

March 17, 2011

Ten Quick Facts About New Mexico Child Support

There are a number of general guidelines regarding New Mexico child support. Here are 10 that every parent should understand.

1. New Mexico law provides that both parents have a duty to support their children.
2. Child Support in New Mexico is regulated by a statute known as the New Mexico Child Support Guidelines.
3. Child support is calculated based on the number of children, the amount of time the children spend with each parent, the gross incomes of both parents, work-related child care expenses and the cost of medical care for the children.
4. Child support is calculated in the same manner for both divorce and paternity cases.
5. Parents can be required to pay child support to a third party if that person is caring for their child, for instance when a guardian for the child is appointed under the Kinship Guardianship statute.
6. The obligation to pay child support continues from birth until a child turns 18, or until that child turns 19 if he or she is still in high school.
7. The child support obligation can also end if a child becomes emancipated by some other means, for instance by getting married, joining the military or by court order pursuant to the Emancipation of Minors Act, no longer have to pay child support.
8. Even after they turn 18, adult children can file an action against a parent to collect child support that should have been paid by a parent while the child was a minor.
9. Parents cannot waive the right to child support. The right to child support belongs to the child. It is the custodial parent's duty to pursue collection of support on behalf of their minor children.
10. The Child Support Enforcement Division of the New Mexico Department of Human Services is charged with establishing and enforcing child support for children in New Mexico.

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**Main Office:
400 Gold Ave. SW
Suite 500
Albuquerque, NM 87102
(505) 242-5958**

<http://www.albuquerquedivorcelawyerblog.com/>