



## How Can a Chapter 13 Case Help Me With Delinquent Child Support?

Published on August 14, 2009 by **Kathleen Munden**

If you are delinquent in your child support payments, you may be facing wage garnishment, the seizure of your income tax refunds, and possibly even jail time. By filing a Chapter 13 bankruptcy case, you will be able to stop those actions, so long as you are able to pay back all of the delinquent child support (plus interest) during the term of the Chapter 13 case. Normally, a Chapter 13 case lasts for five year, and the child support repayment can be spread over that time.

Child support is given the highest priority in a bankruptcy case. That means that child support will be paid before other creditors receive any repayment on their debts. If you are still obligated to pay current child support, you will be required to make your normal child support payments on time during the course of the bankruptcy, while making payments to the Chapter 13 trustee to pay off the delinquent payments.

While child support payments are not dischargeable in a bankruptcy, the ability to spread the repayment over a five-year period may enable you to avoid harsh punishment by the family law court to enforce the repayment.

Kraft & Associates  
2777 Stemmons Freeway  
Suite 1300  
Dallas, Texas 75207  
Toll Free: (800) 989-9999  
FAX: (214) 637-2118  
E-mail: [info@kraftlaw.com](mailto:info@kraftlaw.com)