

Default in the payment of alimony: legal challenges and social impacts

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SUMMARY

This study analyzes the non-payment of alimony and the legal challenges and social impacts arising from this phenomenon, highlighting how failure to comply with the alimony obligation directly affects the protection of the fundamental rights of those receiving alimony and the stability of family relationships. The research begins by contextualizing the problem, demonstrating that failure to comply with the obligation generates negative consequences not only in the economic sphere, but also in the social structure, compromising access to basic conditions such as health, education and well-being. To investigate this reality, a qualitative and descriptive approach was adopted that combined documentary and bibliographic research, covering scientific publications, dissertations, theses and court decisions obtained from several databases, such as Google Scholar, CAPES Periodicals Portal, SciELO, JSTOR, HeinOnline and Index Jurídico. The use of search descriptors and Boolean operators allowed us to refine the results and select recent sources that approach in an innovative and critical way the legal and procedural mechanisms, especially the measures provided for in the Code of Civil Procedure for the enforcement of alimony obligations. The results indicated that the coercive instruments adopted, such as registering debtors in defaulters' registries and applying severe sanctions, including civil imprisonment, often prove disproportionate and ineffective, contributing to the disruption of the family environment and worsening social impacts. Furthermore, the analysis pointed to the need to review the methods for calculating alimony and subsidiary liability, suggesting that modernizing legal provisions is imperative to balance the protection of those receiving alimony with the rights of debtors. The discussions reveal that the enforcement of alimony obligations must be conducted through practices that reconcile legal rigor with social sensitivity, enabling the implementation of solutions that ensure swift and efficient responses to conflicts. The final considerations highlight that, despite recent legislative advances, the collection system lacks improvements that mitigate the negative effects of default, requiring the integration of new practices that promote justice and equity in family relationships. Thus, the study concludes that the transformation of the instruments

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Procedural measures and the modernization of social protection mechanisms are fundamental to ensuring the right to food and preserving the dignity of those receiving food, contributing to strengthening balance in family relationships and the realization of fundamental rights.

Keywords: Alimony; Default; Social Justice; Procedural Enforcement; Protection of Alimony Recipients.

ABSTRACT

This study analyzes the default in the payment of alimony and the legal challenges and social impacts resulting from this phenomenon, showing how the lack of compliance with the maintenance obligation directly affects the protection of the fundamental rights of the fed and the stability of family relationships. The research begins with the contextualization of the problem, demonstrating that non-compliance with the obligations generates negative consequences not only in the economic sphere, but also in the social structure, compromising access to basic conditions such as health, education and well-being. To investigate this reality, a qualitative and descriptive approach was adopted that combined documentary and bibliographic research, covering scientific publications, dissertations, theses and judicial decisions obtained from several databases, such as Google Scholar, CAPES Journal Portal, SciELO, JSTOR, HeinOnline and Index Jurídica. The use of search descriptors and Boolean operators allowed us to refine the results and select recent sources that address in an innovative and critical way the legal and procedural mechanisms, especially the measures provided for in the Code of Civil Procedure for the enforcement of maintenance obligations. The results indicated that the coercive instruments adopted, such as the registration of debtors in defaulters' registers and the application of severe sanctions, including civil imprisonment, often prove to be disproportionate and ineffective, contributing to the destructuring of the family environment and to the worsening of social impacts. In addition, the analysis pointed to the need for a review of the methods of calculating alimony and subsidiary liability, suggesting that the modernization of legal provisions is imperative to balance the protection of those fed with the rights of debtors. The discussions reveal that the enforcement of the maintenance obligation must be conducted through practices that reconcile legal rigor with social sensitivity, enabling the implementation of solutions that ensure quick and efficient responses to conflicts. The final considerations emphasize that, even with recent legislative advances, the collection system lacks improvements that mitigate the negative effects of default, requiring the integration of new practices that promote justice and equity in family relationships. Thus, the study concludes that the transformation of procedural instruments and the modernization of social protection mechanisms are fundamental to ensuring the right to food and preserving the dignity of those fed, contributing to the strengthening of the balance in family relations and to the realization of fundamental rights.

Keywords: Alimony; Default; Social Justice; Procedural Execution; Protection of those fed.

