

Child Support Defense Manual

Keeping Them Off Your Back

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THIS MANUAL IS NOT LEGAL ADVICE

It is absolutely essential that the reader of this child support manual understand that the information contained herein is not meant to be a substitute for legal advice. Neither is the information contained on our law firm website. This manual is for informational purposes only.

No manual can be a substitute for competent legal advice of a licensed attorney. Each individual case needs to be evaluated by a professional to tailor the legal needs to unique requirements of each case.

The facts of an individual case change the law that may apply as well as the strategy. Attorneys trained and experienced with the law are the people best equipped to properly apply the law to the facts of a particular case.

Any information contained within this manual that gives the appearance of being legal advice should be disregarded as legal advice. Instead the discussions indicated within this manual are merely meant to inform the reader and expand his understanding of some of the laws and issues surrounding father's rights in the area of child support.

Suggestions or examples are meant to advance the reader's knowledge of father's rights litigation experience so that one can more intelligently discuss or focus the issues with their attorney, with their ex-spouse, with their family, the courts or others.

One should always consult an attorney on any issue concerning child custody, parenting time (visitation) and child support.

THIS MANUAL CANNOT COVER EVERY STATE LAW

We live in a country where each of our 50 States can enact their own laws. This would make it impossible for me or any other lawyer to write an informational guide that specifically covers the differences of every State. Even if an attorney researched and wrote about each State Law, the work would be huge and very costly to publish, let alone be impractical for any individual user as they would have no use for 49 of the other State laws. However, I have found in the research that I have completed that States are copy cats. That is, there are very similar laws on the books of every State or at least many of them.

In the area of child custody, many States follow some variation of making determinations of child custody and support based upon the “best interests of the child.” Also, that means that the experiences and strategies are going to be similar as well.

The information you are about to read is a synopsis of Michigan Law or experiences based upon Michigan Law. It is meant to give the reader a general overview of child custody and support litigation as it may be applied to father’s rights issues. Since most States use the basic “best interests of the child” standard, you should still find this information helpful. In fact in the area of child support at least 29 of the States have enacted child support guidelines that use the same basic national research to impose child support awards. If you are not in Michigan, the law may be similar but have some differences. You should take the time to research your own laws in your State and also listen to your attorney, especially over differences so that you understand exactly what you need to do in your State.

The body laws discussed are much more in depth than presented with this work. This manual focuses on managing the issues surrounding your child support obligation. There is a vast body of case law and statutory law that is not discussed. If you wish for more discussion on the law concerning child custody, then you should obtain our Father’s Rights Manual: *For Frustrated Fathers*.

constantly changing and some of the information inside this manual may change over time.

The laws in other States can vary widely so that attempting to understand another State's laws merely by reading this handbook is not advisable. There are strategies and procedures discussed to help you appreciate what needs to be done to assert your rights and fulfill your responsibilities. These discussions do cross State lines and should prove helpful regardless of the State you are in. Insight into what you are facing and what you should do can do nothing but help you in your endeavors as a father of divorce.

ABOUT THE WRITER

The Child Support Defense Manual was written by Ghazey H. Aleck II, Fathers Rights Attorney. The Father's Rights Manual: for frustrated fathers was also written by Ghazey Aleck as well as the Litigation Survival Guide, all of which are available as downloads from www.aleckandjenkins.com.

Ghazey H. Aleck II, is the founder of Aleck and Jenkins, Attorneys at Law located in Clare, Michigan, established in 1987. Mr. Aleck has been an attorney since 1986. Prior to becoming an attorney, he was a police officer for several years. In 1992, Ghazey Aleck was elected Clare County Prosecuting Attorney where he also had to deal with paternity and support on behalf of the government. Fathers rights litigation has been a large part of his practice since 1989.

In 1997, Mr. Aleck returned to the full-time private practice of law where he established himself as the father's rights attorney. With over many years of handling divorce and child custody matters, Ghazey H. Aleck II, has developed a significant body of knowledge and experience in getting father's their rights.

"I decided to begin emphasizing father's rights in my law practice because too much attention has been directed at going after 'deadbeat dads' while the devoted dads received little or no attention or help. Society is hurting our children by overlooking their need to have both a mother and a father, not just a mother and a banished father," Aleck says of his work. "Besides this, there are many fathers who are just better parents and should have custody of the children, for the children's sake."

