

## USMC Dependent Support Regulations Scenarios

### **Scenario 1**

USMC Captain (O-3) with 7 yrs service is separated from his wife. H moved out of the off base marital home into the Bachelor Officer Quarters (BOQ). His wife (W) continues to live in the marital residence in Jacksonville, NC. H receives no special incentive pay. W is not employed. The parties have just split up; there is no court order or marital separation agreement (MSA). They have been married three months.

Base Pay	5,188.80
BAS	223.84
BAH (w/ dep rate)	1,398.00 (w/o dep rate \$1,266)
Total:	\$6,810.64

Pay table effective 1 Jan 2011.

Required support amount per USMC Dependent Support Regulation: \$699.00  
(Greater of \$350 or 1/2 BAH \$699)

### **Scenario 2**

Same Captain, except W waives alimony/ post sep support in the MSA.

Required support amount per USMC Dependent Support Regulation:

-ZERO

--BUT Capt forfeits any BAH he is receiving (most likely BAH diff of \$132.00) per JFTR for nonsupport

### **Scenario 3**

Same Captain, except this time, there is a MSA in which (a) Wife waives spousal support, and (b) H is required to pay W's monthly car payment and insurance totaling \$400.00

Required support amount per USMC Regulation:

-ZERO, but must pay \$400 / month debt AND forfeits any BAH he is receiving.

#### **Scenario 4**

Same Captain except this time, MSA requires "spousal support" (rather than \$400 car payment).

Required support per USMC Regulation:

\$400

BUT retains BAH

#### **Scenario 5**

Same Captain, except that his wife has found employment, earning \$6,700 (almost as much as Captain, whose pay is \$6,810.84 )

W's employment has no effect on regulatory support requirement.

Support required remains \$699

#### **Scenario 6**

Same Captain, except that his wife has found employment, earning \$6,811.00 (16 cents per month more than Capt's pay including all allowances)

Effect on regulatory support requirement: Captain may petition CO for spousal support waiver and CO has discretion to approve / deny.

### **CHILD SUPPORT**

#### **Scenario 7**

Same Captain earning \$6,810.64 per month, except that W has primary custody of the one minor child of the marriage, W earns \$6,700 per month, and W pays \$500 month for child care expenses to allow her to go to work.

Regulatory support requirement:

-\$466 for child (1/3 BAH)

-\$466 for spouse (1/3 BAH)

Total \$932

Compare to NC Child /Spousal Support

- \$858.63 for child (Per NC guidelines, worksheet A)

-Zero : Probable spousal support ordered by court. (3 month marriage, nearly identical incomes)

Total \$858.63

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