

How do I change my child support order?

(The information on this website is for informational purposes only and is not legal advice. If you need legal guidance, consider contacting an attorney.)

Child support payments are an important financial responsibility that helps to support your children. When child support is not paid, children may not have the support they need to flourish and grow. However, if your circumstances change and you cannot make payments in the amount set in your order, contact the Family Support Division (FSD) to discuss your options.

Request a change (modification) to your child support order

Every 3 years, you may request the Family Support Division to review your child support order for a possible change to the amount of current child support you owe.

If it has been less than 3 years since the order was entered, reviewed or modified, the Family Support Division will only review your order under special circumstances. If your order states the presumed child support amount is unjust or inappropriate, FSD will ask you to fill out a form explaining what has changed since the original order.

To request a change to your child support order, mail your **written** request to:

Family Support Division
P.O. Box 6790
Jefferson City, MO 65102-6790
Or Fax to: 573-635-7545

FSD's process for reviewing child support orders

If FSD determines a review of the child support order is appropriate:

1. Parents will receive a **Financial and Informational Statement** to fill out. This form asks questions about the parents' income, assets, daycare costs, visitation, health insurance, and other orders for support.
2. FSD uses this information to complete a Form 14, Missouri Supreme Court's formula for calculating child support.
3. Based on the information provided and applicable state laws and regulations, FSD determines whether to proceed with a modification or deny the request for modification.
4. If FSD determines a modification is appropriate, FSD sends a motion proposing a change to the child support amount or health insurance obligation to all involved parties. The parties will receive this motion for modification by certified mail or personal service. This motion contains specific instructions on how to respond to the motion.
5. If a party does not agree with the proposed change, the party can request an administrative hearing. Each party has 30 days after receiving the motion to submit a written request for a hearing.

6. If either party requests a hearing, the Division of Legal Services will schedule the administrative hearing. This hearing will be held by a telephone conference call led by a hearing officer. At the hearing, both parties may present their statements and evidence. Under state law, the party seeking the modification is responsible to prove the modification is appropriate. After the hearing, the hearing officer will issue a decision and order deciding if or how the child support order should be changed.
7. If a party disagrees with the administrative decision and order, the party has the right to file a request with the court asking the court to review the decision.

Only the **court** can change a judicial support order. When FSD reviews a judicial support order for modification, the proposed change does not go into effect until and unless a judge approves the change.

How is court approval granted?

1. FSD submits the proposed modification to the Missouri Attorney General's Office.
2. Attorneys at the Missouri Attorney General's Office review the proposed modification for compliance with the law.
3. If the attorney finds the proposed modification is appropriate, the attorney will file a *Motion to Review and Approve* with the proper court.
4. If the court does not approve the motion, the court may set it for trial.

Important points to remember:

To ask the Family Support Division to review your child support order for modification, submit a written request, stating you are "requesting modification" to:

Family Support Division
P.O. Box 6790
Jefferson City, MO 65102-6790
Or by Fax: 573-635-7545

The person requesting modification must fully cooperate with FSD's questions and forms. If the person requesting modification does not cooperate, FSD may stop the review for modification.

Each party in a child support case is responsible for telling the division about any change of address or employment (Section 454.413, RSMo).

If your child support order has been in place for less than 3 years, only special circumstances allow for an early modification review. These include:

- When a child needs to be added to an existing order;
- When one child meets termination of support criteria, but other children remain active on the same order;
- When a health insurance provision needs to be added to the order;
- When there is a 50% or more *increase* or *involuntary decrease* in either parties' income that has lasted at least 3 months and is expected to last another 6 months or longer;
- When there is a 50% or more *voluntary* decrease in either parties' income that has existed for at least 6 months and is expected to last another 6 months or longer; or
- When the person paying support is incarcerated and will be incarcerated for more than 180 days.