

Guide to Child Support



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Each case has unique facts and circumstances. The information provided in this guide 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.

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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 for the benefit of their children.



Who Pays Child Support?

Non-Custodial Parent



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

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 Georgia's Child Support Worksheet. Typically, this refers to the parent that has lower monthly income.

50/50

How is it Paid?

Normally, child support is paid:

MONTHLY



OR

BI-MONTHLY



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



Can I Waive Child Support?

Parents cannot waive paying or receiving child support because child support belongs to the child.

How is Child Support Calculated?

Georgia law focuses on two major areas for determining child support:

Comparing each Parent's Income



&

Unique Needs of Your Child



Although these two items initially appear simple, they can be extremely complex in practice.

Who Determines Child Support?



Ultimately, the parties can either agree as to how support shall be calculated, or they can take their dispute to a judge or jury for determination.



What is Income?

Nearly anything from which you derive economic benefit is considered income for child support purposes.



Examples

Salary, commissions and bonuses, income from self-employment, fringe benefits, recurring income from pensions, interest and dividends, gifts, etc.

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.***

Presumptive Child Support

Georgia law uses a schedule to determine a presumptive child support amount. The schedule is based upon the gross income of both parties and the number of kids they have.

Georgia Schedule of Basic Child Support Obligations

Monthly Child Support*

Income (yearly)	1 Child	2 Children	3 Children
\$25,000	\$455	\$650	\$754
\$50,000	\$801	\$1135	\$1316
\$75,000	\$1007	\$1410	\$1616
\$100,000	\$1134	\$1578	\$1799
\$200,000	\$1466	\$2035	\$2312
\$300,000	\$1719	\$2388	\$2716

*current as of 5/8/17



Deviations

The presumptive amount of child support 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**

Mandatory Deviations

Certain expenses, if proven, **MUST** adjust the presumptive amount of child support. There are two types of these expenses:

1. Work Related Child Care



2. Health Insurance Premiums



Non-Mandatory Deviations

There are a large number of deviations the court MAY, but is NOT required to, consider when adjust the presumptive amount of child support.



Expenses Related to Your Child

- Extracurricular Activities & Summer Camps
- Private School
- Extraordinary Health Care Costs & Child Care Expenses

Parenting Expenses

- Travel Expenses
- Parenting Time
- Child & Dependent Care Tax Credit



Why Meriwether & Tharp?



Meriwether & Tharp is one of the largest and most experienced divorce law firms in Georgia. Our firm has won numerous awards including Lawyer Monthly's Family Law firm of the Year Award for the entire USA.



4 YEARS IN A ROW!

Divorce hurts, but it doesn't have to be nasty. At Meriwether & Tharp, we believe there's a better way. Here's how we strive to provide high quality family law representation:

Educate Our Clients

Education is the foundation for success. We arm you with the knowledge you need to achieve the results you desire.

Proactive Strategy

No more guessing what comes next – you decide the pace and you control the outcome of your case.

Resolution Focus


Divorce is a puzzle, not a fight. Solutions, not blind advocacy, is our approach.

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