

Family Focus

HOW LONG DO I HAVE TO PAY CHILD SUPPORT?

Posted by **Stuart Scott** | Jun 14, 2019

The answer to this question varies by state. There is usually a statute or rule of law directly on point that gives a clear answer. But there are a number of other court decisions and laws that can affect the answer and make it an area worth looking into closely if you are either paying or receiving child support.

The general rule in Tennessee is that the non custodial parent is required to pay child support until the child turns 18 or graduates high school, whichever is later. There is no obligation for college or other secondary education expenses. Child support may continue if the child has special needs. In addition, if the child who is the subject of support fails a grade in school, it is possible to extend child support to a conclusion of their "second" senior year.

There also may be changes that occur after support is determined that will affect how much is owed and for how long. For example, where there is more than one child and the oldest child graduates or turns 18, whichever is later, child support needs to change. However, it will not change automatically. Rather, a new child support amount must be calculated. Child support is calculated using the Child Support Worksheet. Each parent's gross income is input along with the amount of parenting time each parent has, the number of minor children, the cost of health insurance and after care. Once all of the information is input, the Child Support Worksheet calculates a number. This is the amount owed. Accordingly, the Worksheet must be prepared deleting the information concerning the current child, and the parties must either agree to the new amount or make a request to the court to accept the new Child Support Worksheet in place of the prior Child Support Worksheet. Technically, the original Child Support Worksheet remains in full force and effect until a new one is entered or the last child is no longer eligible to warrant child support payments.

However, a parent needs to be careful what they ask for. I have seen situations where the gross income of the parents has increased significantly since the original Child Support Worksheet was entered into, resulting in *more* child support owed, even with one fewer child. Therefore, it is always prudent to run the numbers in a Child Support Worksheet utilizing the current gross income and current relevant figures before asking to change what is in effect.

About the Author:

Stuart Scott is a litigation attorney with over 25 years of experience. He has tried hundreds of cases in both state and federal court. Some of his noteworthy victories have been featured in local, state and national publications. Stuart is also listed as a Tennessee Supreme Court Rule 31 Family Law Mediator. Stuart focuses his primary area of practice on family law. He represents people going through divorce and focuses his efforts on providing his legal services and advice to his clients in this area. Mr. Scott may be reached in our Nashville office at 615-620-1710.



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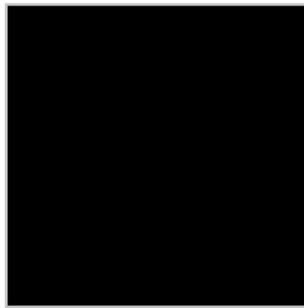
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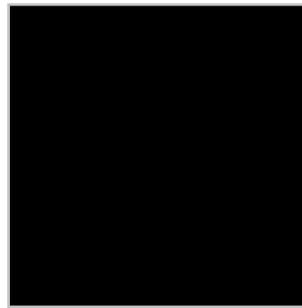
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