



## North Carolina Department of Health and Human Services Division of Social Services

### Child Support Services

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Beverly Eaves Perdue, Governor  
Albert A. Delia, Acting Secretary

Sherry S. Bradsher, Director

July 2, 2012

Dear County Director of Social Services  
Dear County Child Support Program Managers,

Reference: Child Support Program Updates

#### Indiana Changes Age of Majority for Child Support Obligations

Indiana passed legislation that changes the age of majority for purposes of child support from 21 to 19. This change will be effective July 1, 2012.

All child support orders *originally issued* by an Indiana tribunal are affected by this change. You may want to review your intergovernmental cases with Indiana prior to this date. I have attached a query to this email for your convenience of intergovernmental cases between North Carolina and Indiana. The spreadsheet is in alphabetical order by county name.

#### Exceptions

Court order specifies that child support obligation is to continue past age of majority because child is incapacitated;

Court order contains a specific age at which support obligation is to terminate, i.e. age 22 or age 17.

#### Grandfathering

The change in age of majority does not include a "grandfathering" provision. Therefore, the obligation to support will terminate on July 1, 2012, for all children who are 19 years old or older as of that date. For example, in a case with one child who is now 20, current child support will be owed up to July 1, 2012 but will not be owed after that date. Parents will not be due refunds or credits for any support that was paid prior to July 1, 2012, for children who turned 19 prior to that date.

#### Orders covering more than one child

#### **Mission Statement**

*To consistently collect as much child support money as possible for the benefit of North Carolina's children.*

Most child support orders in Indiana specify a single amount of support to be paid for all the children on the case (unity order). The change in age of majority does not automatically impact those cases unless all the children are at least 19 years old by July 1, 2012. On cases with a unity order, where some but not all the children have reached 19 by July 1, 2012, parents will need to petition the court for a modification of the support order. The original court order will stay in effect until the court grants a modification.

#### Child support arrears

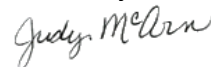
Parents will continue to be obligated to pay any past due child support that is owed.

#### Post-secondary educational expenses

Indiana law permits a court, upon petition, to order one or both parents to provide support for the child's post-secondary educational expenses. These orders may continue beyond the age of majority. The legislative action modifying Indiana's age of majority from 21 to 19 provides that, for child support orders issued prior to July 1, 2012, a petition to modify the order to include educational expenses may be filed at any time before the child turns 21. For child support orders issued July 1, 2012, or later, petitions for educational expenses must be filed before the child turns 19.

Public Assistance cases – Information on using the Foster Care Transmittal Form (DSS-4744) to assist in obtaining placement information for children in foster care has been added to this chapter. The form is located on the CSS Forms and Documents web site. Choose the folder for Public Assistance (PA) Cases Forms and Document Page. For more information, see Chapter G, Topic 4, Section C. If you need additional information, contact the Policy and Training staff @ 919.855.4755 or your Regional Program Representative.

Sincerely,



Judy McArn

Assistant Chief of Program Operations

CSE-09-2012

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