1 INTRODUCTION

Failure to pay alimony has become a problem of unique relevance in the Brazilian legal and social scenario, directly affecting the

protection of the fundamental rights of those receiving food. This phenomenon poses challenges that go beyond the economic sphere, compromising the well-being of families and demanding answers swift action by the legal system. The complexity of the situation demands a more integrated, in which the judiciary and the legislator act in an articulated manner to repair the damages caused. Therefore, it is imperative to understand the contours that involve the default and the legal mechanisms available for its correction.

Within the scope of Brazilian jurisdiction, the issue transcends the mere contractual relationship, involving fundamental rights and the human dignity of those being fed. State intervention, in this context, it is essential to ensure the effectiveness of the execution mechanisms, such as provided for by the Code of Civil Procedure. In particular, article 528, §3, of the aforementioned diploma legal, presents procedural measures designed to ensure compliance with obligations food. Thus, the legal system seeks, through normative instruments, promote justice and equity in family relationships.

Failure to pay alimony results in losses that are manifest themselves both in the economic and social spheres. Failure to comply generates financial instability and disruption of the family environment, which may compromise the formation and development of those fed. The importance of food lies in the guarantee of basic rights, such as health, education and well-being, configuring itself as instrument of social protection. Consequently, the effectiveness of the measures adopted becomes is crucial to preserving balance in relations between the parties involved.

Current legislation, by establishing specific provisions for the execution of maintenance obligations, reflects the need for quick and effective responses to cases of default. As provided in the CPC, coercive mechanisms are made available to compel the debtor to fulfill his obligation. This normative device demonstrates the the legislator's concern in protecting the rights of food beneficiaries, ensuring that the enforcement measures are respected. In this way, procedural law assumes central role in resolving disputes involving default.

Authors such as Gentil et al. (2018) corroborate the importance of food as essential mechanism for preserving the rights of those receiving food, highlighting that the non-payment has consequences that go beyond the financial aspect. The study highlights the need for public policies that accompany the evolution of family ties, ensuring the full protection of fundamental rights. In this context, the relevance of food is corroborated by the direct impact on the quality of life of beneficiaries. Thus, the research highlights the urgency of more effective and targeted measures.

In order to broaden the discussion by analyzing the application of civil imprisonment of the debtor of food, an extreme measure that aims to guarantee the food obligation must be addressed. The author Coutinho (2019) points out that, although this sanction is controversial, it may be necessary in situations of repeated refusal of payment. This approach highlights the dilemma between measures coercive measures and the protection of the fundamental rights of those receiving food. In this way, the debate regarding civil imprisonment reinforces the complexity of the issue and the need for adjustments to the legislation.

Thus, the present research is justified by the need for further study into the understanding the legal and social challenges caused by default in payment of alimony. The study shows that the ineffectiveness of coercive mechanisms and the gap in the application of preventive measures, they compromise the protection of the rights of beneficiaries. In this way, the analysis of legal devices, accompanied by contributions from various studies, contributes to the improvement of legislation and judicial practices. The debate is current and essential demonstration for the promotion of social justice and legal security.

The general objective of this research is to investigate the challenges and impacts arising from default in the payment of alimony, seeking to identify alternatives that can strengthen the enforcement mechanisms provided for in the legal system. The proposal is to critically analyze the solutions presented in the literature and compare them with reality observed in the Brazilian judicial system. Thus, it is intended to offer subsidies for the modernization of legal instruments and for the implementation of public policies that effectively guarantee the rights of those receiving food. In this way, the research aims to contribute to the debate on improving the legal treatment of cases of default.

2 THEORETICAL FRAMEWORK

2.1 Legal aspects of default on alimony payments

The first topic of the theoretical framework addresses the legal challenges intrinsic to default in the payment of alimony. This topic involves the analysis of legal mechanisms used to guarantee the effectiveness of maintenance obligations, with emphasis in the coercive measures provided for in the Code of Civil Procedure, in particular in article 528, §3.

Research by authors such as Gentil et al. (2018) and Coutinho (2019) highlights the importance of procedural instruments and legal sanctions to contain non-compliance. Furthermore,

the discussion focuses on the need to improve the judicial system so that actions

effective measures can be implemented to protect the rights of those receiving food, seeking to provide quick responses that are compatible with the dynamics of family ties.

