain separated today. This has been a fairly traditional marriage in that Husband (Respondent, Casey Mott) was the primary bread winner and Wife (Petitioner, Leslie Mott) was the primary home-maker and primary care giver of the parties' child. Husband is the sole shareholder of CR Fabrication, Ltd, an industrial manufacturer in Redmond, Oregon. CR Fabrication was established entirely during the marriage. The family has received substantial income as a result of Husband's ownership of CR Fabrication. Wife worked as a bookkeeper at CR Fabrication and earned minimum wage until August 2017. At the

time of the trial, Wife intended to accept a job where she will receive a gross monthly wage of \$2,291 for 25 hours a week. Husband's gross monthly wage is \$75,982. Wife is 44 years of age and Husband is 44 years of age. They have one minor child, ~~Chance Mott~~. This is a high conflict case, made even worse by Husband when he threatened to kill Wife, her attorney Mr. Kent, and himself on the courthouse steps while a hearing was pending to determine temporary custody of ~~Chance Mott~~.

Custody and parenting time were resolved on October 26, 2018 by the stipulation of the parties. This is a financial case. The issues before me are division of assets and liabilities, spousal support, child support, and attorney fees. Child support amounts shall be determined by Oregon Administrative Rules and the child support guidelines after I determine the income attributable to each parent for such awards.

### BUSINESSES

The parties own four businesses, CR Fabrication, LTD, CLM Industries, LLC, First Street RV, LLC and CA Racing, LLC.

#### CR FABRICATION, LTD

CR Fabrication, LTD is a metal fabricator located in Redmond, Oregon. The business was established entirely during the marriage. CR Fabrication's main customer is Boeing. Donna Walker was hired by the parties to complete an appraisal of CR Fabrication. During the trial, Husband did not present any evidence to rebut or challenge Ms. Walker's appraisal of CR Fabrication. I adopt Ms. Walker's testimony and appraisal (Petitioner's Exhibit 38) and find that the value of CR Fabrication is \$2,500,000.

#### CLM INDUSTRIES, LLC

Husband and Wife each own a one-half interest in CLM Industries, LLC which in turn owns two parcels of industrial real property. The properties owned by CLM Industries are: 1) 833 SE 1<sup>st</sup> Street Redmond, Oregon. CR Fabrication's 25,061 square foot manufacturing facility is located on this property which consists of 2.19 acres of heavy industrial zoned land. The parties purchased this property in 2012. CLM Industries rents the property to CR Fabrication for \$6,200 per month which the parties agree is below market value; 2) 859 SE 1<sup>st</sup> Redmond, Oregon is 2.47 acres of unimproved heavy industrial zoned land. This property was purchased in 2016. Ms. Michele Payne, Beacon Appraisal Group appraised this property as did Gregory Moore, Moore Valuations, Inc. Both Ms. Payne and Mr. Moore testified during the trial and their appraisals were admitted as Respondent's Exhibit 12 and Petitioner's Exhibit 62. I adopt Ms. Payne's appraisal and find that the equity value of the two parcels of real property owned by CLM Industries, LTD is \$1,759,082.

The next question presented is who should be awarded CR Fabrication and CLM Industries. Husband is the owner, operator and manager of CR Fabrication. It was clear from the testimony of the witnesses at trial that Wife cannot manage or run CR Fabrication. Mr. Patrick, Husband's accountant recommended during his testimony that Husband be awarded CR Fabrication and Wife be awarded CLM Industries and that CLM Industries lease the property to CR Fabrication for a period of time. Based on Mr. Patrick's testimony, I find that the most financially prudent decision in this case is to award Husband CR Fabrication and Wife CLM Industries. I order Husband and Wife to enter into a lease for a period of six years with rent at \$12,551 per month beginning February 1, 2019. In light of the high conflict surrounding this case, a term and condition of the lease is the employment of a property manager. Husband shall be responsible for the costs of the property manager.

#### FIRST STREET RV, LLC

The parties agree that First Street RV should be awarded to Husband. I assign a value of \$7,948 and award it to Husband. (Petitioner's Exhibit 58, December 31, 2017 balance sheet).

