



Terminate Income Deduction and Withholding When Children Age Out of the Order

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 – yet the employer will not stop the withholding and is demanding a court order. If you need legal advice or representation, please seek the services of an attorney.

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 child support responsibility 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 **agree** that the noncustodial parent has paid the child support obligation in full.

Be sure to attach proof of the youngest child's age (copy of birth certificate) and proof of graduation from high school, which is **also known as secondary school** (copy of high school diploma). When you file the motion with the clerk, send a cover letter and include the consent order. Ask the clerk to forward the consent order to the judge for signing and ask that once the consent order is signed, that the judge's office have the consent order filed with the clerk and send a copy to you. Include a self-addressed, postage stamped envelope so they can send you the signed consent order. It is your responsibility to get the consent order to your employer.

The PDF Fillable form may be completed on-line, and then printed OR you may print the form, and then fill it out neatly in black ink.

Forms: Motion and Consent Order – click a link to download each form:

- [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 an excerpt from the Child Support Guidelines Statute, O.C.G.A. § 19-6-15(e), concerning the “Duration of Child Support Responsibility” (emancipation of children) and when current child support payments are to end.

(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.