

# Can Getting a Second Job Affect Child Support or Alimony?

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It is not uncommon to have financial difficulties after divorce due to paying alimony and child support every month. Some people find they need to get a second job to pay the bills after divorce. You may be thinking about taking a second job but might worry about how the extra income can affect the amount of alimony and/or child support you are currently required to pay.

Here, we'll answer some questions you might have about potential risks in taking a second job after your divorce, such as: Can child support be taken from part-time jobs? Can child support take from *two* jobs? Let's look at the answers to these questions and other considerations regarding taking a second job after divorce.

## Before You Take a Second Job Due to Divorce

Of course, you should contact an experienced Salt Lake City divorce attorney for thorough answers about possible alimony or child support modifications if your income increases. But here's some helpful general information to help clarify your legal rights in other considerations if you're thinking about getting a second job to stay afloat financially following a divorce.

### Be aware of potential consequences.

The amount of child support you are required to pay is based on your total income. Working overtime or getting a second job after your divorce is finalized can potentially lead to higher child support payments. If your ex-spouse discovers that your income has

increased, she/he may file a petition with the court for a modification of the child support order to increase the amount of the payments.

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### **Keep documentation of your expenses.**

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If you cannot find a better financial alternative and decide to take a second job, be sure to track your expenses carefully. Document all of your expenses and prepare to produce thorough records if required by the court or if it can help your case in a child support modification action. If you can show that you are now burdened with higher expenses than at the time your divorce was finalized, the judge may *reduce* your child support payments.

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### **Be aware of possible wage garnishments.**

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If your child support payments are in arrears, the court will probably order a garnishment of your wages from your first as well as your second job to collect all the past-due child support. Federal Code, Title III, restricts the percentage of wages that can be legally garnished under court orders for alimony or child support. Federal law permits up to 60% of an employee's disposable wages to be garnished or 50% if the employee is also supporting *another* spouse or child. If the court-ordered support payments are over 12 weeks overdue, an added 5% can be garnished.

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### **Discuss the financial problem with your ex-spouse.**

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If you are fortunate enough to succeed in maintaining an amenable relationship with your ex-spouse, hopefully, she or he will be understanding about your situation. If you can discuss the problem amicably with your ex, you can explain that you have started working a second job part-time and/or are now working overtime to help pay bills and cover the alimony and/or child support payments.

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### **Ask yourself if it's really worth the overall cost.**

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Sacrificing your precious free time to work an extra job can be physically and mentally unhealthy. Consider first trying to figure out better alternatives. Can you cut expenses more? Can you consolidate some of your bills to reduce the total of your monthly payments? Can you ask your ex-spouse to accept lower payments, if possible, at least temporarily?

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### **Protect Your Rights After Divorce – Contact David Pedrazas**

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Divorce is naturally very stressful. Having complete and accurate information about applicable laws reduces confusion, which can help reduce stress. The best solution is to have an experienced family law attorney protecting your rights and guiding you through the legal process.

**For questions about Utah divorce law, call the Law Office of David Pedrazas, PLLC, at (801) 263-7078, or contact us here online to schedule an appointment.**

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