#### CA RACING, LLC

CA Racing, LLC is an entity owned by Husband, Wife and Wife's son Chris Alldredge that was used in the past to further Chris' motorcycle racing career. The parties agree that it should be awarded to Husband and that no value should be assigned to it. I award CA Racing, LLC to Husband and assign a value of zero.

#### REAL PROPERTY

The parties own a home located at 13432 SW Highway 126, Powell Butte. Two appraisals were conducted. One by Michèle Payne, Beacon Appraisal Group, LLC (Respondent's Exhibit 9) and Calvin E. Gabert, Bratton Appraisal Group, LLC, (Petitioner's Exhibit 2). I adopt the testimony and appraisal of Ms. Payne and find that the value of the parties' home is \$332,000. There are 2 mortgages on the home in the amount of \$244,149. I award the home to Wife with an equity value of \$87,851. Husband was ordered to pay both mortgages and property taxes on the parties' home while this matter was pending. Beginning January 1, 2019, I order Wife to assume all payments and taxes related to the home.

#### RETIREMENT ACCOUNTS

Husband and Wife own four retirement accounts, two each. I award the Edward Jones Roth 401K #3524 to Husband and assign a value of \$21,001. I award the American Funds 401K owned by Husband to Wife and assign a value of \$97,989. I award Wife's Edward Jones IRA, #2310 to Wife and assign a value of \$20,991. I award Wife's American Funds 401K to Wife and

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assign a value of \$128,825. I make this decision in order to reduce the amount owed by Husband in the equalizing judgment. If Husband wishes to keep his American Funds 401K account, and the parties agree, the equalizing judgment may be increased rather than liquidating the account.

### PERSONAL PROPERTY

Exhibit 1 and 2 of the attached personal property list constitutes my personal property findings of value and awards to each party. I base this decision on the testimony and Personal Property Appraisal (Petitioner's Exhibit 13) of Hendrick Sharples and Husband. I award to Husband his First Interstate Bank Checking Account, #6948 and to Wife her First Interstate Checking Account, #4929. I award to Husband the parties' joint checking account and assign a value of \$430.

The value of personal property items awarded to Husband is \$113,353. The value of items awarded to Wife is \$139,314.

### EQUALIZING JUDGMENT

Based on the awards listed above, an equalizing judgment is necessary in this matter. I award to Wife a judgment against Husband in the amount of \$547,564, due on July 1, 2019. If it is not paid by then, interest will begin to accrue at 9% per annum. If the parties wish to do so, they may mutually agree to a different payment schedule.

### DEBTS

Wife shall be responsible for the Alaska Airlines credit card, #3434, the Chase United Mileage credit card, #4229 and the Macy's credit card, #7239 and any debts in her sole name incurred after the filing of the Petition for Dissolution of Marriage and shall defend and indemnify and hold husband harmless from those debts. Husband shall be responsible for the Alaska Airlines credit card, #2974 and any debts in his sole name incurred after the filing of the Petition for Dissolution of Marriage and shall defend and indemnify and hold Wife harmless from those debts.

### INCOME OF THE PARTIES

Wife's income is \$2,291 per month working as a receptionist for an orthodontist.

Husband's adjusted gross income in 2017 was \$912,867 (Petitioner's Exhibit 26). In 2016 his adjusted gross income was \$1,190,107 (Petitioner's Exhibit 27). In 2015, Husband's adjusted gross income was \$632,391 (Petitioner's Exhibit 28). The source of that income was from CR Fabrication, CLM Industries, First Street RV and his wages. Averaging the three years,

Husband's adjusted gross income is \$911,788 or \$75,982 per month. I find that Husband's income is \$75,982 per month. During the trial, Husband argued that since he does not distribute all his earned income it should not be counted as income. I reject Husband's argument as it is not supported by the case law in Oregon. *In the Matter of Marriage of Olinger and Olinger*, 75 Or App 351 (1985).

