

## How is child support calculated?

The Court uses a child support guideline (Florida Statutes 61.30) that considers each parent's individual income (or if unemployed what could reasonably be earned), the number of children in common, the amount of time each parent spends with the children, support for children from other relationships, and costs for health insurance and/or day care.

In some cases, the Court also weighs factors such as long-distance visitation expenses or special needs of the child.

## What if we agree on another amount?

Often the Court will approve an agreement as long as the parties express an understanding of the purpose of child support, are aware of the guideline amount and are not receiving public benefits.

## When does a child support obligation end?

Child support is an on-going obligation until the child:

- ★reaches the age of 18, (unless still making significant progress towards high school graduation, in which case support continues until age 19 or graduation, whichever occurs first)
- ★ marries;
- ★dies;
- ★turns 19;
- ★ or otherwise becomes self-supporting / emancipated.

Parents can agree that support will be paid longer (sometimes through college) or the Court may require support be paid for a disabled child that is unable to be self-supporting.

## How far back can child support be ordered?

The Court has the discretion to award retroactive child support back to the date of separation (up to 24 months). Some parents ask for support back to the date of filing the petition and others request that support start the date of hearing.

## How does the child support get from the non-custodial parent to the custodial parent?

There are three (3) basic options:

**direct pay** - The non-custodial parent writes a check, purchases a money order or uses some other form of payment that provides a receipt. The parties are responsible for maintaining payment records. (This option is not available if the child is receiving public benefits or if repayment of benefits is owed to the State).

**State Disbursement Unit** - The non-custodial parent sends payment to the State Disbursement Unit who in turn sends payment to the custodial parent. Initially, there is a slight delay, however once the payments begin cycling they are regular (assuming the non-custodial parent pays dependably) and the State maintains records.

**Income Deduction Order** - this is a separate order sent to the non-custodial parent's employer directing that the money be deducted from the paycheck and sent to the State of Florida Disbursement Unit. (61.1301)

### Notice of Limitation of Services Provided

The personnel in this self-help program are not acting as your lawyer or providing legal advice to you.

Self-help personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of a form or substitution of a different form. The judge is not required to grant the relief requested in a form.

The personnel in this self help program cannot tell you what your legal rights or remedies are, represent you in court or tell you how to testify in court.

Self-help services are available to all persons who are or will be parties to a family law case.

The information that you give to and receive from self help personnel is not confidential and may be subject to disclosure at a later date. If another person involved in your case seeks assistance from this self-help program, that person will be given the same type of assistance that you receive.

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits, assets or liabilities.

## *Answers to Common Child Support Questions*



Created by the  
Family Court Support Unit  
Third Judicial Circuit  
Court Administration  
Post Office Box 1569  
Lake City, Florida 32056

## Other Support Considerations.

Many times other factors affect child support. Two of the most common are the availability of health insurance and federal income tax deductions or exemptions.

For families with access to reasonable **health insurance**, the Court factors in the cost of the premium, the co-payments, and the uncovered expenses. If one parent is solely responsible for these costs, the child support obligation may be modified.

In addition, the Court may adjust a child support obligation upon factoring in the benefit received by the parent claiming the child(ren) for **federal income tax deductions / exemptions**.

The Court also has the discretion to modify the guideline child support amount based upon facts specific to an individual case (such as increased medical needs of a child or a parent's seasonal income).

