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## DCS Offices

Everett	800-729-7580 425-438-4800
Fife	866-243-4449 253-922-0454
Kennewick	800-345-9981 509-374-2000
Olympia	800-345-9964 360-664-6900
Seattle	800-526-8658 206-341-7000
Spokane	800-345-9982 509-363-5000
Tacoma	800-345-9976 253-597-3700
Vancouver	800-345-9984 360-696-6100
Wenatchee	800-535-1113 509-886-6800
Yakima	800-441-0859 509-249-6000
Headquarters	800-457-6202 360-664-5000



# Changing a Child Support Order

## Review and Modification

*Child support orders do not always keep up with the changes in the lives of parents and their children.*



What is child support modification?

Modification is the way to **change** a child support order. Either parent or a caregiver can ask for a modification.

A modification can only change current and future support. A modification cannot change the amount of child support that was owed before you asked for the modification.

What orders can be modified?

All orders can be modified, including those entered as a result of a divorce or paternity action. Under certain conditions, we can also modify out-of-state orders, or you can ask another state to modify your order.

There are two kinds of child support orders:

- 1) Court orders are entered in Superior Court, signed by a judge or commissioner, and must be modified in court.
- 2) Administrative orders are entered through the Division of Child Support (DCS) and must be modified through DCS.

How do I modify an administrative order?

- Have an open support case.
- Meet conditions.
- Write to DCS to ask for a modification.

Can I modify a court order myself?

You decide if you want to hire an attorney or file on your own using the services of a Family Law Court Facilitator. Anytime during the process you can hire an attorney. Only attorneys are qualified to give you legal advice.

Some organizations offer free legal help to people who qualify. For more information about free legal help call the Coordinated Legal Education, Advice and Referral system for Washington State: (CLEAR) at 888-201-1014.

Where do I get the forms I need to modify an order in court?

Contact the Family Law Facilitator in your county court clerk’s office.

- Facilitators cannot give legal advice.
- Facilitators can tell you what forms to file and how to file them.

Courts charge fees for their services. To find out about fees and to get other court information, contact the county clerk or Administrator for the Courts at: 360-705-5328 or go on line to [www.courts.wa.gov/directory/facilitators.cfm](http://www.courts.wa.gov/directory/facilitators.cfm).

Courts look at:

- 1) Both parents’ incomes.
- 2) Extraordinary children’s expenses.
- 3) Other things like the number of children in each household.
- 4) Medical insurance.

Courts can change:

- 1) Daycare costs.
- 2) Visitation.
- 3) Custody.
- 4) Other issues like college costs.

How do I modify an order with DCS help?

DCS reviews court orders based on the current income of both parents. We can only review changes to child support, health insurance, and daycare.

To receive our help:

- Open a support case.
- Ask for a modification review.
- Meet conditions.

We must notify the other parent about the review. The review takes at least 60 days. You must have an open (full service) child support case with DCS. To open a case, call or send the form attached to the back of this brochure, or go to the web site at: [www.dshs.wa.gov/dcs](http://www.dshs.wa.gov/dcs).

- Ask for an application for services.
- Ask DCS to review your order for modification.

For DCS to help modify court orders, all of the following conditions must be met:

- 1) 35 months must have passed since the last order was entered or since the last review, or there has been a substantial change in circumstances.
- 2) DCS must know where both parents are.
- 3) The change in child support must be at least 25% and \$100 per month.
- 4) The change must be more than \$2,400 over the life of the child support order.
- 5) Other rules may apply.

What else should I know about DCS helping me to modify my order?

- DCS may review some child support orders without a parent’s request when the children get public assistance.
- If your order meets the above conditions, we refer court orders for modification to the prosecuting attorney.
- An Administrative Law Judge (ALJ) makes the decision to modify administrative orders.
- The Washington State Child Support Schedule (WSCSS) is used to set child support. Call us or go to the web site for a copy. The WSCSS contains:
  - 1. Definitions and standards.
  - 2. Instructions.
  - 3. Worksheets used to calculate support based on income of the parents.
- DCS cannot give you legal advice.
- The modification process often takes several months.
- At this time, DCS does not charge a fee for modification services.

Are there other reasons why DCS might consider doing a review to modify an order?

Yes. If a change in the child support amount:

- Provides enough income to get families off public assistance (TANF) or
- Helps families eligible for (but who are not receiving) TANF to stay off assistance.

How do I know if I can modify my order?

- You can ask DCS for a copy of the Washington State Child Support Schedule (WSCSS). This booklet helps you find out if you should change your order.
- Contact us for more information.

If DCS helps you to modify your order, we do not:

- Represent either party
- Give legal advice to either party
- Charge review or filing fees (DCS prepares the forms for the petition).

Are modifications always granted?

No. Asking for a review does not mean your order will be changed. Petitions are denied if legal standards or review rules are not met. Changes to orders can result in orders that raise or lower child support payments.

When does the modified order take effect?

The effective date of:

- A court order is often the date the petition is filed with the court. It is not the date you asked for the review.
- An administrative order can be the date the order is issued, the date the modification was requested, or any date in between.

Is my personal information shared with the other party?

DCS or a prosecuting attorney may share any documents you give us with the other party and may file the documents in the public court file.

If you ask for a modification, the other parent has a right to see your financial information and any other information you want the court to consider. You can remove your personal information (address, birth date, social security number) from the documents before you give them to us.

DCS may also share information with other states and governmental agencies for the purpose of establishing, modifying or enforcing child support. DCS releases information only as state and federal laws and regulations allow.

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DCS Modification Request

Please send me forms to:

- ☐ Petition for Modification of Administrative Order.
- ☐ Ask DCS to review my Court Order to find out if DCS can help modify the order.
- ☐ Apply for full enforcement services from DCS.

I believe my order needs modification or change because: (Check any that apply)

- ☐ The income of one or both parents changed.
- ☐ At least one of the children:
  - Was less than 12 years old when the child support order was entered and is now 12 years old or older.
  - Has changed residences.
  - Is no longer a dependent or the Custody has changed.
- ☐ My order does not include health insurance.
- ☐ I have become disabled or incarcerated

Other (tell us the details)

Name (Print)	( Apt No.)			
Address (Street)				
City	State	Zip		
Signature	Date	MM	DD	YY