



# MARINE CORPS 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), minor (under 18 years of age) biological or adopted children, and adult dependent children (for example, those with a disability). You have a duty to support your dependents. Failure to do so is punishable under the UCMJ.

## HOW MUCH DO I HAVE TO GIVE AS SUPPORT?

In the absence of a court order or a mutually agreed-upon signed written agreement between the spouses, the Marine Corps has guidelines as to what constitutes an appropriate amount of support. The guidelines only come into effect once a complaint of non-support has been received by the Marine's commanding officer. **There is no duty of support between dual active duty military spouses without children.**

The following table represents the general guidelines for support. Interim support per family member shall be the greater of the fixed amount of support reflected in the center column of the chart below or the pro-rated share of whatever BAH or OHA (Overseas Housing Allowance) to which the Marine is currently entitled, as shown in the chart below, per month. Under no circumstances shall the total amount of support required exceed 1/3 of the Marine's gross military pay per month.

Total Number of Family Members Entitled to Support	Minimum Amount of Monthly Support per Requesting Family Member	Share of Monthly BAH/OHA per Requesting Family Member
1	\$350	1/2
2	\$286	1/3
3	\$233	1/4
4	\$200	1/5
5	\$174	1/6
6 or more	\$152	1/7 or etc.

Your gross pay includes all military pay and allowances before taxes and other deductions.

## WHAT ARE THE CONSEQUENCES OF NON-SUPPORT?

If the nonsupport continues, a command may consider the use of officer fitreps, enlisted evals, administrative separation, non-judicial punishment, and even a recommendation for court-martial. Marine Corps Commanding Officers are permitted to issue a lawful punitive order for support of dependents. A violation of a lawful order to provide support may be punished under Article 92 of the Uniform Code of Military Justice. Non-support under a court order can result in contempt of court, monetary fines and jail.

## RESOURCE:

MCO P5800.16A W (Short Title: LEGADMINMAN)