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No credit card is required! For more information on lawyer referral services and online client-attorney matching, read our detailed article entitled: How to Find a Lawyer La manutención de niños es el dinero que un progenitor paga para ayudar con los gastos de crianza de un hijo. Esto incluye gastos como alimentación, vivienda, ropa, material escolar, guardería y actividades. Un tribunal puede ordenar a uno de los progenitores que pague la manutención de niños al otro. La obligación de pagar la manutención de niños comienza cuando el juez firma una orden. A veces, un tribunal también puede ordenar a un progenitor el pago retroactivo o "atrasado" de la manutención de niños. La ley de Texas espera que ambos padres proporcionen ayuda económica a su hijo/a, incluso sin una orden judicial. Un tribunal puede imponer a un progenitor el pago de la manutención atrasada si: No vive con el niño No ha ayudado a mantener económicamente al niño En la mayoría de los acuerdos de custodia, el menor vive con uno de los padres la mayor parte del tiempo. Este es el progenitor que tiene la custodia. El progenitor que no tiene la custodia tiene derecho a un régimen de visitas regulares. El progenitor que no tiene la custodia (el "obligado") tiene la obligación de pagar la manutención de niños. El progenitor que tiene la custodia (el "beneficiario") tiene derecho a recibir estos pagos. Un tribunal puede ordenar la manutención de niños en los siguientes procedimientos judiciales: Divorcio Caso de custodia de menores, también conocido como demanda que afecta la relación entre padres e hijos (SAPCR) Caso de paternidad Caso de orden de protección por violencia familiar Caso de modificación, si ya existe una orden judicial que afecta al menor. Si necesita ayuda con una orden de protección contra la violencia familiar, puede llamar a la línea directa de la National Domestic Violence las 24 horas al (800) 799-SAFE (7233). Uno de sus asistentes podrá remitirlo para que reciba ayuda dentro de su comunidad. También puede obtener información sobre cómo obtener ayuda de la Oficina del Procurador General (OAG) en este sitio web, que cuenta con una función que le permite navegar de forma segura. Puede contratar a un abogado privado para que lo ayude a obtener una orden de manutención de niños. Un abogado puede asesorarlo sobre sus derechos legales y defenderlo en la corte. Para más información sobre cómo contratar un abogado, consulte nuestra página sobre Cómo elegir un abogado. Si necesita ayuda para encontrar un abogado, puede hacer lo siguiente: Use nuestro Directorio de ayuda legal para buscar un servicio de referencia de abogados, una oficina de ayuda legal o un centro de autoayuda en su área. Visite nuestra página de Eventos y clínicas legales para encontrar clínicas legales gratuitas en su área. Use Consultas para chatear en línea con un abogado o estudiante de derecho. También puede ponerse en contacto con la división de manutención de niños de la Oficina del Procurador General (OAG). La OAG no lo representará como lo haría un abogado, pero puede acudir a los tribunales para obtener una orden de manutención, custodia y régimen de visitas. Puede ponerse en contacto con la OAG llamando al (800) 255-8014 o a través de su sitio web. TexasLawHelp.org tiene guías que puede utilizar usted mismo para obtener una orden de manutención de niños. Estos formularios e instrucciones funcionan mejor en casos no contenciosos (cuando usted y el otro progenitor pueden ponerse de acuerdo sobre la manutención de los hijos). Si su caso es contencioso, lo mejor es contratar a un abogado o ponerse en contacto con la división de manutención de niños de la OAG. Existen guías disponibles para quienes se encuentren en las siguientes situaciones: Si necesita ayuda para elegir la guía correcta, use Hacer una pregunta para chatear con un estudiante de derecho o un abogado en línea. La manutención de niños dura hasta lo que ocurra después: El niño cumple 18 años; O El niño termina el secundario. Pero, si su hijo tiene una discapacidad, la manutención de niños puede continuar durante el tiempo que el niño la necesite. Si adeuda la manutención, debe continuar realizando los pagos hasta que haya abonado la totalidad de esa suma. La terminación de los derechos parentales no borrará la manutención de niños. Si el Departamento de Servicios para la Familia y de Protección (DFPS/CPS) tiene la tutela temporal de un niño o la tutela permanente de un niño, pero los derechos parentales no se han terminado, el tribunal puede ordenar que uno o ambos padres paguen la manutención de los hijos. Incluso si sus derechos parentales han sido terminados, es posible que se le ordene pagar manutención de niños hasta que el niño sea adoptado o cualquiera de los casos mencionados anteriormente. Lea los códigos de familia de Texas 154.001 y 154.006 para obtener más información. La ley de Texas tiene ciertas pautas para establecer el monto de la manutención en función de la cantidad de hijos menores de edad y los "recursos netos" del obligado. Lea el artículo Manutención de niños para obtener más información. Los "recursos netos" de un obligado consisten en la mayoría de sus fuentes de ingresos, incluidas las siguientes: Ingresos laborales, como sueldos, salarios, propinas, comisiones y bonificaciones Ingresos procedentes de inversiones, como intereses o cánones Ingresos por trabajo autónomo (incluidos los trabajos de la "economía colaborativa", como conducir para una aplicación de transporte) Beneficios por jubilación La mayoría de los beneficios del seguro social Beneficios por discapacidad del VA (pero no pensión del VA); Beneficios de desempleo