Over the years, Ghazey H. Aleck II has become a well-known attorney having appeared on local television news broadcasts and programs around the State of Michigan. His cases have been reported in local, statewide and national newspapers and newsletters. Ghazey Aleck has been a guest on local, regional and national radio talk shows.

Besides litigating and fighting for fathers rights cases of his own, Ghazey H. Aleck II has also been a legal consultant for other lawyers and on other cases involving father's rights issues. He has testified as an expert in court on family law issues.

UNDERSTANDING THE PHILOSOPHY BEHIND CHILD SUPPORT

Anyone facing the prospect of paying child support must first understand the philosophy behind it. Courts set child support based upon the law. The law is enacted by State legislatures. Legislators are elected by less than half of the people who are eligible to vote after special interest groups fund their campaigns. The people most responsible for the election of a legislator are the people who funded it, not the people who voted for them. Special interest groups therefore have the biggest say in what law gets enacted and therefore what law the courts must use. In the old days, laws made sense. Today, don't expect all of the laws to make sense, especially not child support laws.

Special interest groups are a vocal minority. It is often the vocal minority that run the show. This is why we have a "politically correct" society. Most "politically correct" ideas come from a feminist point of view. The radical feminist considers all men to be bad. Their extreme views include the notion that all men are rapists. While the extreme views do not generally find their way into the law, their influence does. That influence pulls our laws in the areas important to women more in the radical feminist direction than it should. Child support awards are excessive and in my opinion connected to the notion that all men should pay for their constant misdeeds.

While it is certainly true that one of a parent's most important responsibilities is to be providing financially for their children, it should not be the role of government to impose too heavy of a burden to do so. Many men (and a growing number of women) who find themselves facing a court order to pay child support find the amount order to be outrageous and that is because they are outrageous.

The philosophy behind child support is that a child is entitled to support of both of the child's parents and this sounds good on the surface. Many of those who pay support rightly point out that the child never sees any of the money. They ask if there can be some accountability. Generally, you cannot ask the parent receiving the support to make an accounting on how the money is spent. This is because the courts say that the money

paid is a portion of all of the overhead necessary to raise a child.

Therefore, your child support payment is going for a portion of the house payment, electric, gas, food, transportation, insurance, clothing, entertainment and other expenses that could be in needed because of the child special needs.

Many people wrongfully call child support “alimony” because child support is supposed to be for support of the child and alimony is for the support of a spouse. While the legal definition makes calling child support “alimony” wrong, there appears to be some truth to calling child support “alimony” from a factual standpoint. Everyone whether they have custody of the child or not will have virtually the same overhead anyway so saying that child support goes toward overhead is really giving the spouse support. Even so, when addressing a court, keep in mind that child support is for the child and alimony is for support of a spouse. These terms are different to the court and you cannot change those definitions for your own purposes.

In the end, child support is based upon what you earn. Everything you earn regardless of the source is subject to calculating what you earn. There are some sources of funds that are exempted that will be discussed later in this manual later. Once the court has calculated what you earn, child support is determined. Many States have enacted Child Support Guidelines in determining the amount of child support. The number of States that have a set of Guidelines is at 29 at last count.

If your State has Child Support Guidelines, your support is calculated using your income and a mathematical equation. Most States enacted the guidelines based on a national study whereby the household income dedicated to children has been determined to be approximately 30% of the family income for one child and 40% or more for two or more children. This study is suspect in my view because not all people are the same in their habits and different areas of the country do things differently so I can't see how these percentages can be standardized. But, this is why you are facing the percentages that you do.

It does not matter whether the national study is correct or not. It does not matter that there are individual family differences, differences in regions of the country or the fact that children take a different amount of income as they change in age. The national

study is getting the States to standardize everyone into one box. A guideline suggests

that you should live your life according to the average of a study. This is wrong. The legislatures that have enacted the guidelines have taken the easy way out. Those States that have guidelines let the courts hide behind them by making them use these standardized amounts. In Michigan, the court is required to follow the guideline unless the court can articulate one of the few exceptions allowed.

You don't know how many times a court or referee who uses such guidelines get to rebut good arguments by saying, "While that may be true, I am required to set support according to the guidelines, and this is the amount that the guidelines require."

CHILD SUPPORT FORMULAS

For those who face a State that uses Child Support Guidelines, you will find out that the guidelines are based on a formula.

If one reads the Michigan Child Support Formula explanations from the State, you will hear that the Michigan formula was supposedly developed to assist judges, friends of the court and attorneys in recommending and establishing child support obligations. In Michigan the child support formula was developed in 1986.

