

What If Your Ex Doesn't Pay Their Child Support?

By Tom Norton, CPA, CDFA

In an ideal world, everyone who owed child support would pay, and pay on time.

In reality, people get behind on their payments for a variety of reasons. As the one who is (supposed to be) receiving the money, what should you do?

Here are some ideas (for simplicity's sake, I will assume the father is paying and the mother is receiving):

1. **Speak to your ex-spouse.** Rather than jumping to conclusions and calling your lawyer at the first sign of a late payment, ask your ex about it. Maybe there is a reasonable explanation. If it's a habitual problem, suggest that he set up an automatic debit or recurring online bill pay so the payments are made automatically.
2. **Garnish his wages.** The order to garnish wages may already exist as part of the divorce decree. If not, your attorney can get this done rather easily.
3. **Have your attorney speak to his attorney.** Sometimes hearing it from you will just seem like a complaint. Hearing a lecture from his divorce lawyer may get his attention. Just don't call his attorney yourself. Have your lawyer do it.
4. **Contact your state child support enforcement agency.** These agencies can be a godsend to parents receiving child support. They can arrange for your ex to pay the agency and the agency then pays you (they may deduct a small fee, but it's well worth it). They can also take other actions, up to and including having criminal contempt of court charges filed against your ex. Links to your state's child support enforcement agency can be found right here at DivorceAndMoney.org.

5. **Have your attorney file a motion for contempt.** This is tool that should get your spouse's attention in a hurry. It will definitely get his lawyer's attention. Judges don't like it when people don't follow their orders.

As always, the best path is to work things out peacefully with your spouse. If that doesn't work, your attorney and the state enforcement agency are your best bets for collecting what you're owed.

For more information:

[All 50 States](#)

[Child Support Calculators](#)

[The Divorce Financial Survival Series](#)