

Common Child Support Questions

Can the Child Support Amount Be Changed? When Do Child Support Payments End?



Children have the right to be supported, whether their parents are together or separated. Child support is designed to help pay expenses for a child's needs. The custodial parent is the parent who has custody of the child. The non-custodial parent is required to pay child support. The following information will help clarify some common issues regarding child support.

How Much Does the Non-Custodial Parent Have to Pay?

All states are required to use a formula, according to the Family Support Act of 1988. The amount to be paid normally depends on income and the number of children to be supported. The court may also require the non-custodial parent to pay for health and dental insurance, life insurance, child care, or education costs for the child, in addition to the monthly child support payment.

Are There Ways to Change the Child Support Payment?

If the non-custodial parent is requesting a change in payment, normally a lower payment, the approval for the change needs to come from a judge. The non-custodial parent has to show proof that their situation has changed, since the last court date. This proof could be a sworn statement from an employer or doctor.

Some important changes include:

- A decrease in income
- An increase in income of the custodial parent
- Increase in expenses
- The child's needs have decreased
- The child is spending more time with the non-custodial parent
- Increase in medical expenses

Child support modification hearings are costly and take time. You may want to try to negotiate with your partner before going to court.

What About Bankruptcy?

If the non-custodial parent declares bankruptcy, he/she is still required to pay child support.

What If the Non-Custodial Parent Moves to a Different State?

Even if the parent moves, he/she is still required to pay child support. Parents who owe child support can be found through federal, state, and local records.

What If the Non-Custodial Parent Remarries?

The additional income that may come from the new marriage is not considered available for child support. If the non-custodial parent has other children, he/she will still be responsible for making child support payments to the original child.

What Happens If the Non-Custodial Parent Refuses to Pay Child Support?

There are many ways that the child support payments may be collected. There are also many things that can happen due to non-payment. The following are some of those things:

- Income Tax Refunds can be taken.
- Liens can be placed on the property of the non-custodial parent.
- Bonds or assets may be liquidated to pay the support.
- Any arrears, past due payments, may be reported to the credit bureaus.
- The non-custodial parent may be publicly humiliated (most wanted lists).
- The non-custodial parent would be denied a license.
- Wages can be garnished.
- Criminal prosecution may take place.
- The past due payments may be sent to collections.

In most states, not paying child support is a crime

When Does Child Support End?

A termination date is normally established in court. Normally, the non-custodial parent is required to pay until the child is 18 (in some cases 21), until the child completes college, or as long as the child is dependent or disabled. If the non-custodial parent owes past payments, they are still required to pay the amount, even if the support is supposed to end.

Is There Anyone That Can Help, if the Non-Custodial Parent Refuses to Pay?

The first thing to do would be to call the Child Support Enforcement Agency in your State. At this level, the State Attorney's office would file suit. It may also be helpful to contact ACES, Association for Children for Enforcement of Support, at 1-800-537-7072. This agency is non-profit and helps custodial parents work with the Child Support Enforcement Agency. There are also private organizations that try to collect child support for custodial parents. These agencies will charge an application fee and will keep a percentage of what they collect. There have been reports that some of them take an application fee and never take action. Make sure you contact the Better Business Bureau and the Consumer Protection Agency in your state to check out any private agency for complaints.

An Educational Message from

novadebt

A Garden State Consumer Credit Counseling Organization



225 Willowbrook Road
Freehold, NJ 07728
1-800-99-BILLS
www.novadebt.org

