

3 Things to Know About Military Child Support

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Going through a divorce while serving in the military is a complex situation. Since members of the military are deployed in wartime or may receive orders to move by the military, *they are not always available for normal court proceedings*. While the military does expect active service men and women to provide support to their family, the legal proceedings may take time to ensure the military parent is present. ***By understanding the facts about military child support, parents can determine the best solution for their family and children after a divorce.***

1- Support for Family Members Varies By Service

Before the courts issue an **order** for [child support](#), service members must provide appropriate support for dependent family members. ***Each branch of the military has a guideline based on the income of the soldier and the Basic Allowance for Housing.*** The ***Air Force differs*** because a *commanding officer determines* the appropriate support for dependent family members. After a court order for child support or an agreement from the parents regarding child support, *the written agreement or court order sets the standard.*

A commanding officer may waive support standards in specific situations. *Exceptions* depend on the soldier's situation and *does not apply when the state issues a court order.* If the state issues a court order, then the soldier must comply with the court.

2- Special Rules May Apply to the Court Proceedings

The time table for a court proceeding may be *complicated* by military service. ***Since the soldier may be deployed or transferred to a different state, the court may allow the soldier to set up a timetable based on their situation before proceeding with the litigation.***

Generally, *the soldier must provide information regarding his or her schedule and a reasonable time table to complete the court proceedings.* ***If the soldier is deployed in a war or otherwise will not be present at the court proceedings, then the litigation may move forward without the soldier's presence.***

3- The Courts Set Up Solutions for Deployment

Military child support is complex due to the possible challenges of the soldier's career. *A soldier may not be able to make child support payments or access a bank account while serving overseas or in a war zone.* As a result, ***the courts take the possibility of deployment into account when setting up a court order for child support.***

The court order will provide details regarding appropriate actions when the soldier is deployed or unable to make child support payments. Courts may *garnish wages, special skills pay or other income* while a soldier is overseas or deployed. Alternatively, ***the parents may agree on a payment strategy that allows a soldier to make a large payment after returning from deployment.*** Courts consider the possible challenges of serving in the military when setting up a strategy for child support while soldiers are deployed or unable to access bank accounts due to their service.

Experienced Utah Family Law Attorneys: Wall & Wall Attorneys at Law

Military divorce is a complicated legal process due to the special circumstances that may impact the legal proceedings. By working with Utah family law attorneys at [Wall & Wall Attorneys at Law](#), you have ***professionals who are experienced with military divorce*** and ***understand the unique challenges*** your family may face during the Utah court proceedings. [Contact Wall & Wall Attorneys at Law](#) to schedule a ***free consultation*** for one of our lawyers to review your case using our [online form](#) or by calling **801-263-7078** today.