

Guide to Child Support

MERIWETHER & THARP^{LLC}
— THE ATLANTA DIVORCE TEAM —



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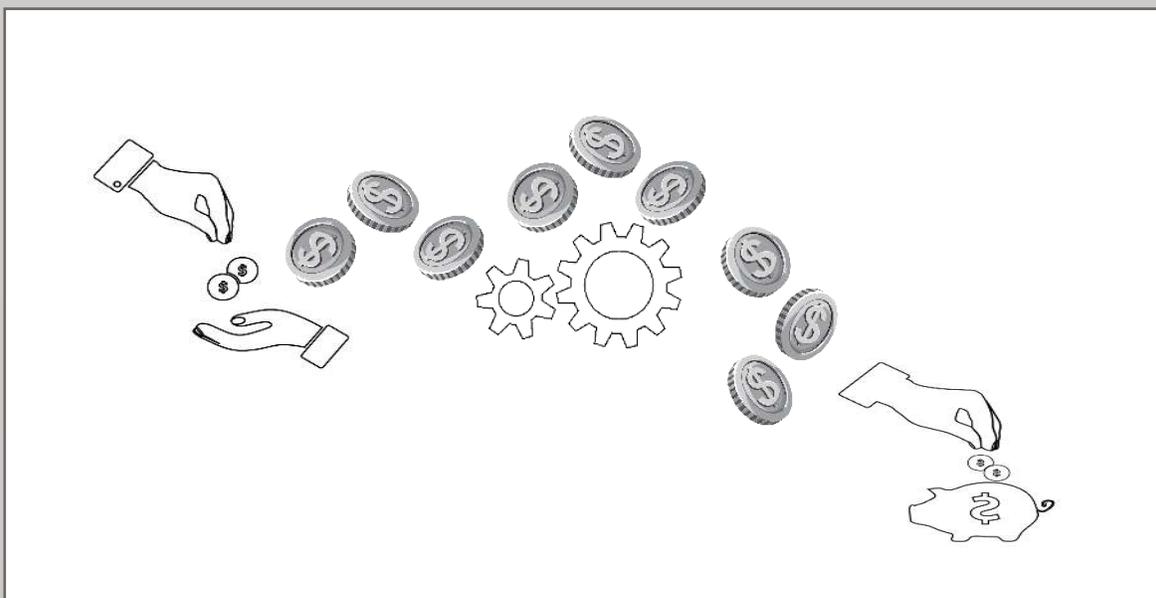
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Each individual person's case has unique facts and circumstances. Therefore, the information provided in Meriwether & Tharp, LLC's Guide to Child Support is general information and is not a substitute for legal advice from an attorney. The information contained in this Guide does not constitute legal advice nor is it intended to be legal advice. If you have a need for legal advice, please consult with an attorney.

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What is Child Support?



WHO IS RESPONSIBLE?

In Georgia, it is the responsibility of **both** parents to provide for the maintenance, protection and education of their minor children.

WHAT IS IT FOR?

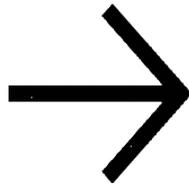
[Child support](#) is a way to ensure that both parents continue to meet their individual responsibilities for the child.

PAYMENTS TO:

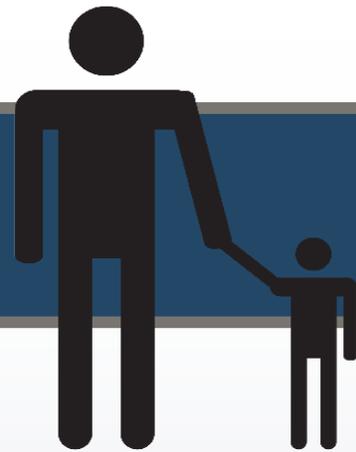
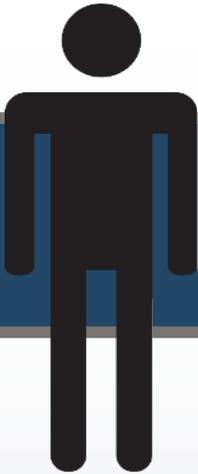
Child support, generally, consists of payments made by the non-custodial parent to the custodial parent on behalf of their children.

Who Pays Child Support?

Non-Custodial Parent



Custodial Parent



Typically the non-custodial parent pays child support to the custodial parent.

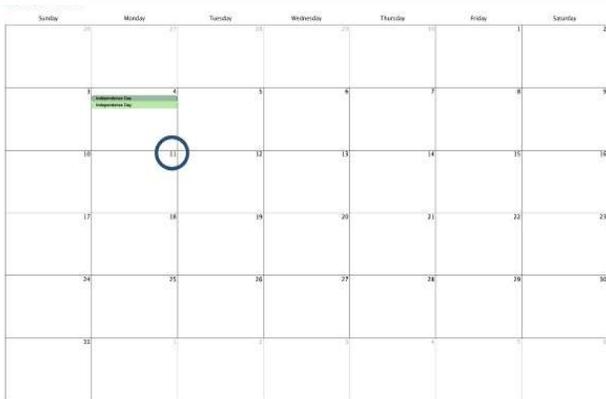
The custodial parent is usually the parent that physically has custody of the child more than 50% of the time.