Beneficios de compensación a trabajadores Si un obligado recibe manutención de otra persona en otro caso, eso cuenta como parte de sus recursos netos. El seguro de ingreso suplementario (SSI) es un tipo de prestación del Seguro Social que no se computa en los recursos netos. A la hora de calcular los recursos netos del obligado, puede restar determinados gastos de sus ingresos laborales: Impuestos del Seguro Social y Medicare Impuesto a las ganancias para una sola persona El costo del seguro médico, seguro dental o asistencia médica para el niño, si el obligado lo está proporcionando Cuotas sindicales Determinados tipos de aportes para la jubilación Lea el Código de Familia de Texas 154.062 a 154.065 para obtener una lista completa de los recursos netos y más explicaciones. A veces, no hay información disponible sobre los ingresos del obligado. En ese caso, el tribunal puede tener en cuenta otros datos para estimar sus ingresos. Un juez puede ver el salario actual en el área del obligado y las oportunidades laborales. También pueden tener en cuenta los siguientes datos sobre el deudor: Edad Condiciones de vida Cantidad de bienes que posee el obligado; Educación Historial laboral Antecedentes penales Salud Factores que podrían afectar la capacidad del obligado de encontrar un empleo. Lea el Código de Familia de Texas 154.0655 para conocer la ley sobre la imputación de ingresos. Una vez determinados los recursos netos mensuales del obligado al pago, puede calcular la manutención de niños. Las directrices fijan la manutención en los siguientes porcentajes de los recursos netos: 1 niño: 20 % 2 niños: 25 % 3 niños: 30 % 4 niños: 35 % 5 niños: 40 % 6 o más hijos: al menos el 40 % Las pautas se aplican a todos los recursos netos del obligado hasta $9,200 al mes. Un juez puede ordenar manutención adicional según los ingresos del padre y las necesidades del niño. Se aplican directrices diferentes a los deudores cuyos recursos netos totales sean inferiores a $1,000 al mes. Para más información, consulte Manutención de niños e ingresos bajos. Si un obligado tiene hijos en más de un hogar, esto afectará cuánto debe pagar por la manutención. La ley estatal reduce la cantidad de la ayuda orientativa en función del número de hijos en otros hogares. Puede utilizar la calculadora de manutención de niños del Procurador General de Texas para calcular la manutención de niños en este tipo de situación. Consulte también los códigos de familia de Texas 154.128 y 154.129. Pautas ajustadas para familias múltiples % neto mensual Cantidad de hijos ante el tribunal Cantidad de otros hijos por los que el obligado tiene obligación de manutención 1 2 3 4 5 6 7 0 20 % 25 % 30 % 35 % 35 % 40 % 40 % 1 17.50 % 22.50 % 27.38 % 32.20 % 37.33 % 37.71 % 38 % 2 16 % 20.63 % 25.20 % 30.33 % 35.43 % 36 % 36.44 % 3 14.75 % 19 % 24 % 29 % 34 % 34.67 % 35.20 % 4 13.60 % 18.33 % 23.14 % 28 % 32.89 % 33.60 % 34.18 % 5 13.33 % 17.86 % 22.50 % 27.22 % 32 % 32.73 % 33.33 % 6 13.14 % 17.50 % 22 % 26.60 % 31.27 % 32 % 32.62 % 7 13 % 17.22 % 21.60 % 26.09 % 30.67 % 31.38 % 32 % Según la ley de Texas, los jueces presumen que establecer la manutención de niños basándose en las pautas es lo mejor para el niño. No obstante, un juez puede ordenar una manutención distinta en función de diversos factores. Estos factores pueden incluir los siguientes: La edad y las necesidades del niño, incluida la asistencia sanitaria Los ingresos y recursos de los progenitores La cantidad de tiempo que cada progenitor pasa con el niño Si el beneficiario ha dejado pasar la oportunidad de ganar más dinero para poder cuidar del niño Gastos de guardería Los gastos de traslado para el régimen de visitas El costo de la educación del niño Lea el Código de Familia de Texas 154.123 para leer todos los factores adicionales que el tribunal considera para los pagos de manutención de niños. Si el obligado no tiene trabajo, el tribunal puede basar la manutención de los hijos en la cantidad que ganaría el obligado en un trabajo a tiempo completo con el salario mínimo. El salario mínimo actual es de $7.25 por hora o $290 por semana antes de impuestos. Esta presunción no se aplica si el obligado se encuentra en prisión durante al menos 90 días. Artículo 154.068 del Código de Familia de Texas. El desempleo o subempleo intencional puede ser una historia diferente. Si un obligado puede ganar más dinero, pero decide no hacerlo, el tribunal puede examinar su potencial de ingresos. El tribunal o la agencia del Título IV-D pueden ordenar a un obligado desempleado o subempleado que: Inscribirse y participar plenamente en un programa comunitario que brinde asistencia laboral, capacitación en habilidades o servicios de colocación laboral; O Trabajar, tener un plan para pagar manutención de niños o participar en actividades laborales apropiadas para pagar su obligación de manutención. Artículo 154.017 del Código de Familia de Texas. Por ejemplo, un padre ganó un buen salario durante muchos años. Luego, antes de que el tribunal ordene la manutención de niños, renuncian a ese trabajo y aceptan un nuevo trabajo con una fracción del salario. La finalidad de la manutención de niños es beneficiar al menor. Las razones de los padres para cambiar de empleo no son tan importantes como el efecto sobre el hijo. El tribunal tendrá en cuenta si el obligado trata de evitar la manutención. Puede tener en cuenta cuánto podría estar ganando el progenitor a la hora de fijar el monto. Artículo 154.0655 del Código de Familia de Texas. La ley de Texas establece que un juez no debe ordenar la manutención de niños si: El obligado está en prisión en el momento en que el tribunal dicta la orden. Continuará en prisión durante al menos 90 