

Child Support Orders Are Terminated for Many Reasons

Q: When are child support orders terminated?

A: A child support order may be terminated for many reasons, including:

- the death of either the child or the person paying child support;
- the child's marriage;
- the child's deportation;
- adoption of the child;
- the child's emancipation (for purposes of child support, a child is "emancipated" when he/she reaches 18 years of age and is not a full-time student, or 19 years of age regardless of school enrollment);
- the child's enlistment in the armed services when no longer a full-time student;
- a change in the legal (court-ordered) custody of the child (for example, if permanent custody is awarded to a public children services agency or a court order terminates the parental rights of the person who has been paying child support).

In addition, a Child Support Enforcement Agency (CSEA) may pursue child support termination if the parties to the child support order marry or re-marry one another and no other person has legal custody of the child.

A CSEA may pursue termination for the above-listed reasons through the administrative process. If a party wishes to terminate child support for a reason that is not listed above, that termination would have to be pursued privately through the court.

Q: How does the CSEA know when to terminate support for my child?

A: Both parents are responsible for notifying the CSEA if there is any reason that support should be terminated. While written notification is preferable, either parent may report this information to the CSEA by phone or in person. Within 20 calendar days of receiving this information, the CSEA must complete an investigation to verify it. If the child is near the age of emancipation for child support purposes and neither parent has notified the CSEA that support should be terminated, then the CSEA will complete an investigation near the child's 18th birthday to determine if the support should continue or be terminated based upon the child's high school attendance.

Q: What if my child is home-schooled or attends an alternative education program?

A: Most home-schooling and alternative education programs are state-approved, but the CSEA requires proof of this when notified that a child is receiving this type of schooling. The CSEA will

consider all information from both parties when determining whether support should continue or end.

Q: Will the CSEA tell me whether support will continue or end?

A: Yes. Once the CSEA has completed an investigation, both parties will receive a Notice of Termination of Support or a Notice of Continuation of Support. If termination is recommended, the notice will include:

- the reason for the termination;
- the amount of back child support owed and how much should be paid towards this amount;
- whether there is still an existing child support order for any remaining “unemancipated” children; and
- a report of any overpayments that may have been made to the person receiving child support.

If the CSEA recommends that support be continued, the notice will include the reason for this decision.

Both notices will explain administrative and court hearing rights and how to request a hearing if you do not agree with a decision about your child support.

Q: When does support continue after a child reaches 18 years of age?

A: There are many reasons why support may continue past the age of 18, including the following:

- the child has not yet graduated but still attends a recognized and accredited high school or program;
- a court has determined that the child has a mental or physical disability regardless of age and for as long as the disability lasts;
- the parents’ separation agreement or divorce or dissolution decree says that child support will continue past the age of emancipation (such as while the child is in college).

Q: A court has ordered me to carry medical insurance for my child. Does this obligation end when my child is emancipated for child support purposes?

A: Yes. If your child support obligation ends when your child reaches the age of emancipation, you no longer have to carry medical insurance for the child unless your court order says otherwise. If a National Medical Support Notice has been issued to your employer requiring your child to be enrolled in the employer’s plan, then the CSEA must notify your employer that your obligation has ended and that the employer should consult you about whether insurance should stop or continue.

Q: Where can I get more information?

A: Visit www.ocda.us, the website of the Ohio CSEA Directors’ Association (OCDA), a statewide organization representing Ohio’s county child support enforcement agencies (CSEAs).

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Law You Can Use is a weekly consumer legal information column provided by the Ohio State Bar Association. This article was prepared by the Ohio CSEA Directors' Association (OCDA).

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