



Family Law

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M. Omar Khan
LAWYER

Q

I have been caring for my son's best friend, who is 17 years old, since last summer. Can I claim child support from his parents?

A

Interesting question! A child under the age of 18 years, and in school full time, should receive support from his parents, however there can be exceptions. One of these is if the child has removed himself from parental control. Usually when a child reaches the age of 18, and is no longer in full time school attendance, they will be considered as independent and no longer under parental control (although even this can be waived where the child has learning challenges or is in full-time post secondary school attendance).

In most cases, the parents are financially responsible for their minor child, regardless of where he is living. One factor in favour of child support is whether the child is "succeeding" under your

care. An example of "success" is if the child is still at school full-time and achieving good grades.

Child support will probably not be payable if the child has unilaterally decided to withdraw from his parents' control, has failed to keep in contact with them, has dropped out of high school, or worse still, is having difficulties with the law.

The ultimate test as with any legal question involving children, is what is in the best interest of the child. If the parents stop paying child support while the child is still underage and attending school full-time, you probably will be successful in a claim for child support. I suggest that you contact a Family Lawyer for assistance.

Your friends at Shank Law.



Phone: 705-435-5055
Email: lynn@shanklawoffice.com
Web: shanklawoffice.com

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