días. Cualquiera de los progenitores puede solicitar el establecimiento de una manutención de niños cuando el obligado esté en libertad. Esto suele implicar presentar una demanda para modificar una orden de custodia existente. Una obligación de manutención existente no termina si el obllligado va a prisión. Después de recibir la notificación de que el obligado será encarcelado durante al menos 180 días, la OAG revisará y ajustará la obligación de manutención de niños, asistencia médica y asistencia dental del obligado. La OAG ajustará los montos de manutención del obligado según las pautas de manutención de niños y los recursos netos del obligado durante el encarcelamiento. El ajuste tendrá lugar 30 días después de que se envíe la notificación del ajuste a todas las partes. La manutención de niños no se ajustará si el obligado es encarcelado: Debido a que no cumplen con una orden de manutención de niños; O Por violencia familiar contra el beneficiario o un hijo de la orden de manutención. Después de que el obligado sea liberado de la cárcel o prisión, la OAG revisará la orden de manutención y determinará si es necesaria una modificación de la manutención de niños. Puede leer la ley sobre esto en el Código de Familia de Texas 154.068(b) y en el Código de Familia de Texas 231.1015 a 231.1017. El SSDI es un beneficio destinado a los ancianos y a las personas incapacitadas. El importe de los beneficios que recibe depende de lo que haya ganado en el pasado. La ley de Texas incluye el SSDI en los ingresos de una persona para calcular la manutención de niños. El hijo de un progenitor que recibe el SSDI también puede ser elegible para recibir beneficios. Si puede obtener el SSDI para su hijo, el tribunal lo computará como parte de la manutención. El programa SSI paga beneficios a ancianos con bajos ingresos, personas con problemas de visión y personas con incapacidad. Para tener derecho al SSI, tiene que demostrar que tiene ingresos muy bajos y pocos recursos. Texas no computa el SSI como ingresos para determinar la manutención de niños. Si el SSI es su única fuente de ingresos, no tiene que pagar manutención de niños. Si usted tiene una obligación de manutención de niños desde antes de entrar en el SSI, puede solicitar al tribunal que cambie el monto que debe pagar a $0. Necesitará una declaración de la Administración del Seguro Social que demuestre que recibe SSI. No utilice los formularios de TexasLawHelp.org si su hijo es incapacitado. La manutención puede afectar la elegibilidad de su hijo para recibir beneficios públicos como Medicaid. Un abogado puede ayudarlo a encontrar una alternativa a la manutención de niños, como un fideicomiso para necesidades especiales. Los formularios de TexasLawHelp no incluyen esta opción. La ley estatal permite que un juez ordene que la manutención de un hijo incapacitado continúe después de que el hijo se convierta en adulto. Los formularios de TexasLawHelp no incluyen esta opción. Puede utilizar nuestra herramienta Directorio de ayuda legal para buscar un servicio de referencia de abogados o un programa de asistencia legal gratuita en su zona. A los jueces les suele gustar que los progenitores se pongan de acuerdo en cuestiones como la manutención de niños. Sin embargo, un juez no aprobará cualquier acuerdo. Debe considerarse que sea lo mejor para el niño. El acuerdo debe constar por escrito e incluirse en la orden que presente al juez. No puede renunciar permanentemente a la manutención de niños. Tenga cuidado con la forma en que acuerda la manutención de niños. Si acuerda un monto que difiere de las directrices, puede ser difícil cambiarlo más adelante. Lea el artículo Cambiar una orden de manutención de niños para obtener más información. La ley sobre acuerdos de manutención de niños se puede encontrar en el Código de Familia de Texas 154.124. Depende. Si realmente comparten el tiempo con su hijo 50-50, es posible que el juez quiera tener en cuenta los ingresos de cada uno. Es posible que el juez no ordene la manutención de niños si ambos ganan más o menos lo mismo. Sin embargo, si uno de los dos tiene ingresos mucho más altos, es posible que tenga que pagar manutención de niños al otro. El juez no tiene que ordenar una cantidad basada en las directrices en esta situación. Los pagos de manutención de niños, asistencia médica y asistencia odontológica van a la Unidad de Desembolsos Estatales de Manutención de Niños (SDU) de Texas de la OAG. Ellos enviarán el dinero al beneficiario. De este modo pueden asegurarse de que los deudores cumplen las órdenes judiciales. Las opciones para efectuar los pagos son las siguientes: Tarjeta de crédito por teléfono o en línea Transferencia bancaria automática Pago electrónico mediante un servicio como MoneyGram Cheque o giro postal por correo Pago en efectivo en persona en un quiosco de autoservicio Retención de ingresos Puede obtener más información sobre las opciones de pago en el sitio web de la OAG o llamando al 800-252-8014. Cuando un juez firma la orden por la que se establece la manutención de niños, usted puede pedirle que firme una orden de retención de ingresos para la manutención. Esta orden exige a su empleador que retenga los pagos de manutención de sus nóminas. Esta es la opción más fácil para usted como obligado, ya que nunca tendrá que recordar las fechas de vencimiento de los pagos. Su empleador es responsable de enviar los pagos a la SDU. La manutención de niños es una obligación impuesta por los tribunales. Si no paga, está incumpliendo una orden judicial. El juez puede adoptar las siguientes medidas: Ordenarle el pago de todas las manutenciones atrasadas con intereses Multarlo o condenarlo a prisión por desacato al tribunal Tomar su