

# CHILD SUPPORT GUIDELINES



## \*Support Enforcement

If a non-custodial parent fails to pay child support, they are subject to enforcement measures according to Alabama law to collect any regular or past-due payments.

- The court may require employers to deduct child support from the paying noncustodial parent's paycheck through wage withholding.
- Liens may be filed against his or her property or other assets.
- Driver's, professional, and hunting/fishing licenses may be suspended.
- A judge may sentence a nonpaying parent to jail and enter a judgment for past due child support.
- Passport applications may be denied.
- Federal and state income tax refunds, state or property tax credits, and state lottery winnings may be intercepted.
- Delinquent support payments may be reported to credit reporting bureaus

## Interest on Missed Child Support Payments

Alabama allows interest to be charged on missed child support payments and adjudicated arrears at the rate of 12% per annum.

## AL Statute of Limitations on Back Child Support Payments (Arrears)

In Alabama, child support enforcement must take place within 20 years from date of judgment for purpose of obtaining an order of support or a judgment on past due support.

## AL Statute of Limitations on Determining Paternity

Paternity must be determined in Alabama by the child's 19th birthday.

## Age of Emancipation / Age of Majority in Alabama

Section 26-1-1, Code of Alabama 1975 defines the age of emancipation as 19 years old.

In Alabama, child support is terminated at 19 years old unless the child is emancipated before that age. Child support does not automatically terminate if the child leaves the household but does not emancipate.

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## \*How Does Alabama Determine Child Support Payment Amounts?

A total child support obligation is determined by adding the basic child support obligation (specified by Alabama's Schedule of Basic Child Support Obligations), work-related child care costs, and health insurance costs. The total child support obligation is divided between the parents in proportion to their respective adjusted gross incomes. The obligation of each parent is computed by multiplying the total child support obligation by each parent's percentage share of their combined adjusted gross income. The custodial parent is expected to spend his or her share directly on the child.

If the court finds that there are special circumstances such as the child or children having additional or exceptional needs that require additional support, the payment amount may be greater than the basic guidelines specify.

## Custody and Visitation Issues

Child support and visitation rights are legally distinct issues. The court may determine both and will usually order the non-custodial parent to pay support and the custodial parent to make the child available for visits.

The custodial parent has a duty to obey the court order for visitation, even if the non-custodial parent cannot or will not pay child support. The court can enforce its orders against either parent.

## Non-custodial Parent Resides Out of State

Even if the non-custodial parent lives in another state, the law requires cooperation between states. The non-custodial parent is legally required to make regular child support payments, regardless of the state in which they reside.

\*The above information was provide by Alabama Child Support Enforcement Resource Center.\*Alabama Child Support Enforcement is a private service agency not affiliated with **DHR. Alabama** information provided on this site;[Birminghamfathers.com](http://Birminghamfathers.com) is not legal advice. No representation is made that the quality of services to be performed by this private agency is greater than the quality of services provided by other agencies.