

INSTRUCTIONS: HOW TO MODIFY CHILD SUPPORT IF THE PARTIES DO NOT AGREE

1. Obtain the forms listed in this outline. The Skagit County Superior Court Clerk sells a packet for **Modification of Child Support** which includes the required state and local forms. You may also download the forms for free at www.courts.wa.gov/forms . **Skagit County Local Court Rules** and local forms are available for purchase at the Clerk's Office or can be downloaded at www.skagitcounty.net (see links to Superior Court).
2. If you need assistance with understanding forms or procedures, the Court Facilitator can review forms that you have prepared yourself, answer questions, or help you with procedures. The Facilitator cannot give legal advice and does not represent you. The Facilitator may also assist the other party in your case. There is a \$20 fee per 30 minute appointment. Make an appointment by calling (360) 416-1200 or (360) 416-1800.
3. Start by filling out and signing the following forms:
 - **Petition to Modify Child Support Order (FL Modify 501);**
 - **Summons: Notice about Petition to Modify Child Support Order (FL Modify 500);**
 - **Confidential Information Form (FL All Family 001);**
 - **Financial Declaration (FL All Family 131);**
 - **Sealed Financial Source Document Cover Sheet (FL All Family 011)** with attached proof of income (recent paystubs, W2 forms and 2 years of tax returns.); and
 - **Child Support Worksheets (WSCSS-Worksheets)**

The Court Facilitator can help you calculate child support or you can prepare a **Child Support Worksheet** using the Support Calculator found at: <http://fortress.wa.gov/dshs/dcs/SSGen/Home>

NOTE: If the original child support order was in Skagit County, make sure that your caption on the first page of each document is the same as your original case. Whoever was the Petitioner in your original Skagit County case is still the Petitioner in this case, and you must use the same case number. The person bringing the modification is called "the requesting party".

Make two copies of all the documents except the **Confidential Information Form**. One set of copies will be for the other party, and the other set is for you to keep for your records.

4. File the documents with the Skagit County Clerk's Office. The filing fee is \$56 payable only in cash, money order, cashier's check, MasterCard, Discover, Visa or American Express. If a credit card is used there is an additional fee. There is a process by which you can waive the filing fee if you qualify. The Clerk's office has a "**Fee Waiver Packet**" that explains this process.

NOTE: *If the **Child Support Order** that you want to modify is from another county in Washington or from another State, then the filing fee is \$260 and you must obtain a certified copy of your most recent **Child Support Order** and file it with your **Petition**.*

5. Have the other party personally served with a copy of all of the documents except for the **Confidential Information Form**. You must have someone who is over 18 and who is not a party to the case personally hand the other party copies of the documents. The person who serves the documents to your opposing party must fill out and sign a **Proof of Personal Service (FL All Family 101)**. *You cannot serve the documents yourself*. Make sure that you list all the forms that were served on the other party on the **Proof Personal Service** because that is your proof that the other party was properly served with copies of all the documents. If the other party was served in Washington, then they have 20 days to respond to your Petition. If the other party was served in another state or country, they have 60 days to respond to your Petition.
6. Once the other party has either responded, or has failed to respond within the required time, then you can prepare your final documents and set a hearing. **Local Court Rules require that the Court Facilitator review your final orders prior to hearing**. The Facilitator will review your final orders and will help you set a hearing. Fill out and bring the documents listed below in #7 to the appointment with you.
7. Documents required to finalize a child support modification:
 - **Child Support Worksheets (WSCSS-Worksheets);**
 - **Order of Child Support (FL All Family 130);**
 - **Final Order and Findings on Petition to Modify Child Support Order (FL Modify 510)**
 - **Motion for Default (FL All Family 161)** (use only if the other party did not respond); and
 - **Order on Motion for Default (FL All Family 162)** (use only if the other party did not respond).
8. Go to your hearing. Once the Judge or Commissioner signs orders in your case, then you can get copies of those orders for a fee.

Helpful Phone Numbers and Websites:

Skagit County Superior Court Clerk's Office (360) 416-1800

Skagit County Superior Court Administration (360) 416-1200

Skagit County Law Library (360) 416-1290

Volunteer Lawyer Program of Skagit County (360) 416-7585

CLEAR line for a referral to the VLP (888) 201-1014

State Prosecuting Attorney – Family Support Division (360) 336-9461

www.courts.wa.gov/forms to download standard family law forms.

www.washingtonlawhelp.org for general information on a variety of legal topics.

www.nwjustice.org for general information and resources.

www.skagitcounty.net county website (follow links to Superior Court).

www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information).

<https://fortress.wa.gov/dshs/dcs/SSGen/Home> DCS Support Calculator (use to create a child support worksheet).

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. Your specific situation may require additional forms and procedures which may not be listed on this outline. The Family Law Facilitator and the Clerks Office cannot give legal advice. Only an attorney can give legal advice.