### CHILD SUPPORT

Child support will be determined based on Oregon Administrative Rules using the income figures set forth above. It will be calculated using 134 overnights per year. Husband will continue to provide medical insurance for [REDACTED]. Husband shall maintain insurance on his life sufficient to cover his outstanding child and spousal support obligations. Wife should be the beneficiary for the amount dedicated to cover spousal support and [REDACTED] should be the beneficiary for the amount dedicated to cover child support. Wife shall claim [REDACTED] for tax purposes. Please refer to the child support calculations, attached to this letter, as Exhibit 3.

### SPOUSAL SUPPORT

Maintenance spousal support is supported by the evidence in this case and will be granted.

This was a long-term marriage, from March 18, 2000 until the Petition for Dissolution was filed on June 22, 2017. Husband is 44 years of age and wife is 44 years of age. Husband and Wife have no health issues. The standard of living established during the marriage was high. They took snow mobile and other trips whenever they wanted to go. They built a shop which cost \$120,000 and paid for it outright, and purchased many snowmobiles, motorcycles and toy haulers. Prior to their separation they spent \$20,000 to \$40,000 per month on their credit cards and paid them off every month. During the pendency of this proceeding, Husband built a synthetic ice rink at his business, traveled and paid attorney fees in the amount of \$182,031. The financial needs and resources of each party is very different. Husband's income is substantial. He will continue to own CR Fabrication which is in good financial health. Husband's adjusted gross income in 2017 was \$912, 867 (Petitioner's Exhibit 26). In 2016 his adjusted gross income was \$1,190,107 (Petitioner's Exhibit 27). In 2015, Husband's adjusted gross income was \$632,391 (Petitioner's Exhibit 28). Their income is very different and their ability to earn income is very different. Wife has worked part-time throughout some of the marriage and has primarily been the parent responsible for raising [REDACTED]. The earning potential of the parties is vastly different. Husband can continue to operate his business and his business will likely grow. There will be tax consequences to each party, because spousal support will be a tax deduction for husband and taxable income to wife.

Clearly wrong, judgment cannot be entered on Monday to make deductability possible.

Wife was unable to pursue a steady, goal-oriented career during this marriage because she was primarily responsible for raising [REDACTED]. Wife's focus on family activities, and being primarily

responsible for raising ██████, allowed Husband to focus on CR Fabrication. Wife sacrificed her career in order to allow husband to develop the business and his career, and to increase his earning capacity and actual income, and she does not have the earning capacity to support herself and ██████ without continued support from husband.

Maintenance spousal is appropriate in this case. The parties are 44 years of age, and their health is good, the marriage is of long duration, and the standard of living was quite high. Wife does not need to return to school to receive additional training at this stage in her career, but it is just and equitable to award maintenance support so that the wife will enjoy a standard of living that is not overly disproportionate to what she enjoyed during the marriage. The Court should make every effort to lessen the financial inequality between spouses of a long-term marriage, and leave the parties in approximately equal positions, if possible.

Wife shall be awarded maintenance support of \$7,000 per month beginning November 1, 2018 for a period of 8 years. As I am awarding her CLM Industries and requiring that the parties enter a lease for 6 years, this will give her time to sell the property or renegotiate the lease before spousal support terminates. Husband shall maintain insurance on his life sufficient to cover his outstanding sosal support obligations

ATTORNEY FEES

Wife requests that attorney fees paid during the pendency of these proceedings be attributed to the parties. Husband has paid \$182,031 in attorney fees and Wife, \$44,134. I attribute to Husband and Wife the attorney fees they have already paid. *In the Matter of the Marriage of Johnson*, 280 Or App 71 (2016).

Attorney fees incurred by Wife that have not previously been paid shall be awarded to Wife. My final decision is much closer to Wife's position at trial then it was Husband's. Mr. Kent shall submit an affidavit of attorney fees and costs by February 1, 2019. Mr. Kent shall prepare the appropriate general judgment of dissolution.

