

## **FORT BLISS LEGAL ASSISTANCE OFFICE TEXAS CHILD SUPPORT INFORMATION**

**How much child support should I receive?** If you have a court order directing child support, you should receive the exact amount ordered by the court. Each state has minimum child support guidelines upon which the calculation for child support will be made, usually for a fixed amount and payable on a monthly basis. In Texas, a custodial parent (also called an obligee) will likely receive 20% of the net resources of the noncustodial parent (also called an obligor) each month for one child, 25% for two children, 30% for three children, 35% for four children, and 40% for five children. These percentages are lower for obligors who have net resources below \$1,000. Even though child support guidelines are used in most cases, there are additional factors that a Texas court can take into consideration when calculating child support. For example, if a Soldier is paying child support for a child from a prior relationship, and has a second child with his current spouse, the percentage of child support payable for the second child would be reduced to 17.5% of the Soldier's net monthly resources.

**When will child support terminate?** Your court order will control the length of time that support is paid, but child support ordered by a Texas court usually terminates when a child marries, has his disabilities removed, dies, reaches 18 years of age (or until he graduates from high school even after he reaches the age of 18), or enlists in the military. If a child is disabled, a court may continue child support payments indefinitely.

**Can I modify the amount of support in the future?** Yes. Chapter 156 of the Texas Family Code permits either parent to request a change in the amount of child support previously ordered if: (a) the circumstances of the child or parent have materially and substantially changed since the date of the order; or (b) it has been three years since the order was last modified and the amount of child support differs by either 20% or \$100 from the amount that would be ordered under the guidelines.

**How can I get child support enforced in Texas?** The Texas Attorney General Child Support Division is specifically focused on collecting past-due child support in Texas. El Paso has three field offices, whose addresses are listed on the Texas Attorney General's website, <https://www.oag.state.tx.us/cs/fieldoffices.php>. You can also hire a private attorney to assist you with enforcement.

**Can the Army help me get interim child support?** If there is no court order in place, the parents of a child may, pursuant to Army Regulation 608-99, agree in writing to an amount of support that will be paid by one parent to the other for support of their child(ren). If neither a court order nor a written agreement exists, then AR 608-99 requires Soldiers to support their families by paying a pro rata share of the Soldier's BAH RC/T-WITH rate to the nonmilitary spouse (and BAH-DIFF to the military spouse) who lives in non-government housing with the parties' children. Because there are many exceptions to this general rule, we recommend that you sit down with a Legal Assistance Attorney for an exact calculation in your case.

**Can the Army deduct money from a Soldier's pay for child support?** Commanders may lawfully order Soldiers to pay support obligations under AR 608-99, but the Army does not have any legal authority to deduct (garnish) money from a Soldier's pay

without his consent. A civilian court can, however, order that support be withheld from a Soldier's pay.

**What can the Fort Bliss Legal Assistance Office do for me?** The Fort Bliss Legal Assistance Attorneys cannot represent you in court. However, we can advise you on your support obligations or the legal obligations of your spouse.

To request an appointment to speak with an attorney, call (915) 568-7141 during office hours, or send an e-mail anytime to: [usarmy.bliss.hqda-otjag.mesg.bliss-legal-assistance-office@mail.mil](mailto:usarmy.bliss.hqda-otjag.mesg.bliss-legal-assistance-office@mail.mil).