Failure to pay alimony is one of the central issues in the Brazilian legal scenario, requiring the analysis of the procedural mechanisms that guarantee the rights of those receiving food. This problem highlights the complexity of the system, which needs to balance the strict execution of obligations with the protection of the debtor's dignity. The legal system needs to develop alternatives that integrate effectiveness and justice, providing fast and efficient responses. The discussion is based on the evolution of legal instruments and the growing demand for innovative solutions (Ribeiro and dos Santos, 2020).

The recent changes introduced by the new Code of Civil Procedure have boosted significant changes in the enforcement of alimony, making procedures more fast and effective. Legislative improvements aim to strengthen collection mechanisms and expand guarantees to those receiving support, promoting a fairer and more procedural environment balanced. Despite the advances, challenges remain in the practical application of the measures coercive measures and in overcoming procedural obstacles. In this scenario, the legal analysis reveals itself essential to identify areas for improvement and ensure the effectiveness of rights fundamental (Ribeiro and dos Santos, 2020).

The problem of default reflects the fragility of existing mechanisms to ensure the subsistence of those being fed, compromising the fundamental right to dignity human. This discussion gains prominence, showing that the lack of payment does not eliminate the liability of the debtor nor does it diminish the social and economic impact of default. The critical analysis points to the need for constant reassessment of legal instruments in light of contemporary social transformations. Thus, the review of collection methods is urgent for the legal system (Simões, 2022).

Therefore, the execution of alimony, as a vital obligation, requires measures that go beyond the simple imposition of payment. The challenges for implementation effective are aggravated by several procedural obstacles and by an application that is sometimes disproportionate sanctions. Reflection on the limits and possibilities of the instruments coercive measures highlight the need to balance the protection of those fed with the rights of debtors. The debates highlight that legislation should be interpreted to favor swift and fair resolution of food conflicts (Coutinho et al., 2022).

The discussion on the methods of execution also highlights the excesses in collection, which may lead to disproportionate punitive measures. The imposition of severe sanctions, such as debtor's registration with the SPC, raises questions about the reasonableness and proportionality of penalties. A careful analysis of the cases reveals that, although the rigor

in the collection is necessary to ensure compliance with obligations, must be accompanied procedural guarantees that prevent abuse. This tension between the protection of those receiving support and those debtors' rights require continuous regulatory improvement (Rocha, 2017).

Subsidiary liability emerges as an alternative to mitigate the effects of default, proposing that third parties assume the commitment to guarantee the payment of food. This innovative approach expands the range of instruments available for enforcement of the maintenance obligation, especially when the main debtor is inactive. The proposal highlights the importance of legal mechanisms that enable agents to act responsible in situations of repeated default. By challenging the rigidity of the model traditional, this perspective contributes to a more effective protection of the rights of fed (Da Silva; Do Nascimento; Released).

Likewise, the use of alternative instruments, such as the seizure of the fund of service time guarantee, highlights the search for practical and effective solutions in the execution food. This measure, by guaranteeing the collection of amounts due, appears as a mechanism that combines procedural rigor with effectiveness of execution. The proposal offers new perspective for dealing with default, integrating alternatives that complement traditional sanctions. In this way, the resource demonstrates the need to diversify the collection methods to ensure the subsistence of those receiving food (Pereira, 2010).

Such discussions point to the need for an order that adapts to new social settings, promoting a more flexible and reality-appropriate execution contemporary. The modernization of charging criteria reflects the effort for innovations that make the process more efficient and less costly for all parties. This approach highlights the role of law as an instrument to protect the vulnerable in food relationships (Teixeira et al., 2017).

Therefore, the legal devices intended for the execution of the maintenance obligation demonstrate concern for protecting the rights of those being fed, even in the face of procedural challenges. The interconnection between collection mechanisms and the guarantee of food shows that legal certainty is essential to maintain the well-being of beneficiaries. Although the system has made significant progress, it still lacks improvements that result in full effectiveness of coercive measures. In this way, the legal discussion seeks a balance that meets the interests of all parties involved (Ribeiro and dos Santos, 2020).