reembolso del impuesto a las ganancias Tomar cualquier premio de lotería que reciba Suspender su licencia de conducir, de caza, de pesca y cualquier licencia profesional Embargar su propiedad Si el otro progenitor no paga la manutención, póngase en contacto con la División de Manutención de Menores de la OAG. Pueden darle información sobre cómo presentar una demanda ejecutiva. Si la espera para que la OAG ayude con la ejecución es demasiado larga o usted no desea involucrar a la OAG, puede hacer cumplir sus órdenes por su cuenta. Lea Cómo hacer cumplir sus órdenes de manutención de niños por su cuenta para saber cómo hacerlo. TexasLawHelp no ofrece formularios de cumplimiento de la manutención de niños. Precaución: No puede retener el régimen de visitas si el otro padre no paga la manutención de los hijos. El régimen de visitas es una cuestión aparte que no depende del pago de la manutención de niños. Podría infringir la orden judicial si no deja que el progenitor vea al niño. Puede pedir al tribunal que ordene más o menos manutención de niños en determinadas circunstancias. Consulte nuestro artículo Cambiar una orden de manutención de niños para obtener más información. Si usted y el otro progenitor llegan a un acuerdo sobre el nuevo importe de la manutención, puede presentar un acuerdo por escrito en la corte. El juez debe considerar que su acuerdo será lo mejor para el menor. No puede cambiar la manutención sin obtener una nueva orden judicial. Parents who pay child support every month, or maybe even from every paycheck, may wonder whether those payments are tax deductible. Unfortunately, the answer from the Internal Revenue Service (IRS) is "Sorry, no." Supporting your children, whether they live with you or whether you pay child support, is considered a personal expense. It's not tax deductible. But noncustodial parenthood can come with one or two other possible tax breaks. Here's what you need to know about how supporting children can affect your taxes. Child support isn't tax deductible for the parent paying it, and it's not taxable as income to the parent receiving it. It's a tax-neutral event.Noncustodial parents can still claim a deduction for medical expenses they pay for their children or child, but this is an itemized deduction that comes with some prohibitive rules.You might be able to claim the Child Tax Credit in some cases. The government can seize any tax refund you're expected to pay any past due and delinquent child support payments you owe. If you take your child to the mall to buy a new pair of shoes, that isn't tax deductible. The IRS regards child support payments the same way. The money will effectively be used to buy shoes (or something similar) regardless of whether you take your child to the mall or your ex does so. It's all nondeductible, whether the payments go toward housing, clothing, or other personal support needs of your child. Your ex doesn't have to claim child support as income, either. Your child doesn't have to claim it as income, any more than they would have to report their allowance to the IRS. The IRS states unequivocally that child support payments are never deductible for the payer and never taxed for the payee. Custodial parents should not include child support payments received in their gross incomes for tax purposes, even if they claim a child as a dependent. Child support is considered a tax-neutral event. Internal Revenue Code (IRC) Section 61(a) says that gross income covers all income from any source except "as otherwise provided." The IRS clarified in a 2016 statement that the "as otherwise provided" applies specifically to payments related to "the support of children." The IRC makes a firm distinction between child support and alimony because unlike child support, alimony and spousal support used to be tax deductible. The person paying alimony was able to deduct these payments from their taxable income, and the person receiving the payments had to include it in their gross income for tax purposes. The Tax Cuts and Jobs Act (TCJA) eliminated the alimony tax deduction beginning with divorce agreements entered into and divorce decrees issued from January 1, 2019 going forward. Unlike many aspects of personal taxes affected by the TCJA, this provision doesn't snap back at the end of 2025. It's permanently gone. Noncustodial parents aren't completely left out in the cold with regard to tax deductions. The IRS is willing to provide a tax break when it comes to medical expenses you pay on behalf of your children. You can claim an itemized deduction for your child's medical expenses even if they don't live with you, provided that you personally paid an insurance company or healthcare provider, your child lived with you or your ex for at least half the year, they're related to you, and you and your ex paid for more than half their support during the tax year in question. Unfortunately, you must itemize to claim this deduction, and that means forgoing the standard deduction for your filing status. That wouldn't make sense unless the total of all your itemized deductions were to exceed the amount of the standard deduction you're entitled to claim in that tax year. And you can only claim a deduction for medical expenses that exceed 7.5% of your adjusted gross income (AGI). The standard deduction for single taxpayers for the 2022 tax year (the return you'll file in 2023) is $12,950. It increases to $13,850 in 2023. The total of all your itemized deductions would have to exceed these amounts to make itemizing worth your while. Otherwise, you'll pay tax on more income than you have to. The Child Tax Credit is also still alive and well. It's worth up to $2,000 per qualifying child