They claim that the child support formula was developed by a committee of individual's with diverse viewpoints and backgrounds like judges, lawyers, friends of the court, concerned parents, behavioral scientists and other interest citizens. In my views, such claims are just a way of justifying what they did as being fair. The formula is more mathematical than it is fair. You will find quite a mathematical equation in such formulas. So much is the formula about mathematical equations that if you obtain a Support Formula Manual there is a myriad of charts and a rather complex mathematical equation.

The State claims that the formula insures greater uniformity between cases and increases the predictability of child support awards and that the primary goal of the formula is to provide support based upon the needs of the child *and* the resources of the parents. However, if a party gets remarried or lives with another income earner, that income is not counted. The same is true for either party. So if the mother and her new husband's income is \$100,000 per year and the mother only makes \$10,000 of that amount, a father making \$45,000 per year will add a third to the mothers household income while losing a third of his. In essence, the children would live in a home with \$100,000 plus \$15,000 in child support while the father sinks to \$30,000. No matter what figures you use, the outcome is the same in this scenario. Dad has less to be a dad on while mom, if she can get remarried can end up quite well. This hurts kids in that dads under this situation don't look too good because he cannot provide a lifestyle the kids are used to at home with their mom.

So when you read that your State considered the needs of the children in
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developing the formula, don't be too impressed. In Michigan, the figures were based

upon the U.S. Department of Agriculture statistics and research conducted by “nationally recognized experts” in the field of family economics. While I have not taken the time to scrutinize these so called experts, if the formula is a result of their expertise, something seems amiss. In my practice, whether it be a woman or a man who ends up paying support under the formula, both sexes agree the support amounts under the formula are too high and makes no sense. I have two kids and though I have not been divorced, I could not imagine paying support according to the formula. In my view, it is just a convenient mathematical way to set support and hide from the unfairness of it.

Even so, you need to learn how to deal with support formulas and guidelines. Child support is calculated based on net earnings. Net income is reduced or adjusted when you have other support orders, additional children (not step-children), or mandatory employment expenses. Also, you can save considerable support by getting split custody or by spending a substantial numbers of overnights with your children. You need to raise these issues so that support is lowered to its proper levels.

In focusing on getting your net income, the court will look at a number of potential income sources. The net income used by the formula can be higher than is showed on your income taxes or the net income on your pay stubs because the court will look at the following:

- Salaries and wages
- Annuities
- Cost of living allowances
- Pensions and longevity
- Shift premiums and GI benefits
- Overtime and trust fund payments
- Second Jobs and unemployment benefits
- Commissions and strike pay
- Bonuses and Sub pay
- Profit Sharing and Sick benefits

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- Interest income and workers compensation income
- Dividends and disability insurance

Social Security and Disability benefits
Veteran administration benefits
Deferred Compensation and IRA
Drill pay for national guard or reserves
Armed services member pay including all allowances as fringe benefits
Rental Income
Spousal support or alimony
Net gambling winnings
Tax exempt income
Insurance and other payments for Lost Earnings
Adoption subsidy

The child support formula does not reduce child support for either health care costs or for daycare costs. You are expected to pay a portion of the health care if neither party has insurance as a benefit of employment. You will be required to pay a percentage toward uninsured health care based upon the proportion of the parties. If you make \$60,000 per year and your spouse makes \$40,000 per year then you will pay 60% of uninsured health care costs. In fact if you have health insurance as a benefit of employment, you will still pay 60% of anything not covered by insurance for the children. The same is true for daycare costs. It is split proportionately and in addition to your child support, the formula will require you to pay 60% of the daycare costs. If your income is low enough, you could be destroyed financially by support, uninsured health care costs and daycare.

The child support formula is supposedly updated every year but it doesn't get any better. However, changes do get made and you should make sure you know what they are. You usually can get a copy of a formula from an agency in your State. In Michigan, it can be obtained from the Department of Management and Budget, Office Services, Publication Section, at the State Capitol in Lansing.

YOUR FIRST CHILD SUPPORT ORDER

Your first child support order will occur early in your initial custody litigation if you do not get custody early. Even though the child support award will be calculated by the child support guidelines in your State, or some other cut and dried method, there are some things you can do to make sure you are prepared.

First, you should sit down and figure out all of your bills. You and your wife created your debt load together and you should not be expected to pay all of the bills and child support too until your divorce is over. While this will not reduce your child support, your lawyer will be able to make her pay some of this overhead out of the support she is receiving while the action is pending. After all, as pointed out previously, child support is supposed to go for overhead, right? The court will not require her to use specific monies actually from her child support but it will require her to pay some of the bills.

