

# ORDER TERMINATION

WHAT QUALIFIES A CHILD SUPPORT ORDER TO TERMINATE?

## WHEN SHOULD MY CHILD SUPPORT ORDER TERMINATE?

There are many reasons why a child support order should terminate, including:

- Death of the child or Obligor
- Marriage of the child
- Deportation of the child
- Adoption of the child
- Emancipation of the child (see definition at left)
- Child's enlistment in the armed services (and no longer attends school full-time)
- A change in the legal custody of the child, including when permanent custody is awarded to a public

children services agency or a court order terminates an obligor's parental rights.

- *Optional* CSEA may elect to pursue termination if: Parties of the order marry or re-marry one another and no other person has legal custody.

Reasons for termination other than those listed above cannot be accomplished through the Administrative Termination process and must be pursued privately through the courts.

## HOW DOES THE CHILD SUPPORT ENFORCEMENT AGENCY KNOW WHEN TO TERMINATE SUPPORT FOR MY CHILD?

It is the responsibility of both parents to notify the CSEA of any reason support should terminate. This includes notifying the agency when your child is expected to emancipate.

Although it is preferred that you notify the agency in writing, either parent may

contact the agency by phone or in person to report this information. The agency shall complete an investigation within 20 calendar days of receiving notice to verify this information.

If the CSEA has not received notification from

either parent that support should terminate, the agency will complete an investigation near the child's 18th birthday to determine if support should continue or terminate based on the child's high school attendance.

## WHAT IF MY CHILD IS HOME SCHOOLED OR ATTENDS AN ALTERNATIVE EDUCATION PROGRAM?

Most home schooling programs and alternative education programs are approved by the state of Ohio, meaning they are "recognized and accredited". Upon notification that a child is

receiving this type of schooling, the CSEA will require proof that the program is state approved.

The CSEA will consider all information from both parties when determining

whether support should continue or terminate.



### HELPFUL DEFINITIONS:

**Emancipation**- Generally, the time of emancipation is the month and year in which a child reaches the age of majority. Unless otherwise stated in an original order, current state law generally provides that if a child reaches the age of 18 and is not attending an accredited school on a full-time basis -or- if a child reaches the age of 19 regardless of school enrollment, the child is considered emancipated for purposes of child support.

**Legal Custody**-Custody has been appointed by the court or the parties have consented to a change in legal custody in which an order has been filed with the court. If no order has been filed with a court regarding a change, then a change in physical custody only exists. A change in physical custody is NOT a reason for termination of support.

**Administrative Hearing**-Upon receipt of either a Notice of Termination of Support or a Notice of Continuation of Support, either party has the right to request an administrative hearing. This hearing is conducted by a hearing officer at the Child Support Enforcement Agency, and each party is provided an opportunity to submit information which the hearing officer will consider when making a ruling on the matter. Results of the hearing are mailed to the parties. Either party will then have the opportunity to request a court hearing.

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**HOW WILL I KNOW THAT THE AGENCY IS PROPOSING TO TERMINATE OR CONTINUE SUPPORT FOR MY CHILD?**

Once the CSEA has completed an investigation, a Notice of Termination of Support or a Notice of Continuation of Support will be sent to the parties.

If the agency is recommending termination of support, the notice will include:

- The reason for the termination

- The amount of the arrears and how much should be paid towards this arrearage
- Whether there is still a child support order in existence for remaining "unemancipated" children
- Any overpayments in support made to the obligee

If the agency is recommending continuation of support, the notice will include the reason why this decision was made.

Both notices will explain administrative & court hearing rights and how to request a hearing if you are not in agreement with the decision made by the hearing officer.



**WHEN SHOULD CHILD SUPPORT CONTINUE PAST THE AGE OF MAJORITY (18 YEARS OLD)?**

There are reasons why support may continue past the age of 18 other than the fact the child has not yet graduated but is still attending a recognized and accredited school or program. If a child is

deemed disabled (mentally or physically) by a court, support can be awarded as long as the child remains disabled, despite their age. Child support may also continue past emancipation, such as

during college, if this agreement was incorporated into a Separation Agreement in a Decree of Divorce or Dissolution.

**I AM COURT ORDERED TO CARRY MEDICAL INSURANCE FOR MY CHILD. DOES MY OBLIGATION TO CARRY INSURANCE END WHEN MY CHILD EMANCIPATES?**

Yes, if child support terminates due to emancipation, your legal obligation to carry medical insurance also terminates unless it is otherwise stated to continue in your court order.

If a National Medical Support Notice has been issued to your employer requiring them to enroll your child pursuant to a court order, then the agency must issue a notice to your employer advising them that

your court ordered obligation has ended and that they should consult you for instruction on whether insurance should stop or continue.

**What is the purpose of the Ohio CSEA Directors' Association or OCDA?**

- To establish a unified, local voice for the improvement of Ohio's Child Support program, a small group of child support directors founded the Ohio Child Support Enforcement Agency (CSEA) Directors' Association (OCDA) in 1990. Through advocacy, legislation, policy development, partnerships, communication, and information sharing, OCDA serves as a vehicle to promote and strengthen the child support enforcement system. The values identified by OCDA members are integrity, accountability, collaboration, teamwork and strengthening Ohio's families.

**OCDA Mission Statement**

- OCDA is a professional association dedicated to strengthening Ohio's Child Support program.

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