in tax year 2022 for those earning up to $200,000. Noncustodial parents can claim this credit if they were entitled to claim their child or children as dependents because the custodial parent gave them this right by completing and signing IRS Form 8332. Special qualifying rules apply to the children of divorced, separated, or never-married parents. The noncustodial parent must submit Form 8332 with their tax return. You can't use your child support payments to offset taxes you owe, but your tax refunds can be seized to catch up any unpaid and past-due child support obligations. The Treasury Department will intercept federal tax refunds from people who are behind on their child support payments, sending the money instead to custodial parents who were entitled to receive that support. Child support is the payment of money by a noncustodial parent to a custodial parent. It's enforced by state and local governments to ensure that noncustodial parents meet their legal obligation to support their children. Each state agency has a slightly different process, but you can usually enter into a child support arrangement on your own initiative. If the custodial parent files a child support claim against you, the court will initiate a process to confirm parentage, determine payment obligations, and set the terms of your payment arrangements. Child support payments are not deductible for the payer, nor are they taxable to the recipient. Any money you pay in child support has already been taxed as part of your income. Thanks for your feedback! Back to Learning Center Blog Specialty tag(s): Modifying Child Support, Child Support April 3, 2025 In divorce and child custody cases, a clear understanding of your finances is essential, as they are a contributing factor when decisions are made regarding financial support of any children within the marriage. Our Texas child support calculator is designed to provide a fast and easy way of estimating your child support obligations. Whether you're just beginning the divorce process or in the midst of negotiations, our Texas child support calculator can help you understand your potential financial obligations or expected support estimates. 03 Support Order Determination 04 Support Order Calculations Our Texas child support payment calculator works in four easy stages to give you an estimated monthly child support obligation. Here's how to use it: Start by selecting whether you are employed or self-employed. Then, enter your income frequency (weekly, bi-weekly, monthly, etc.) and your gross income. Gross income is the money earned before any deductions are taken out. This information allows our Texas child support calculator to get a baseline for determining your net resources. Next, enter any deductions for medical support, dental insurance, and state income taxes. While Texas doesn't have a state income tax, this field is useful for those who may live or work in another state. Taking these deductions out of your gross income will calculate your net income. Enter the number of children within the marriage who are eligible to receive child support and whether you pay child support for any other children outside of the marriage. This allows the calculator to apply the appropriate percentage under Texas Family Code guidelines. The calculator then generates a projected monthly payment based on the input data. This figure includes the applicable percentage of net resources and is designed to reflect standard guideline support in Texas. Child support is calculated based on a percent of the noncustodial parent's monthly net resources. This percentage varies depending on the number of children being financially supported. One child: 20% of monthly net resources Two children: 25% of monthly net resources Three children: 30% of monthly net resources Four children: 35% of monthly net resources Five or more children: 40% of monthly net resources The amount can also be adjusted depending on other child support obligations or special needs. For a more detailed explanation, visit our Texas Child Support FAQ page. Please note that while our tool is meant to reflect the general rules for child support in Texas, this calculator may not arrive at the same exact amount as a court will order, as the court's decision will vary due to specific and unique details in your case. The Texas Child Support Guidelines also provide a presumptive maximum or cap on child support. The presumptive maximum amount of child support is reviewed/revised by the Texas legislature every six years by adjusting the maximum amount used as the net resources in the child support calculation. There is no true "maximum" amount of child support. The Texas Child Support Guidelines are only guidelines. Each case is determined by the facts of the case and the best interest of the children. Whether you're in the early stages of gathering information or have decided that divorce is imminent and want to plan ahead, our Texas child support calculator can provide valuable insight into monthly child support payments. By offering a clear estimate based on your financial details, it allows you to: Understand your potential obligations early in the process to help you envision a budget after divorce, especially when children are involved. Make informed choices during negotiations—whether you are going through divorce mediation, divorce litigation, or reassessing the need for child support in Texas. Communicate more effectively with your attorney and co-parent by having a baseline estimate of the Texas Child Support Guidelines. Our Texas child support calculator can provide you with ballpark estimates of how much child support may be owed or received, helping