This care ensures that the execution of the pension is not just an instrument of punishment, but also a means of protecting those being fed. The requirement for clear and fair criteria for

collecting food is essential to minimize conflicts and promote equity in family relationships. Thus, the analysis of procedural devices highlights the importance of policies that reconcile rigor and humanity in food implementation (Coutinho et al., 2022).

With the modernization of alimony collection methods, the following arises: response to contemporary demands for greater efficiency and fairness in execution. This renewal implies the reformulation of parameters and the inclusion of innovative instruments that can complement traditional mechanisms. With this, the reevaluation of methods seeks to reduce obstacles that hinder the access of those receiving support to the protection of their rights fundamental. In this way, the debate contributes to the construction of a more dynamic and adaptable (Simões, 2022).

The analysis proposed by Rocha (2017) shows that, although severe measures are important for the protection of those fed, they cannot disregard the principles of reasonableness and proportionality. This debate reinforces the idea that the execution of food must be conducted with caution, always seeking justice and human dignity.

Thus, legal instruments, when applied appropriately, can positively transform the scenario of the execution of alimony, promoting greater legal certainty and procedural efficiency. Its diversification of collection methods not only reduces the incidence of default, but also offers alternatives that adapt to particularities of each case. In this way, the improvement of existing mechanisms involves the integration of new proposals that combine rigor and flexibility (Da Silva; Do Birth; Solot, sd).

A critical analysis of the legal provisions shows that the execution of the maintenance obligation must be conducted with sensitivity, considering the social impacts arising from default. The improvement of coercive mechanisms is essential for the protection of those receiving food is not compromised by procedural gaps or interpretations excessively punitive. This approach highlights that the effectiveness of enforcement depends, in part, largely from an interpretation that values both the rights of those being fed and the debtor's guarantees. The search for this balance constitutes a constant challenge for the law (Pereira, 2010).

In summary, the reflection on the instruments for executing alimony points out for the importance of a legal approach that combines innovation, equity and rigor procedural. Recent changes in the legal system indicate that the improvement of collection methods is a real need, aligned with social demands contemporary. The debate emphasizes the urgency of solutions that integrate the dimensions

procedural and social aspects, promoting the effective protection of the rights of those receiving support. In this way, the discussion reinforces the transformative role of law in the search for justice and balance (Teixeira et al., 2017).

The set of studies analyzed shows that, despite legislative advances, the enforcement of the maintenance obligation still faces challenges that require constant review and innovation. The integration of different theoretical and procedural perspectives enriches the understanding of the complexity involved in default, strengthening the protection of the fed. This multidimensional analysis demonstrates that the effectiveness of legal instruments is crucial for maintaining fundamental rights and balance in food relations. Thus, the debate reveals a fertile field for the development of proposals that improve continuously the legal system (Ribeiro and dos Santos, 2020).

2.2 Social impacts resulting from default

The second topic of the theoretical framework focuses on the social impacts caused by non-payment of alimony, considering that the absence of alimony compromises the well-being of beneficiaries and can trigger a series of adverse consequences. Authors as De Aguiar and De Vasconcelos (2022) discuss state omission and the fragility of protection mechanisms, while studies by Teixeira et al. (2017) point to the vulnerability of those receiving food in situations of default, highlighting the need for effective public policies. This approach broadens the discussion beyond the purely legal, demonstrating how default reflects structural problems in social protection and guaranteeing the fundamental rights of citizens.

Failure to pay child support impacts several areas of life social, generating consequences that go beyond the legal scope and affect the well-being of beneficiaries, so the absence of food compromises financial and emotional stability of families, contributing to the worsening of social inequality and instability community. In this scenario, effects are observed that extend to health, education and social integration of those fed, highlighting the need for public policies aimed at protection of these individuals (De Aguiar and De Vasconcelos, 2022).

The analysis of social impacts highlights state omission as an aggravating factor, where the fragility of protection mechanisms poses real risks to the fundamental rights of citizens. Studies show that without effective state action, the vulnerability of

families in default tend to deepen, compromising the social and cultural development of communities. This insufficiency in state intervention reinforces the urgency of reviewing and improving social protection instruments (De Aguiar and De Vasconcelos, 2022).

