

**In the interest of 50/50 shared parenting , and child support to match accordingly.**

In the matter of Gregory Lombardo and Ashleigh Lombardo. (ongoing)(apx 6/23/2020-present)  
case number: 618-2020-00148  
10th circuit-family division- brentwood NH  
Judge: Philip D. Cross

I Greg Lombardo am a divorced father with two little kids ages 3-4(almost 5). I have had 50/50 equal shared parenting since the beginning of my divorce. Parenting plan established on 10/15/2020 with a (2-2-3) equal shared parenting plan. However I am forced to pay full guideline child support.

I supply the exact same for my children as the mother does.(except health/ dental insurance witch is compensated for in child support calculations)

I supply:

- diapers
- formula
- medicin
- clothes
- food
- ½ of daycare cost
- ½ of daughters pre-school
- ½ of sport/ extra activities
- bring them to half of doctors/ dentists apts( and a few urgent care walk in visits when sick/hurt)

Regardless of information and facts provided to the court numerous times as I have been fighting my child support amount since it was established early on in the divorcing process. Judge stating "although the parenting schedule is a shared on, it does not reduce wifes fixed cost of child-rearing"

The judge totally disregarded that I have the exact equal burden of child rearing as the mother does. Or the fact that she supplies nothing for the children when they are with me 50% of the time.

The most recent uniform support order/child support guideline established on 12/29/21 has my income at \$1,168.00 more than her income.my child support payment is \$1,144.37. The net result has her having \$1,120. Per month more income than me.

As a whole,I make 59.29% of the total income and she makes 40.71% a 9.29% difference.

The court also states that " she needs guidelines support to be able to afford to provide the children with the same or similar lifestyle as husband can provide" the court makes no notion of recognition that inherently they have swapped are income almost completely. Now I can not afford to supply the children with the same or similar lifestyle as the mother can provide.

The court also failed to add the child support amount to her income when attempting to justify its decision, stating (The "net result" of the above modification is that the husband will pay child support of \$1,144 and \$433 a month for daycare, for total monthly payments of \$1,576. He currently pays \$1,844. After paying support and day care, he will now have \$3,620 in monthly



income to pay his and the childrens expenses. Wife will pay daycare of \$433 a month and thereafter will now have \$3,595 in monthly income to pay her and the childrens expenses. The equity of this result is obvious.)

Using the child support guidelines worksheet that was used to figure my payment provides information that could be easily used to make a better and more justifiable child support payment especially when having 50/50 equal shared parenting. The worksheet breaks down are incomes and expenses and creates both of us a parental support obligation amount. My obligation at \$1,144.37 and her obligation at \$785.66 if you were to use a (net the difference) way of figuring child support would put me at paying \$359 a month in support.

The net result would have me making \$486 more than her. My income after paying support at \$4,873 per month and her income after receiving support at \$4,387. I believe this income is a lot more fair leaving the higher earning parent still earning slightly higher while still paying a fair amount in child support per month,

One thing that has been also brought to my attention is how having these "heavy" child support payments when you have the child/children even close to 50% of the time creates an environment where neither parent wants to better themselves due to not wanting to possibly pay more in child support or receive less in support. Trapping families like mine into essentially staying "neutral" when we should be growing and bettering are selves for the benefit of our children. Having a sliding scale of parenting time vs support payment or a (net the difference) model to create the child support payment would allow both parents to better themselves without being penalized by doing so.

