

Guide to Child Support in Philippine Law

by [lawyerphilippinesadmin](#) | Updated: Jul 11, 2025 | [Blog](#), [Family Law](#), [Custody & Support](#)

[child support philippines](#)[ChildrenProcess](#)

This Guide to Child Support in Philippine Law is up-to-date and should cover everything that you need to know about Child Support laws in the Philippines, how to file a case for Child Support in the Philippines and what to do where your child has a foreign father living outside of the Philippines.

Child Support is often an major area of disagreement between separating Spouses or a Separated Family; parents who live separately from each other, children who live with one parent permanently or with each parent for periods of time and also children who live with neither parent.



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Child Support can be a major area of disagreement among separated couples.

Disagreements over Support often slow down proceedings and can result in increasingly hostile negotiations.

The Philippines has several laws dealing with Child Custody and support of children.

If you still have any questions after reading this article or if you wish to discuss your particular situation or want to engage a lawyer for a Child Support case you can

Contact Us

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- How much is Child Support in the Philippines?
- Can a Court Order for Child Support be implemented?
- Can I force the father to pay Child Support using Republic Act 9262?
- How do I file a case for Child Support in the Philippines?
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An Overview to Child Support in the Philippines

GUIDE TO CHILD SUPPORT IN PHILIPPINE LAW

WHAT IS CHILD SUPPORT?

- Child support covers basic needs: food, shelter, clothing, education, medical care.
- Applicable to both legitimate and illegitimate children.

LEGAL BASIS

Governed by the Family Code of the Philippines (Executive Order No. 209), Articles 194 to 208.

NEEDS AND CAPACITY

- Based on the child's needs and parent's financial capacity.
- Court can adjust the amount as circumstances change.

FILING FOR CHILD SUPPORT

- Parent or guardian can file a petition in the Family Court.
- Court considers the child's needs and parent's financial status.

ENFORCEMENT AND PENALTIES

- Court can issue a writ of execution for non-payment.

ADDITIONAL RESOURCES

- Where to Seek Help: Legal aid, child protection agencies, and family law experts.
- Links to useful resources and further reading.

The Philippines legally requires parents to support their children at least until the age of majority.

There are several laws on this in the Philippine family code and child support covers all children – both illegitimate and legitimate.

Child Support: Major Points

- Covers both illegitimate and legitimate children
- Father and mother should support the child
- No fixed child support computation as both the child's needs and the parent's ability to support are considered
- Foreign fathers can be made to pay child support but you will need to work with a Philippine lawyer as well as a foreign lawyer
- A child support order requires a court case
- A court order for child support is enforced through the courts.
- It may be best to go through the barangay, the PAO and other city hall offices prior to filing a case.

These major points are taken up in more detail in the sections below.

What are Child Support Laws in the Philippines?

In Child Support laws in the Philippines, support is described as everything essential or indispensable for sustenance, dwelling, clothing, medical attendance, education, and transportation, in keeping with the financial capacity of the family.

Support laws discuss the amount, process and penalties for Child Support.

Those who are obliged to support each other are enumerated in Art 195, [Family Code of the Philippines Child Support](#):



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A baby is expensive!

- The Spouses;
- Legitimate Ascendants and Descendants;
- Parents and their Legitimate children and the Legitimate and Illegitimate children of the latter;
- Parents and their Illegitimate children and the Legitimate and Illegitimate children of the latter; and
- Legitimate brothers and sisters, whether of full or half-blood

As you can see regardless of whether the child is Legitimate or Illegitimate, support is an obligation from both parents.

The law emphasizes that this support should include schooling or training for some profession, even beyond the Age of Majority. [Art 194, Family Code of the Philippines Child Support].

The Age of Majority in the Philippines is eighteen (18) but the obligation to provide support to that child does not automatically terminate at 18 years old.

Parents can be obligated to provide Support even after a child turns 18, particularly for further college education. If you plan to pursue Child Support after your child is 18 however, you might need to File a court case.

How much is Child Support in the Philippines?

I am often asked “how much Support will I get for one child?” or “How much Child Support for 3 kids?” or “will my Illegitimate child get the same Support as a Legitimate child?”