Very truly yours,

Daina A. Vitolins  
Circuit Court Judge

DAV/lb

Attachments

Personal Property Award to Husband - Exhibit 1

2015 Ford F450	\$28,248
2005 MB Sports Ski Boat	27,500
2000 Spirit Jet Ski Trailer	1,500
2016 Sandstorm Toy Hauler	30,000
1991 Yamaha 701 Super Jet Ski	1,060
1998 Yamaha 701 Super Jet Ski	2,220
1990 Yamaha 650 Jet Ski	500
2002 Honda Dual Sport MC	2,620
Prerunner	15,000
.308 Rifle	0
Contents of Shop	2,980
Contents of Barn	1,725
Total:	\$113,353

Personal Property Award to Wife – Exhibit 2

2017 Ford 150	\$37,900
2010 Kawasaki Motorcycle	830
2015 Cobra Motorcycle	1,500
2000 Free Air Ski Doo Snowmobile	1,000
1989 Yamaha Snowmobile	400
2013 Arctic Cat Snowmobile	7,500
2017 Polaris Snowmobile	6,000
2016 Polaris Snowmobile	8,550
2007 International Cargo Trailer	7,000
2019 Stryker Toy Hauler	1,500
2015 Charmac Snowmobile Trailer	7,000
Furnishings, Kitchenware, Houseware	2,090
Firearms and Gun Safe	2,850
2017 Federal Tax Refund	42,241
2017 Oregon State Tax Refund	1,198
2017 California State Tax Refund	11,755
Total:	\$139,314

**Exhibit 3**

**CHILD SUPPORT WORKSHEET**

OAR 137-050-0700 to 137-050-0765

oregonchildsupport.gov

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**1. INCOME**

		<i>Mom</i>	<i>Dad</i>	
		<i>Mother</i>	<i>Father</i>	
<b>1a</b>	<b>Income</b>	\$ 2,291.00	\$ 75,982.00	
<b>1b</b>	<b>Additions and subtractions</b>			
	Add spousal support owed to the parent by anyone.	\$ 7,000.00		
	Subtract spousal support the parent owes to anyone.		\$ 7,000.00	
	Subtract mandatory union dues.			
	Subtract cost of the parent's own health insurance.	\$ 0.00	\$ 0.00	
	<b>Income after additions and subtractions</b>	\$ 9,291.00	\$ 68,982.00	
<b>1c</b>	<b>Number of non-joint children</b> Enter the number of non-joint children for each parent.	0	0	
<b>1d</b>	<b>Number of joint minor children</b> Include 18-year-olds attending high school and living with a parent.	1		<b>total</b>
<b>1e</b>	<b>Number of joint Children Attending School age 18 to 20</b> Exclude 18-year-olds attending high school and living with a parent.	0		1
<b>1f</b>	<b>Total number of children</b> Add the number of non-joint children (line 1c), the joint minor children (line 1d), and the joint Children Attending School (line 1e) for each parent.	1	1	
<b>1g</b>	<b>Non-joint child deduction</b> Reference the <u>scale</u> using the parent's income after additions and subtractions (line 1b) and the parent's total number of children (line 1f). Divide the result by the total number of children and multiply by the number of non-joint children (line 1c).	\$ 0.00	\$ 0.00	
<b>1h</b>	<b>Adjusted income</b> Subtract non-joint child deduction (line 1g) from income after additions and subtractions (line 1b). Add the parents' adjusted incomes and enter amount in the "total" column. If less than zero, enter \$0.	\$ 9,291.00	\$ 68,982.00	\$ 78,273.00
<b>1i</b>	<b>Each parent's income share percentage</b> Each parent's adjusted income (line 1h) divided by the total.	11.87%	88.13%	
<b>1j</b>	<b>Income available for support</b> Subtract the \$1181 self-support reserve from each parent's adjusted income (line 1h). If less than zero, enter \$0.	\$ 8,110.00	\$ 67,801.00	

**2. BASIC SUPPORT OBLIGATION**

<b>2a</b>	<b>Basic support obligation (from obligation scale)</b> Reference the <u>scale</u> using the total adjusted income (line 1h) and the number of joint children (lines 1e+1d). Enter this amount in the "total" column.			<b>total</b>
				\$ 1,987.00
<b>2b</b>	<b>Basic support obligation after self-support reserve</b> Enter the lesser of: 1) basic support obligation (line 2a) multiplied by each parent's income share percentage (line 1i); or 2) the parent's income available for support (line 1j).	<i>Mom</i>	<i>Dad</i>	
		\$ 235.86	\$ 1,751.14	

