

Economy Hits Home in More Ways Than One

The current economic climate is affecting more than just consumer lifestyles. It has also forced many parents into wondering how they will be able to meet their monthly financial obligations, including child support payments. With more layoffs anticipated, I've noticed a trend of parents taking proactive steps to modify their child support payments.

Seeking a modification of child support payment is not an easy task for parents. As a loving parent myself, it can be difficult to admit that you simply cannot support your child the way you used to. But when the non-custodial parent sees a significant change in their income and crunches the new numbers for their monthly finances, it is possible that he or she simply isn't capable of making the support payment that was previously agreed upon.

When reviewing requests for child support modifications, the court's job is two-fold. The first part is to ensure that the child is receiving the full monetary amount the parent is qualified to pay. Second, they must also make sure that after making that payment, the non-custodial parent can still support him or herself. Parents seeking relief on their support payments should understand that reductions are often difficult to obtain and significant, documented hardship has to be clearly displayed to the court in order to substantiate a monetary cutoff to children.

For example, if your request is the result of a job loss, the court will expect evidence that you're taking every step possible to actively seek new employment. A simple Internet search or daily email job update isn't going to cut it. Significant evidence is needed. Sometimes taking a lower paying job or part-time position will show good faith that you are indeed trying to get your finances back on track. Being able to show documented evidence of your financial difficulties and effort to improve your situation could lead the court to grant a lower monthly payment until you get back on their feet financially.

Also, it should be noted that in the instance a parent loses his or her job and is eligible to receive unemployment benefits, the court can use the benefits, or at least a portion of them, to take the place of the normal payments. This way the child is still receiving the proper food, clothing and shelter they need.

Parents in this situation shouldn't wait to try modifying their support payment. Finding yourself behind in payments will only result in your ex-spouse taking legal action against you – which can lead to serious penalties, including jail time.

If a recent layoff or change in income due to the downturn economy has left you struggling to pay child support, I strongly suggest contacting a family law attorney to help you modify your payments. Ignoring the payments in the short-term in hopes your situation will soon change will only make your child suffer in the long-term.