



I want to change (modify) my Child Support court order

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- ❖ Read this only if you have a child support order from Washington State.
 - ❖ You can find many of the fact sheets and packets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).
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Important Information

Read this to learn more about your options for changing a Washington State Child Support court order. Your case may be different from types of cases we discuss here. Talk with a lawyer about your case.

You can try to change a court's order of support by filing a Motion or a Petition. We explain here how to choose one.

If you decide after reading this to try to change your support order, use one of our do-it-yourself packets listed at the end. Or find out if the court where you are filing has its own packet. It may be easier to use.

Can I start a court case in Washington to change my child support?

You can start a court case to change your child support in Washington State if **both** of these are true:

- You have an order from a Washington Court
- You, the other party, or the child lives in Washington


How do I know if I have an order from a Washington Court?

In Washington, a court order is a **Child Support Order** from a **Superior Court**. It will say this on the first page, towards the top.

Superior Court of Washington, County of _____	
In re: Petitioner/s <i>(person/s who started this case)</i> : _____ And Respondent/s <i>(other party/parties)</i> : _____ _____	No. _____ Child Support Order <input type="checkbox"/> Temporary (TMORS) <input type="checkbox"/> Final (ORS) Clerk's action required: WSSR, 1

My papers say “State of Washington Department of Social and Health Services Division of Child Support” or “State of Washington Office of Administrative Hearings” at the top.

You do not have a court order. You have an **administrative order**. An administrative order is a “Notice and Finding of Financial Responsibility”, a “Notice and Finding of Parental Responsibility” or an “Initial Decision and Order”. Here’s what the top of the first page (the caption) might look like:

 Transforming lives	STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES DIVISION OF CHILD SUPPORT (DCS)	
Notice and Finding of Financial Responsibility		
_____) Noncustodial Parent) _____) Custodial Parent / Physical Custodian)))))	DCS CASE NUMBER: _____
Purpose of This Notice		

If you have one of these, **do not use this packet**. Use [How to Ask DCS to Review Your Child Support Order for Modification](#) instead.

I live in Washington. Can I change a child support order from a different state here?

Maybe. Contact a lawyer or the Division of Child Support (DCS) to find out more.

I have children from different relationships. Can I file one case for all of them?

No. You must file a separate case for each.

Can I get a court order lowering the back support I owe?

Only if **at least one** of the following is true:

- The current Support Order lets you change support before the date you filed your motion or case.
- You have supported the children **in your home for a long time** even though the court ordered you to pay the other parent support.

Before trying to do this, talk to a lawyer. Read [Do You Owe Child Support?](#)

Do I have to file a new case or can I just file a motion?

It depends. You can file a **Motion to Adjust Support** if it has been 2 years since the entry of your support order **and** a parent's income has changed, or your support order says you can do it sooner.

A motion for adjustment generally is faster and simpler than filing a new case (a Petition to Modify. See below). A court can decide it with less advance notice. There is less paperwork.

If you qualify to file this type of motion, you can use our [File a Motion to Adjust a Child Support Order](#) packet.

If you have received this type of motion, you must respond! You can use our [Respond to a Motion to Adjust a Child Support Court Order](#) packet.

A Motion for Adjustment sounds like it would be easier and take much less time than filing a new case. Why wouldn't I want to just do a Motion?

It depends. Usually, a motion only lets you change the support amount. If you also want to add (or take away) a requirement that a parent pay daycare, educational costs, or other expenses to or from your Order, or if you want to change who can take the tax exemption for the children, you should file a Petition to Modify Child Support Order instead. See below.

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- ❖ If your Support Order already has the parents share daycare, educational expenses or uninsured medical costs, you may be able to change how much of those you each must pay in a Motion for Adjustment.
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I want to change more than the amount of support. Can I file a Petition to Modify Child Support Order?

Yes, you can do so in certain situations. For example, you can file this Petition if you meet the requirements for filing a motion for adjustment, above.

You can also file this Petition if it has been one year since the entry of your current support order **and** the order causes a parent or child real hardship.

I want the other parent to pay support beyond age 18 so our child can finish high school. Can I file a Petition to modify our support order?