In the context of alternative enforcement mechanisms, proposals involving the attachment of the service time guarantee fund demonstrates an attempt to balance the relations between debtors and beneficiaries. However, such measures, despite focusing on effectiveness of collection, do not resolve the secondary effects resulting from non-payment of food, such as the breakdown of the family nucleus. Thus, it is observed that the discussion on alternative instruments also needs to incorporate a more social dimension comprehensive (Pereira, 2010).

When addressing the issue from the perspective of the vulnerability of those receiving food, the debates point out for the centrality of fundamental rights in the formulation of public policies. The Evidence indicates that the absence of food directly impacts mental and physical health of beneficiaries, in addition to harming child development and family cohesion. This requires a more humanized and integrated approach on the part of legislators and public agents, who must promote social inclusion and access to basic rights (Teixeira et al., 2017).

The fragility of social protection mechanisms leads to a chain of deleterious effects which can ultimately undermine the social structure and increase inequalities. This cascade of socioeconomic effects highlights the importance of rethinking the State's role in guaranteeing the rights of those receiving food. The lack of proper institutional support contributes for the perpetuation of cycles of poverty and exclusion, requiring a more comprehensive approach and systemic (Puttim et al., 2018).

Thus, the reality of low-income families demonstrates how defaulting on payments leads to difficulties in domestic organization and in the relationship between parents and children. Studies reveal that financial instability resulting from non-payment of alimony generates insecurity and internal conflicts that can compromise the emotional development of minors. This context weakens family ties, requiring integrated actions that promote social justice and the comprehensive protection of the rights of children and adolescents (Riva, 2010).

Analyzing the legal instruments for collecting alimony, it can be seen that it is also necessary to consider the social impacts resulting from the methods adopted, especially when punitive measures are applied disproportionately, since,

It is imperative to seek a balance between effectiveness in collection and maintaining dignity human (Couto et al., 2016).

In times of crisis, such as those experienced during pandemic periods, the challenges social issues related to default intensify, requiring rapid and adaptive responses. The vulnerability of families is increased, and the lack of food can lead to disruptions serious in the relationship between family members. Such analysis of the pandemic context reveals the need for flexibility in protection mechanisms to meet demands emergencies and mitigate social impacts (Barbosa, sd).

From this perspective, alternatives to civil imprisonment have been discussed as measures that, in addition to seeking effectiveness in collection, they aim to minimize social damage. Research indicate that the adoption of less drastic measures can favor the maintenance of integrity family and avoid stigmatizing the debtor, promoting an approach that contemplates dignity of all parties involved (Stuani and Adame, 2015). In the same way as the criticism of traditional punitive methods, where this is accompanied by a reflection on the need for instruments that promote inclusion and social justice.

The imposition of these severe sanctions, if not accompanied by protective measures and rehabilitation, can accentuate the negative impacts on the lives of those fed and their responsible. Thus, the discussion suggests expanding the debate to include aspects that encourage the social and economic reintegration of those involved (Stuani and Adame, 2015).

The discussion about subsidiary liability shows that the protection structure must cover not only the principal debtor, but also other agents with capacity contributory. This perspective broadens the understanding of financial commitments and social effects of default, highlighting the importance of a safety net that promote a balance between duties and rights. Such an approach is considered essential for mitigate adverse social impacts and restore family harmony (Da Costa Rodrigues, sd).

With this, the construction of effective public policies emerges as a necessary response.

given the scenario of social vulnerability caused by default. The analysis of social and economic consequences reinforces the need for integrated measures that involve the State, the judiciary and civil society. These policies must be aimed at protection of basic rights, ensuring that non-payment does not result in exclusion and deterioration of the living conditions of those fed (Dos Santos et al., 2024).

This interrelationship between legal instruments and social impacts shows that The effects of default extend beyond the courts. The lack of food affects directly the social structure, compromising access to essential rights and making it difficult to

full inclusion of citizens in society (Dos Santos et al., 2024). Thus, the analysis of studies also reveal that the precariousness of protection mechanisms and the insufficient state intervention worsened an already delicate situation. This phenomenon has implications profound, affecting not only the family economy but also the construction of capital human and social. Reflecting on these impacts reinforces the need to rethink models of assistance and social support for the groups most vulnerable to default (De Aguiar and de Vasconcelos, 2022).