### 3. CHILD CARE COSTS

		<i>Mom</i>	<i>Dad</i>	<i>caretaker</i>
<b>3a</b>	<b>Child care costs for joint children under 13 or disabled</b> Enter the cost in the column of the parent or caretaker paying the cost. Costs may not exceed the Department of Human Services maximum rate.	\$ 0.00	\$ 0.00	\$
<b>3b</b>	<b>Income available for child care costs</b> Subtract each parent's basic support obligation (line 2b) from each parent's income available for support (line 1j).	\$ 7,874.14	\$ 66,049.86	
<b>3c</b>	<b>Parents' shares of child care costs</b> Multiply each parent's income share percentage (line 1i) by the total of all child care costs (line 3a) and enter the lesser of that amount or income available for child care costs (line 3b).	\$ 0.00	\$ 0.00	
<b>3d</b>	<b>Support obligation after adding child care costs</b> Add child care costs (line 3c) to the basic support obligation (line 2b).	\$ 235.86	\$ 1,751.14	

### 4. HEALTH CARE COVERAGE

		<i>Mom</i>	<i>Dad</i>	
<b>4a</b>	<b>Health care coverage costs for joint children</b> Enter the amount each parent pays for health insurance premiums, even if \$0. Enter "none" if appropriate coverage is not available.	\$ None	\$ 284.00	
<b>4b</b>	<b>Income available for health care coverage</b> Subtract support obligation after adding child care costs (line 3d) from income available for support (line 1j).	\$ 7,874.14	\$ 66,049.86	
<b>4c</b>	<b>Reasonable cost for health care coverage</b> Enter the lesser of each parent's income available for health care coverage (line 4b) or 4% of each parent's adjusted income (line 1h). Enter \$0 if the parent's income (line 1a) is at or below Oregon's highest minimum wage. Round to the nearest dollar. Total the results under <b>total</b> .	\$ 372.00	\$ 2,759.00	\$ 3,131.00
<b>4d</b>	<b>Determine whose coverage is available at a reasonable cost</b> Compare each parent's health care coverage cost (line 4a) to the total reasonable cost amount (line 4c). Indicate by name who can provide coverage: neither parent, one parent, either parent, or both parents. Only include a parent with income at or below Oregon's highest minimum wage if that parent's coverage is available at no cost.		Dad	
<b>4e</b>	<b>Order health care coverage at a higher amount?</b> Enter "yes" to find any available health care coverage reasonable in cost even though it exceeds the amount in line 4c. This may leave the parents with less than the self-support reserve (line 1j), but may not require a parent with income at or below Oregon's highest minimum wage to pay. Update line 4d. Otherwise, enter "no".		No	
<b>4f</b>	<b>Who will provide health care coverage?</b> Select the parent(s) with coverage available at a reasonable cost (line 4d) who will provide coverage. Add the costs of the selected coverage from line 4a and enter the amount in the total column. If neither parent can provide coverage now, select "either parent when available" and enter \$0.		Dad	\$ 284.00

<b>4g</b>	<b>Parents' percentage share of health care coverage costs</b> Divide each parent's reasonable cost for health care coverage by the total amount on line 4c.	11.88%	88.12%
<b>4h</b>	<b>Each parent's share of health care coverage costs</b> Multiply the total cost of health care coverage that will be ordered (line 4f) by each parent's percentage share of health care coverage costs (line 4g).	\$ 33.74	\$ 250.26
<b>4i</b>	<b>Support obligation after adding health care coverage costs</b> Add the support obligation after child care costs (line 3d) to each parent's share of health care coverage costs (line 4h).	\$ 269.60	\$ 2,001.40

**5. CASH MEDICAL SUPPORT**

		<b>election y/n/c</b>	
<b>5a</b>	<b>Cash medical support election</b> Enter "y" for <b>yes</b> if no appropriate health care coverage is available (line 4f). Cash medical will be included.  Enter "n" for <b>no</b> if appropriate health care coverage is available or if a finding will be included in the order explaining why cash medical should not be included. Cash medical will be excluded.  Enter "c" for <b>contingent</b> if the obligated parent will pay cash medical support whenever the obligated parent does not provide health care coverage. Contingent cash medical will be included.	n	
<b>5b</b>	<b>Cash medical support amount</b> If line 5a is "y", enter each parent's reasonable cost amount (line 4c).  If line 5a is "n", enter \$0.  If line 5a is "c", enter each parent's reasonable cost amount (line 4c).	<i>Mom</i>	<i>Dad</i>
		\$ 0.00	\$ 0.00