you set realistic expectations during a stressful time. Contact us to learn more about your options for child support in Texas. Our attorneys are experienced in all aspects of family law and will guide you through each step of the process, ensuring you have the information you need to make wise decisions and prepare for the future. At Goranson Bain Ausley, we strive to deliver clarity about what comes next and confidence that you and your family's future are more secure. Contact our team and discover how we can help you. Share — copy and redistribute the material in any medium or format for any purpose, even commercially. Adapt — remix, transform, and build upon the material for any purpose, even commercially. The licensor cannot revoke these freedoms as long as you follow the license terms. Attribution — You must give appropriate credit , provide a link to the license, and indicate if changes were made . You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use. ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original. No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits. You do not have to comply with the license for elements of the material in the public domain or where your use is permitted by an applicable exception or limitation . No warranties are given. The license may not give you all of the permissions necessary for your intended use. For example, other rights such as publicity, privacy, or moral rights may limit how you use the material. Contact Us Tel: 214-432-6699 info@garciawindsor.com Monday – Friday 9:00 am – 5:00 pm Sat/Sun – Closed This Texas Child Support Calculator makes Texas child support calculations using the Texas child support formula. Learn more. Along with child custody questions, child support is one of the most disputed issues when couples separate. It is important to understand your responsibilities if you have to pay child support. You also should know your rights if you are owed child support. Fortunately for Utah residents, the Office of Recovery Services (ORS), a part of the Utah Department of Human Services, can educate you about your rights and obligations under child support laws. Some common child support issues and disputes involve: Disputes over payment amounts and schedules Issues with collecting child support payments (late or missed payments) Using child support payments for non-authorized uses (not for the child) Withholding visitation if child support is not paid The court uses the following standard in considering any child support issue: what is in the child's best interests? The obligation to pay child support falls on the parent who does not have physical custody. This person is the "non-custodial parent" parent, and the one with physical custody is the "custodial parent." If you share physical custody with the other parent, you may still be required to pay some child support if you do not have the child at least half the time. Note that if the parties both have custody, the one who spends the most amount of time with the child is the one who receives child support. The courts are fair: if the child support payer spends 3 days a week with the child, they will not have to pay full child support. It will be adjusted to account for the payer's expenses for caring for the child. For example, if the mother has the child all week and the father has visitation, the child support amount might be $ 1,000 a month. If the mother has the child for 4 days and the father has them for 3 days, the child support amount will be reduced to $571.00 – four-sevenths of $1000. Child support is determined on a case-by-case basis, depending on the child's specific needs and the parents' ability to support the child. Child support calculations may be based on a number of different factors, which can include: The income levels of both parents Whether the child has any special considerations or needs Whether multiple children are involved The geographic location where the child is being raised determines the cost of living there The history of past child support payments and arrangements (the courts may often lower or raise child support amounts based on previous payments) The academic, educational, and extracurricular needs of the child Utah Family Law: How Can I Get Child Support? Child support is often awarded as part of divorce or legal separation proceedings. If that is not the case, you can ask for child support by filling out forms available at your local courthouse. You can also apply for child support services through the Utah Department of Human Services. When applying, you must provide information about yourself, the other parent, and the child, such as Social Security numbers and addresses. You should also have copies of the birth certificates for each child, financial information for both you and the other parent, and copies of any documents regarding paternity. Utah Family Law: Can I Face Consequences For Not Paying Child Support? There are several serious consequences for not paying child support. The most common consequence is wage garnishment, where money is automatically removed from your paycheck. Other potential consequences: The state can seize your bank accounts The state can seize your tax refunds Liens can be put up against your property, including personal property, real property, securities, and other assets Your property can be seized and sold to pay the child support debt You can lose your passport You can lose your driver's license You can lose any professional license you may have Credit scores can be impacted You are at risk of going to jail for contempt of court If you are a custodial parent, the Office of Recovery Services can help you receive