

Child Maintenance – the myths explained

Child maintenance is a mechanism whereby one parent receives regular financial support from the other parent to contribute towards the child / children's living costs. Normally this would be in the form of one parent paying the other parent a sum of money each month, however arrangements could be made for child maintenance to take an alternative form.

It is a myth that if parents have 50/50 contact then that means that child maintenance is not payable. Although the amount of time the child spends with both parents is taken into account when calculating the level of child maintenance, it is not an automatic right that just because the child splits their time equally with both parents that child maintenance is not paid.

Parties can agree between themselves a level of maintenance that is payable by one parent to the other. If the parents cannot come to an agreement on the level of child maintenance, one party may bring proceedings against the other parent and allow the Court to decide the level of maintenance to be paid. It needs to be noted that issuing proceedings against the other parent is a last resort, the Court will expect to see that the parties have at least attempted to come to an agreement between themselves first.

In working out the amount to be paid in child maintenance the following factors, amongst others, will need to be considered:

- The needs of the child / children;
- The income of both parents;
- The number of children that the paying party will be providing maintenance for;
- The number of children that either party currently provides maintenance for;
- Costs of accommodation for the child / children;
- Heating and utilities costs;
- Child's clothing;
- Food for the child / children;
- Activities the child / children engage in and the costs associated with those activities;
- Are either of the parents in receipt of benefits;
- The contact regime between the child / children and each parent; and
- Any child care costs



Child maintenance can be encompassed within the parents' divorce or if the parties are unmarried an individual can make an application for financial provision as a standalone application.

Our Relationship Dispute Team have extensive knowledge on all matters associated with child maintenance. If you require any further information or would like to make an appointment to meet with one of the team please contact DQ Advocates on 01624 626999 or get in touch with [Dawn Jones](#), [Rose Kinrade](#) or [Jessica Cocker](#)

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