If you are not married but just live together, you are facing a different problem. While the court can enter orders for custody, parenting time and support, they generally will not enter orders regarding property and debt for unmarried people. Being unmarried makes your ownership of property together either a partnership or joint venture that some States will recognize if a separate legal action is brought but keep in mind that some States refuse to allow any legal action whatsoever. In this unmarried situation, you could be faced with immediately having a third of your income stripped from you but still have to pay all of your debts. If the mother will not pay the debts, you face the prospect of not paying your debts. While this will hurt your credit rating and cause other problems, you will not get put in jail like you would if you did not pay your child support. Therefore, in my opinion, if you cannot take any legal action on payment on the bills against the mother, pay your child support first.

Whether you are married or not, next you need to be able to show exactly how much money you make. If you are a wage earner, this will not be hard to do. The court will take your pay stubs and look at your net and calculate your child support obligation.

If you work overtime, that too will be used to figure out your support. So, if your pay

stubs are temporarily high because of a specific project that will end, you will need to get documentation that the overtime will end or you will be obligated for higher support based upon overtime that no longer exists. Keep in mind that you need to prove everything.

If you are self employed, the court will especially scrutinize how much you claim to make. They automatically assume you are cheating and will attempt to push your income up by refusing to allow certain deductions especially depreciation because you do not pay that out directly. It is best to have a CPA or other qualified Accountant go over your books first before you go to court. They can help keep the wolves at bay by testifying if necessary. Otherwise your support could get artificially inflated by the court.

Obviously the goal could be to keep your income as low as possible, however, I think it is better to think of keeping the support as accurate as possible. Support is based on your take home pay whether you are a wage earner or self employed. Don't let the court base your support on more than you actually take home. This is important because once you concede a point, it is hard to reverse it. If you concede the point that you get 15 hours per week overtime on the average, you could be stuck with that for a longer time than you should. Or if you allow them to add depreciation back into your take home pay, you may never reverse it.

If you have no income because of a long term lay off or firing, support will still get set. The court has two options here. It may just set it at a nominal amount until you get a job or it may choose to impute your income. Imputing income is a method of setting your income amount even though you don't have any. In other words, if you left a job making \$25.00 per hour, they will set your support as if you are presently making that amount. They impute income when they think you have no excuse for being without a job or if they think you are trying to push your support down artificially by not working when you could.

It is important to be prepared for your first support order. The first support order will usually flow into a final support order when your divorce is completed. The first

support order will also affect you immediately because it will strip you of about a third of your income without regards to your bills. You can ask that your support be changed

anytime there is a significant change of circumstances which we will discuss in the next section.

MODIFYING YOUR SUPPORT ORDER

It is a big mistake to think you can't change your support order. If you get laid off, disabled, fired or have a significant loss of income, take immediate action to reduce your child support. If you don't, your support will start to accumulate and you could end up in jail or prison! It is not that difficult to protect yourself.

You can do two things to get your support modified. First you can ask the child support agency like the Michigan Friend of the Court to review and modify your support. You can only ask for a review by the Friend of the Court once every 36 months in Michigan. In other words, the Friend of the Court must review the support every 36 months by law. You can write a letter and ask for the review too during that period. If the Friend of the Court determines that a change is appropriate, it must file a motion to modify the support and have a hearing in front of the judge. Second, *and more effectively*, you can file your own motion to ask that the support be modified immediately. I strongly suggest that this is the only procedure you utilize and forget about asking the Friend of the Court to do anything about reducing support. The Friend of the Court is a better collection agency than anything else and they may never get to your request.

You can file your own motion anytime there is a significant change of circumstances. You are not limited to once every 36 months like you are if you ask for a review. If you wish to file your own motion without an attorney, you can do it. Everyone has an absolute right to represent themselves on any legal matter. In Michigan you can contact the Friend of the Court and ask for a support modification forms packet. Even though these forms are "do it yourself" papers, you may want to consult with an attorney to help you fill them out or to represent you depending on your circumstances. The court staffs are usually prohibited by law from giving you legal advice so they will probably not answer any questions you have about filling out the forms..

Keep in mind that either party may file a motion regarding support. So if you have a significant increase in income, your spouse, if she is aware of it, may ask that your support is increased. Any significant change of circumstances can result in a change of

support. For example, if one of the children suddenly has special needs, that may also be a significant change in circumstances that the court could order more support.

