

The Importance of Formalizing Child Support Orders

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In Missouri, the Family Support Division (“FSD”) is a state administrative agency tasked with managing certain state programs and benefits, including establishing and enforcing child support orders.

Parents may find it difficult to work within the rigidity of the court system or FSD framework and be tempted to make agreements outside of these legal parameters, when there is a support order in place; but doing so without formalizing your agreement with the court or FSD can result in big problems down the road if the cooperative spirit falls by the wayside.

FSD is tasked with enforcing an order as it is written or pursuing support based on the statutory presumptions. So, for example, if a parent agreed informally to take less than the ordered support amount and the parent paying support made payments pursuant to that informal agreement, FSD records will show an arrearage in support. Similarly, alternate arrangements like cancelling debt or bartering services for support payments will not be credited by FSD as child support, which can have significant adverse consequences for the paying parent, which may include risk of criminal enforcement proceedings, seizure of tax refunds, loss of licenses, passport restrictions and other support enforcement actions, even though they thought they were protected by the agreement of the other party.

In short, it is important that child support agreements are entered by the court or processed with FSD so that payment records remain accurate. For questions about handling a support action or modification, please contact the family law team at Sandberg Phoenix.