

CHILD SUPPORT FOR CHILDREN OVER THE AGE OF MAJORITY

PAYOR FACT SHEET

Family Maintenance Enforcement Program

How long do I have to pay child support?

If your maintenance order or agreement includes a specific date for when child support will end – such as when the child reaches the age of majority or for as long as the child is going to school full-time – the answer to that question is simple: you must continue to pay child support until the date specified in your order or agreement.

If your maintenance order or agreement does not include a specific end date, however, the answer is more complicated.

You can assume that you must pay child support at least until the child reaches the age of

majority, but you may have to continue paying child support for some time longer. How much longer depends on your child's particular living situation and circumstances.

Age of Majority:

In British Columbia, children reach the age of majority – when they are considered adults instead of minors – at age 19. In other parts of Canada, the age of majority is either age 18 or 19, while in the United States and elsewhere, it can be as high as age 21.

Who makes the decision then, about when I can stop paying child support?

As soon as a maintenance order or agreement is filed with the Family Maintenance Enforcement Program (FMEP), we are responsible under the *Family Maintenance Enforcement Act* for collecting, monitoring and enforcing that order or agreement.

That means we are required by law to make sure you make your child support payments, and to take enforcement action if you do not.

It also means that we must decide, if it is not specified in your maintenance order or agreement, when to stop collecting your child support payments – that is, when you can stop sending your child support payments to us, for us to send on to the recipient (the person receiving maintenance payments).

How will you decide whether I have to continue sending you my child support payments?

If there is no date specified in your order or agreement for when child support is to end, we will expect you to send your payments to us to the age of majority (unless the recipient stops supporting the child before then).

Just before your child reaches majority, we will ask the recipient to provide us with information about the child's current status – living at home or living independently, receiving support from

the recipient, going to school, working part-time, etc.

We will forward the information we receive from the recipient to you, along with a letter stating what we have decided based on that information: that you must continue to send child support payments to us for this child, or that you can stop sending us child support payments for this child.



If we have decided you must continue child support payments, we will contact the recipient regularly (at least once or twice a year) to check

whether the child's circumstances have changed. We will let you know when we decide you can stop sending us child support payments.

What if I disagree with your decision?

If we have decided that you must continue sending us child support payments, and you

- If you can provide us with information about the child's circumstances that is different from the information provided by the recipient, you can ask us to review our decision. We will give the recipient an

opportunity to respond to your information, then let you both know what we decide.

- If you still disagree with our decision – or you cannot provide us with any new or different information – you may want to get legal advice and have your order or agreement changed to end support for the child.

What if the recipient disagrees with your decision?

If we have decided that you can stop sending us child support payments, and the recipient believes they should continue, the recipient can choose either to apply to the court for an order

that says you must continue paying child support, or to opt out of the FMEP and try to collect the child support on his/her own.

Where can I get help to change my maintenance order or agreement?

There are number of resources offering legal help to parents:

- Family Justice Centres are staffed by Family Justice Counsellors who can assist with issues related to separation or divorce.
- Justice Access Centres provide information and services for early and affordable solutions to civil and family justice issues.

- Lawyer Referral Service offers a 30-minute consultation for \$25 (plus taxes) with a family law lawyer.
- Legal Services Society (familylaw.lss.bc.ca) offers step-by-step guides for various family law issues.

For more information about these and other resources, go to 'Where to Get Legal Help' on our website.

Where can I get more information?

For more information about your child support payments go to our website fmep.gov.bc.ca or call InfoLine:

Metro Vancouver: 604 775-0796
Greater Victoria: 250 356-5995
Elsewhere in BC: 1-800-668-3637

Lower Mainland Client Office
604 678-5670 or 1-800-663-9666

Victoria Client Office
250 220-4040 or 1-800-663-3455

Northern & Interior Client Office
250 434-6020 or 1-800-663-3933

For specific information about your case, sign into your web account on our website, or call an Enquiry Representative at one of our offices:

For information about family justice issues and services, visit the BC Government's Family Justice website.