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**Family Code § 4320 Spousal Support Factors**

Attachment to:      ☐ Application for Order & Supporting Declaration  
                              ☐ Settlement Conference Brief  
                              ☐ Mandatory Trial Statement

☐ Petitioner   ☐ Respondent   submits the following information with respect to the **Family Code § 4320** factors the court is required to consider in ordering spousal support:

**(a)** The extent to which the earning capacity of each party is sufficient to maintain the standard of living established during the marriage, taking into account all of the following:

**(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.

Supporting information:

**(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 duties.

Supporting information:

**(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.

Supporting information:

**(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.

Supporting information:

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

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

(f) The duration of the marriage.  
Supporting information:

(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.  
Supporting information:

(h) The age and health of the parties.  
Supporting information:

(i) 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.  
Supporting information:

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**(j)** The immediate and specific tax consequences to each party.  
Supporting information:

**(k)** The balance of the hardships to each party.  
Supporting information:

**(l)** 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.  
Supporting information:

**(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.  
Supporting information:

**(n)** Any other factors the court determines are just and equitable.  
Supporting information: