



## Terminate Income Withholding

Below are three suggestions and processes that may be helpful when communicating with an employer that the child support obligation has been fully met pursuant to the court order, and that the withholding of child support should stop. If you need legal advice or representation, please seek the services of an attorney. **(Please note that secondary school is high school.)**

1. Send a copy of your child's birth certificate and high school diploma to the employer's payroll department, together with a copy of your child support order, showing (and perhaps even highlighting) the duration of support language. If your employer has a separate legal department, send a copy there as well.
2. A Consent Order To Terminate Income Withholding is ONLY for use by parties who are **in agreement** that the noncustodial parent has fulfilled the child support obligation in full.

Be sure to attach proof of the youngest child's age and proof of graduation from high school. When you file the motion with the clerk, send a letter with the consent order and ask them to forward that to the judge and that once it is signed, they have it filed with the clerk and send a copy to you. Include a self-addressed, stamped envelope so they can send you the signed order. It is your responsibility to get the order to your employer.

The Motion and Consent Order forms are described here:

**The PDF Fillable form may be completed on-line, and then printed. The PDF form must be printed, and then can be completed.**

### Forms - Motion and Consent Order – click a link to download

- [Motion to Terminate Current Support Withholding PDF Fillable](#)
- [Consent order terminating withholding PDF Fillable](#)

3. If the custodial parent will not sign the Motion and Consent Order, and the employer requires a court order to stop the withholding of child support, contact an attorney for further assistance.

Below is what the Child Support Guidelines Statute, at O.C.G.A. § 19-6-15(e), says about the duration of child support (emancipation of children).



**(e) *Duration of child support responsibility.*** The duty to provide support for a minor child shall continue until the child reaches the age of majority, dies, marries, or becomes emancipated, whichever first occurs; provided, however, that, in any temporary, final, or modified order for child support with respect to any proceeding for divorce, separate maintenance, legitimacy, or paternity entered on or after July 1, 1992, the court, in the exercise of sound discretion, may direct either or both parents to provide financial assistance to a child who has not previously married or become emancipated, who is enrolled in and attending a secondary school, and who has attained the age of majority before completing his or her secondary school education, provided that such financial assistance shall not be required after a child attains 20 years of age. The provisions for child support provided in this subsection may be enforced by either parent, by any nonparent custodian, by a guardian appointed to receive child support for the child for whose benefit the child support is ordered, or by the child for whose benefit the child support is ordered.