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## **Child support a top issue in family break downs**

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It almost goes without saying, but when “married with children” becomes “divorced with children”; child support becomes an issue that concerns everyone.

The first thing to keep in mind is that child support is all about rights and responsibilities. Children have the right to child support, and parents have the responsibility to provide it.

Simple right? But once we get past this important first principle things can very quickly get complicated. That’s why it is important to know a few basic facts.

Child support may generally be divided into two categories. The first is basic child support. This is support for a child’s most basic needs such as food, clothing and shelter. This amount is set out in the Tables of the Child Support Guidelines (Ontario) and is based on the income of the parent that is paying child support.

The second category of child support is special or extraordinary expenses. This varies from family to family. Your lawyer will help guide you through this by examining the expenses that are specific to your circumstances. A common special or extraordinary expense is reasonable child care expenses incurred because of a custodial parent’s employment, illness, disability, education or employment training.

Which spouse receives the child support payment and which spouse pays? The custodial parent receives the child support. Payments for special or extraordinary expenses are shared proportionately to the parents’ incomes.

What about shared custody? These situations, where a parent has a child in their care not less than 40% of the time or more over the period of a year, are much more complicated. Your lawyer will help you sort out your child support obligations. Shared custody does not mean that your child support will be automatically reduced or terminated. The amount of child support to be paid will take into account the child’s needs, the circumstances of each parent and other factors.

Another common misconception is that child support automatically ends when a child reaches 18 years of age. Not so! You may still be responsible for paying child support for a child that is over 18 if, for example, the child is disabled, or attending college or university. How do you know if you are still responsible for child support? Your lawyer will help you look at the child's needs and give you advice on your child support obligations.

It is no simple matter when a relationship ends, and when children are involved, it is all the more complicated. The one thing everyone can agree on is that what is best for the children is a prime concern. Consulting with a lawyer is the best way to reach an agreement that benefits everyone.