

Child Support

Jurisdiction

While Legal Assistance attorneys will do their best to provide legal help and advice on any matter within their scope of practice regardless of jurisdiction, the majority of services offered by the Legal Assistance attorneys on Parris Island are conducted in Beaufort County, South Carolina. As such, the majority of the information presented on this site pertains to Beaufort County, South Carolina. Laws, rules, and procedures may vary in other jurisdictions.

Marital Separation/Divorce

Provisions for support, custody, and visitation of children born to parents who were married but are now contemplating separation or divorce is addressed in the separation agreement and/or divorce decree.

Paternity

Before child support, custody, or visitation can be sought through the courts, the father of the child must be established in the eyes of the law. This is referred to as paternity. A father's name listed on a birth certificate is sufficient proof of paternity in many jurisdictions, to include Beaufort Co., South Carolina. If paternity has not been established, the Legal Assistance office can aid either a father or a mother in establishing or disputing the paternity of a child.

Child Custody/Visitation

For parents who do not have a custody arrangement in place, the Legal Assistance office can aid in determining a reasonable custody agreement and preparing the necessary court documents.

It is important to understand that jurisdiction over child custody and support matters lies with the county in which the child(ren) live, and that the child(ren) must live in that county for a minimum of six months for jurisdiction to exist. The only exception is for children under six months of age. If your child(ren) does not live in Beaufort County, Legal Assistance *may* be able to provide you with advice and guidance, but you will ultimately be referred to resources in the jurisdiction where the child(ren) reside for your case.

Legal Assistance attorneys will discuss common custody arrangements with you as well as the unique factors to be considered in military families to help you establish a custody agreement that is workable and fair.

There are two Custody Worksheets. These are not legal documents. They are tools used by Legal Assistance to collect the information necessary to compose the court documents for your case. If you know exactly the arrangement you want, you can fill out just the Simple Custody Worksheet. If you are unsure as to what you would like or want to include more detail, please fill out BOTH the Simple Custody Worksheet *and* the Detailed Custody Worksheet.

Child Support

Parents are legally required to support their children.

The interplay between South Carolina law and chapter 15 of Marine Corps Order P5800.16A, the Legal Administration Manual, which governs military members' support obligations, is highly dependent on the details of an individual situation. Your attorney will explain these issues to you in detail at your appointment.

Deployments/ Servicemembers' Civil Relief Act

No changes or modifications can be made to a child support or custody order while one parent is deployed. Such actions are barred by the Servicemembers' Civil Relief Act (SCRA). If an action is entered in default against a deployed servicemember, that judgment is subject to dismissal based on the SCRA. The SCRA can further provide a mandatory stay of proceedings for a minimum of 90 days if a service member is unable to attend a hearing due to military duties whether or not the service member is deployed.

If the custodial parent is deployed, physical custody should shift to the noncustodial parent for the period of the deployment only. The custody agreement itself does not change, and will resume as usual when the service member returns from deployment.

When either parent deploys, arrangements can be made for other members of that parent's family (or designated individuals) to have visitation with the child in that parent's stead. Note, these are arrangements for alternative *visitation*, not custody. For the child to stay with a step-parent or other relative or individual designated by the custodial parent while the custodial parent is deployed, that arrangement must be agreed to by the non-custodial parent and should ideally be filed with the court as a temporary change to the custody agreement.

Counseling

There are many resources available for individuals struggling with the emotional and financial consequences of a single parenting, step family issues, and new child custody and support arrangements.

Individual and family counseling is available from the [Family Advocacy Program](#) and from [Military OneSource](#), as well as from the Command Chaplains. The [Military OneSource](#) website is an excellent website with many resources for service members and their family members. Military and Family Life Consultants and [Marine Corps Family Team Building](#) also offer consultation and classes to aid military families.

For parents with children of any age, the [New Parent Support](#) program offers excellent resources to aid parents with any number of situations or issues.

[Navy-Marine Corps Relief](#) offers financial counseling, small loans, and related services. [Military OneSource](#) also offers financial counseling.

Here are some other contacts you may find useful: Family Advocacy Program - 843-228-2044
Military OneSource - 800-342-9647
New Parent Support - 843-466-0082
Navy and Marine Corps Relief - 843-228-3512
Military and Family Life Consultants - 843-271-8538/8535
Marine Corps Family Team Building - 843-228-1662

[South Carolina Child Support Enforcement](#)

[South Carolina Child Support Calculator](#)

[South Carolina Visitation Involvement Program for Custody/Visitation Mediation](#)

[Servicemembers' Civil Relief Act](#)