

Military Families and Veterans Affairs

California Child Support Services

www.childsupport.ca.gov

Child support for military families

As a servicemember, spouse, or former spouse of a servicemember, you have unique child support needs. All branches of the armed forces offer parenting programs and resources to strengthen military families.

Servicemembers Civil Relief Act

If you are a parent or caretaker and you are called to active duty in the United States' military, you are protected under the Servicemembers Civil Relief Act (SCRA). The purpose of the SCRA is to allow United States military personnel to devote full attention to the defense of the nation by temporarily suspending judicial and administrative civil proceedings that may impact your rights.

This means you may be able to place court proceedings on hold for a certain period. This is called a "stay" of proceedings. You must show that you cannot attend the proceeding due to military service.

You can request that the court stop the execution of a judgment, attachment, or garnishment order. You must show the court that your military service prevented you from complying with the judgment and that the support case began prior to, during, or within 90 days after your military service.

Depending on the circumstances of when you are called to active duty, you may be entitled to a lower interest rate of 6%, instead of 10%, on your child support arrears.

Servicemembers are entitled to many specialized forms of help. We appreciate your service.

Frequently Asked Questions

Did you know you may face Uniform Code of Military Justice punishment such as extra duties, reduction in rank, and/or reduction in pay, for not paying child support?

How is my child support order amount calculated?

Child support is calculated under California state guidelines based on your resources. This includes, but is not limited to, all employment related income, retirement benefits, and unemployment benefits.

How do I pay my child support?

Child support is withheld from your employer, the Defense Finance and Accounting Service, for servicemembers. You can also pay by credit card, cash, check, or money order. To find out more about payment options visit www.childsupport.ca.gov.

Can I pay my child support directly from my Veterans Affairs (VA) disability benefits?

You can voluntarily garnish your VA benefits regardless of the type of compensation you receive by filing forms with the VA. This is known as “apportionment.” Some child support agencies may be able to help with completing the forms to allow funds to be directed to the parent receiving support.

Can I just send money to the person receiving support?

No. Federal and state law requires payments to go through the State Disbursement Unit (SDU) to be credited against what you owe before being sent on to the parent receiving support. If your payment isn't sent through the SDU it could be considered a gift and not officially applied to the child support owed.

Can my child support order change if I get deployed?

If you are being deployed out-of-state, you can request a change, called a “modification” to increase or decrease the amount of court-ordered child support.

How do I request a review of my child support order and/or an interest rate reduction prior to my deployment?

You may request a review of the child support order before you deploy by talking to your child support specialist or Judge Advocate General's Corps Legal Assistance Officer.

You may also request that the interest rate being charged on past due child support that accrued prior to your deployment be reduced to 6% for the duration of your deployment. Submit a Notice of Deployment - Request for Review of Child Support Order form to your child support specialist. To be eligible, you must prove that your activation to military service has a "material effect" on your ability to pay the usual, state-mandated interest rate of 10%.

For more, visit www.childsupport.ca.gov.

What does “parentage establishment” mean?

Parentage is the establishment of a legal relationship between a parent and their child or children. This ensures your child has access to military benefits and health care.

If you are not married to your child's other parent, assistance is available to help you establish parentage for your children.

Learn about the Parentage Opportunity Program at www.calparentage.org.

Separating or making a permanent change of station?

When you separate from active duty or change permanent duty stations, you may be eligible for a child support order modification. For example, moving to another state may result in a significant difference in pay when your basic allowance for housing changes.

Contact your child support specialist to determine actions that are appropriate for your situation, and make sure the information on your case is up to date so that no additional enforcement actions are taken against you.

Need additional assistance?

For legal assistance

For assistance or to find out more about your rights, you may contact the Judge Advocate General's Corps Legal Assistance Officer or the Family Law Facilitator in the county where you are stationed or living.

For child support case assistance

Depending on your location, services tailored to active-duty personnel may vary. If you need help, contact the office handling your case. They may be able to direct you to other resources for additional help.

Military Qualified Debt Reduction Program

The Military Compromise of Arrears Program allows for qualifying debt owed to the government to be reduced in certain cases. Eligibility is limited to a Reservist or a member of the National Guard whose income decreased due to activation to military service. Ask your child support specialist for an application.

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www.childsupport.ca.gov

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