



PREVENTIVE LAW SERIES NAVY FAMILY SUPPORT



Prepared by:
Legal Assistance Department
Region Legal Service Office Southwest

WHO ARE YOUR DEPENDENTS?

Generally, your dependents are your spouse (husband or wife), your minor children and any adult child with a disability that prevents him or her from being self sufficient. You have a duty to support your dependents. The Navy is authorized to take action, including recoupment, courts-martial proceedings and dismissal, for failure to provide adequate and continuous support.

HOW MUCH DO I HAVE TO GIVE AS SUPPORT?

In the absence of a court order or a mutually agreed-upon signed agreement between the spouses, the Navy has guidelines as to what constitutes an appropriate amount of support. The guidelines that the Navy has established are **NOT** set in stone. The amount can increase or decrease according to the particular circumstances of your situation, your spouse's income, etc. Servicemembers should consult with their chain of command to ensure the amount of support satisfies the command's expectations.

WHAT ARE THE NAVY'S GUIDELINES?

<u>Relationship and number of dependents</u>	<u>Amount</u>
Spouse only	1/3 gross pay
Spouse and 1 child	1/2 gross pay
Spouse and 2 or more children	3/5 gross pay
One minor child and no spouse	1/6 gross pay
Two minor children and no spouse	1/4 gross pay
Three or more children and no spouse	1/3 gross pay

WHAT IS INCLUDED IN YOUR GROSS PAY?

Your gross pay **ONLY** includes your base pay and your housing allowance. It does not include hazardous duty pay, sea or foreign duty pay, incentive pay, or basic allowance for subsistence.

WHAT ARE THE CONSEQUENCES OF NON-SUPPORT?

Upon receiving a complaint of nonsupport, a command is required to interview the member and inform the member of the Navy's policy regarding support of one's dependents. If the nonsupport continues, a command may consider the use of non-judicial and administrative measures, to include but not limited to, officer fitreps, enlisted evals, administrative separation, and non-judicial punishment. These guidelines are not intended to be punitive and may not be used as a basis for any judicial proceeding. However, misuse of BAH funds may constitute BAH fraud, which is punishable at court-martial. Failure to comply with a State Court Order to Support can result in Contempt of Court, monetary fines and/or jail time.

RESOURCES

Defense Finance and Accounting Service: (866) 859-1845; www.dfas.gov
MILPERSMAN Section 1754-030