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| **PETITIONER’S RESPONDENT’S**  **STATEMENT OF STATUTORY FACTORS PURSUANT TO FAMILY CODE SECTION 4320**  **Attachment IV-D to Mandatory Settlement Conference Statement** |

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, declare and state that if called as a witness in

this matter, I would testify as follows based upon my own personal knowledge:

1. Describe the standard of living established by the parties during the marriage.

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2. Does each party earn enough money to maintain the same standard of living (as described above) that was established during marriage or domestic partnership?

*The extent to which the earning capacity of each party is sufficient to maintain the standard of living established during the marriage. (§ 4320(a).)*

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3. Does the party receiving support have job skills? Are there jobs available for someone with those employment skills? What, if anything, does the party receiving support have to do to improve his or her skills in order to get a job?

*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. (§ 4320(a)(1).)*

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4. Was the party receiving support unemployed during the marriage in order to devote time to domestic duties?

*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 duties. (§ 4320(a)(2).)*

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5. Did the person receiving support contribute anything to the career of the other party?

*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*. *(§ 4320(c).)*

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6. Does the party paying support have the ability to pay support?

*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. (§ 4320(c).)*

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7. How much money do you need to maintain the same lifestyle you had during marriage?

*The needs of each party based on the standard of living established during the marriage. (§ 4320(d).)*

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8. Summary of the assets and debts of each party, owned together and/or separately.

*The obligations and assets, including the separate property, of each party. (§ 4320(e).)*

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9. Length of the marriage or domestic partnership:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*The duration of the marriage. (§ 4320(f).)*

10. Can the party receiving support take a job without significantly interfering with the care of children? What would child care cost?

*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. (§ 4320(g).)*

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11. What is the age and health of both parties?

*The age and health of the parties. (§ 4320(h).)*

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12. Is there any documented history of domestic violence between the parties?

*Documented evidence of any history of domestic violence, as defined in Section 6211 between the parties, including, but not limited to, consideration of emotional distress resulting from domestic violence perpetrated against the supported party by the supporting party, and consideration of any history of violence against the supporting party by the supported party. (§ 4320(i).)*

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13. Are there any tax consequences of paying or receiving support?

*The immediate and specific tax consequences to each party. (§ 4320(j).)*

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14. Will either party suffer harmful consequences if support is granted or denied?

*The balance of the hardships to each party. (§ 4320(k).)*

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15. How does the party receiving support plan to become financially self-sufficient?

*The goal that the supported party shall be self-supporting within a reasonable period of time. Except in the case of a marriage of long duration as described in Section 4336, a "reasonable period of time" for purposes of this section generally shall be one-half the length of the marriage. However,* *nothing in this section is intended to limit the court's discretion to order support for a greater or lesser length of time, based on any of the other factors listed in this section, Section 4336, and the circumstances of the parties. (§ 4320(l).)*

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16. Does either party have a criminal conviction for domestic violence against the other party?

*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. (§ 4320(m).)*

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17. Other factors for the court to consider.

*Any other factors the court determines are just and equitable. (§ 4320(n).)*

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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