

REQUEST TO MODIFY CHILD SUPPORT ORDER

1. To locate the forms you will need to modify a child support order, you can go to:

<https://www.courts.ca.gov/selfhelp.htm>

2. Click on tab “Child Support”, then click on “Changing Child Support”, and finally click “Get more information on changing a child support order and step-by-step instructions.”

Here is an important Question and Answer put on the CA Courts Self-Help web-site that litigants need to know:

WHY YOU SHOULD ASK FOR A NEW COURT ORDER RIGHT NOW

If there is a significant change in any of the factors that go into figuring out child support (like if income goes down because of job loss or fewer work hours, or time with the children changes), you need to act right away to change your child support order to reflect the changes.

People often wait to change the support order because:

- They think the job loss or the decrease in income, for example, is temporary;
- They are stressed and worried and child support is the last thing on their mind;
- They are in a situation where it is very difficult to file court papers, like if they are in jail or prison;
- They think it will be easy to change it later when they have time or are less stressed or are out of jail; or
- For many other reasons, going to court to change child support does not seem like a priority to them.

BUT if you wait, you will not be able to change your child support order as of the date you lost your job, or your income went down.

CHILD SUPPORT CANNOT BE CHANGED RETROACTIVELY!

This means that if you lost your job 3 months ago but are just now filing papers in court to change your support order because you have no income, the judge is NOT allowed to make an order going back to the day you lost your job.

The judge can ONLY change your child support from the date you filed your papers in court asking for the change. If you do not file a request, you will not only be unemployed, but you will also owe 3 months of child support at the old amount plus whatever interest is accruing on that back (past-due) child support.

To protect yourself, when you go through a significant change that could change the child support amount, you need to ask for the change in your child support order as soon as possible.