

## **Child Support FAQ**

*What is ORS? Can ORS garnish me?*

ORS refers to the Utah Office of Recovery Services, a state agency tasked with child support services. Yes, ORS can garnish wages to collect child support owed. If you're behind on payments, ORS may take legal action, including wage garnishment, to enforce the child support order. It's crucial to address any issues promptly and work with ORS to establish a payment plan to avoid legal consequences.

*If custody is split 50/50, can child support be avoided?*

In cases of joint physical custody where custody is split equally, child support may still be required. The determination depends on various factors, including each parent's income and the specific needs of the child. Even with equal custody, if there is a significant disparity in income between the parents, child support may still be ordered to ensure the child's needs are adequately met. It's essential to consult with a legal professional to understand your specific situation and obligations regarding child support.

*When does child support end?*

Child support typically ends when the child reaches the age of majority, which is 18 years old in most cases. However, there are exceptions to this rule. In some instances, child support may continue beyond the age of 18 if the child is still in high school or has special needs requiring ongoing support.

*What happens if one party is not paying child support?*

Failure to pay child support can lead to various legal consequences. The custodial parent or the state's child support enforcement agency may take action to enforce the child support order. This can include wage garnishment, seizure of tax refunds, suspension of driver's licenses or professional licenses, placing liens on property, or even contempt of court proceedings, which could result in fines or jail time.

*Can a parent deny visitation if child support is not paid?*

No, it's not legally permissible to deny visitation in response to non-payment of child support. Both parents are expected to comply with court orders independently. Withholding visitation can lead to legal consequences and is not in the child's best interests. Address child support issues through proper legal channels rather than denying visitation.

*Is child support calculated off my gross income or net income?*

Child support is usually calculated based on gross income, which includes all income from your full-time job before taxes and deductions. Income from additional employment beyond 40 hours per week might not be calculated as part of your income.

*Can I be awarded child support arrears?*

Yes, you can seek child support arrears if the obligor parent has missed payments as ordered. This covers the period during which payments were owed but not made according to the court order.



*What if the child changes their living situation and now lives with the other parent? Can child support change?*

Yes, if the child's living situation changes and they move in with the other parent, child support arrangements may be adjusted accordingly. This could involve the parent who now has primary custody receiving child support, while the other parent's obligation may be modified. It's important to speak with an attorney and seek a modification of the child support order through the court before child support payments can be stopped or adjusted.

*Do I need a lawyer for child support matters?*

While it's possible to handle child support matters independently, having legal representation can greatly benefit you. With over 30 years of experience, Christensen Law can provide invaluable guidance and ensure your rights are protected. Schedule a consultation by calling (801) 303-5800 or utilize our online contact form to discuss your case and gain clarity on your options. We're here to help you navigate child support laws and proceedings with confidence and achieve favorable outcomes for you and your family.