

ALIMONY RECAPTURE

First Name: John
Last Name: Does

Alimony Payments

Year 1	50,000
Year 2	35,000
Year 3	20,000

Step 1. Determine Recapture Between Years 2 and 3

Year 2 Payment	35,000
Less: Year 3 Payment	20,000
Excess Year 2 Over Year 3	15,000
Allowable Reduction	15,000

Recapture from Year 2 0

Step 2. Restate Year 2 for any Recapture

Year 2 Payment	35,000
Less: Recapture from Year 2	0
Year 2 Restated	35,000

Step 3. Determine Recapture Between Year 1 and Average of Years 2 and 3

Year 1 Payment	50,000
Average of Year 2 and Year 3	27,500
Excess Year 1 Over Average of Years 2 and 3	2,500
Allowable Reduction	15,000

Recapture from Year 1 7,500

Step 4. Determine Total Recapture by Adding Recapture from Years 2 and 1

Total Recapture (paid in Year 3) 7,500

If there is alimony recapture, it will take place in the 3rd post-separation year. No alimony recapture will occur if alimony payments are based upon a percentage of available cash - however payments under a percentage arrangement must continue for a full 36 months.

Pre-divorce support payments made under a Temporary Court Order for Support are not included in the computation of alimony recapture but payments under a Written Separation Agreement are included in this computation.