



Family Law & Mediation

My kids' dad hasn't paid support in over 6 months – do I still have to let him see the kids?

Yes...Yes...Yes. I have clients come in to see me about this on a regular basis. Some clients think that they can dangle parenting time in front of the other parent as a tool to ensure that support is paid, and paid on-time.

Legally speaking, the two concepts – support and parenting time – are separate issues. The amount of child support one parent must pay to the other is based on the Child Support Guidelines which talks about support being based on where the kids live, the parents' income, the amount of time the children spend with each parent, etc. Even if one parent rarely or never sees the children, child support is still required to be paid.

The amount of parenting time each parent has is either based upon agreement, or is ordered by the court. The terms of the agreement or the court order must be followed regardless of whether child support is being paid properly.

One last piece of advice – come to court with “clean hands”. If the other parent refuses to pay support, and you withhold parenting time as “punishment”, the court will not like to hear that parenting time is being denied. Beware.

Feel free to contact Stephanie to answer your questions or to set up a consultation.



COLLABORATIVE
PRACTICE

Resolving Disputes Respectfully



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