Most importantly, you must remember that if you have a loss of income, file your motion to reduce child support right away. Your spouse will probably file a motion to increase your support as soon as she learns of your increase in earnings but more significantly, the law will only allow your support to be retroactively reduced to the date you filed your motion. In other words, if you wait from February 15 when you got laid off until June 22 to file the motion and the court reduces your support on August 1, it will only go back to June 22, not February 15. So if you accumulated an arrearage from February to June you are struck with it. I have seen guys with no income sit on their hands for three or more years and accumulate thousands of dollars in arrearages, which has interest and penalties added to it, and they end up in prison when all they had to do was file a motion back when they lost their job. You can't even imagine how many times I heard, "I didn't know that!".

In the end, use all of the knowledge available to you when you seek modification of support. Use the insight you learn in this manual. Research the specific law of your State. Consult an attorney even if you decide to represent yourself. A consultation for ½ hour can range from only \$30-\$100. Child support is the most difficult area to get fair results so you must dig in at every opportunity and make sure all of the possible issues are fully heard.

If you choose to represent yourself, you will have to know some things. First you need to fully fill out the Motion Regarding Child Support form. In Michigan, the form requires the court address, the caption indicating the parties, the date of your Judgment of Divorce, the date of your last support order, the amount of your last support order, an area for you to describe the change of circumstances justifying reducing support, the amount you think the support should be, your signature and the date you signed the document.

The Motion Regarding Child Support has two other parts to it as well. At the bottom it has a notice of hearing section. You need to talk to the court clerk and get a date and time for your motion to be heard by the court. The next section is a proof of

service form where you must certify to the court that you sent the other party (your ex) the motion and notice of hearing. If the form does not have all three sections, it does not mean you do not have to do anything. You must have a motion describing what it is you seek, a notice of hearing and a proof of service. All of this must be filed with the court and sent to the other side.

Before you go to court, get your thoughts in order. Put together your supporting documents as well. Keep in mind that a judge deals with support constantly. Therefore, figure out how to express yourself quickly. I always tell men trying to represent themselves to communicate like a bumper sticker. You can't get your message read on a bumper sticker if there is too much on it. The same is true when you speak to the court. Boil it down to the main points first. Don't think you will get to go on and on--you won't. Even if you think it is complicated, the judge may not agree and cut you off so get to your most important argument first and work your way down to your least important argument but keep it short. Argue like a bumper sticker. If you make your most important point quick, you will probably be successful.

Some judges will just want to nail support payers hard with as much support as possible. If you run into one of these judges you will not help the situation by making longer drawn out arguments. You are better off to keep repeating the same short argument than going on and on into a multitude of different areas.

Remember, judges don't want to hear these cases. They want referees to get rid of these cases before they have to hear it. Keep on target. Keep it short.

DEFENDING A SHOWCAUSE PROCEEDING

Whenever a person is believed to be in violation of a court order of any kind including child support, that person may face a hearing to see if he is in contempt of court. The court may issue an order for you to “show cause” why you should not be held in contempt of court due to your violation its court order. This is a serious hearing because if you are found to be in contempt of court, you could go to jail.

You have a right to have your lawyer represent you at a show cause hearing but a lawyer is not required. If the judge is going to consider putting you in jail, the judge must advise you that you are entitled to an attorney and if the judge determines that you cannot afford an attorney, he will appoint one for you at public expense. The reason a judge will appoint you an attorney at this point is because he is considering throwing you in jail!

If the judge advises you of your right to an attorney, ask for one. This will postpone the hearing until you have had time to talk to either your own attorney or the court appointed attorney. Since you can usually buy yourself out of a contempt violation for failure to pay child support by paying the arrearage, a postponement will give you time to come up with some money to pay off some or all of that back due support. The more you have to offer, the more likely the court will not put you in jail.

A show cause proceeding starts because the child support collection agency (in Michigan it is called the Friend of the Court) files a motion with the family court stating that a court order has been violated. Read your current court orders or judgment of divorce! Any court order or part of your court order dealing with the following issues may result in a show cause hearing:

- *Failure to pay child support.
- *Failure to pay spousal support.
- *Failure to pay child care expenses.
- *Failure to pay health care expenses.
- *Failure to pay court costs.

*Failure to pay attorney fees.

*Interference with a custody or parenting time order.

*Failure to provide required information.