Some people think there is some kind of Child Support calculation to define exactly how much Support you can expect for one child, two children etc. Or a minimum payment level set by Child Support law or the Government.

The amount given for Child Support does not have a calculation but is instead determined by the court depending on the capacity of the father and the needs of the child. So the amount you will receive for your child differs from case to case.

The amount of support, in the cases referred to in Articles 195 and 196, shall be in proportion to the resources or means of the giver and to the necessities of the recipient. [\[Art 201, Family Code of the Philippines Child Support\]](#)



In Support cases the essential needs of the child are balanced with the income generated by the parent.

What this means is that the amount of Support finally agreed on really depends on the capacity of the giver.

Does he or she have good investments?

Does he or she have a good job?

If that is the case, Support can be drawn from these sources.

If the giver doesn't however, there is no possible way that Support can be received even if there is a Court Order for it.

If you are preparing to negotiate with your ex-partner, it would be helpful to create an accounting of the child's expenses for schooling and maintenance. This can help guide the discussion and set realistic expectations for a Child Support Agreement.

It is important that you understand that any Agreement finally reached is not enforceable on its own. The court is the only body that can create an executable Child Support Agreement.

And this Child Support Agreement isn't 'set in stone' until the child turns 18 either. For example, if the givers circumstances change an Appeal can be made to the court by either parent to revisit the Agreement.

This may be because their financial circumstances change through the loss of employment. Or they have more children with another partner. Or the child decides to live with them instead. Or the child decides on a career which requires further schooling.

An Appeal to revisit the Child Support Agreement can be made to the court by either parent.

Can a Court Order for Child Support be implemented?

Yes, you can force the father to pay Child Support through a court case and The [Republic Act 9262](#) puts pressure on a father to provide for his child by threatening him with criminal action if he does not.

The Republic Act 9262 Section 5 e (2) in particular discusses:

Depriving or threatening to deprive the woman or her children of financial support legally due to her or her family, or deliberately providing the woman's children insufficient financial support.



Republic Act 9262 criminalizes lack of Child Support.

Sec 6 (c) discusses the penalty for this as punishable by prison correctional or jail.

In successful Support cases, however, it is when there is true cooperation and trust and the child's welfare is of primary importance that Support is consistent and regular.

Putting it simply, when a father is involved in the discussion about a Child Support Agreement and he trusts that the money he provides is truly going to his child, then Support cases achieve their goal.

Can I force the father to pay Child Support using Republic Act 9262?

You can file a case for Child Support in the Philippines if you can prove the the paternity of the child and if you can engage a lawyer for this as you will need legal counsel.

You may have to file a case after you have already approached the other parent to discuss an Agreement or payment and they have refused. Or if they told you they don't have money to support the child or even denied paternity of their child.

You should file a case for Child Support where one of the Spouses resides.

Once the case is filed, the court will send a Notice and the full copy of the Petition to your ex-partner ordering him, or her, to show why the Petition should not be granted.

It is worth noting that a case for Child Support can be its own independent case or it can be ancillary to (form part of) a case for Legal Separation, Annulment of Marriage or the like.



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Securing Child Support begins with filing a case.

The court will then conduct a Preliminary Conference between the parties to see if a resolution can be reached without the need for a full-blown trial. The court also has the power to issue Provisional Orders for Child Support to address the immediate needs of the child while the case is on-going.

The other party will have the opportunity to respond to the Provisional Claim and the allegations about the financial conditions of both parties. Their response should be supported by Affidavits, Depositions or other authentic documents.

The guidelines for a Provisional Order are as follows:

- The Common children of the Spouses shall be supported from the properties of the Absolute Community of Marriage or the Conjugal Partnership.
- Subject to the sound discretion of the court, either parent or both may be ordered to give an amount necessary for the support, maintenance, and education of the child.
- It shall be in proportion to the resources or means of the giver and to the necessities of the recipient.

In determining the amount of Provisional Support, the court may likewise consider the following factors:

- (1) the financial resources of the custodial and non-custodial parent and those of the child;
- (2) the physical and emotional health of the child and his or her special needs and aptitudes;
- (3) the standard of living the child has been accustomed to;
- (4) the non-monetary contributions that the parents will make toward the care and well-being of the child,

The Family Court may direct the deduction of the Provisional Support from the salary of the parent.

