



**ERICSA 62ND ANNUAL
TRAINING CONFERENCE & EXPOSITION**

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NORFOLK

VIRGINIA

This will be one of the most informative workshops on Military issues that you will ever attend. Retired Captain Sceviour has over 30 years of military experience as a US Navy Jag Officer and over 40 years practicing family law and his side kick, Mitch Broudy has over 30 years experience as a Child Support Enforcement Attorney working in a heavily populated military community.

Melissa Shefshick will moderate this session. She previously held the title of Project Manager for the Veterans Outreach Program during her 17-year tenure at the MA Child Support Agency before joining Fast Enterprises to represent FastCSE.



Welcome to Our Presentation on Complex Military Issues

Exploring Scenarios, Driving Discussion

Today, we will delve into a series of scenario-based examples that challenge our understanding of complex military issues. Your insights are invaluable, and we encourage you to engage actively throughout the presentation.

Key Points to Consider:

How would you approach these challenges?

What lessons can we draw from these scenarios?

How do we apply this knowledge in real-world situations?



Locating Roger at Norfolk Naval Station

Jeanine and Roger meet at a local bar and hook up. Several weeks later, Jeanine discovers she's pregnant. Jeanine only knows Roger's first and last name, his phone number, that he is stationed Naval Station Norfolk and that he is from Indiana. She attempts to contact him, but he ghosts her. She wants to establish paternity and seek child support. She opens a case with the local division of child support enforcement.



How can DCSE locate Roger?



Service of Process: Military



DCSE locates Roger stationed aboard the USS George W. Bush, and files a paternity and support petition in Virginia Beach Juvenile Court.

With Roger living on the ship, what headwinds might DCSE encounter in getting Roger served on board ship?



SCRA: Default Judgments / Court Action

Jeanine and the DCSE attorney stand before the judge for a paternity and support hearing. Despite Roger being served on board ship, he doesn't show up to the hearing nor communicate with the court.

What action can the court take?



Paternity Testing

The Judge designates a Guardian ad Litem (GAL) to advocate for Roger's interests. The GAL contacts Roger, and after discussing his options with him, Roger decides to proceed with a paternity test.

Must the court now wait 10 months for Roger to come back from deployment before conducting the paternity test?



SCRA: Request for Stay

The DNA test results verify that Roger is the father. He approaches his command to request permission to leave the ship for the upcoming hearing. However, his request is denied, and the command submits an SCRA stay request to the court.

How does DoD Directive 1327.06(1)(J)(11) Impact commands decision to grant leave?

Can the court proceed?

Will the Navy assist Jeanine financially while the court date is pending?



What constitutes Income for Child Support

Income Source	Amount
Base Pay	\$4,500/month
Basic Housing Allowance (BAH)	\$2,000/month
Basic Subsistence Allowance (BAS)	\$400/month
Sea Pay	\$300/month



Tricare Enrollment

After Virginia Beach Juvenile Court issues a paternity order, the mother requests Roger to enroll their child in TRICARE, the military health insurance program. Roger refuses to cooperate.

What can the mother do with a certified copy of the paternity order to enroll their child in Tricare?



DFAS

DCSE files a wage withholding order with the Defense Finance and Accounting Service (DFAS). However, Jeanine only receives partial payments instead of the full ordered amount. What could be the explanation? Does it matter that Roger's child support arrears exceed three months of child support payments.

Can the military intervene to increase the child support payments?



THE VA

After sustaining an injury during deployment, Roger is medically discharged from the Navy and begins receiving VA disability benefits. With his military income significantly reduced, he files a petition for modification in Virginia Beach Juvenile Court, seeking to lower his child support obligation. Jeanine moved back home to Oklahoma and Roger is back in Indiana.

Can Virginia Beach Juvenile Court hear the matter?

Is the VA disability compensation considered income for child support purposes?

Can DCSE issue a wage withholding to the VA?

Can DCSE garnish Roger's bank account?

Can Jeanine seek assistance directly from the VA?



UIFSA/Hague Convention

Bill and Mary, both members of the National Guard, were stationed at Fort Bragg in North Carolina for 10 months, during which time Mary became pregnant. After their active duty ended, Mary returned to Michigan in a Selected Reserve status, where she later gave birth, while Bill remained active duty and was reassigned to USAG Wiesbaden in Germany. Bill hails from Indiana, where he pays taxes, votes, and possesses a driver's license.

Mary signs up for child support enforcement services with Michigan's Office of Child Support. You are assigned the case. Which jurisdiction do you file for child support?

Once you decide which court you are going to file the child support petition, how are you going to get Bill served for court?



Military Retirement

In May 2025, Master Sergeant (MSgt) James Carter is concluding his 20 years of military service. He has a child support arrangement set up in Kentucky for his two children and is requesting a reduction in the child support payments.

Assuming James does not seek a VA Disability rating, what type of Military Retirement will James receive?

How is the retirement calculated?

What is the difference between the High 3 Pension system and the Blended Retirement System?

Will there be any delays in child support payments from DFAS due to James's transitioning to retirement?



VA Disability & Retirement

Daniel, a retired service member, now receives \$3,276 per month in military retirement pay after waiving \$524 to receive VA disability compensation for a 30% disability rating. Seeking a child support modification, Daniel argues that his total income has decreased since leaving active duty and that his VA disability compensation should not be considered for child support purposes.

Is Daniel eligible for a reduction in child support?
Should his VA disability payments be viewed as income when determining child support?
Can Child Support Enforcement directly deduct child support payments from the Veteran's Administration?
How would the situation change if Daniel's VA disability rating were 50%?
Would it make a difference if his disabilities were battle injuries?