Thanks

Greg lombardo

Email : [lombardo.greg5@yahoo.com](mailto:lombardo.greg5@yahoo.com)

Phone number (603)-205-6990



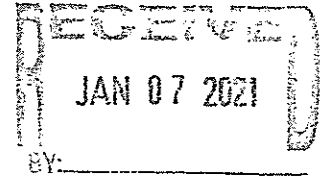
**JUDICIAL BRANCH  
NH CIRCUIT COURT**

10th Circuit - Family Division - Brentwood  
PO Box 1208  
Kingston NH 03848-1208

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<https://www.courts.nh.gov>

**NOTICE OF DECISION**

**KERI J. MARSHALL, ESQ  
MARSHALL LAW OFFICE  
47 DEPOT ROAD  
EAST KINGSTON NH 03827-2002**



Case Name: **In the Matter of Ashleigh Lombardo and Gregory Lombardo**  
Case Number: **618-2020-DM-00148**

Enclosed please find a copy of the Court's Order dated December 29, 2021 relative to:

**Order  
Child Support Guidelines Worksheet  
Uniform Support Order**

Any party obligated to pay child support is advised that it is his/her responsibility to keep the Court (and the Division of Human Services if appropriate) advised of his/her current mailing address in writing, until such time as support payments are terminated.

January 05, 2022

LoriAnne Hensel  
Clerk of Court

(586)

C: Jared Talon; Leif Anderson Becker, ESQ



10th Circuit—Family Division—Brentwood  
 Case No. 618-2020-DM-00148

In The Matter of Ashleigh Lombardo, Wife and Gregory Lombardo, Husband

ORDER

On December 29, 2021, the parties appeared with counsel for a hearing on husband's "Motion to Allow Temporary Recalculation of Child Support and Enforce Current Order Regarding Life Insurance" (#92 in the file index). The Decree of Divorce and Uniform Support Order, both issued on April 7, 2021, are on appeal with the New Hampshire Supreme Court but on August 17, 2021, that Court issued an order providing, in part, "The appeal is stayed. The case is partially remanded to the trial court for the limited purpose of ruling on the motion (husband) filed in the trial court requesting that the trial court modify his child support obligation and enforce (wife's) responsibility to obtain, and keep in force, life insurance." After consideration of the parties' offers of proof, the exhibits, pleadings and file, the court orders as follows:

In the Decree, the court ordered husband to pay *guidelines* child support of \$225 per week for five different reasons, listed at page 3. The court permitted him to "petition for modification of his child support obligation if wife finds a job and earns substantially more than the monthly unemployment compensation of \$2,420 she is currently receiving." At the time, husband's monthly income was \$4,982. His current monthly income is \$5,196. Wife is no longer receiving unemployment compensation because, in May, 2021, she began employment with *Peabody Supply*. Her current monthly income is \$4,028, including overtime she works virtually every pay period. The court finds that wife's increase of \$1,608 in monthly income, or approximately 40%, is a substantial change in her financial circumstances that warrants review of husband's child support obligation.

Further, the court finds that equity requires the parties to now share the cost of their children's daycare. Both parties work full-time five days a week and both therefore need the services of day care. In fact, they use the same day care provider—paternal grandmother. They should rightfully share the cost. Moreover, the *guidelines* calculation does not give a dollar-for-dollar credit for the cost, so that if husband continues to pay 100%, he shoulders an unfair financial burden to support the children. The court therefore issues the accompanying Uniform Support Order. The parties are each given credit for 50% of the day care cost, beginning immediately, and wife is given credit for the cost of the medical insurance she provides for the children through her employment (the court divides the total cost of the family health insurance plan in half because the actual cost attributable just to the children is not known). According to her paystub, she also pays \$161 in Massachusetts income tax (her employer is in Massachusetts) and is therefore credited with it on the *guidelines* worksheet.

*Guidelines* support continues to be appropriate because:

- it is the presumptive appropriate amount and husband did not sustain his burden to prove one of the statutory special circumstances to justify a downward deviation
- husband's monthly income is currently \$1,168 more than wife's

1/18

112





children with the same or similar lifestyle as husband can provide them

The "net result" of the above modification is that husband will pay child support of \$1,144 and \$433 a month for day care, for total monthly payments of \$1,576. He currently pays \$1,844. After paying support and day care, he will now have \$3,620 in monthly income to pay his and the children's expenses. Wife will pay day care of \$433 a month and thereafter will now have \$3,595 in monthly income to pay her and the children's expenses. The equity of this result is obvious.

