

PERMANENT SPOUSAL SUPPORT CHECK OFF FORM

Pursuant to the *Geraci* case (2006) 144 Cal.App.4th 1278, (and see IRMO Ackerman 2006-2007) 146 Cal.App.4th 191) the Court is now at least invited if not mandated to weigh each of the factors of §4320. In addition, a key in this case is the marital standard of living and how it should be analyzed. The Court is charged with making specific findings regarding the marital standard of living but also to ascertain the extent to which the Court can create support rights and assign support responsibilities equitably measured against the marital standard of living. The marital standard of living is not the absolute measure of reasonable need. It is merely a threshold or reference point against which all of the statutory facts may be weighed. It is neither a floor nor a ceiling for a spousal support award. The Legislature intended it to be a general description of the station in life that the parties achieved at the date of separation. It is a mere reference point. (See *In re Marriage of Nelson* (2006) 139 Cal.App.4th 1546).

(1) The marketable skills of the supported party; the job market for those skills; the time and expenses required for the supported party to acquire the appropriate education or training to develop those skills; and the possible need for retraining or education to acquire other, more marketable skills or employment.

Findings:

(2) The extent to which the supported party's present or future earning capacity is impaired by periods of unemployment that were incurred during the marriage to permit the supported party to devote time to domestic issues.

Findings:

(b) The extent to which the supported party contributed to the attainment of an education, training, a career position, or a license by the supporting party.

Findings:

(c) The ability of the supporting party to pay spousal support, taking into account the supporting party's earning capacity, earned and unearned income, assets, and standard of living.

Findings:

(d) The needs of each party based on the standard of living established during the marriage.

Findings:

(e) The obligations and assets, including the separate property, of each party.

Findings:

(f) The duration of the marriage.

Findings:

(g) The ability of the supported party to engage in gainful employment without unduly interfering with the interests of dependent children in the custody of the party.

Findings:

(h) The age and health of the parties.

Findings: .

(i) Documented evidence of any history of domestic violence.

Findings.

(j) The immediate and specific tax consequences to each party.

Findings: (k) The balance of the hardships to each party.

Findings:

(l) The goal that the supported party shall be self-supporting within a reasonable period of time.

Findings:

(m) The criminal conviction of an abusive spouse shall be considered in making a reduction or elimination of a spousal support award in accordance with Section 4325.

Findings:

(n) Any other factors the Court determines just and equitable.

Findings: