

FIVE Common Child Support Questions

1. What is "guideline" child support?

In Texas, "guideline" child support is normally calculated by determining the paying party's gross income, subtracting union dues (if any), subtracting federal income tax at the single with one dependent rate, and subtracting Social Security and Medicare taxes. This amount is then multiplied by a percentage depending on how many children the paying parent has. If a parent does not pay social security taxes, but instead pays into a mandatory pension plan, the monthly amount of the mandatory contribution will be averaged and subtracted instead of social security. If a parent is paying for, or reimbursing the other parent for health insurance for the child, that amount will also be subtracted from the paying parent's gross income.

2. Can I receive more than guideline child support for my child?

Above "guideline" support can be agreed to or ordered by the Court. Sometimes the parents will agree to pay additional support because one parent makes substantially more than the other parent, a child is in private school with significant tuition expenses, or the child has needs or expenses that exceed what would typically be covered by child support. For example, a child who is a competitive gymnast may have related monthly expenses that are several hundred dollars. A Court could order the parents to share this cost in addition to paying guideline child support.

3. When does child support stop?

Typically, child support stops for a child when the child has graduated from high school, or turns 18 years old, whichever is later. However, child support can be extended by agreement or, if your child has disabilities that require substantial care and supervision, can be extended for an indefinite period of time.

4. How do I reduce my child support obligation?

If you are paying Court ordered support, you will need to file a request for modification with the Court. You can agree on a reduction or you can present your case to a judge and request the judge reduce your obligation. However, if you reach an agreement with your child's other parent to reduce your child support obligation, make sure this agreement is captured in a formal order that is filed with the Court. Failure to have a Court order prepared and filed that captures the agreement will create a child support arrearage that could result in jail or fines being imposed.

5. How often can I ask for an increase in child support?

The Texas Family Code allows for a child support review every three years, when there has been a material and substantial change in circumstances, or when the child support amount currently ordered to be paid differs from what guideline child support would be by \$100.00 or 20%. These events can also be used to reduce child support.

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