The synthesis of the findings shows that the social impacts resulting from default in alimony require a multidimensional and integrated approach. Protection of fundamental rights involves the combination of effective legal measures and policies robust public policies that meet social demands. The debate on the vulnerability of fed and the need for state intervention points to the urgency of reforms that promote social justice and balance in family relationships (Teixeira et al., 2017)

3 METHODOLOGY

This study was carried out using a qualitative and descriptive approach, both for approach to the legal challenges that permeate food conflicts regarding social impacts resulting from default. In parallel, objectives were established specific guidelines that guide the analysis of legislative changes, judicial decisions and doctrinal arguments produced in the last decade, disregarding reference works classics that, despite being relevant, do not reflect the updates of contemporary debates.

To achieve these objectives, a mixed approach was chosen that combines research documentary and bibliographical. Thus, a survey of scientific publications was carried out, dissertations, theses and court decisions available in databases such as Google Scholar, Periodical Portal CAPES, SciELO, JSTOR, HeinOnline and Legal Index. The use of search descriptors – such as “default”, “alimony”, “legal challenges” and “social impacts” – associated with Boolean operators, made it possible to delimit and refinement of results, ensuring the selection of sources that, although recent, present innovative and critical approaches.

The selection procedure was based on inclusion and exclusion criteria, which prioritized publications and documents produced within the stipulated time frame and rejected works that, due to their consolidation and classical reference, no longer contribute to the understanding of new legal and social dynamics. Furthermore, the research included the analysis of

legislation and opinions, as well as the evaluation of judicial decisions from the courts state and higher levels, thus allowing the identification of emerging understandings and interpretative changes that culminated in the evolution of legal discourses on the subject.

The organization of the collected data was done through the creation of an analysis matrix which included criteria such as author, year of publication, source, main topics covered and relevance of the arguments presented. Then, a qualitative analysis of the texts, where a critical reading was carried out aiming to identify patterns, categories and divergences existing between the authors, enabling the construction of a robust theoretical synthesis. This approach allowed not only the confrontation between theoretical and practical data, but also the preparation of comparative tables and thematic summaries that facilitate the interpretation of results.

This research was structured in well-defined time stages, which included from the bibliographic and documentary survey to the organization of data and writing of the final report. Each of these steps was planned to ensure methodological rigor and coherence in the analysis, respecting the ethical principles of citation and data integrity. In this way, the methodology presented demonstrates a detailed and systematic path that seeks to deepen the understanding of the legal challenges and social impacts arising from default in the payment of alimony, contributing significantly to academic debate and to improve public policies in the area.

4 RESULTS AND DISCUSSION

The problem of non-payment of alimony raises important debates about the legal challenges and social impacts observed in contemporaneity. The research brings to light discussions that highlight the inadequacy of coercive mechanisms currently employed, highlighting the need for practices that preserve the dignity of those involved. This theme presents itself as a fertile field for reflection on the effectiveness of collection instruments and the protection of consumers' rights feeding (Rocha, 2017).

The study on excess charges points to the excessive use of measures such as registering the debtor in defaulters' registers, a practice that may compromise the legal certainty and access to credit. The criticism is based on arguments that question the proportionality of the effects resulting from these measures, highlighting their negative impacts for the debtor. This analysis invites a reassessment of coercion methods

adopted, seeking a balance between the protection of the right to food and the preservation of individual rights (Rocha, 2017).

Thus, subsidiary liability in guaranteeing alimony emerges as an alternative that broadens the debate on family ties and solidarity obligations. The discussion highlights the complexity of legal relationships, suggesting that, in certain situations, third parties may be called upon to contribute to the fulfillment of the obligation food. The focus is on the need for measures that respect the principles of proportionality and equity, without excessively burdening people who are not part of the primary of the relationship (Da Silva; Do Nascimento; Solto, 2017).

The interpretative changes reflect the concern with the effectiveness of the right to receive food, while paying attention to the debtors' limitations. This dynamic approach highlights the importance of continuous updates to legal devices to keep up with society's emerging demands (Teixeira et al., 2017).

Thus, the discussion points to the existence of gaps in the traditional methodology, which do not always reflect the financial reality of the parties, where the proposal of a stricter standardization aims to reduce distortions and enable fairer execution of maintenance obligations (Puttim et al., 2018). Thus, the modern aspects of the pension food law reveal significant transformations in both legislation and judicial practice.