**6. CREDITS**

		<i>Mom</i>	<i>Dad</i>	<i>caretaker or agency</i>
<b>6a</b>	<b>Average number of overnights (or equivalent)</b> Enter each parent's and caretaker's average number of overnights with the joint minor children.	231	134	
<b>6b</b>	<b>Parenting time credit percentage</b> <b>This is not the same as the percentage of parenting time.</b> Determine the appropriate parenting time credit percentage as provided in <u>OAR 137-050-0730</u> using the average number of overnights (line 6a).	72.81%	27.19%	
<b>6c</b>	<b>Parenting time credit</b> Multiply the basic support obligation (line 2a) by the number of joint minor children (line 1d), divide by the number of joint children (lines 1d + 1e), and multiply by each parent's parenting time credit percentage (line 6b).	\$ 1,446.73	\$ 540.27	

<b>6d</b>	<b>Child care credit</b> Enter each parent's child care costs (line 3a).	\$ 0.00	\$ 0.00
<b>6e</b>	<b>Credit for health care coverage costs</b> If health care coverage will be provided (line 4f), enter the health care coverage costs (line 4a) for each providing parent.	\$ 0.00	\$ 284.00
<b>6f</b>	<b>Support after credits</b> Subtract credits (lines 6c, 6d, and 6e) from the support obligation after adding health care coverage costs (line 4i). This amount may be less than zero.	\$ (1,177.13)	\$ 1,177.13

**7. WHO SHOULD PAY SUPPORT FOR MINOR CHILDREN?**

		<i>Mom</i>	<i>Dad</i>
<b>7a</b>	<b>Minor children's portion of basic support obligation</b> Divide each parent's portion of the basic support obligation (line 2b) by the total number of joint children (lines 1d + 1e) and multiply by the number of minor children (line 1d).	\$ 235.86	\$ 1,751.14
<b>7b</b>	<b>Net obligation for minor children</b> Add the minor children's portion of the basic support obligation (line 7a), each parent's share of child care costs (line 3c), and the minor children's portion of health care coverage costs (line 4h divided by total of lines 1d and 1e, multiplied by line 1d). Subtract parenting time credit (line 6c), child care credit (line 6d), and the minor children's portion of health care coverage costs credit (line 6e divided by total of lines 1d and 1e, multiplied by line 1d). May be less than zero.	\$ (1,177.13)	\$ 1,177.13
<b>7c</b>	<b>Which parent(s) should pay support for minor children?</b> Enter "Yes" in the column of the parent with the higher net support for minor children (line 7b). Enter "No" in the other parent's column. Enter "No" for both parents if the parents' line 7b figures are equal or there are no minor children (line 1d).  If the children live with a caretaker or are in state care, enter "Yes" in both columns.	No	Yes

**8. MINIMUM ORDER; REDUCTION FOR BENEFITS PAID TO CHILD**

		<i>Mom</i>	<i>Dad</i>
<b>8a</b>	<b>Total support payment obligation, including medical support</b> To each parent's support obligation after credits (line 6f), add the greater of the health care coverage premium costs that will be ordered (line 6e) or cash medical support (line 5b).	\$ (1,177.13)	\$ 1,461.13
<b>8b</b>	<b>Is there a need to apply an exception to the minimum order presumption?</b> If line 8a is less than \$100 and the parent has an exception to the minimum order as provided in <u>OAR 137-050-0755</u> , enter "yes" in that parent's column. Otherwise, enter "no."	No	No
<b>8c</b>	<b>Amount needed to meet minimum order</b> If a parent has a total support payment obligation of less than \$100 (line 8a), and does not have an exception to the minimum order (line 8b), subtract line 8a from \$100. This is the increase needed to reach the \$100 minimum order. Otherwise, enter \$0.	\$ 1,277.13	\$ 0.00