But if the court elects not to order Provisional Support, all your evidence and Witnesses' Testimonies will be heard in a full-blown Trial and then the court will make its decision.

You might wonder how long Child Support proceedings take.

Well, it depends on how quickly you and your ex-partner can agree on terms.



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Reaching a Child Support Agreement
between ex-partners is essential!

When you and your partner can negotiate a compromise agreement where both needs are met, then the court process is smoother. You may spend only a year to a year and a half in court.

However, it can take years if you and your ex-partner cannot agree and are unwilling to compromise.

How do I file a case for Child Support in the Philippines?

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How much does it cost to File a case for Child Support?

Obviously, if you and your ex-partner can't reach an agreement on Support, a court case will become more complicated, go on longer and it will be more expensive.

It will mean that more evidence, court appearances, and coordination between lawyers will be required.

So the cost of the case will primarily depend on you and your Partner.



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Child Support hearing costs depend on how quickly parents can reach an agreement.

The normal court costs for Child Support cases are:

- Acceptance fee which varies per lawyer and depends on how complicated your case is
- Court fees for filing the Petition
- Document processing fees such as Notarization and postal service
- Pleading fees for each written Submission to the court
- Court Appearance fees for each appearance to the court.

What documents do I need to File?



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To File a case for Child Support in the Philippines you will need to prepare documents that prove the child's paternity, show the Spouse's financial capacity and itemize the child's expenditures.

Gather documents to support your case!

For example, some of those documents could be:

- PSA Birth Certificate, and proof of paternity such as an Affidavit of Paternity and any other proof if the child is Illegitimate.
- PSA Marriage Certificate if you were married
- Summary of receipts and expenditures related to the child
- Summary of properties and proof such as Titles, bank accounts, etc. of the other Spouse
- Summary of your ex-partner's income and proof

The more information that you gather helps in explaining to the court what the requirements of the child are, in addition to proving the capacity of your ex-partner to pay.

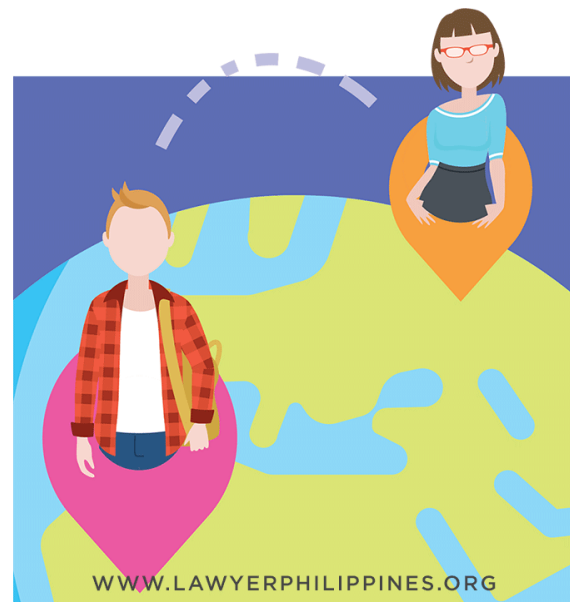
This is important and helps a great deal.

What can I do if my child has a foreign father living abroad?

Can a Philippine court enforce Child Support from a foreign father living abroad? It depends.

A Philippine court may not have any power over whether a foreign father living abroad pays Support to a child in the Philippines.

However, The Philippines is now part of the [Hague Agreement on Child Support](#) so the chances are better now than at any other time before.



When an ex-partner is abroad or a foreigner, it may be more complicated to get Child Support.

The Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (HCCH 2007 Child Support Convention) and the Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations (HCCH 2007 Maintenance Obligations Protocol) seek to establish a modern, efficient and accessible international system for the cross-border recovery of child support and other forms of family maintenance.

You will still have to hire a lawyer and you will need to spend some amount of money to start the case.

In general if your ex-partner is a foreigner and he currently lives abroad, the Child Support laws of his country and of the country where he currently lives come into play. Obtaining and enforcing a Court Order in such a case will most likely require you to engage a lawyer in the foreign country.

