

Graduation Time

As the weather starts to get nice, what does that mean? For families with children, it means the end of the school year. Yes, things have been different for over a year, but Memorial Day and June still mean the end of the school year. If you are a parent of a graduating senior, it is the start of a season with big transitions. If you are paying or receiving child support, there are even greater transitions.

As any Pennsylvania family law attorney will tell you, a parent's legal obligation to pay child support ends at age 18 or graduation from high school, whichever comes later, at least in most circumstances.

I commonly get asked by "payor" parents what they need to do to stop child support. My general answer is nothing, at least in the counties where I practice. The process is started a few months before graduation when the Domestic Relations Section of the Court that issued the Support Order sends a letter to the "payee" parent, the one receiving child support. This letter says their records indicate the child is over 18 and scheduled to graduate and, as a result, child support is scheduled to end.

The payee parent can sign and return the letter saying they agree or disagree with the termination of support. If the payee parent agrees, child support stops charging at graduation. If the payee parent disagrees or does not respond, a support conference is scheduled. If arrears are still due and owed after the order stops charging, the old order amount will remain the same and any amounts collected will be used to pay down the existing arrearage.

A word of caution: If one child is coming off a support order and one child is staying on because they are younger, the support order should not just get cut in half. Under the Pennsylvania Support Guidelines, support for a child is more than half of support for two children, so be ready.

I noted above that the payee parent has the right to object to the termination of child support. Just like every rule, there are exceptions to the age "18 or graduation from high school" rule. In the companion to this blog post, I will touch on these exceptions.

As to child custody, the law is much simpler, the jurisdiction of the child custody courts ends at age 18, with no exceptions. That being the exception to the rule that every rule has an exception. This means if a child turns 18 during junior year of high school and the parents share physical custody, there is no legal compulsion to continue to follow the child custody order. Again, as I stated above, "no exceptions," and that is true, but what about a custody case with a long, contentious history concerning a child with special needs?

Read more [here](#) in my companion post.