

# Oklahoma child support payments based on several variables



Robert K. Campbell's legal practice is focused in the area of [family law](#), specifically concentrated in matters of divorce, legal separation and custody issues.

In this [article](#), Oklahoma City Attorney [Robert K. Campbell](#) answers questions about the basics of arranging and handling Oklahoma child support.

## **Who pays child support in a divorce proceeding?**

Oklahoma law requires both parents to provide financial support for their children during a divorce. That being said, typically it is one parent paying the other parent. There are, however, situations wherein neither parent may owe the other parent child support.

## **How is the amount of child support calculated?**

The child support amount is calculated based upon the Oklahoma Child Support Guidelines. The Oklahoma Child Support Guidelines will calculate the child support obligation of each parent.

## **What does the Oklahoma child support calculation take into consideration when determining the amount of child support?**

There are several variables that go into the [Oklahoma Child Support Guideline](#) calculation. The primary variables determine the base child support amount consist of the parties' gross monthly income, the number of minor children of the parties, and the number of overnights each parent has with the children. There are other variables that can be taken into consideration. A common example of these are health insurance premiums and child care costs.

## **What is considered gross income for child support purposes?**

Oklahoma's definition of gross income is broad and intended to include earned income and passive income. Gross income consists of wages, salaries, tips, commissions, bonuses, etc. Passive income can include dividends, pensions, rent, interest income, trust income, gifts, gambling winnings, lottery winnings, etc.

## **If both parents agree, can the child support agreement differ from the Oklahoma Child Support Guidelines calculations?**

Typically, an agreed amount other than the guidelines will likely be approved if it is in the best interest of the minor child and the amount of support indicated by the guidelines is unjust or inappropriate under the circumstances; both parties are represented by counsel and have agreed to a different amount; or one party is represented by counsel and the deviation benefits the unrepresented party.

## **How long does a parent have to pay child support?**

In Oklahoma, the law typically provides that a child is entitled to support by the parents until the child reaches the age of 18, or graduates high school, whichever occurs later; however, it shall not extend beyond the age of 20. There are certain situations where the law may provide support to an adult child with a disability beyond the age of majority. If you are paying support for more than one child, your payment amount does not drop automatically when one child no longer qualifies for support. You must take affirmative steps to recalculate future support for the remaining child or children and ask the court to enter a revised support order. When the last child no longer qualifies for child support, the support obligation ends if there is no past due support owed.

## **Can child support be modified?**

Yes. In Oklahoma, either parent may request a modification of the amount of child support based upon a "material change in circumstances." The increase or decrease in either parent's income may constitute a material change in circumstances warranting a modification.

## **What happens if a parent who is ordered to pay child support fails to pay?**

The parent who fails or refuses to pay their child support obligation can be cited for indirect contempt of court, which if found guilty can result in a \$500 fine and/or up to six months in jail. Additionally, state licenses can be revoked, suspended or not renewed.

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