



FORT SILL LEGAL ASSISTANCE



CHILD SUPPORT GUIDELINES IN OKLAHOMA

What are the Oklahoma Child Support Guidelines?

In an effort to ensure that children receive an adequate amount of financial support, the Oklahoma State Legislature has enacted Child Support Guidelines. These guidelines are applied by judges in all family law cases, unless a specific exception applies. The parties are required to complete questionnaires on their income and expenses. The following factors are taken into consideration when determining the amount of monthly support:

- How much money do the parents earn/could potentially earn?
- How much additional income does each parent receive?
- How many children do the parties have together?
- How much time does each parent spend with their children?
- Is support paid for children from other relationships?
- What do the health insurance expenses include?
- What do any daycare expenses include?
- Any other applicable factors deemed necessary by the judge.

Can an Oklahoma Court Deviate from the Guidelines?

Oklahoma courts may deviate from the guidelines (either up or down) only when doing so is in the “best interests of the child.” Oklahoma statutes allow deviations if one of the parents is undergoing an economic hardship. However, the hardship must be extreme and unavoidable. Otherwise, courts expect the payor (paying) parent to adjust their standard of living to provide adequate support for the children. An Oklahoma court may also deviate if there is a child with extremely pressing medical needs or has a special talent that requires private lessons the payor parent can afford. Oklahoma courts have held that having additional children or remarrying is not a reason to deviate from the amount set by the guidelines. Additionally, the guidelines allow for an adjustment to child support when the child visits with the payor parent in excess of 120 overnight visits.

If there are adjustments that should be considered, present them to the court at the earliest opportunity, because once the divorce decree is finalized, a later modification will be more difficult and expensive to obtain.

How do I Enforce Child Support?

All states have a federally mandated system for assessing and collecting child support. In Oklahoma, parents may use private attorneys or use the local Child Support Enforcement Office to establish, modify, or enforce child support. The primary benefit to using the state Child Support Office is its access to a wide variety of child support enforcement tools. Additionally, there is no attorney fee required nor is either parent considered to be “the client” as the Office represents the state in its efforts to protect the best interests of the child. The Child Support Office can be used with or without a divorce decree, and it can also help parents begin the process of establishing paternity of a child.

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This Information Paper provides only basic information and is not intended to serve as a substitute for personal consultation with a Legal Assistance Attorney. To schedule an appointment with a Legal Assistance Attorney, please contact the Legal Assistance Office at (580) 442-5058. The Fort Sill Legal Assistance Office is located on the 4th Floor of Building 4700 (Welcome Center) at 4700 Mow-Way Road, Fort Sill, Oklahoma 73503.