

## Charts

**Chart 1: Alimony/Spousal Support Factors**

STATE	Statutory List*	Marital Fault Relevant	Standard of Living	Status as Custodial Parent Considered
<b>Alabama</b> ALA. CODE § 30-2-51 ALA. CODE § 30-2-52		X	X	
<b>Alaska</b> ALASKA STAT. § 25.24.160	X		X	X <sup>1</sup>
<b>Arizona</b> ARIZ. REV. STAT. § 25-319	X		X	X
<b>Arkansas</b> ARK. CODE ANN. § 9-12-312			X <sup>1</sup>	X <sup>1</sup>
<b>California</b> CAL. FAM. CODE § 4320 CAL. FAM. CODE § 4325 CAL. FAM. CODE § 4336 CAL. FAM. CODE § 6211	X		X	X
<b>Colorado</b> COLO. REV. STAT. § 14-10-114	X		X	X <sup>2</sup>
<b>Connecticut</b> CONN. GEN. STAT. § 46B-82(A)	X	X <sup>3</sup>	X	X
<b>Delaware</b> DEL. CODE ANN. TIT. 13 § 1512	X	X <sup>1</sup>	X	X <sup>1</sup>
<b>District of Columbia</b> D.C. CODE § 16-913	X	X <sup>3</sup>	X	X <sup>1</sup>
<b>Florida</b> FLA. STAT. § 61.08	X	X	X	X
<b>Georgia</b> GA. CODE ANN. § 19-6-1 GA. CODE ANN. § 19-6-5	X	X	X	
<b>Hawaii</b> HAW. REV. STAT. § 580-47	X		X	X
<b>Idaho</b> IDAHO CODE ANN. § 32-705	X	X	X <sup>1</sup>	X <sup>1</sup>
<b>Illinois</b> 750 ILL. COMP. STAT. 5/504	X		X	X
<b>Indiana</b> IND. CODE § 31-15-7-2	X			X <sup>4</sup>
<b>Iowa</b> IOWA CODE § 598.21A	X	X <sup>1</sup>	X	X
<b>Kansas</b> KAN. STAT. ANN. § 23-2902				
<b>Kentucky</b> KY. REV. STAT. ANN. § 403.200	X		X	X
<b>Louisiana</b> LA. CIV. CODE ANN. ART. 112	X	X <sup>5</sup>		X
<b>Maine</b> ME. REV. STAT. TIT. 19-A § 951-A	X		X	X
<b>Maryland</b> MD. CODE ANN. FAM. LAW § 11-106	X	X	X	
<b>Massachusetts</b> MASS. GEN. LAWS. CH. 208 § 34 MASS. GEN. LAWS. CH. 208 § 48-55	X		X	
<b>Michigan</b> MICH. COMP. LAWS § 552.23		X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
<b>Minnesota</b> MINN. STAT. § 518.552	X		X	X
<b>Mississippi</b> MISS. CODE ANN. § 93-5-236			X <sup>7</sup>	
<b>Missouri</b> MO. REV. STAT. § 452.335	X	X	X	X

STATE	Statutory List*	Marital Fault Relevant	Standard of Living	Status as Custodial Parent Considered
<b>Montana</b> MONT. CODE ANN. § 40-4-203	X		X	X
<b>Nebraska</b> NEB. REV. STAT. § 42-365	X		X	X
<b>Nevada</b> NEV. REV. STAT. § 125.150	X	X <sup>1</sup>	X	X <sup>1</sup>
<b>New Hampshire</b> N.H. REV. STAT. ANN. § 458:19	X	X	X	X
<b>New Jersey</b> N.J. STAT. ANN. § 2A:34-23	X	X <sup>8</sup>	X	X
<b>New Mexico</b> N.M. STAT. ANN. § 40-4-7	X		X	
<b>New York</b> N.Y. DOM. REL. LAW § 236B(6)	X		X	X
<b>North Carolina</b> N.C. GEN. STAT. § 50-16.3A	X	X	X	X
<b>North Dakota</b> N.D. CENT. CODE § 14-05-24.1		X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
<b>Ohio</b> OHIO REV. CODE ANN. § 3105.18	X	X <sup>1</sup>	X	X
<b>Oklahoma</b> OKLA. STAT. TIT. 43 § 121			X	X
<b>Oregon</b> OR. REV. STAT. § 107.105	X	X <sup>1</sup>	X	X
<b>Pennsylvania</b> 23 PA. CONS. STAT. ANN. § 3701	X	X	X	X <sup>1</sup>
<b>Rhode Island</b> R.I. GEN. LAWS § 15-5-16	X	X	X	X
<b>South Carolina</b> S.C. CODE ANN. § 20-3-130	X	X	X	X
<b>South Dakota</b> S.D. CODIFIED LAWS § 25-4-41		X <sup>9</sup>	X	
<b>Tennessee</b> TENN. CODE ANN. § 36-5-121	X	X	X	X
<b>Texas</b> TEX. FAM. CODE ANN. § 8	X	X	X <sup>1</sup>	X <sup>1</sup>
<b>Utah</b> UTAH CODE ANN. § 30-3-5	X	X <sup>10</sup>	X	X
<b>Vermont</b> VT. STAT. ANN. TIT. 15 § 752	X		X	X
<b>Virginia</b> VA. CODE ANN. § 20-107.1	X	X	X	
<b>Washington</b> WASH. REV. CODE § 26.09.090	X		X	X
<b>West Virginia</b> W. VA. CODE § 48-6-301	X	X	X	X
<b>Wisconsin</b> WIS. STAT. § 767.56	X		X <sup>1</sup>	X
<b>Wyoming</b> WYO. STAT. ANN. § 20-2-114		X <sup>1</sup>	X <sup>1</sup>	X

\* Although there is a statutory list of factors, the court may in its discretion consider other factors under the particular circumstances of the case.

1. This factor may not be in the list of statutory factors but may be considered because the court may look at any relevant factors in the individual case, including the financial obligations of each party.
2. *In re Marriage of Hunt*, 868 P.2d 1140 (Colo. Ct. App. 1993).
3. The court can consider the causes or circumstances leading to the dissolution of the marriage.
4. Status as custodial parent is considered if the parent is required to forgo employment because of the child's mental or physical incapacity.
5. Only fault on the part of the party seeking alimony.
6. See *Armstrong v. Armstrong*, 618 So. 2d 1278 (Miss. 1993) for list of factors used in determining alimony.
7. If the court considers the parties' standard of living, the court acknowledges that in many cases, the standard of living will decrease after the divorce.
8. Fault is only relevant in limited circumstances.
9. See case law for list of factors. E.g., *Anderson v. Anderson*, 655 N.W.2d 104 (S.D. 2002).
10. See *Mark v. Mark*, 223 P.3d 476, 482 (Utah. Ct. App. 2009), which stated "until the legislature clearly defines fault in the statute, it is inappropriate to attach any consequence to the consideration of fault when making an alimony award."