

## Military Custody and Child Support

Custody and child support can be complicated for service members and their families based on the circumstances of a service member's deployment. It is important that the custody arrangement address these unique demands on a service member's time, which civilians may not face. Before crafting a custody agreement, it is important to ask several important questions, including:

What effect does the service member's deployment have on a custody arrangement?

What if the service member is transferred to a base across the country?

What state has jurisdiction?

What effect will my family care plan have on a custody proceeding?

These are complicated issues that civilians simply do not encounter. Tully Rinckey PLLC's military divorce attorneys can represent service members or their non-military spouses in New York, Virginia, and Washington, D.C. If you are located elsewhere, we can advise your matrimonial and family law attorney on the unique nuances of military child custody issues. We can help you navigate the complex issues surrounding child custody and child support for military families. Call us today.

It is important that custody agreements are carefully crafted to ensure that the service member has telephone contact with the children while deployed and substantial time with the children while on leave. Additionally, if the service member is the custodial parent, it is important that when he or she returns from deployment (and someone else has been caring for the children) that they are not hit with a petition to modify custody upon their return. Some states have laws that prevent the modification of a custody order based on a service member's deployment, others states do not. It is essential that your attorney understands the laws in your state and is aware of potential complications when crafting your custody arrangement.

Although the respective branches of service have guidelines for family support that can be ordered by a commanding officer, these guidelines are often different from court ordered child support. Child support is also a bit more complicated for service members as certain allowances are included when calculating child support and others are not, depending on the law in your state. For instance, the service member's housing and subsistence allowances are usually included as income for child support purposes while the clothing allowance is often not. As such, the service member's tax return is not reliable for determining the amount of support owed. Tully Rinckey PLLC's attorneys have extensive experience with military families facing custody and support issues and can help you achieve the most favorable outcome for your family.

Tully Rinckey PLLC's military divorce team can represent military families in New York,

Virginia and Washington, D.C., and we can advise family and matrimonial lawyers anywhere in the world on divorce, custody, and retirement matters. Call today to schedule a consultation with one of our military divorce attorneys at 518-218-7100 or e-mail [info@1888law4life.com](mailto:info@1888law4life.com)

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If you have an urgent legal matter after normal business hours, call 518-727-3593 to speak to an attorney 24 hours a day, seven days a week. The firm is responsive to the needs of current and prospective clients. We will respond to phone calls within normal business hours and e-mails within the next business day.

Contact us during normal business hours via Skype

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