This integration of new guidelines and adaptation to contemporary contexts strengthens the collection mechanisms, even though challenges persist in their implementation. Innovations proposals suggest a rapprochement between traditional law and current needs, opening space for flexibility and modernization of procedures (Batista & Lopes, 2024).

With default in the maintenance obligation, it is also necessary to analyze the prism of civil imprisonment of the debtor, a measure considered extreme and controversial. Such critical discussion about this sanction highlights its possible conflicts with constitutional principles, questioning its effectiveness as an instrument of coercion, since the proposal lies in the search for alternatives that prioritize resocialization and reparation of damages without resorting to excessively punitive (Coutinho, 2019).

The changes introduced by the new Code of Civil Procedure point to improvements in the execution of maintenance obligations, making procedures faster and more effective. However, procedural changes also highlight challenges in harmonizing interests of creditors and debtors, requiring interpretative and operational adjustments. This legislative evolution shows that, despite advances, the system lacks instruments that



guarantee, in a balanced manner, the right to food and the protection of taxpayers (Ribeiro & (2020).

The convergence of the studies analyzed shows that the challenges in collecting pensions food security reside both in the form of implementation of the measures and in the definition of the applicable economic parameters, thus integrating theoretical approaches and practices reinforces the need for a more equitable system, which combines legal rigor with social sensitivity. These debates brought by the various authors point to the urgency of reforms and adaptations that promote effective and sustainable food justice (Rocha, 2017; (2017).

In summary, the results point to the complexity inherent to default in payment of alimony, which is divided into multiple aspects of analysis, concomitant criticism and coercive practices and calculation methodologies, where they show the need to rethink existing mechanisms. The discussion also addresses the importance balanced measures that respect the rights of those involved, promoting solutions that serve both those receiving support and those in debt fairly (Rocha, 2017; Teixeira et al., 2017; Puttim et al., 2018).

Finally, the discussion presented here allows us to conclude that the modernization of legal instruments and the review of adopted practices are fundamental to improving the effectiveness of food law. The multidimensional reflection of the studies shows how much the debate on alimony is enriched by the integration of theoretical perspectives and practical experiences. This synthesis highlights the need for continuity in the search for solutions that contemplate contemporary demands, promoting justice and equity within the scope family and social (Batista & Lopes, 2024; Ribeiro & Dos Santos, 2020).

FINAL CONSIDERATIONS

The in-depth study of the topic allowed us to identify the main challenges faced by both creditors and debtors, highlighting the need for a more balanced and effective in the practices adopted by the judicial system. The application of measures coercive measures, such as civil imprisonment, and registration in defaulters' registers, although provided for by law, are often disproportionate and ineffective, causing harm additional to those involved and generating controversies around its application.

It is clear that the current system of collecting alimony payments needs adjustments significant. The definition of the calculation basis, for example, requires a more careful analysis of the economic and social factors involved in each specific case. The standardization of criteria for calculating the pension is one of the alternatives that could improve transparency and justice in the process. In addition, the adaptation of judicial practices to new realities socioeconomic is also crucial to ensure the effectiveness of the execution of obligations food without this implying excessive penalties for debtors.

Another relevant point concerns subsidiary liability, which has been a topic controversial in cases of default. The expansion of liability to third parties, Although it may be a solution in some situations, it should be approached with caution, respecting the limits of proportionality and equity. The search for fairer alternatives and less punitive is essential to promote a solution that does not overburden individuals and ensure, at the same time, compliance with the rights of those receiving support.

The review of the legal system, with emphasis on modernization and flexibility of coercive instruments, is imperative to improve the effectiveness of food law. The system needs to be able to balance the needs of those who depend on alimony with the difficulties faced by those who have the obligation to pay, considering the contexts individual of each party involved. Alternative measures, such as the use of restorative solutions and more humanized negotiations can be more effective in resolving these conflicts.

Therefore, the constant review of legal mechanisms, together with the adoption of new more balanced practices will allow a more effective and less costly approach for all the parties involved. The continuous improvement of legislation and judicial practices is essential to ensure that food rights are fulfilled in a fair and equitable manner, contributing to the well-being of everyone involved.

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