<b>8d</b>	<b>Cash child support obligation after minimum order</b> Add amount needed to meet minimum order (line 8c) to support after credits (line 6f). But, if the parent should not pay support for minor children (line 7c), and there are no Children Attending School (line 1e), enter \$0. If less than zero, enter \$0.	\$ 0.00	\$ 1,177.13
<b>8e</b>	<b>Reduction for Social Security or veterans benefits</b> Enter the amount of benefits paid to the joint child because of a parent's disability or retirement as provided in <u>OAR 137-050-0740</u> in the disabled or retired parent's column. If the parent is obligated to pay support, the support obligation will be reduced by this amount.	\$ 0.00	\$ 0.00
<b>8f</b>	<b>Cash child support after Social Security or veterans benefits</b> From cash child support after minimum order (line 8d), subtract reduction for Social Security or veterans benefits (line 8e). If less than zero, enter \$0.	\$ 0.00	\$ 1,177.13
<b>8g</b>	<b>Remaining reduction to apply to cash medical support</b> Enter the amount of Social Security or veterans benefits in excess of cash child support (line 8e minus line 8d). If less than zero, enter \$0.	\$ 0.00	\$ 0.00
<b>8h</b>	<b>Cash medical support after Social Security or veterans benefits</b> From cash medical support (line 5b), subtract remaining reduction for Social Security or veterans benefits (line 8g). If less than zero, enter \$0.	\$ 0.00	\$ 0.00

**9. FINAL SUPPORT AMOUNTS AND MEDICAL SUPPORT PROVISIONS**

		<i>Mom</i>	<i>Dad</i>
<b>9a</b>	<b>Cash child support for minor children</b> If the parent should pay support for minor children (line 7c), divide cash child support after Social Security or veterans benefits (line 8f) by the number of joint children (lines 1d + 1e) and multiply by the number of minor children (line 1d). Round to the nearest dollar. Otherwise, enter \$0.	\$ 0.00	\$ 1,177.00
<b>9b</b>	<b>Cash medical support for minor children</b> If the parent should pay support for minor children (line 7c), divide the cash medical support amount after reductions (line 8h) by the number of joint children (lines 1d + 1e) and multiply by the number of minor children (line 1d). Round to the nearest dollar. Otherwise, enter \$0.	\$ 0.00	\$ 0.00
<b>9c</b>	<b>Cash child support for Children Attending School</b> Divide cash child support after Social Security or veterans benefits (line 8f) by the number of joint children (lines 1d + 1e) and multiply by the number of Children Attending School (line 1e). But, if the parent should not pay support for minor children (line 7c), enter the full amount from line 8f. Round to the nearest dollar.	\$ 0.00	\$ 0.00
<b>9d</b>	<b>Cash medical support for Children Attending School</b> Divide the cash medical support amount after reductions (line 8h) by the number of joint children (lines 1d + 1e) and multiply by the number of Children Attending School (line 1e). Round to the nearest dollar. But, if the parent should not pay support for minor children (line 7c), enter the full amount from line 8h. Round to the nearest dollar.	\$ 0.00	\$ 0.00

<b>9e</b>	<b>Total child support</b> Add all cash child support and cash medical support (lines 9a-9d).	\$ 0.00	\$ 1,177.00
<b>9f</b>	<b>Private health care coverage</b> Who should be ordered to provide health care coverage? Enter the selection from line 4f.	Dad	
<b>9g</b>	<b>Reasonable cost for health care coverage</b> Enter the "total" reasonable in cost amount from line 4c. But, if health care coverage will be ordered at a higher amount (line 4e) enter <i>the greater of</i> 1) the line 4c total, or 2) the line 4f total.	\$ 3,131.00	

**10. AGREED SUPPORT AMOUNT (optional)**

Only complete this section if the parties agree to a change in the support amount.

The parents may increase or decrease the support amount by up to 15%.

