

## Changing a Child Support Order in Your State

 The information below applies only to Hawaii

### 1. How can I find out if I have a “IV-D” child support case in this state?

A parent can contact the Hawaii Child Support Enforcement Agency (CSEA) by phone between the hours of 9 a.m. to 3 p.m., Hawaii-Aleutian Standard Time (HST), or by mail at:

Hawaii Child Support Enforcement Agency  
Kakuhihewa Building  
601 Kamokila Boulevard, Suite 251  
Kapolei, Hawaii 96817

Phone: Oahu (808) 692-8265  
Maui (808) 243-5241  
Kauai (808) 241-7112  
Hawaii (808) 933-0644  
Molokai, Lanai, and mainland U.S. (888) 317-9081

Website: <http://ag.hawaii.gov/csea/>

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### 3. If I am incarcerated, are there any barriers to having my order changed?

There are no legal barriers. There may be barriers if CSEA is unable to locate the parties by mail to serve them with the proposed administrative order or a Notice of No Support Change.

### 4. Do you provide any materials online that I can use to ask for a change to my child support order?

The CSEA website has information on the modification process: <http://ag.hawaii.gov/csea/order-processing/#OM>

### 5. Do you have any printed materials I could read to learn more about child support for parents who are incarcerated?

No.

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### 6. When can I ask to have my order changed?

There are two ways to modify the amount of child support. The first way is for a parent to request that the Hawaii CSEA initiate a modification action. The request must be made in writing and the requestor must have completed an application for CSEA services.

The second way is for the person requesting the modification to initiate an action with the Family Court by filing the appropriate documents. The services of a private attorney may be necessary to successfully complete the action to modify support. There are Family Courts on the islands of Oahu, Maui/Molokai Lanai, Hawaii and Kauai. Please see the Family Court website and the Oahu's First Circuit Family Court contact for more information:  
[http://www.courts.state.hi.us/courts/family/family\\_courts.html](http://www.courts.state.hi.us/courts/family/family_courts.html)

Family Court (Oahu First Circuit)  
Kapolei Judiciary Complex  
4675 Kapolei Parkway  
Kapolei HI 96707-3272

Phone: 808-954-8290 (Family Court Service Center) and 808-954-8000 (Judicial Services)

Both methods require that the requestor provide the reason for the request including the change in circumstances from the time the last order was entered, if the order is less than three (3) years old. In addition, the requestor must provide his/her financial information before the action can continue.

### 7. How do I request the change?

For the first method, when applying for services with the CSEA, the party must make a request for modification in writing and must provide his/her current financial information such as copies of pay stubs or filed tax returns. The CSEA uses an administrative process where administrative hearings officers from the Office of Child Support Hearings issue decisions relating to child support. Upon receiving a written request for modification, the administrative process begins with a Notice of Child Support Review being sent to the parties to inform them that the existing child support order is being reviewed for a possible modification. The notice also requests that the parties provide updated financial information to the CSEA (included with the notice is an income statement form). A proposed administrative order or a Notice of No Support Change is then sent to the parties by regular mail. If the parties are not served by regular mail, an attempt is made to personally serve the proposed administrative order to the parties. If both parties cannot be served, the administrative process stops and further action cannot be taken until information on where the party can be served is obtained by the CSEA. When a party is served, he/she has the right to request an administrative hearing if the party disagrees with the proposed administrative order. For order modification, the request for an administrative hearing must be made within 30 days of being served with the proposed administrative order. When a request for an administrative hearing is received, a hearing is scheduled only when both parties have been served. If both parties have been served and no one has requested a hearing, the proposed administrative order is processed as an uncontested action.

If the parent is incarcerated and is seeking a modification and fills out the income statement form with \$0 amount, CSEA will automatically base their child support order on the minimum wage (40 hours per week) in Hawaii which is \$1,257.00 per month. This is the amount of income used to calculate child support for the non-custodial parent when the actual information is not provided, cannot be obtained or is reported as being less. It may be in the best interest of the incarcerated parent to request a hearing to provide more information about his/her circumstance because it could impact the outcome of the modification process and change the amount of child support indicated in the proposed administrative order. There is a minimum order of \$70 per child, but the administrative hearings officer or judge can find exceptional circumstances and lower the child support amount even further depending on the facts of a particular case.

For the second method, to file with the court, please contact the appropriate family court. Some child support modification forms are available online at [http://www.courts.state.hi.us/self-help/courts/forms/court\\_forms.html](http://www.courts.state.hi.us/self-help/courts/forms/court_forms.html)

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### 8. What is the process after I've asked to have my order changed, and how long does it take?

Without a hearing, the process could take about 10-12 weeks. If there is a request for a hearing the process could take about 12-14 weeks.

### 9. Is this process different if the other parent agrees to the change in advance?

Yes, if the parents agree, the process is faster and could take about 10-12 weeks as there is no need for a hearing.

### 10. Does it cost anything to try to have my order changed?

There are no costs to request a modification administratively through CSEA. There is a fee if a parent chooses to request a modification through the Family Court. Please contact the Family Court for more information:  
[http://www.courts.state.hi.us/courts/family/family\\_courts.html](http://www.courts.state.hi.us/courts/family/family_courts.html)

### 11. If I am incarcerated, do I need to do anything else to have my order changed?

The incarcerated parent will need access to a telephone to appear by phone during a hearing (if a hearing is requested). CSEA will need a contact phone number to call the incarcerated parent before the hearing to inform/prepare the parent of what to expect during the hearing.

### 12. If I am incarcerated, does my state have any programs to help me with child support?

No.

### 13. Can I get help with child support questions from other sources?

There is a non-profit organization called WorkNet, Inc. that provides transitional assistance and resources to the incarcerated/reentry and work release populations in Hawaii. WorkNet, Inc. schedules CSEA to present information to these groups about the child support services provided to parents.

WorkNet, Inc.  
The Nimitz Business Center  
1130 N. Nimitz Hwy.  
Suite B-224  
Honolulu, HI 96817

Phone: 808-521-7770  
Fax: 808-521-7784  
Email: [worknet@hawaiiantel.net](mailto:worknet@hawaiiantel.net)  
Website: <http://worknetinc.webs.com/>

### 14. Is there anything else I should know about trying to change my order?

No.

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 The federal Office of Child Support Enforcement prepared this guide; however, your local child support agency can provide the most current information. This guide does not have any binding legal authority and does not constitute legal advice. You may wish to consult a lawyer before using the forms or information provided.