The effective date of this modification is June 20, 2021, the date of service of husband's motion on wife. He has therefore overpaid support by \$1,614 (\$269 a month (\$1,844 less \$1,576) for the 6 months between June 20 and December 20, 2021). He may take a credit of \$100 a month against his child support obligation until he is reimbursed, approximately 16 months from now. He shall therefore pay \$1,044 a month in child support and \$433 for day care until he has been reimbursed in full, when he shall thereafter pay \$1,244 in child support and \$433 for day care.

Wife has provided proof that she has a life insurance policy in effect but she shall change the beneficiary designation so that husband is the beneficiary of \$25,000 of the policy, rather than the current \$11,500 (he is a 25% beneficiary of her \$46,000 policy). She shall provide proof of this change to husband within 10 days of the Clerk's Notice of this Decision.

The court declines to award fees or costs to either party because it cannot find that either acted with ill intent or intentionally failed to comply with their discovery obligations. If wife was slow in providing discovery it was because she changed counsel after the final hearing and believed her prior counsel had already provided it.

All prior Orders not inconsistent herewith remain in full force and effect.

12/29/2021  
Date

  
\_\_\_\_\_  
Signature of Judge

**Phillip D. Cross**

\_\_\_\_\_  
Printed Name of Judge



**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH**

http://www.courts.state.nh.us

Court Name: \_\_\_\_\_

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**CHILD SUPPORT GUIDELINES WORKSHEET  
Effective April 1 2021**

Child's Name	DOB	Child's Name	DOB
1. Total Number Of Children <input type="radio"/> 1 <input checked="" type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 +			
2. Obligor's Reasonable Medical Support Obligation (4% Monthly Gross Income, rounded to the nearest dollar) \$207.84		3. Obligee's Reasonable Medical Support Obligation (4% Monthly Gross Income, rounded to the nearest dollar) \$161.12	

<b>PAYMENT CALCULATIONS</b> <small>NOTE: All income and expenses must be converted to monthly amounts (multiply weekly amounts by 4.33; bi-weekly amounts by 2.17).</small>	OBLIGOR (Column 1)	OBLIGEE (Column 2)	Combined (Column 3)
4. Monthly gross income	\$ 5196.00	\$ 4028.00	
5A. Court/Admin. ordered support for other children	\$ _____	\$ _____	
5B. 50% of actual self-employment taxes paid	\$ _____	\$ _____	
5C. Mandatory retirement	\$ _____	\$ _____	
5D. Actual state income taxes paid	\$ _____	\$ 161.00	
5E. Allowable child care expenses (obligor) <small>(See LINE SE Instructions)</small>	\$ 433.00		
5F. Medical support for children (obligor)	\$ _____		
5G. Total deductions (Add lines 5A through 5F)	\$433.00	\$161.00	
6. Adjusted monthly gross income <small>(Subtract line 5G from line 4)</small>	\$4,763.00	\$3,867.00	\$8,630.00
7A. Child Support guideline amount <small>(From Guideline Calculation Table)</small>			\$1,930.03
7B. Guideline Percentage <small>(From Guideline Calculation Table)</small>			29.02 %
8A. Allowable child care expenses (obligee) <small>(See LINE BA Instructions)</small>		\$ 433.00	
8B. Medical support for children (obligee)		\$ 164.00	
8C. Total allowable obligee expenses <small>(Add line 8A and 8B)</small>		\$597.00	
9. Total adjusted monthly gross income	\$4,763.00	\$3,270.00	\$8,033.00
10. Proportional share of income	59.29 %	40.71 %	
11. Parental support obligation <small>(Line 10 times line 7A)</small>	\$1,144.37	\$785.66	
<b>ABILITY TO PAY CALCULATION</b>			
12. Self-support reserve <small>(From Guideline Calculation Table)</small>	\$1,234.00		
13. Income available for support <small>(Subtract line 12 from line 9, column 1)</small>	\$3,529.00		
14. Monthly support payable <small>(Enter the smaller line 11, column 1, or line 13, column 1. If line 13, column 1, is less than \$50.00, then a minimum order of \$50.00 is entered.)</small>	\$1,144.37		
15. Presumptive child support obligation <small>(If weekly, divide line 14 by 4.33; if bi-weekly, divide line 14 by 2.17; if monthly, enter same amount as in line 14.)</small>			
<b>** ROUND THE RESULT TO THE NEAREST WHOLE DOLLAR **</b>			
Calculate	Weekly \$264.00	Bi-Weekly \$527.00	Monthly \$1,144.00

