

# How to Change Child Support

Use this packet ONLY if:

- You and the other parent have a Superior Court child support order now, and
- You want to change the support order.

Do **not** use these instructions for help with *back support*. Talk to the Division of Child Support (DCS) or a lawyer if you have questions about back child support.

## Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court  
516 3<sup>rd</sup> Ave, Room W-382  
Seattle, WA 98104

Maleng Regional Justice Center  
401 4<sup>th</sup> Ave North, Room 3D  
Kent, WA 98032

## Step 1: Fill out these forms.

All of these forms in Step 1 can be downloaded at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Form Number	Notes	Completed
<a href="#">Case Assignment Area Form &amp; Case Index Cover Sheets</a>			<input type="checkbox"/>
<a href="#">Confidential Information</a>	FL All Family 001 and 002	<a href="#">Attachment to Confidential Information</a> (Additional Parties or Children)	<input type="checkbox"/>

## Step 2: Fill out these forms and attachments. Then make 3 copies.

All of these forms in Step 2 can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

<a href="#">Summons: Notice about Petition to Modify Child Support Order</a>	FL Modify 500		<input type="checkbox"/>
<a href="#">Petition to Modify Child Support Order</a>	FL Modify 501	Attach a copy of the current Child Support Order	<input type="checkbox"/>
<a href="#">Notice to Military Dependent</a>	FL All Family 103		<input type="checkbox"/>
<a href="#">Child Support Schedule and Instructions</a> (do not make copies of this form)	WSCSS-Schedule	Use these instructions to calculate the Child Support Worksheets. Online Child Support Calculator available at: <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home">https://fortress.wa.gov/dshs/dcs/SSGen/Home</a>	<input type="checkbox"/>
<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets		<input type="checkbox"/>
<a href="#">Financial Declaration</a>	FL All Family 131		<input type="checkbox"/>
<a href="#">Sealed Financial Source Documents Coversheet</a>	FL All Family 011	This form goes on the front of the financial documents you file	<input type="checkbox"/>

When you ask for child support, you must provide copies of financial documents, including:

- Your W-2s and complete personal tax returns for the past 2 years
- Your most recent pay stubs (at least 6 months)
- Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more
- Statements from all of your banks and financial institutions for the past 6 months

*Note:* The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.

Print these, but do not fill them out yet. You will need them later.

Form Name	Form Number	Notes	Completed
<a href="#">Proof of Personal Service</a>	FL All Family 101	Use this form if the other party will be personally served	<input type="checkbox"/>
<a href="#">Proof of Service by Mail</a>	FL All Family 107	Use this form if the other party will be served by mail.	<input type="checkbox"/>
<a href="#">Declaration: Personal Service Could not be Made in WA</a>	FL All Family 102		<input type="checkbox"/>

### How many copies do I need?

- **Original** set to file with Clerk's office.
- Copy **1** is to serve the other parent
- Copy **2** will go to the Commissioner in your case
- Copy **3** you will keep for your records
- Make a **4th** copy if the child(ren) in this case has ever received public assistance. Deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

### Step 3: Take your original forms to the Clerk's Office and pay a fee.

**The Clerk will ask you to pay a filing fee.** If you cannot afford to pay the fee, ask for an application to let you file for free. This application is called a *Motion and Declaration for Waiver of Civil Filing Fees and Surcharges* ([Kent](#) or [Seattle](#)).

When you file your forms, the clerk will give you two copies of your *Case Schedule*. You will need 1 copy to serve on the other parent. Keep 1 copy for your records.

### Step 4: Have the other parent served.

**You must have the other parent served with copies of:**

- The Case Schedule that the Clerk gave you when you filed, **and**
- All of the forms you filed with the clerk, except the *Case Assignment Area Form & Case Index Cover Sheets and the Confidential Information Form*.

