

## CURRENT ISSUES RE: SUPPORT FOR THE ADULT CHILD

PRESENTED BY CHERYL GOLDHART, PATRICK SCHMIDT, AND LORNE WOLFSON

1. The perpetual student
  - (a) When should the court order continued child support beyond one undergraduate degree? - *J.C. v. A.M.M.*, [2007] O.J. No. 3887 (S.C.J.)
  - (b) Should the table amount apply? - *Park v. Thompson*, [2005] O.J. No. 1695 (C.A.)
2. The adult child who is dependent through illness or disability. - *King v. Sutherland*, [2004] O.J. No. 3569 (S.C.J.), *Harrington v. Harrington* (1981), 33 O.R. (2d) 150 (C.A.)
3. The adult child's obligation to contribute to his/her own support
  - (a) Contributions based on income or capital - *Rebenchuk v. Rebenchuk*, [2007] M.J. No. 130 (C.A.), *Albert v. Albert*, [2007] O.J. No. 2964 (S.C.J.)
  - (b) Should students be forced to obtain student loans? - *Fernquist v. Garland*, [2005] S.J. No. 747 (Q.B.)
4. Termination and resumption of support entitlement. - *Longhurst v. Longhurst*, [2005] B.C.J. No. 1829 (S.C.)
5. Does the child's rejection of a relationship with the payor parent effect the entitlement to support? - *Colford v. Colford*, [2005] O.J. No. 1537 (S.C.J.)
  - (a) Unilateral termination of the relationship - *Pepin v. Jung*, [2003] O.J. No. 1779 (S.C.J.)
  - (b) Unilateral termination did not occur - *Green v. Green*, [2004] N.J. No. 277 (S.C.), affirmed at [2005] N.J. No. 165 (C.A.)
6. Enforceability of agreements that are inconsistent with the *Child Support Guidelines* - *Ross v. Vermette*, (2007) S.J. No. 483 (Q.B.)