



CHAPTER 50
ARTICLE 1 - DIVORCE, ALIMONY, AND CHILD SUPPORT, GENERALLY

N.C.G.S. § 50-13.10.

Past due child support vested; not subject to retroactive modification; entitled to full faith and credit.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-16, s. 1.21(a) — third act in the lineage	RETRIEVED 21 September 2026, 03:10 UTC	SOURCE FINGERPRINT ee6174a117beccb932d2472a - e12defbf90c913f99796045d - 233e6b5f57ed00b9
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- § 50-13.10(a)

Each past due child support payment is vested when it accrues and may not thereafter be vacated, reduced, or otherwise modified in any way for any reason, in this State or any other state, except that a child support obligation may be modified as otherwise provided by law, and a vested past due payment is to that extent subject to divestment, if, but only if, a written motion is filed, and due notice is given to all parties either:

(1) Before the payment is due or

(2) If the moving party is precluded by physical disability, mental incapacity, indigency, misrepresentation of another party, or other compelling reason from filing a motion before the payment is due, then promptly after the moving party is no longer so precluded.
- § 50-13.10(b)

A past due child support payment which is vested pursuant to G.S. 50-13.10(a) is entitled, as a judgment, to full faith and credit in this State and any other state, with the full force, effect, and attributes of a judgment of this State, except that no arrearage shall be entered on the judgment docket of the clerk of superior court or become a lien on real estate, nor shall execution issue thereon, except as provided in G.S. 50-13.4(f)(8) and (10).
- § 50-13.10(c)

As used in this section, "child support payment" includes all payments required by court or administrative order in civil actions and expedited process proceedings under

this Chapter, by court order in proceedings under Chapter 49 of the General Statutes, and by agreements entered into and approved by the court under G.S. 110-132 or G.S. 110-133.

§ 50-13.10(d)

For purposes of this section, a child support payment or the relevant portion thereof, is not past due, and no arrearage accrues during the following:

- (1) From and after the date of the death of the minor child for whose support the payment, or relevant portion, is made.
- (2) From and after the date of the death of the supporting party.
- (3) During any period when the child is living with the supporting party pursuant to a valid court order or to an express or implied written or oral agreement transferring primary custody to the supporting party.
- (4) During any period when the supporting party is incarcerated, is not on work release, and has no resources with which to make the payment.
- (5) For foster care assistance owed to the State by the supporting party during any period when the child is placed in the custody of a department of social services.

§ 50-13.10(e)

When a child support payment that is to be made to the State Child Support Collection and Disbursement Unit is not received by the Unit when due, the payment is not a past due child support payment for purposes of this section, and no arrearage accrues, if the payment is actually made to and received on time by the party entitled to receive it and that receipt is evidenced by a canceled check, money order, or contemporaneously executed and dated written receipt. Nothing in this section shall affect the duties of the clerks or the IV-D agency under this Chapter or Chapter 110 of the General Statutes with respect to payments not received by the Unit on time, but the court, in any action to enforce such a payment, may enter an order directing the clerk or the IV-D agency to enter the payment on the clerk's or IV-D agency's records as having been made on time, if the court finds that the payment was in fact received by the party entitled to receive it as provided in this subsection.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1987		2006		2025
	TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT		CHARACTER	
01	1987	c. 739, s. 4		ENACTED	
02	1999	S.L. 1999-293, s. 15		AMENDED	
03	2025	S.L. 2025-16, s. 1.21(a)		AMENDED	

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 50-13.10(a)	(b)	"payment which is vested pursuant to"
G.S. 50-13.4(f)(8) and (10)	(b)	"issue thereon, except as provided in"
G.S. 110-132	(c)	"and approved by the court under"
G.S. 110-133	(c)	"the court under G.S. 110-132 or"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 50-13.10 (2025).

PINPOINT

N.C. Gen. Stat. § 50-13.10(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1987, c. 739, s. 4; 1999-293, s. 15; 2025-16, s. 1.21(a).)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