child support by taking the money from the non-paying parent's bank account, lottery winnings, or tax refunds. Utah Family Law: What is Wage Garnishment? As mentioned, courts sometimes take child support payments directly from the paying parent's paycheck. This is known as "wage garnishment" and is typically ordered when the paying parent has not kept up with the regular child support payments. Under a wage garnishment order, the paying parent's employer will be directed to set aside a portion of the parent's paycheck, which will be used for the child support payments. The payments may go directly to the court, or in some cases, they may be processed through an agency that handles those types of financial arrangements. Utah Family Law: Will I Lose My Visitation For Not Paying? Child visitation and child support are two different legal issues. This means that nonpayment of child support should not necessarily affect your visitation rights. You may ask the court to enforce your visitation order if the other parent is being vindictive and refusing to let you see your kids because of nonpayment. However, there is a difference between being behind on child support payments and refusing to pay child support. Not paying child support only hurts your child. Refusing to pay child support to spite the other parent will ultimately impact your rights to visitation since it reflects on your willingness to provide for your child. Utah Family Law: How Can I Avoid Paying Child Support? There are legal ways that you can end child support. The most straightforward and common way to end the obligation to pay child support is to prove that you are not the child's father. This often happens when a couple is married, and the husband is legally the presumed father, but the wife became pregnant by someone else. You can ask for a paternity test if you think you are not the father. If you were not married, but you voluntarily established paternity (e.g., you put your name on the birth certificate), you have 60 days to take that back and prove that you are not the parent through a paternity test. You can also reach an agreement with the other parent, which has to be approved by the court. Note that since child support belongs to the child, not to the parent, courts sometimes refuse to approve an agreement between the parents to stop child support. The idea is that neither parent can take away money that belongs to the child. One way to avoid this is to agree that instead of monthly child support, the noncustodial parent will transfer a significant amount of property or money to the custodial parent. Child support automatically ends if: The child turns 18 or graduates from high school (whichever comes later) The basis of child support was the child's disability, and the disability no longer exists The child becomes emancipated The child marries The child dies Where Can You Find the Right Utah Child Support Lawyer? Since child support is such a complicated aspect of family law and can have consequences that last for years, it is very important to find the right lawyer. You should find a Utah child support lawyer to assist you in asserting your rights. Your attorney can provide legal advice and guidance for your child support situation. One of the key advantages of using an attorney for child support issues is that the attorney will not get caught up in emotional issues surrounding the issue. The other parent might want to fight with you but might be willing to concede some points if they are dealing with your lawyer instead. How can financial brands set themselves apart through visual storytelling? Our experts explain how.Learn MoreThe Motorsport Images Collections captures events from 1895 to today's most recent coverage.Discover The CollectionCurated, compelling, and worth your time. Explore our latest gallery of Editors' Picks.Browse Editors' FavoritesHow can financial brands set themselves apart through visual storytelling? Our experts explain how.Learn MoreThe Motorsport Images Collections captures events from 1895 to today's most recent coverage.Discover The CollectionCurated, compelling, and worth your time. Explore our latest gallery of Editors' Picks.Browse Editors' FavoritesHow can financial brands set themselves apart through visual storytelling? Our experts explain how.Learn MoreThe Motorsport Images Collections captures events from 1895 to today's most recent coverage.Discover The CollectionCurated, compelling, and worth your time. Explore our latest gallery of Editors' Picks.Browse Editors' Favorites top of pageThe information on this website is for general information purposes only. Nothing on this site should be taken as legal advice for any individual case or situation. The information appearing on this site is not intended to create, and viewing of this information does not constitute, an attorney-client relationship. You should not rely on this information without seeking the advice of an attorney. Note further, an attorney-client relationship shall only be formed by entering into an attorney-client retainer agreement with an attorney from our firm. Sending email to or calling Griswold Law Firm does not in itself constitute the creation of an attorney client relationship. © 2014 Griswold Law. All Rights Reserved Contact Griswold Law Today: Phone (512) 575-5816| Fax (512) 233-2750 |Email tim@griswoldlawfirm.com 4413 Spicewood Springs Road, Austin, Texas, 78759bottom of page When parents are married, they have a legal obligation to support their children. This responsibility remains even when the parents divorce. Both parents must continue to financially support the child until they turn 18-years-old. Sometimes, however, one parent