

# **OBTAINING FAMILY SUPPORT**

If you are not receiving your family support benefits, there are several steps you can follow that will assist in securing this additional income for your family. The following two methods apply where at least one parent is a member of the military. Please refer to Army Regulation 608-99 (AR 608-99) for more specific information regarding family support obligations.

## **1. THE CHAIN OF COMMAND**

a. Individuals can initiate the process of obtaining family support by making a written inquiry to the soldier's company commander. The letter should include the following information to identify the soldier: (1) the soldier's full name; (2) the soldier's social security number (SSN), and/or (3) the soldier's present unit of assignment. However, if you only have the former unit of assignment, the inquiry will be forwarded to the proper commander or unit. A copy of a sample support letter is attached.

b. Individuals should include any written separation agreements or court orders that pertain to family support. You should allow at least two weeks for the commander to respond to your inquiry.

c. If the soldier's company commander does not respond to your inquiry, then write to the soldier's battalion commander for assistance. If you still receive no response, you may contact your local office of the Inspector General for assistance. If you have other unresolved issues, contact your local legal assistance office.

## **2. GARNISHMENT**

a. Individuals can also receive family support through garnishment, which can only be obtained by court order. Under this method, a portion of a soldier's military pay is deducted or withheld in order for the soldier to meet a financial obligation for family support. Individuals should contact the Richland Counties Child Support Agency (748-4868) for further information about receiving garnishment orders. It is important to remember that garnishment orders can only be obtained through the court. The Child Support Agency will only be able to provide information about how to start the process. Garnishment orders should be sent by registered or certified mail to:

**DEFENSE FINANCE AND ACCOUNTING SERVICE  
INDIANAPOLIS CENTER  
ATTN: DFAS-IN-DGG, No. 22  
8899 E. 56TH ST  
INDIANAPOLIS, IN 46249-0160 Telephone: (317) 542-2155**

The Indianapolis address should only be used for payors who are on Active Duty or in the Reserves.

### **3. OTHER SITUATIONS INVOLVING CHILD SUPPORT ISSUES**

For Persons who are retired or in another branch of the military, commitment orders should be sent to:

- a. Cases where the person is not married to the soldier -

In order for an unmarried person to receive family support benefits from a soldier, that person must first have a paternity order against the soldier. This is very important because if there is no court order that identifies the soldier as the father of the child(ren), then that soldier has no legal obligation to provide financial support for the child(ren). This is true even if the soldier admits paternity and agrees to provide child support. Individuals who want to establish paternity should contact the Department of Social Services. (see below for telephone number).

Cases involving more than one state -

The Department of Social Services (DSS) (737-5875 or 1-800-768-5858) has forms for individuals desiring to enforce interstate child support orders. Please refer to the attached application and information pamphlet. The Child Support Enforcement Division (CSED) offers the following services for applicants who complete the application and pay the one-dollar (\$1.00) fee:

- (1) Locating the Non-custodial Parent if that parent's location is unknown,
- (2) Establishing paternity if the parents of the child(ren) were never married,
- (3) Obtaining a court order for child support based on the applicable child support guidelines,
- (4) Providing enforcement services that include (but are not limited to):
  - (a) Wage withholding
  - (b) Obtaining medical support
  - (c) State and federal refund offsets.

Individuals can mail completed applications along with the fee and any applicable court orders to:

**South Carolina Department of Social Services  
Child Support Enforcement Division  
Post Office Box 810  
Columbia, South Carolina 29202-0810.**

(SAMPLE SUPPORT REQUEST LETTER)

(Name of Company Commander)

(Unit Address)

(City, State, Zip Code)

RE: Family Support Obligation of (SOLDIERS NAME, SSN#)

Dear (Co. Cdr. Name):

I am writing to request your assistance to enforce a family support obligation of a soldier in your command. My (spouse/former spouse) name is (soldier's name), Social Security #, and his/her present unit of assignment is (soldier's unit). I am requesting support for the following family members: (list complete name and DOB for each family member). I have not received financial support from (soldier's complete name) since (date of last support payment) and the amount received on that date was (specific dollar amount).

In accordance with Department of the Army Regulation 608-99, paragraph (choose appropriate circumstance)

•2-3, financial support by agreement and pursuant to an oral agreement, financial support by agreement and pursuant to a written financial support agreement. A copy of which is enclosed.

•2-4, financial support required by court order. A copy of which is enclosed.

•2-6, financial support required in the absence of a written financial support agreement or court order.

(Soldier's rank and complete name) is required to provide (specific dollar amount/BAH II with dependent rate) per (month) to (your full name).

I need financial support immediately. A certified check is acceptable until an allotment can be established. The check should be made payable to (your complete name) and sent to the following address: (complete mailing address). An allotment should be made payable to (complete name) and sent to the following address: (complete name and address of financial institution and bank account number where allotment will be deposited).

Please counsel IAW AR 608-99, paragraph 3-4, (soldier's name) regarding (his/her) support obligation and take whatever action is necessary to ensure compliance. I would appreciate a written response to my request containing the information required by AR 608-99, paragraphs 3-5 and 3-6. If you have any questions regarding your responsibilities, please contact your Office of the Staff Judge Advocate for guidance.

Sincerely,  
(Your Name)