

**Q&A By John T. Syrtash, Associate, Garfin Zeidenberg LLP**  
**Answers to pressing questions on Family Law.**

**Whose at Fault for a Delinquent Kid?**

**Question:** My child only attends school when she feels like it, and that's not very often. She is currently 16 going on 17, and lives with her boyfriend most of the time. Am I still obligated to pay child support to the custodial parent?

**Answer:** If you can prove that she lives with her boyfriend most of the time and is delinquent in school you may be able to persuade a judge to stop child support. But demonstrating that a child is no longer within parental control and has dropped out of school is far more difficult than it sounds. What does "only attends school when she feels like it" really mean? How many courses is she taking? Is she registered as a full-time or part-time student? Is she passing each course or failing? It may be that she is a poor student that is registered for full time courses but hasn't exactly failed. It may also be that she spends two or three nights a week with her boyfriend and the rest of the week with her mother. Everything depends on the extent of her independence from her Mom and just how often she misses school. My question to you, sir, is how did it happen that a 16 year old girl is finding comfort in a sexual relationship so early in life and so absent from school? And what did you do to contribute to this state of affairs? Rather than worry about how quickly you can shave a few bucks on child support, are you perhaps asking the wrong question? What are you doing to help your daughter? How often have you spoken to the school teachers or principal about getting her help? What can you do to reestablish the relationship that appears to have gone sour? Fatherless children turn into young adults who often become troubled parents themselves leading to fatter wallets for divorce lawyers like me. No doubt there is more than one parent or the child to blame, but heaven help us if we don't start asking the right questions.

**Question:** My ex wife does not tolerate my daughters' friend and frustrates all access to my 12 and 18 year old daughters. What do I do?

**Answer:** Sue. The Court will likely give you scheduled nights of access and a good chunk of you legal costs if she forces the matter to a Court hearing. If she then frustrates the Order, the judge can fine or even jail her.

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