

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER, PUTNAM, ST. JOHNS & VOLUSIA COUNTIES**

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**RE: AFFIDAVIT OF CONTINUING CHILD SUPPORT**

**REF: FM-2009- 045-SC**

**WHEREAS**, unless otherwise provided in a child support order, clerks of court acting as local depositories normally terminate the assessment of child support upon the youngest child reaching the age of majority (18), and

**WHEREAS**, there are instances where a child support order provides that the support obligation continues beyond a child's 18<sup>th</sup> birthday if the child remains in high school or equivalent institution, as outlined in § 743.07(2), Florida Statutes, and

**WHEREAS**, some parties may wish to continue the support assessment according to the terms of the child support order without seeking a judicial determination that the school continuation condition has been met, and

**WHEREAS**, in order for a local depository to continue the assessment in such cases, sufficient information must be provided indicating that the child will remain in school beyond his/her 18<sup>th</sup> birthday;

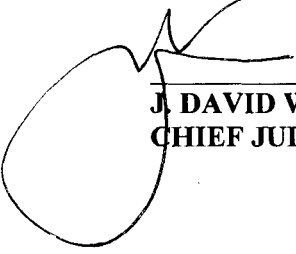
**NOW THEREFORE, I, J. DAVID WALSH**, Chief Judge of the Seventh Judicial Circuit of Florida, hereby order that if a child support order provides that the support obligation is to extend beyond the minor's 18<sup>th</sup> birthday if that child remains in high school or equivalent schooling, one or both parties may execute an affidavit of continuing support. Said affidavit must include the anticipated graduation date from the school of attendance, and state that the school continuation condition has been met. If only one party executes such an affidavit, official documentation of the child's anticipated graduation date from the school of attendance must be included. Upon completion of the affidavit along with documentation from the school of attendance and submission to the clerk of court as local depository, the clerk will continue or reinstate the child support assessment according to the terms of the current support order. The aforementioned affidavit must be in a format substantially similar to that attached hereto as Attachment A.

**IT IS FURTHER ORDERED** that an affidavit of continuing support must include the notarized signature of one or both parties, and if only one party executes the affidavit he/she must certify that a copy was provided to the other party (or mailed to the other party's last known address).

Nothing in this Order shall be construed to limit a judge's ability to determine, modify or eliminate the conditions for continuation of child support or to modify prior orders.

**TO BE RECORDED** in Flagler, Putnam, St. Johns & Volusia counties. ✓

**DONE AND ORDERED** in Daytona Beach, Volusia County, Florida this 22 day of ~~May~~ 2009.

  
\_\_\_\_\_  
**J. DAVID WALSH  
CHIEF JUDGE**

cc: Family Law Judges  
Child Support Hearing Officers  
Court Administration  
✓ Clerks of Court  
Dept. of Revenue  
County Bar Associations

**IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.:

\_\_\_\_\_  
Petitioner

vs.

\_\_\_\_\_  
Respondent

**AFFIDAVIT OF CONTINUING CHILD SUPPORT**

The Affiant(s), after being duly sworn, say(s):

I/We, the undersigned, hereby attest that the current child support order in the above-styled case provides that upon certain conditions child support will continue beyond the emancipation date (18<sup>th</sup> birthday) for the following child: \_\_\_\_\_ Date of Birth \_\_\_\_\_.

I/We, the undersigned, hereby acknowledge that the conditions for the continuing assessment of support have been met and that the child support obligation for the above named child should continue beyond the 18<sup>th</sup> birthday of the child.

I/We further acknowledge that the Clerk of the Circuit Court will continue to assess child support until the anticipated graduation date of \_\_\_\_\_, but in no event beyond 19 years of age. (If only one parent signs this Affidavit, documentation from the school of attendance stating the child's anticipated graduation date must be provided with this Affidavit in order to terminate the child support obligation based upon that date).

Under penalty of perjury, I declare that I have read the foregoing Affidavit and that the facts stated in it are true. **I certify that a copy of this Affidavit and any attachments have been provided to the other party.**

\_\_\_\_\_  
Recipient's Signature

\_\_\_\_\_  
Printed Name

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ who is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public \_\_\_\_\_

Print Name

Signature \_\_\_\_\_

Commission# \_\_\_\_\_

\_\_\_\_\_  
Obligor's Signature

\_\_\_\_\_  
Printed Name

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_ who is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public \_\_\_\_\_

Print Name

Signature \_\_\_\_\_

Commission# \_\_\_\_\_