

5 Tips to Help Child Support Go Smoothly

January 26, 2012, by [Collins & Collins](#)

Most parents want to support their children and provide as much as possible for them. In fact, New Mexico law imposes a duty on both parents to do just that. However, the negative feelings and financial damage caused by a [divorce](#) or [child custody](#) battle make the issue of child support pretty tricky. Here are some tips to help:

- **Pay on Time.** This can be hard to do when money is tight, but the parent receiving [child support](#) is often counting on the support payment to pay rent or other expenses for the children. Paying on time not only benefits the children by making sure that they have food and a roof over their heads, but it helps prevent additional conflict between parents. Moreover, there are few things that escalate conflict in child custody cases more than financial stress. And this leads to court hearings. And hearings lead to all manner of burdens and expenses. The burdens of attorney fees, court costs, potential sanctions and even jail time for failure to pay on time will far outweigh the temporary relief of putting off a child support payment.
- **Pay by Check.** It is essential that child support payments are made using a traceable method of payment so that the paying party always gets credit for the payments made. It happens so frequently that it is almost to be expected that any undocumented payments will be disputed by the receiving parent. Parents often believe that a money order is traceable because it is not cash, but that trace is often difficult, if not, impossible, depending on where the money order is purchased. If a parent must pay in cash or with a money order, he or she should make sure they get a receipt signed by both parties that acknowledges the amount of the payment received and the date of receipt.
- **Consider Wage Withholding.** A wage withholding order instructs a parent's employer to deduct the child support payment from the parent's paycheck and send it directly to the parent receiving support, or sometimes to a state agency like the child support enforcement division. Parents often resist the entry of a wage withholding order, but it can be very helpful to both parents because it ensures that the support payment is made on time. Just as important, it creates an indisputable record of all child support payments. The orders can also be structured to spread the payment over the month by taking part from each paycheck, which can help the paying parent budget appropriately.

Main Office:

500 4th Street NW, Suite 405

Albuquerque, NM 87102

Phone: (505) 242-5958 / Fax: (505) 242-5968

<http://www.albuquerquedivorcelawyerblog.com/>

- **Exchange Income Information.** The child support statute allows either parent to request updated income information from the other one time each year in order to determine whether or not child support should be modified. Parents can exercise that right each year by making the information request in writing after April so that the other parent should have current tax information available.

- **File for Modification.** Child support can be modified any time there has been a material and substantial change in circumstances, which can include a major change in timesharing, the emancipation of a child, and/or a large increase or decrease in income for either parent. However, that change is only effective once a new court order is entered, which means that a parent seeking a modification needs to file a motion asking the Court to modify child support as soon as a change has taken place. Unilateral changes to child support without a court order can lead to very serious consequences no matter the basis for the change.

Child support and child custody issues can be quite stressful for all concerned. There is enormous potential for high levels of conflict. With rising levels of conflict comes attorney fees which may in fact be dwarfed by the costs associated with the appointment counselors, court appointed experts, guardian ad litem, and other professionals associated with the conflict. Avoid this conflict if possible by paying in full on time and in verifiable manner. If you are financially unable to do so, then go to court immediately to address the hardship with the court.

Main Office:

500 4th Street NW, Suite 405

Albuquerque, NM 87102

Phone: (505) 242-5958 / Fax: (505) 242-5968

<http://www.albuquerquedivorcelawyerblog.com/>