If both parents have equal (50/50) time with the child, the custodial parent (for purposes of child support only) is the parent with the lower child support obligation as laid out in the Child Support Worksheet. Typically, this refers to the parent that has lower monthly income.

How is Child Support Paid?

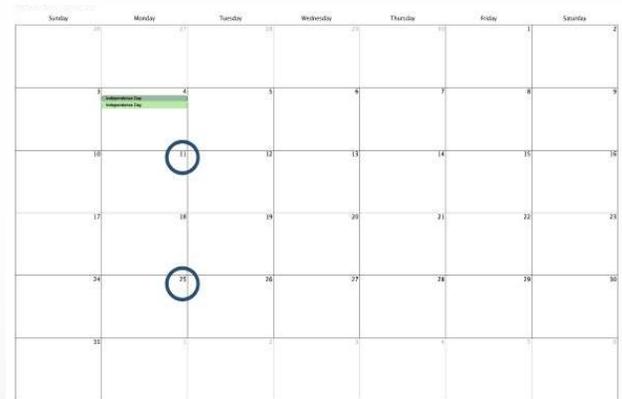
Normally, child support is paid in:

MONTHLY



OR

BI-MONTHLY



Payments are made until the child reaches the age of maturity.



Practice Pointer

Can I Waive Child Support?

Parents cannot waive paying or receiving child support because child support belongs to the child, not the parents involved.



How is Child Support Calculated?

In Georgia, child support is determined using the Georgia [Child Support Worksheet](#).

The Child Support [Worksheet](#) is a document used to enter the financial information of both parents to calculate the amount of child support according to Georgia's Child Support Guidelines. The Child Support Worksheet focuses on two major areas for determining child support:

INCOME:

The income of both parents.



OTHER FACTORS:

That affect the child's needs and ability of both parents to meet those needs.

Although these two items initially appear simple, they can be extremely complex in execution as we will demonstrate over the next few pages.



**Practice
Pointer**

Who Determines Child Support?

Ultimately, the parties can either agree as to how support shall be calculated, or they can take their disputes about how child's support is determined to a judge or jury for determination.



What is Income?

All income from any source, whether earned or unearned. This includes, but is not necessarily limited to, gross income from salary, commissions and bonuses, income from self-employment, fringe benefits, recurring income from pensions, interest and dividends, gifts, and essentially nearly anything else from which you derive economic benefit.

Practice Pointer:

Variable Income

For some people, income varies greatly from year to year. For these types of cases, Georgia law states that the determination of their income: *shall be averaged...over a reasonable period of time consistent with the circumstances of the case.*

As such, it is important in these types of cases to discuss your concerns with your attorney so they can help determine the appropriate amount of income in your case.

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Presumptive Child Support

Once you have both parents' gross income amounts, a presumptive amount of child support may be determined.

However, the presumptive amount is not necessarily the final amount of child support in a case. The presumptive amount may be increased or decreased by various factors, usually referred to as deviations.

There are two general groupings of deviations that the court uses to make final child support determination:

**MANDATORY
DEVIATIONS**

&

**NON-MANDATORY
DEVIATIONS**

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Deviations

Mandatory Deviations

There are two types of mandatory deviations: health care and work related child care expenses.

Once these expenses are proven, the court **MUST** adjust the presumptive amount of child support to take these two items into consideration.



Non-Mandatory Deviations

There are a large number of deviations that fall under this category.

For example, there are extraordinary education costs (such as private school), extracurricular activities, life insurance, summer camps, the court **MAY**, but is **NOT** required to, adjust presumptive amount of child support accordingly.



Why Meriwether & Tharp?

For more information about child support please visit the “Child Support” section of our website at: <http://mtlawoffice.com/child-support>.

If you decide that you need a family law attorney, it can be difficult to tell most law firms and attorneys apart. Meriwether & Tharp, LLC is a full service family law only law firm and was established in 1998 by partners Patrick “Leh” Meriwether and Robert L. Tharp. As one of the largest family law only firms in Georgia, Meriwether & Tharp, LLC has the resources and experience to provide clients with close, personal attention and individualized legal services. We make clients our first priority and we strive to build long-term client relationships. For more information about Meriwether & Tharp please visit the “Why Meriwether & Tharp” section of our website at: <http://mtlawoffice.com/the-mt-difference>.

Here is a word about our philosophy and what makes Meriwether & Tharp different from other law firms.

Philosophy

Divorce hurts. We know that obtaining a divorce or going through other family law issues is an emotionally and physically draining process that can put a strain on your day to day life. But divorce doesn’t have to be nasty. Our experienced attorneys and staff demystify the divorce process and strive to get you the best possible result in a timely manner while keeping costs down. We provide you with information in an easy to understand manner and let you take control. Although no lawyer can completely remove the emotional sting of a divorce, we will be there to help you every step of the way. Let us take care of your family law issues. You take care of your life.

While we hope this Guide to Georgia Divorce was informative, we know that you probably still have questions, so let us give you some answers. Call (678) 879-9000 now for a free telephone consultation with one of our experienced family law attorneys. For more information, don’t forget to visit our website at www.mtlawoffice.com and our check out our blog at <http://mtlawoffice.com/blog/>.

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