DEPARTMENT OF SOCIAL & HEALTH SVCS
DIVISION OF CHILD SUPPORT
PO BOX 11520
TACOMA WA 98411-5520

Tape Closed Here Before Mailing

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.

You must have an open (full enforcement services) child support case with DCS in order to receive our assistance with the modification process. 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.

• Ask for an application for services.

• Ask DCS to review your order for modification.

Do I have to participate in the modification review or in the modification process?

If you receive TANF and are afraid that the review or modification process may be dangerous for you or the children in your household, you should contact the Community Services Division (CSD) to claim good cause not to cooperate with child support. If Good Cause Level A is granted, DCS closes your case. If the modification action has already been filed with the court, it may be too late to stop it.

If you do not receive TANF, you may ask DCS to close your case, but the other parent may apply for DCS services.

For more information, talk to DCS, CSD or your local domestic violence program. You can find information online at www.wscadv.org.

Call the DCS office nearest you or call 800-442-KIDS (5437) to find the office handling your case.

DCS Offices

Office	Phone
Everett	800-729-7580
	425-438-4800
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

Washington State's
Child Support Program

Changing a Child Support Order

Review and Modification

Child support orders may not always keep up with the changes in the lives of parents and their children. Changing a child support order is called modification. The DSHS Division of Child Support (DCS) may be able assist you with modifying your order.

Washington State
Department of Social
& Health Services

Transforming lives

Child support orders may not always keep up with the changes in the lives of parents and their children. Changing a child support order is called modification. The DSHS Division of Child Support (DCS) may be able assist you with modifying your order.

What is child support modification?

Modification is the way to change a child support order; adjustment is a type of modification. Either parent or someone who has current custody of the child(ren) can ask for a modification. The rules about modification are found in Washington statutes and in the regulations adopted by DCS.

A modification can only change the amount of current and future child support. A modification cannot change the amount of support that was owed before you asked for the modification (in other words, retroactive modification is not allowed under Washington law).

What orders can be modified?

All child support orders can be modified, including those entered in a divorce or paternity action, as long as current support is still owed.

Can DCS help me with modification?

Under certain circumstances, DCS can assist with modification of your order. If we do, keep in mind that DCS does not represent you or the other party in the modification proceeding. If the county prosecutor is involved, the prosecutor's office does not represent you or the other party.

Depending on the facts of your case, DCS can refer your non-Washington order to another jurisdiction for modification, or you can ask the other jurisdiction to modify your order directly without going through DCS.

There are various kinds of child support orders:

1) Court orders are entered in Superior Court or a judicial tribunal, signed by a judge or commissioner, and must be modified in court.
2) Administrative orders are established by DCS and must be modified through DCS.
3) Court or administrative orders entered by another jurisdiction may need to be referred to that jurisdiction for modification. This includes orders entered by a tribal jurisdiction (typically a tribal court) which must be modified under the rules of that Tribe.

How can I modify an administrative order?

If you have an open DCS case with an administrative child support order, you can file a petition for modification on your own, or you can ask DCS to facilitate the process. If you are on TANF, DCS may start a modification on its own.

Can I modify a court order myself?

You can decide if you want to hire an attorney or file your own modification or adjustment action using the services of a Family Law Court Facilitator. If you start out on your own, you can consult or hire an attorney at any time during the modification process. 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 or your county bar association.

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

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

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

Some facilitators charge fees for their services, and there will usually be filing fees to start a modification action. To find out about fees and to get other court information, contact the county clerk or the Administrative Office of the Courts (AOC) at: 360-705-5328 or go online to www.courts.wa.gov/directory/facilitators.cfm.

You can also download court forms directly from the courts website (for Washington court orders only): https://www.courts.wa.gov/forms/.

In a child support modification, the Court or Administrative Law Judge looks at:

1) Both parents' incomes.
2) Any extraordinary expenses for the child(ren).
3) Other factors such as the number of children in each household.
4) Availability of medical insurance.

The Court or Administrative Law Judge can change:

1) The monthly child support obligation.
2) Each parent's proportionate share of expenses, based on their income.
3) Child care (daycare) obligations for each parent.
4) Medical support obligations for each parent.

Only the Court can change:

1) Which parent gets the tax exemption for the child(ren).
2) Other issues such as costs for a child's education past high school.

Can DCS help me modify my child support order?

DCS periodically reviews support orders for modification or adjustment based on the current income of both parents. We can only review changes to child support, health insurance, and daycare. If we determine that modification is appropriate, we can facilitate the process.

You must:

- Have an open child support case with DCS.
- Ask for a modification review, unless you are on TANF (we do that automatically).
- Meet conditions under state law and regulations.

DCS must notify the other parent about the review. The review may take some time, depending on the type of order you have and the information needed for the review. It is reasonable to expect that the review process through DCS might take several months, but you can call DCS to check on the status of the review at any time. If you need the change in child support to happen really soon, you may want to proceed on your own.

DCS may facilitate the modification or adjustment of court orders if all of the following conditions are met:

1) Thirty-five 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 have good contact information (including addresses) for both parents to the child support order.
3) The change in child support must be at least 25 percent and $100 per month.
4) The change must be at least $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?

- If the children are on TANF or in foster care, DCS reviews child support orders for modification even without a parent's request.
- In a nonassistance case, we must have a request from a parent or from another child support program before we review the order.
- If your order meets our conditions, we can refer a court order for modification to the prosecuting attorney; the prosecutor's office decides whether to bring a modification or adjustment action.
- 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 DCS 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 can takes several months, depending on the facts of your case.
   - 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 proposed 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 should consider modifying 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 can prepare the necessary forms, but we do not:
  - Represent either party
  - Give legal advice to either party
  - Charge review or filing fees

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. A modification can result in a higher or lower child support payment.

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. The Administrative Law Judge determines the effective date of an administrative order, which may be the date the order is issued, the date the modification was requested, or any date in between.

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)

Address (Street) _____ (Apt No.)

City _____ State _____ Zip

Signature _____ Date MM / DD / YY