Prepared By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



THE STATE OF NEW HAMPSHIRE

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RECEIVED  
DEC 27 2021  
10th Circuit at Brentwood

Court Name: 10th Circuit - Family Division - Brentwood  
Case Name: In the Matter of Ashleigh Lombardo and Gregory Lombardo  
Case Number: 618-2020-DM-00148  
(if known)

UNIFORM SUPPORT ORDER

Name, Residence and Mailing Address of Person  
Ordered to Pay Support (Obligor)

Name, Residence and Mailing Address of Person  
Receiving Support (Obligee)

Gregory Lombardo  
4 Allard Street  
Exeter, NH 03833  
D.O.B. 3/27/1993 Telephone (603) 205-6990  
E-mail Address llombardo.greg5@yahoo.com  
Employer Mighty Roots  
Employer Address Greenland, NH

Ashleigh Lombardo  
10 Wentworth Street  
Exeter, NH 03833  
D.O.B. 2/12/1993 Telephone (603) 767-4099  
E-mail Address ashleigh21293@aol.com  
Employer Peabody Supply 978-682-5634  
Employer Address 25 Commerce Way  
North Andover, MA 01845

Child(ren) to whom this order applies :

Table with 4 columns: Full Name, Date of Birth, Full Name, Date of Birth. Rows include McKenzi Lombardo (5/30/2018) and Maverick Lombardo (1/20/2020).

The following parties appeared: [X] Obligor [X] Obligee [ ] Bureau of Child Support Services  
[X] Other COUNSEL FOR BOTH PARTIES

NOTE: SECTIONS PRECEDED BY [ ] ARE ONLY PART OF THIS ORDER IF MARKED.

1. This order is entered:

- [X] after hearing
[ ] upon approval of agreement
[ ] upon default

2. This order is a:

- [ ] temporary order
[X] final order

[X] 3. This order modifies a final support obligation in accordance with :

- [ ] a three year review (RSA 458-C:7) OR [X] substantial change in circumstances, as follows :

SEE 2-PAGE NARRATIVE ORDER OF SAME DATE



UNIFORM SUPPORT ORDER

4. Obligor is ORDERED to PAY THE FOLLOWING AMOUNTS (See Standing Orders 4A-4G) :

4.1  CHILD SUPPORT: \$ 1,114.00 per MONTH.

4.2  OVERTIME \$ 1,614.00 as of 12/20/2021, REIMBURSABLE AT \$100. per MONTH - SEE

4.3  Medical arrearage of \$ 0.00 as of payable \$ 0.00 NARRATIVE: ORDER OF SAME DATE

4.4  Alimony is ordered See the Uniform Alimony Order  N/A

4.5  Alimony arrearage of \$ 0.00 as of payable \$ 0.00 per

4.6  Alimony shall terminate

5. Payments on all ordered amounts shall begin on 6/20/2021 CARE OF SERVICE

All ordered amounts shall be payable to  Oblige  BCSS  Other

6.  This order complies with the child support guidelines. RSA 458 - C.

This order, entered upon obligor's default, is based on a reasonable estimate of obligor's income. Compliance with the guidelines cannot be determined.