Furthermore, your personal appearance abroad may be needed to file the Petition there.

What is required to file a case will depend on the law of the country from which relief is sought. It will certainly require close coordination between you and your overseas lawyer.

The foreign father can be asked for Child Support in his home country and be compelled to pay, especially when:

- The child is a citizen of that country e.g. holds a passport for that country
- There is clear proof of paternity/maternity

Let's do an example for the UK –

If the Foreign Father is from the UK, then the Philippines via the UN has Reciprocal Enforcement of Child Support matters.

There are two potential routes:

1. File a Petition in the UK for Child Support.

You will need a Court Order from the Philippines first, then you will need to hire a UK Lawyer to file a case in a UK court.

You will most likely be required to attend at least one Court Hearing in the UK.

You may also be required to prove paternity through documentation or a DNA test.

However, once a Child Support Hearing has concluded it is easier for the UK court to enforce a Child Support order.

2. Apply for a [Reciprocal Enforcement of Maintenance Order](#) (REMO) in the UK.

You will need to secure a Maintenance Order in a Philippine court first and then you will need to hire a lawyer in the UK.

Once your UK lawyer has the Philippine court Maintenance Order he can then apply for a Reciprocal Enforcement of Maintenance Order (REMO) on your behalf.

REMO enables a Maintenance Order, issued in a Philippine court, to be registered and enforced by a UK court against the errant parent in the UK.

The Order will be registered in the UK by the REMO unit, who will ensure the parent is personally served with the Order and requested to attend any Hearings. You will need to know the full name and UK address of your ex-spouse/partner so he can be Served.

This will still take a lot of time and money.

If the foreign father is from the United States, it is possible to File a Child Support Agreement in the United States.

The United States has a number of ways also to enforce Child Support. If you win a case, the amount owed in Support may be deducted direct from the fathers wages.

Or if the foreign father does not pay the Support the penalties may be that his passport may be confiscated, his driver's license suspended or he may go to jail.

If you do wish to proceed with a Support Case against a Foreign Father it will require some familiarity with the relevant country's laws and the possible enforcement mechanisms.

If the country has no enforcement mechanisms you may want to consider whether it is worth the time, money and travel involved when there is no guarantee of Support Payments.

Practical Tips for Parents



Filing a case takes money and time.

If it is not possible to spend on a case, here are some practical suggestions and organizations that may help you.

- **Document Everything:** Maintain comprehensive records of all expenses associated with your child's upbringing, encompassing education, healthcare, and daily living expenses.
- **Negotiate Openly:** Enter discussions with your ex-partner prepared to negotiate. Use your carefully documented expenses as a foundation for your requests.
- **Seek Mediation:** Explore mediation services before resorting to court. This approach can help conserve time and minimize conflict. ****Resources for Legal Assistance****
- **Philippine Commission on Women (PCW):** Provides resources and support regarding family law matters.
- **DSWD:** Provides support for children and mothers and can refer to the correct agency depending on the situation.
- **Barangay Hall:** Can help in discussions between parents.
- **PAO:** May be able to help file a case, depending on the situation.
- **Legal Aid Clinics:** Numerous universities offer free legal support through their law clinics; consider contacting them for assistance with your case.

FAQs About Child Support

1.What if my ex-partner refuses to pay?

If your ex-partner fails to comply with the child support order, you can file a motion in court to enforce it, which might result in penalties for non-compliance.

2.Can child support be modified?

Yes, child support can be modified if there is a substantial change in circumstances (for example, job loss). Either parent may petition the court to amend the existing order.

3.How is child support calculated?

Although there is no set formula, courts generally assess the incomes of both parents and the needs of the child to determine an appropriate support amount.

4.How long does child support last?

Child support generally lasts until the child reaches the age of majority but can be extended if there is a need.

5.Can I still ask for child support if the parent is abroad?

Yes, but the process may require getting legal help from an attorney abroad as well as from an attorney in the Philippines.

6.Is a mother also obligated to provide child support for her child?

Yes, both parents are obligated to provide child support for the child.