

# **Calculating Child Timeshare (Custody Percentage)**

Timeshare, defined as the amount of time the children spend with their parents, is one of the major factors used in <u>calculating California guideline child support</u>. Another term we hear often for timeshare is "custody percentage". An incorrect timeshare can result in an improper amount of child support, thereby negatively impacting the children. Therefore, it's very important to learn how to properly calculate timeshare.

Calculating the correct timeshare, or custody percentage, requires knowing the exact amount of hours the children spend with each parent on an average annual basis. This can often be a source of confusion, since we don't typically run our lives based on knowing the number of hours in a week or year. We suggest that you start by writing down your basic parenting schedule, including specific hours of visitation if possible.

The easiest way to learn how to calculate timeshare is through examples. In this article, we'll review some basic parenting schedules and use them to calculate timeshare using the same methods we use for our own clients. While the process can be a little intimidating, understanding the basics of what attorneys do in calculating timeshare can help you make better decisions in your child support case.

# Example A:

Wilma and Harold have two children, and Harold has them every other weekend from Friday at 6:00 pm until Monday morning at 8:00 am, plus every Tuesday and Thursday from 3:00 pm until 8:00 pm.

- Recognize that Harold has a different schedule every other week, which makes this a biweekly schedule. Every two weeks has 336 hours. There are 52 weeks in a year, and every other weekend results in a total of 26 weekends each year. There are 8,760 hours in a year.
- Harold has the children every other weekend from Friday at 6:00 pm until Monday morning at 8:00 am, which is a total of 62 hours every other week. Friday at 6:00 pm until Sunday at 6:00 pm is 48 hours, and then Harold also has from 6:00 pm on Sunday until Monday morning at 8:00 am for an additional 14 hours. 48 hours plus 14 hours is 62 hours.
- Harold also has the children for 5 hours on Tuesday and 5 hours on Thursday for a total of 10 hours every week. Over two weeks, that would be 20 hours.
- Therefore, Harold has the children for 62 weekend hours and 20 weekday hours every two weeks for a total of 82 hours.
- 82 hours divided by 336 hours is 24.40. Therefore, excluding holidays, Harold has a 24.40% timeshare.



#### Example B:

Wilma and Winnie have one child, and Winnie has him every other weekend from Friday at 6:00 pm until Sunday at 8:00 pm, plus every other Wednesday from 5:00 pm until 9:00 pm.

- Recognize that Winnie has a different schedule every other week, which makes this a biweekly schedule. Every two weeks has 336 hours. There are 52 weeks in a year, and every other weekend results in a total of 26 weekends each year. There are 8,760 hours in a year.
- Winnie has the child every other weekend from Friday at 6:00 pm until Sunday at 8:00 pm, which is a total of 50 hours every other week. Friday at 6:00 pm until Sunday at 6:00 pm is 48 hours, and then Winnie also has an additional 2 hours until 8:00 pm, bringing the total to 50 hours.
- Winnie also has the child for 4 hours every other Wednesday.
- Therefore, Winnie has the child for 50 weekend hours and 4 weekday hours every two weeks for a total of 54 hours.
- 54 hours divided by 336 hours is 16.07. Therefore, excluding holidays, Winnie has a 16.07% timeshare.

# Example C:

Harold and Henry have two children, and Henry has them on the first and third weekends of the month from Friday at 6:00 pm until Monday at 8:00 am.

- Recognize that there are 12 months in a year. If Henry has the children two weekends each month, that is a total of 24 weekends per year. There are 8,760 hours in a year.
- Henry has the children from Friday at 6:00 pm until Monday morning at 8:00 am, which is a total of 62 hours for two weeks every month. Friday at 6:00 pm until Sunday at 6:00 pm is 48 hours, and then Henry also has from 6:00 pm on Sunday until Monday morning at 8:00 am for an additional 14 hours. 48 hours plus 14 hours is 62 hours.
- 62 hours multiplied by 24 weekends is a total of 1,488 hours. 1,488 hours divided by 8,760 hours is 16.99.
- Therefore, excluding holidays, Henry has a 16.99% timeshare.

# Example D:

Wendy and Henry have three children, and Wendy has the children every other weekend from Friday at 3:00 pm until Sunday at 6:00 pm during the school year, as well as five out of the 10 weeks of summer vacation.

• Recognize that there are 52 weeks in a year. If there are 10 weeks of summer vacation,



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that leaves 42 weekends, of which Wendy has one-half (every other weekend), or 21 weekends. There are 8,760 hours in a year.

- During the school year, Wendy has the children from Friday at 3:00 pm until Sunday at 6:00 pm, which is a total of 51 hours every other weekend. Friday at 3:00 pm until Sunday at 3:00 pm is 48 hours, and Wendy has them until 6:00 pm for an additional 3 hours. 48 hours plus 3 hours is 51 hours. 51 hours multiplied by 21 weekends equals 1,071 hours.
- During the summer, Wendy has the children for 5 weeks. There are 168 hours in a week, and multiplied by 5 weeks, that totals 840 hours.
  840 summer hours plus 1,071 school year hours equals 1,911 hours. 1,911 hours divided by 8,760 hours is 21.82.
- Therefore, excluding holidays, Wendy has a 21.82% timeshare.

# Example E:

Whitney and Howard have two children, and Howard has the children on the first, third, and fifth weekend from Friday at 3:00 pm until Monday at 8:00 am.

- Recognize that there are 12 months, or 52 weeks, in every year. Of those 12 months, there are four months with a five weekends. The other eight months have four weekends. Therefore, for 8 months out of the year, Howard has 2 weekends a month, for a total of 16 weekends. For 4 months out of the year, Howard has 3 weekends a month, for a total of 12 weekends. That is a total of 28 weekends for Howard every year. There are 8,760 hours in a year.
- Howard has the children from Friday at 3:00 pm until Monday morning at 8:00 am, which is a total of 65 hours for each weekend visit. Friday at 3:00 pm until Sunday at 3:00 pm is 48 hours, and then Henry also has from 3:00 pm on Sunday until Monday morning at 8:00 am for an additional 17 hours. 48 hours plus 17 hours is 65 hours.
- 65 hours multiplied by 28 weekends is 1,820 hours. 1,820 hours divided by 8,760 hours is 20.78.
- Therefore, excluding holidays, Howard has a 20.78% timeshare.

The following conversion charts can come in handy when trying to convert a schedule into hours:

Period of Time	Conversion
1 Day	24 hours
1 Week	168 hours
2 Weeks	336 hours
1 Year	8,760 hours
1 Year	52 weeks
Every other weekend	26 weekends/year
1st/3rd/5th weekends	28 weekends/year