If you are divorced, your divorce judgment is your current court order. If child support or parenting time has changed since your judgment of divorce, the new order or a combination of your current order and your judgment of divorce could be used. Only what is found in your court order is what can be enforced against you. There is nothing hidden and there are no boogey men out there looking to ambush you so know what your court orders say and following them or get them changed.

Even if you are facing a show cause, it doesn't mean you can't bring your own motion to change the court order but make sure you have a good reason for bringing that motion.

Anyway, once a motion for order of show cause is presented to the court, the court will sign an order that orders you to come to court to show cause. This will be sent to you or served on you in some manner allowed by law. You will be given a specific time and place to appear to show why you should not be held in contempt of court. Imagine going is an saying I am not paying because I don't want to pay! You better have a good excuse especially since you could have brought a motion to reduce it but didn't.

Show cause hearing may be held before a judge or a referee. A referee is not a judge but rather is a person that the court appoints to conduct hearings like a judge but instead of the referee's decision being final, it is not. If you appear for a show cause hearing before a referee and disagree with the decision of the referee, you may object by filing a written objection within 21 days and request a new hearing before the judge. If you appear before the judge, his decision has a more immediate effect and you could go to jail that same day.

Regardless of who you appear in front of, be prepared to tell the judge or referee how you followed the court order or why you were unable to follow the court order. You should have any supporting paperwork, paid receipts, cancelled checks or other documents that prove that you complied with the court order. If you lost your job and

just can't pay your support, file a motion to reduce your support and thereby change your

court order. Unless the court order is changed you are expected to follow it exactly as written. You could have your motion heard on the same day as your show cause sometimes, which then shows why you could not pay as ordered and this solves the problem at the same problem. So if you have just not filed a motion when you should have, then do it for the show cause, it may be your best defense.

Keep in mind that if you pay your bills first and run out of money for your kids, the court will not accept that as an excuse. The child support bill, in a judge's mind, is your most important bill and should be paid first. If you have to stiff someone, stiff the cable company, not your children. So if you only have enough money to pay your house and car payment, that's one thing, but if you are paying for extras and stiffing your kids, it will not look good. At least you can argue that you need a house and car to survive and unless you have them you will not be able to support your kids at all ever, but if you have left over money, don't expect any excuse to work. Pay your child support if you can. If you can't, pay something regularly even if it is much less than ordered until your motion to reduce support is heard. Your excuse then for failure to pay support will be more readily accepted. Paying something also shows you are trying to comply with the order!

If you can prove that you followed the order, your show cause will be dismissed. If you cannot show that you followed the court order, the court may find you in contempt of court. When this occurs, the judge may provide for one or more of the following:

- *Grant you more time to obey the order.
- *Require you to pay a specific amount of money by a certain date.
- *Require you to turn over documents.
- *Suspend your driver's license, your occupational license, recreational license or Sporting license.
- *Require you to participate in a work activity.
- *Order you participate in a community corrections program if there is one available in your area.
- *Order that you go to jail or a correctional facility for a specific time.

TOP CHILD SUPPORT TIPS

1. Get prepared before you go to your first child support hearing. Make sure your income is not artificially inflated because you failed to get credit for every possible deduction.
2. Use an accountant to help you keep your support as low as possible if you are self-employed because the court always thinks self employed people are hiding income.
3. Remember you get credit for income taxes, union dues, health insurance and other child support payments. Find out about all of the deductions in your State and make sure you take advantage of them.
4. You can save a significant amount of support with a shared custody arrangement whereby you split parenting time. You can still get a child support break if you meet a certain threshold of parenting, in Michigan is it 128 overnights per year.
5. If you have a significant loss of income, act right away by bringing a motion to get your support obligations lowered. If you ignore it and fall further and further behind, jail is in your future and a prison term of years can also become a reality.
6. If the court has filed a show cause order against you and you have no excuse for violating the court order, get an attorney. If you go by yourself and the court offers you an attorney, take the offer because the court is considering putting you in jail. If you take the offer of an attorney, the hearing will be postponed so you can prepare with your attorney. Even if the court gives you an attorney at public expense you can still hire your own attorney.
7. No matter what, be polite. Be polite to child support caseworkers. Be polite to referees. Be polite to the judge. Even be polite to your ex-spouse. Keep in mind, why would you be rude to any of these people and guarantee poor treatment. You certainly may get treated poorly anyway but there is no sense to guaranteeing that the people you have to deal with on child support have a bad attitude because you have to tell them ticks you off.