

Legal Assistance Resource Center

❖ of Connecticut, Inc. ❖

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H.B. 6814 -- Child support to age 20

Judiciary Committee Public Hearing -- February 26, 2007

Testimony of Raphael L. Podolsky

**Recommended Committee action: NO ACTION, OR
AMENDMENT TO THE BILL**

Under Connecticut law, a child becomes an adult when he or she turns 18. As an adult, the child's behavior is no longer subject to any legal control by a parent and the child is responsible for his or her own support. While it is true that many children remain financially dependent on their parents well beyond turning 18, we have nevertheless made the decision as a state that such children are no longer in the "custody" of their parents and that parents do not have to continue to support 18-year-old adults if they do not want to. A parent can tell an 18-year-old that it is time to get a job, to move out of the house, or, even if the child continues to live at home, to pay rent and to contribute to the cost of the household. We have, however, made exceptions to that rule for the purpose of child support for 18-year-olds who are full-time high school students and are still living at home. In that case, parental liability continues until graduation from high school, except that such liability ends when the child turns 19, even if the child is still in high school.

It appears that this bill is intended to extend parental liability for support for a full-time high school student living at home who has not yet graduated from high school into the child's 19th year. While we have doubts about the desirability of making parents liable for adult 19-year-olds under any circumstances, we take no position either for or against this aspect of the bill.

That, however, is not quite what the bill actually says. The bill instead provides that, if a child is still in high-school full-time on his or her 18th birthday, parental support will be extended for the entire 19th year, regardless of when the child graduates from high school. It will then continue into the 20th year or until high school graduation, whichever occurs first. I do not think that the exception for supporting an adult child should extend past high school graduation. If this bill is to be adopted, the brackets now in the bill should be removed, all new language should be deleted, and the bill at l. 6-12 should be changed to a one-word amendment, to read as follows:

...the parents shall maintain the child according to their respective abilities if the child is in need of maintenance until such time as such child completes the twelfth grade or attains the age of twenty [nineteen], whichever occurs first.

While it is not clear that this proposed change in the law is needed as all, I do not see why any change more than this is needed to accomplish the intended purpose of the bill.