

Family Support

It is Army policy that Soldiers financially support their family members. This obligation is frequently complicated when the Soldier is geographically separated from his or her family.

How is the support obligation determined?

If the Soldier has a court order or a signed written agreement directing him or her to pay support, then the Soldier has a duty to comply with it. In the absence of either a court order or written agreement, a Soldier still has a duty to support family members under Army Regulation 608-99

When a Soldier's family members are residing in government family housing, the Soldier is not required to provide additional family support.

Commanders can enforce the regulation by Article 15 or court-martial action.

How does the Army calculate how much support a Soldier owes to his or her family members?

Support is calculated based on a Soldier's BAH-with dependent rate. It does not matter whether the Soldier is actually receiving BAH-with dependents. It is the basis for the calculation regardless of a Soldier's actual allowances.

Who is a qualifying family member under Army regulation 608-99?

- * A Soldier's current spouse
- * A Soldier's minor children from his present marriage
- * Children legally adopted
- * Minor children born out of wedlock to a female Soldier
- * Minor children born out of wedlock to a male Soldier **if paternity is established**
- * Any other person the Soldier has a legal obligation to support

Can a Soldier's payment of household expenses be credited toward a support obligation?

The regulation is very specific about the types of other expenses or payment in kind that can be credited. Telephone, cable, automobile, and credit card bills do not automatically qualify as a credit. Rent and mortgage payments may if other requirements are met.

Under paragraph 2-6 of the regulation, it does not matter if a Soldier's spouse is engaged in marital misconduct, adultery, or criminal behavior. Unless a court order or written agreement says otherwise, the Soldier still must pay family support, including to the spouse