#### How to Serve

- Someone over 18 – **not you** - must serve (give or mail with return receipt) the other parent copies of your court papers.
- After serving, the server fills out the *Proof of Personal Service* or *Proof of Service by Mail* form and gives it to you. (If the other parent is personally served outside Washington State, fill out and file a *Declaration: Personal Service Could Not be Made in Washington*.)
- File the original *Proof of Personal Service* form with the Clerk. Keep a copy for your own records.

If you have questions about serving, ask the facilitator for information on how to serve.

## Step 5: Wait.

The next step is to wait to see if the other parent files and serves a *Response* (and the required financial forms) by the deadline.

You must wait:

<b>20 days</b>	If the other parent was served (by mail or in person) <b>in Washington state</b> .
<b>60 days</b>	If the other parent was served in person <b>outside of Washington state</b> .

If the other parent **does not** respond by the deadline, you can ask the Court for a *Default Order*. Ask the facilitator for information on how to file for an order of default. If the other parent **does** respond by the deadline, follow your *Case Schedule* and steps 6 through 9 of these instructions.

## Step 6: Complete your Trial Memorandum, respond (if necessary) and make 3 copies.

File your Trial Memorandum by the date on your case schedule using this form:

Declaration	FL All Family 135	Use it to explain why you are asking to change your support order. You may include information on your income and expenses as well as those of the other parent.	<input type="checkbox"/>
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### Copies:

- File the Original in the Clerk's Office
- Deliver copy 1 to the other parent
- Deliver copy 2 to the Commissioner (see Step 8)
- Keep copy 3 for your records
- Deliver copy 4 to the Prosecuting Attorney (if applicable)

The other parent also has a deadline to file a Trial Memorandum on the case schedule. You can reply to it if you chose. Use the same declaration form above and follow the same process listed above for filing the original and delivering copies.

## Step 7: Prepare Final Orders.

The next step is to fill out, and sign the forms listed below.

**Write the word “proposed” in the upper right hand corner of each copy of the forms.**

The deadline to deliver these forms is listed on your case schedule.

Final Order and Findings on Petition to Modify Child Support Order	FL Modify 510	<input type="checkbox"/>
Child Support Order	FL All Family 130	<input type="checkbox"/>
Child Support Worksheets	WSCSS-Worksheets	<input type="checkbox"/>

### Copies:

- Keep the Originals for yourself (do not file them, bring them with you to your trial)
- Deliver copy 1 to the other parent
- Deliver copy 2 to the Commissioner (see Step 8)
- Deliver 3 copy to the Prosecuting Attorney (if applicable)

## Step 8: Deliver the forms below (copy 2) to the commissioner in your case.

Now it's time to deliver Copy 2 of **all of the forms listed below to the Commissioner:**

- Summons: Notice about Petition to Modify Child Support Order Petition for Support Modification
- Petition to Modify Child Support Order
- Financial Declaration
- Sealed Financial Source Documents
- Declaration
- Child Support Order (proposed)
- Final Order and Findings on Petition to Modify Child Support Order (proposed)
- Child Support Worksheets (proposed)

Copy the words below in the upper right hand corner on the first page only of the set of forms you are delivering to the Commissioner:

### **Working Papers**

Attn: Trial by Affidavit Coordinator

For: Trial by Affidavit (date of your trial): \_\_\_\_\_

Presented By: (your name): \_\_\_\_\_

Deliver them to the Judges' Mailroom by noon on the deadline listed on your case schedule. Delivering these copies will confirm your trial date.



**Warning!** If you are late delivering your copies to the Commissioner, the Court may dismiss your case, and you will have to start again.

## **Step 9: Go to Your Trial**

- Get there early! You will need time to go through security.
- Go to the courtroom listed on your *Case Schedule*. Tell the Clerk you are present.
- Take copies of all of your forms to your trial.
- You will have about 20 minutes to speak to the Court. Organize your papers, and practice what you want to say.
- You must give the Court your original Final Orders. If you want copies of the signed final orders the day of your trial tell the Clerk.