The following special circumstances warrant an adjustment from the guidelines :

7. Support ordered is payable by immediate income assignment.

8. The Court finds that there is good cause to suspend the immediate income assignment because :

Obligor and obligee have agreed in writing.

Payments have been timely and it would be in the best interest of the minor child(ren) because:

9A. Obligor is unemployed and MUST REPORT EFFORTS TO SEEK EMPLOYMENT (See Standing Order 9A).

9B. Upon employment the Obligor shall bring the matter forward for recalculation of support. Failure to do so may result in a recalculated support order effective the date of employment.

MEDICAL SUPPORT FINDINGS (Paragraphs 10 through 15)

10. OBLIGOR'S medical support reasonable cost obligation: \$ 208.00 per month.

10A.  The medical support reasonable cost obligation is adjusted from the presumptive amount because of the following special circumstances (See Standing Order 6):

11. Health insurance coverage  is not available  is available to the OBLIGOR in an amount equal to or less than the amount of the medical support reasonable cost obligation ordered in paragraph 10.

12.  Health insurance coverage available to the OBLIGOR is not accessible to the child(ren).





UNIFORM SUPPORT ORDER

13. OBLIGEE'S medical support reasonable cost obligation: \$ 167.00 per month.

13A. [ ] The medical support reasonable cost obligation is adjusted from the presumptive amount because of the following special circumstances (See Standing Order 6):

14. Health insurance coverage [ ] is not available [x] is available to the OBLIGEE in an amount equal to or less than the amount of the medical support reasonable cost obligation ordered in paragraph 13.

15. [ ] Health insurance coverage available to the OBLIGEE is not accessible to the child(ren).

HEALTH INSURANCE COVERAGE (Paragraph 16A and/or 16B must be completed)

16A. [ ] Obligor [x] Obligee is ordered to provide health insurance coverage for the child(ren) effective 01/01/20

16B. [ ] Obligor [ ] Obligee is/are not ordered to provide health insurance coverage at this time but is/are ordered to immediately obtain health insurance coverage when it becomes accessible and available at an amount equal to or less than the ordered medical support reasonable cost obligation.

UNINSURED MEDICAL EXPENSES

17. Uninsured medical expenses shall be paid in the following percentage amounts :

Obligor 50 % Obligee 50 % Other

[ ] 18. Public assistance (TANF) or medical assistance (Medicaid) is or was provided for the child(ren). Copies of pleadings related to medical coverage and child support were mailed to the Bureau of Child Support Services, Child Support Legal, 129 Pleasant Street, Concord, NH 03301.

19. [ ] Obligor [ ] Obligee is adjudicated the father of the minor child(ren) named above. The clerk of the city(ies) of shall enter the name of the father on the birth certificate(s) of the child(ren). The father's date of birth is and his state of birth is

20. The State of has provided \$ 0.00 in public assistance for the benefit of the minor child(ren) between and for weeks. Obligor is indebted for the assistance in the total amount of \$ 0.00

21. Variation to standing order (specify paragraph #), additional agreement or order of the Court:

ALSO SEE 2-PAGE NARRATIVE ORDER OF SAME DATE

Obligor Gregory Lombardo

Obligee Ashleigh Lombardo

Staff Attorney Bureau of Child Support Services

Obligor's Attorney/Witness

Obligee's Attorney/Witness

Date

Date

Date



**UNIFORM SUPPORT ORDER**

All paragraphs of this order (except those that have a check box and have not been selected) and all paragraphs of the Standing Order, (except variations in paragraph 21) are part of this order and apply to all parties.

**Recommended:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Marital Master/Hearing Officer

**So Ordered:**

\_\_\_\_\_  
Printed Name of Marital Master/Hearing Officer

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

12/29/2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Judge

Philip D. Cross  
\_\_\_\_\_  
Printed Name of Judge