may struggle financially and not be able to support the child. If this is the case, there are several specific ways that can help you avoid paying child support in Florida. Child Support in Florida In most cases, child support is mandatory in Florida. The purpose of child support is to make sure that both parents are still financially responsible for the child, even after a divorce. Child support can also be imposed on a parent once paternity has been determined, even if that parent did not know of the child's existence. Child support payments in Florida are overseen by the Florida Department of Revenue. They help Florida citizens with locating parents, establishing paternity, determining assets, and establish and modify child support orders. They monitor payments and help a parent take action if the other parent does not pay their support on time. They can receive and distribute payments. If needed, they also offer parenting classes. How is Child Support Determined in Florida Child custody and child support are two different determinations. Child custody establishes who will have legal and/or physical custody of the child. These can be joint, where the parents share responsibility, or it can be sole, where one parent is mostly in charge of the child. In general, the non-custodial parent will end up making child support payments to the other parent. Determining custody is generally done through Florida family courts. Determining who pays child support and the amount that is owed can be a difficult task. When making these decisions, the courts follow the Income Shares Model that considers several monetary factors of both parents including: Wages and salary Bonuses, commissions, and tips Disability benefits Spousal support Worker's compensation Social Security payments Retirement and pension plans Property ownership Unemployment assistance Other forms of compensation through self-employed or contractor work After the total amount of a parent's gross wages is calculated, deductions are subtracted from the amount. These include taxes, other spousal support, and any additional child support payments. This net amount is then used to determine the total amount of money you need to pay by using specific state-mandated guidelines. Once child support is determined, parents will continue to pay the set amount until the child turns 18. Some special circumstances may exist that extend the length of payment like graduation from high school after the age of 18 or if the child has a disability. How to Stop Child Support Payments in Florida It is possible to alter child support payment amounts. This too has specific qualifications that must be met and it can be hard to change payment calculations or schedules. It is usually only done when one parent can show that the other has had a major and ongoing financial change. Examples include a change in job status or coming into a substantial amount of money like from an inheritance or winning the lottery. Stopping child support payments in Florida can be even more difficult, but it can be done. Some ways to do this include: An agreement between the parents: If both parents agree, child support payments can be waived or stopped. It is important to note that a judge has the right to supersede this agreement if they feel it is unfair. This means that a judge can still order child support even if both parents state they do not need it. In practice, the judge tends to follow parental agreements unless they suspect one parent has not entered the decision in good faith. Give up your parental rights: A parent can decide to do this but they will have to follow specific state guidelines. If a parent surrenders their parental rights they do not have to pay child support anymore. However, this also means that they no longer have any say in what the child does and they cannot request visitation rights. In some instances, the custodial parent may ask the non-custodial parent to give up their rights. This is generally done when the custodial parent either has a new partner that wants to legally adopt the child or they do not want the child to know the other parent. Terminating any child support agreement: The support agreement will be void when the child turns 18 unless there are special circumstances. It is also automatically terminated if one parent dies. The court could also terminate the agreement if you lose your job or if you go to prison. In these cases, the court will more than likely be inclined to alter payments rather than terminating them altogether. Contact Our Divorce Law Firm in Orlando, FL Contact the experienced Orlando divorce lawyers at McMichen, Cinami & Demps today for legal assistance. Contact our Orlando, FL office at (407) 898-2161 to schedule a free consultation. McMichen, Cinami & Demps – Orlando Office 1500 E Concord St Orlando, FL 32803 Índice de contenidosEl child support, también conocido como manutención de menores, es un pago que se realiza regularmente para ayudar a cubrir los gastos de crianza y cuidado de los hijos. Este pago es establecido por la ley y tiene como objetivo garantizar el bienestar de los niños en situaciones de divorcio, separación o paternidad.¿Cómo se calcula el child support en Texas?En Texas, el cálculo del child support se basa en una fórmula establecida por la ley. Esta fórmula tiene en cuenta varios factores, como los ingresos de los padres, el número de hijos y las necesidades especiales de los niños.La fórmula utilizada en Texas se conoce como "Guidelines for Child Support" y se encuentra en el Código de Familia de Texas. Esta fórmula tiene en cuenta el ingreso neto mensual del padre que pagará el child support y el número de hijos que tiene