

Getting Help from the State Child Support Program to Change Your Order

If your court order is being enforced by Support Enforcement Services (SES), then you are part of the State of Connecticut Child Support Program. If so, you can ask SES to review your order and, they will gather income information to see if your order may need to be changed. If it looks like it needs to be changed, SES will prepare the court forms and tell you the court date. SES will also serve the court papers on the other parent. You will have to attend the court hearing.

For more information, call the **Child Support Call Center at 1-800-228-KIDS (5437)**.

For additional information, you may also contact:
Statewide Legal Services
1-800-453-3320
860-344-0380
www.ctlawhelp.org

For information on ADA accommodations, contact the Centralized ADA Office at 860-706-5310 or go to: www.jud.ct.gov/ADA/

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How to Change Your Child Support Order



If you believe that your child support order is too low, too high, or needs to be changed, this pamphlet may help. You can get help from the state Child Support Program or do it on your own. First, to find out if this pamphlet can help, please answer these questions:

1. What state was the original order from, and where does the other parent live?

- Was your child support ordered by a Connecticut court? Yes No
- “Does any parent live in Connecticut?” Yes No

If you answered **no** to **either** question, please **stop**. This pamphlet is not for you. For information on how to change an out-of-state child support order, call the Child Support Call Center at 1-800-228-KIDS (5437).

If you answered **yes** to **both** questions, please **continue**.

2. Is there a reason to change the order?

- Has your income changed very much (either up or down)? Yes No
- Has the other parent’s income changed very much (either up or down)? Yes No
- Is your support order at least 15% higher or lower than the amount required by the child support guidelines because of changes to either parent’s income or the cost of taking care of your child? Yes No

Has there been some other substantial change in circumstances that would impact your support order? Yes No

If you answered **no** to **all** the questions – this booklet is not for you.

If you answered **yes** to at least one question, then keep reading. This booklet will give you the steps to ask for a change in your order.

Asking for a Change on Your Own

It may seem like a lot of work, but asking for a change in your child support order is really just a set of smaller steps. The steps are:

- 1 Gather the proper forms
- 2 Fill out the forms
- 3 File the forms with the court clerk’s office
- 4 Get the papers “served” (officially delivered)
- 5 Gather information for your court event
- 6 Go to court for your court event

If both parties agree on all issues that would resolve a Motion for Modification, and the matter does not involve Support Enforcement Services, a Request for Approval of Final Agreement Without Court Appearance (JD-FM-282) may be filed along with the other necessary documents. If the Judge finds your agreement to be fair and equitable, you may not need to go to court for a hearing at all.

You may also want to read the *Connecticut Child Support and Arrearage Guidelines*. If the support order was issued by a Family Support Magistrate, or if you have applied for state services through the Department of Social Services, you may also want to read the Judicial Branch pamphlet, *What Happens When You Go to Family Support Magistrate Court*. ➔

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Steps

Step 1. Gather the forms

You need these forms for a modification (to change your order):

- Motion for Modification (JD-FM-174)
Used to ask the court to change your order.
- Appearance form (JD-CL-12)
Used to make sure you get notices from the court and to let the court know that you are representing yourself.
- Application for Waiver of Fees (JD-FM-75)
Used if your income is very low and you want to ask the court to allow you not to pay the fees and costs or to pay the fees and costs for you.
- Financial Affidavit (JD-FM-6-SHORT or JD-FM-6-LONG)
Used to show how much money you have coming in, and how you spend it.

If your gross annual income is less than \$75,000 and your total net assets are less than \$75,000, you must use the JD-FM-6-SHORT form. If your gross annual income is more than \$75,000 or your total net assets are more than \$75,000, or if both are more than \$75,000, you must use the JD-FM-6-LONG form.

- Affidavit Concerning Children (JD-FM-164)
This form asks where your child has lived and if there are other court cases about your child.

You can get the forms and pamphlets:

- Online from the Judicial Branch Website.
Forms can be found at www.jud.ct.gov/webforms. On the forms page, click the link for “Family” to display all family forms, or enter

the name or form number of the form you want into the search box.

Pamphlets with additional information can be found at www.jud.ct.gov/pub.htm.

- At the courthouse from the Court Clerk’s Office or a Court Service Center.
The Court Service Centers also have staff that can help you fill out the forms and answer questions about how the process works.

Step 2. Fill out the forms

Sit down in a quiet place and read all the forms so you have an idea of the information you need. After you have read them, start filling them out.

If you have any questions about what the form is asking for, you can ask the staff at a Court Service Center in the courthouse. The Court Service Center staff can answer basic questions about the forms and help you fill them out right the first time. The staff cannot tell you what words to use in your court papers, though.

Step 3. File the forms with the court (give the forms to the court clerk)

Take your forms to the Court Clerk’s Office. The Clerk will fill in the time and date for the court event (your court date) and will sign the “order for notice and summons” on the Motion for Modification and return it to you. You will need a proper officer, for example a State Marshal, to serve (officially deliver) the court forms on the other party. Give the Clerk the completed Application for Waiver of Fees if you think that you cannot afford the State Marshal fees.

Step 4. Have the papers “served” (officially delivered)

A proper officer, for example a State Marshal, must “serve” (officially deliver) the papers on the other parent. You can get a list of State Marshals on the Judicial Branch website at www.jud.ct.gov/faq/marshals.htm or from the Clerk’s Office or the Court Service Center. If the court decided that you do not have to pay the fees, then the State will pay the officer, otherwise, you must pay. After the officer delivers the motion to the other party, he or she will give you back the original paperwork. You must return that paperwork to the Court Clerk with the filing fee or the Application for Waiver of Fees if the court decided that you do not have to pay the fees.

Step 5. Gather information for your court event

At this point, your motion has been served (officially delivered) and you are waiting for your court event. You will need to fill out a Financial Affidavit form before your hearing. Gather your pay stubs and bills and use them to fill out the Financial Affidavit. The Financial Affidavit gives the court a detailed summary of all your income, assets (property), and bills (amounts you owe).

It is a good idea to bring the following things with you to your court hearing:

- Your pay stubs from the last 13 weeks,
- Information on any benefits you get (*for example*, Social Security Benefits, SAGA cash assistance, or Unemployment Compensation), and
- Proof of any medical reasons that may be keeping you from working.

Note: You can find more information on what to bring if your case is in Family Support Magistrate Court in the Judicial Branch pamphlet, *What Happens When You Go To Family Support Magistrate Court*.

Step 6. Go to the courthouse for your court event

You may have a Resolution Plan Date prior to having a hearing with a Judge. At a Resolution Plan Date, you will meet with a family relations counselor, who is also a trained mediator, to discuss any agreement you may have with the other parties. After you have talked to Family Services, a Judge may consider and approve any agreement that you reach. If you do not reach an agreement, or a Judge does not approve an agreement, the Judge may issue a scheduling order or other appropriate orders.

If you do go before a Judge after speaking to family services, you may have to testify in order to explain your case. The courtroom clerk will swear you in (ask you to swear to tell the truth). Answer respectfully any questions the Judge asks and do not interrupt the Judge.

Alternatively, you may have a hearing before a Family Support Magistrate instead of a Resolution Plan Date. If your hearing is in Family Support Magistrate Court, the Judicial pamphlet, *What Happens When You Go To Family Support Magistrate Court*, provides the best explanation of what happens at this hearing. The pamphlet also answers many common questions, and is available online at www.jud.ct.gov/publications/fm209.pdf. 