

## WONDERING ABOUT MODIFYING (CHANGING) YOUR CHILD SUPPORT ORDER?



### Step 1: Think about the reasons why the court might change the order.

- What has changed since the last order:
  - Income of a parent?
  - One of the children emancipated?
  - Receipt of public assistance?

These are just **some** of the reasons why a court might modify support according to Minnesota Statute 518A.39. Think about whether your situation meets one or more of the reasons for modification given in this statute. The statute is available at:

<https://www.revisor.mn.gov/statutes/?id=518A.39>.



### Step 2: Gather information and documentation to support your request.

- The person asking for a change is to show why the change is needed. The court might deny the request if information or documentation is not given.
- The court looks at both parents' income to calculate support. Proof of income, such as paystubs, is typically provided by the person asking for a change. If you don't have the other parent's income information, one option is to ask the child support agency for the income information it has. However, the agency may not always have the most current or accurate income information.



### Step 3: Run a guideline calculation at the DHS website support calculator:

<http://childsupportcalculator.dhs.state.mn.us>

- The result is only an estimate, based on the information used to complete the calculation. New or additional information may change the calculation. There is no guarantee the court will order this amount. The court's decision can be affected by other factors.



### Step 4: Take action. Support stays the same until a new order changes it. The date of the change is based on the date a motion is served. You have options such as:

- **Ask the county for a “review” to see if the county would bring a motion.** The county does not represent either parent, and will make an independent determination as to whether or not the county will prepare its own motion. If a motion is brought, the date of the change is from when a motion is served, **not** when you contact the county. Call your local child support office for more information.
- **Bring your own motion.** There are “do it yourself” forms and instructions on the Minnesota Supreme Court website: [www.mncourts.gov](http://www.mncourts.gov). Court Administrator Offices or libraries may also have the forms. You may also wish to contact a private attorney.
- **Reach an agreement. If everyone agrees to a new support obligation, the county can prepare a document called a “Stipulation and Order.”** If signed by you, the other parent, the attorney for the county and a judge/magistrate, the document becomes the new court order. No motion or hearing is required to do a “Stipulation and Order”. Call your local child support office for more information.

**Important:** *The above is only general information and should not be seen as a substitute for legal advice. The individual facts of your case will have an impact on the outcome. If you need legal advice, contact an attorney.*