



Providing Peace of Mind by Solving Problems with Integrity & Compassion in the following areas:

**ESTATE & BUSINESS PLANNING • FAMILY LAW • REAL ESTATE**

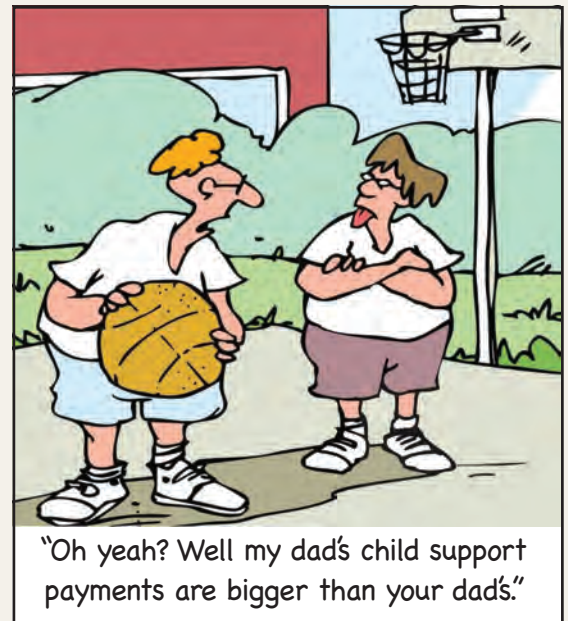
**IT'S THE LAW!**

## What Happens When Child Support Stops?

We understand how tough *Divorce* can be. We work to minimize its impact, look for ways to bring quick and affordable closure to the process and generally try to help our clients remember that there IS life after *Divorce*. But what happens after *Divorce* when the party responsible for paying *Child Support* doesn't take that obligation seriously? Or, when unforeseen circumstances, like the COVID-19 pandemic impacts either party?

**The statistics are sobering.** More than 13 million parents are separated or divorced in households where children are under the age of 21 with the vast majority of custodial parents (5 out of 6) being the mother. Roughly one-half (½) of those are supposed to receive *Child Support*. Sadly, *less than* one-half (½) of those awarded *Child Support* actually collect the full amount and over 30% of payments are evaded completely. And these numbers were compiled before the pandemic.

*Child Support* is designed for the benefit of the child. Florida has specific *Child Support Guidelines* regarding how much should be paid – not as punishment or reward to/for either party – but rather, to protect the interests of the child. If the paying parent does not fulfill his/her obligation, the receiving parent has the right to enforce and compel payment by the other party. More importantly, the child has the right to be supported by BOTH parents and the Court will protect the child from a parent who shirks his/her responsibility to timely pay. In fact, Courts will not enforce an Agreement between two parents which waives the obligation to pay *Child Support* (unless both parents have the same exact income and the same exact amount of timesharing).



### **What can you do if your Child Support Order has been violated, or if you wish to make changes?**

1. Keep track. Documentation is important if your circumstances have changed for the worse, or if the other parent suddenly disagrees with your records, reduces payment or stops paying altogether.
2. Talk to your Ex. This may be difficult, but if feasible, in a non-confrontational manner, it will save you a lot of time and money. Lay out your reality or find out what the issue is on the other side (if they are disputing or refusing to pay what they have been). Discuss how you plan to address the income interruption or determine when/if he/she plans to get back on track. It's also important to remember that *Child Support* and timesharing are NOT dependent upon each other. Even if your Ex isn't paying, or won't work with you on a modification, he/she still has a right to see his/her child. That is a hard concept for many to follow, but it's the law.
3. Talk to us about your options. We often consult with clients BEFORE any Court proceedings are filed so that the client knows his/her options up front. Knowing your rights and the costs associated with returning to Court will be important factors in deciding on your next steps. Especially during these trying times.

## The Impact of COVID-19 on Divorce.



Like many other aspects of life, COVID has led to people re-evaluating their marital situation. Now, perhaps more than ever, people want to live fully and to escape unhappy marriages. While there was already a measurable surge in "Gray Divorces" (Divorce over age 50) before COVID-19, our office has recently represented an uptick in Gray Divorces including a number of long-separated couples who finally decided to officially sever their marital ties after years of separation. These clients decided that it was time to get their personal lives in order by making official what had been a practical, but not legal reality. Whatever the reason, if you are considering a *Divorce* and are over 50, you aren't alone. We have extensive experience and success working through the many unique aspects of a *Gray Divorce*. Call us to schedule a consultation.

## Our Office



### *Providing Peace of Mind by Solving Problems with Integrity & Compassion*

#### **ESTATE & BUSINESS PLANNING**

Wills & Trusts • Powers of Attorney • Health Care Surrogates • Living Wills • Probate Estates • Succession Planning • Contracts & Purchase/Sale Agreements

#### **FAMILY LAW**

Divorce/Paternity • Child Support & Timesharing • Alimony • Property Distribution • Modifications • Collaborative Law • Pre/Post Nuptial Agreements

#### **REAL ESTATE**

Community Association Law • Residential & Commercial Transactions • Deeds • Closings



Attorney Adam S. Gumson of **JUPITER LAW CENTER** graduated from *Duke University (1988)* and the *University of Florida College of Law (1991 with Honors)*. In addition to preparing and reviewing Contracts, he primarily handles matters involving *Estate and Business Planning (including Wills, Trusts, Durable Powers of Attorney, Health Care Surrogates, Living Wills, Succession Planning, Contracts & Purchase/Sale Agreements)*, *Probate Estates*, *Family Law (Divorce, Custody, Alimony, Timesharing, Same-Sex relationships, Pre/Postnuptial Agreements, Modification actions and Collaborative Law)* and *Real Estate (Community Association, Residential/ Commercial Transactions, Deeds, Closings)*. He is married and resides in Jupiter with his wife and three children.

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