

Child Custody, Visitation and Child Support in Virginia

Visitation with a child and the duty to support that child are separate issues in the law. There cannot be a refusal to pay support because visitation has been denied or delayed nor can visitation be denied because support payments have not been made. There are remedies through the court for both of these lapses.

The amount of time that the parent has with the child, however, can have a financial impact. Child support in Virginia is determined through the use of statutory child support guidelines. If the non-custodial parent has the child for ninety (90) days or more annually, "shared custody" child support guidelines are used. The more days the greater the impact on the child support obligation. A day in Virginia is defined as a 24 hour period.

If a court order provides for an amount of visitation that would justify using the shared custody guidelines, but the visitation is not actually exercised, the court will decline to use these guidelines.

Additional Resources

Mary G. Commander
Attorney & Mediator
(757)533-5400