		<i>Mom</i>	<i>Dad</i>
<b>10a</b>	<b>Maximum permitted change</b> Multiply each parent's total adjusted child support (line 9e) by 0.15.	\$ 0.00	\$ 176.55
<b>10b</b>	<b>Amount of agreed change to child support obligation (+/-)</b>	\$	\$
<b>10c</b>	<b>Actual percentage change</b> Divide the amount of agreed change (line 10b) by total child support (line 9e).		
<b>10d</b>	<b>Agreed cash child support obligation for minor children</b> Increase or decrease line 9a by the actual percentage change (line 10c). Round to the nearest dollar.	\$	\$
<b>10e</b>	<b>Agreed cash medical support obligation for minor children</b> Increase or decrease line 9b by the actual percentage change (line 10c). Round to the nearest dollar.	\$	\$
<b>10f</b>	<b>Agreed cash child support obligation for Children Attending School</b> Increase or decrease line 9c by the actual percentage change (line 10c). Round to the nearest dollar.	\$	\$
<b>10g</b>	<b>Agreed cash medical support obligation for Children Attending School</b> Increase or decrease line 9d by the actual percentage change (line 10c). Round to the nearest dollar.	\$	\$
<b>10h</b>	<b>Total agreed child support</b> Add all agreed cash child support and cash medical support (lines 10d-10g).	\$	\$

**PARENTING TIME WORKSHEET**  
**OAR 137-050-0730**

**Use this worksheet to help determine the average parenting time overnights when calculating child support for more than one child and there are different parenting time amounts for each child.**

**Enter the number of parenting time overnights (based on a two-year average) each party has with each child.** A party can be a parent, a caretaker, or the state if the child is in state care.

For help calculating parenting time under a parenting plan, see the Parenting Plan Calculator at [oregonchildsupport.gov/calculator/parenting\\_time](http://oregonchildsupport.gov/calculator/parenting_time)

**Include a Child Attending School age 18, living with a parent, and attending high school. Do not include any other Child Attending School.**

		Overnights		
Children's names		Mom	Dad	
Child		231	134	0
<b>a</b>	Total the number of overnights for each party	231	134	
<b>b</b>	Enter the total number of minor children	1		
<b>c</b>	Divide the total number of overnights for each party (line a) by the total number of children (line b). This is the party's average parenting time overnights for the minor children.	231	134	

# CHILD SUPPORT CALCULATION SUMMARY

oregonchildsupport.gov

Verified Correct Copy of Original 12/28/2018

This calculation summary is not an order. It is a summary of the type and amount of support that could be ordered based on this calculation. An individual's actual obligation can only be established by court or administrative order in accordance with the laws of Oregon. For the actual terms of the judgment, see the judgment and money award.

The monthly guideline support amount for Mom \_\_\_\_\_ is:

Support for the minor children	\$	<u>0.00</u>
Support for the children attending school	\$	<u>0.00</u>
Cash medical support	\$	<u>0.00</u>
Private health care coverage for the children not to exceed		<u>N/A</u>

The total monthly guideline support amount is: \$ 0.00

The monthly guideline support amount for Dad \_\_\_\_\_ is:

Support for the minor children	\$	<u>1,177.00</u>
Support for the children attending school	\$	<u>0.00</u>
Cash medical support	\$	<u>0.00</u>
Private health care coverage for the children not to exceed		<u>\$ 3,131.00</u>

The total monthly guideline support amount is: \$ 1,177.00


STATE OF OREGON            )  
  ) ss.  
County of Jefferson         )

I, Linda Branson, Judicial Assistant to Daina A. Vitolins, Judge of the Circuit Court, Prineville, Oregon, hereby certify that I mailed copies of the foregoing opinion letter to the parties named below, by placing such copies in an envelope, with postage thereon fully prepaid, addressed to said parties at their respective addresses, and depositing said envelopes in the United States mail at Madras, Oregon, this 28th day of December, 2018, or having placed in their courthouse pick-up box as set forth below; said parties being:

Joel J. Kent  
Stahancyk Kent & Hook, PC  
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Bend, OR 97701

James E. Leuenberger  
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PO Box 1684  
Lake Oswego, OR 97035

DATED at Madras, Oregon, this 28th day of December, 2018.

  
\_\_\_\_\_  
Linda Branson  
Judicial Assistant to Judge Daina A. Vitolins