Yes, if it has been one year since the entry of your current support order. The child must still be in high school when you file.

Our current support order was entered without notice to me. Can I file a Petition to modify it?

Yes.

Our current support order was entered only recently, but I have since lost my job. Can I file a Petition to modify the support order?

Yes, you can file this Petition if you can show a **substantial change in the circumstances** of a parent or the children. It does not matter when your support order was entered.

A substantial change usually will be something you had no control over. Examples: injury or illness that keeps you from working; losing a job; going to jail; a change in the child's needs.

This change **cannot** be:

- Something a parent or the court knew when you got the current support order
- A choice you made, such as quitting your job, or deciding to go to school or take a lower paying job
- Because the parent getting support got a raise

If you are filing for support modification because of a change in circumstances, you must prove that change happened.

The parent paying support is going to jail or prison for at least 6 months. I don't want them to fall too far behind while they are incarcerated. Can I file a Petition to Modify Support?

Yes. It does not matter when your support order was entered.

In what county should I file my modification case?

You can file your modification case in any one of these counties:

- Where your current Support Order was entered
- Where the child lives
- Where the person who has the child lives

If all or some of these are different counties, it is okay to choose the county that is easiest for you, or both of you, to get to. The other parent can try to have the case moved (called "changing the venue") to a different county than the one you chose.

The county the parent wants the venue moved to must fit one of the 3 descriptions above.

I cannot afford a lawyer. I cannot get free legal services. Are there other options?

Yes.

Some counties offer a “Self-Help” class. You can learn how to file your own support modification or adjustment. You might have to pay for it, but it should help more with local forms and procedures. If available, you should take a class. To find out if your county offers any, ask the clerk or facilitator.

Some counties have family law facilitators. They can help you file in court. They cannot give legal advice. They often have do-it-yourself packets for your county.

Ask the Division of Child Support (DCS) for help. Read [How to Ask DCS to Review Your Child Support Order for Modification](#).

How long will this take?

Generally, a **Motion to Adjust** is quicker than a petition. It can take a month or less.

How long a **Petition to Modify Child Support Order** takes will depend in part on the county you are filing in, if the other parent lives in Washington, and how you have your court papers served on them. The other parent will have anywhere from 20 to 90 days after being served to respond to your petition.

If the other parent does not respond in time, you can ask the court to enter final orders by default. If you follow the procedure correctly, it will save you time. If you do not follow the procedure correctly, the other parent could later ask the court to cancel the order.

If the other parent responds, how long it takes to finalize the case will vary. It may take at least 2 to 3 months to finalize.

Will there be a hearing or trial?

No. The court decides support modification cases without a hearing. The court just reads everything you and the other parent filed.

If you need witnesses to testify to prove your cases, you must file a motion asking to allow a hearing. You can get the form for this, [Motion to Allow Testimony \(About Modifying Child Support\)](#), FL Modify 503, at [the state court's forms website](#), <https://www.courts.wa.gov/forms>.

What happens if the other parent and I get married to each other?

All parts of the order about support automatically end if you later marry or remarry the other parent.

Do-it-yourself packets for changing child support:

- [File a Motion to Adjust a Child Support Order](#)
- [Respond to a Motion to Adjust a Child Support Court Order](#) – Use this packet if you have received a Motion to Adjust and need to respond.
- [File a Petition to Modify Your Child Support Court Order](#) – Use this packet or our do-it-yourself interview program, [Washington Forms Online](#), to complete these forms.
- [Respond to a Petition to Modify a Child Support Court Order](#) – Use this packet if you have received a Petition to Modify.
- [Finalize a Modification of your Child Support Court Order](#)
- [Child Support Worksheets and Order](#) – This packet contains just the child support order and worksheets. You might need this if you are responding to a Motion to Adjust.

❖ Ask your court clerk or family law facilitator (if there is one) if your local court has their own packet. It may be easier to use. To find out if your county has a facilitator, ask the court clerk.

Get Legal Help

- **Apply online** with [CLEAR*Online](https://www.nwjustice.org/apply-online) - [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online)
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online).
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.

Deaf, hard of hearing or speech impaired callers can call any of these numbers using the relay service of your choice.

Interpreters provided.

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