

Changing a Child Support Order in Your State

 The information below applies only to Indiana

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

For General Inquiries:

Indiana Child Support Bureau Kidline: (800) 840-8757 or (317) 233-5437

The Kidline provides general child support information, change of address service, and account information. Customer Service Representatives are available Monday-Friday from 7:00am to 6:00pm, except for state holidays. Automated phone service is available 24 hours a day, 7 days a week.

Additionally, contact information for every county prosecutor’s child support office can found on the Indiana Child Support Bureau (CSB) website at <http://www.in.gov/dcs/3215.htm>.

For Parents Who Are Incarcerated in the Indiana Department of Correction:

CSB in collaboration with the Indiana Prosecuting Attorneys Council and the Indiana Department of Correction (DOC) developed a video about child support, to be shown to all incarcerated parents during their DOC facility orientation. The incarcerated parent can then contact CSB through their DOC case worker or case manager. CSB will provide the parent with information about their Indiana child support case(s) and will direct the parent to the appropriate county court or prosecutor’s child support office.

2. How can I contact my child support agency?

Indiana Child Support Bureau Kidline: (800) 840-8757 or (317) 233-5437

The Kidline provides general child support information, change of address service, and account information. Customer Service Representatives are available Monday-Friday from 7:00am to 6:00pm, except for state holidays. Automated phone service is available 24 hours a day, 7 days a week.

Additionally, contact information for every county prosecutor’s child support office can found on the Indiana Child Support Bureau (CSB) website at <http://www.in.gov/dcs/3215.htm>.

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

No. Indiana’s child support program is administered at the state level through the Indiana Child Support Bureau (CSB), and services are provided at the county level through the prosecutors, the clerks, and the courts. The process may vary somewhat by county, but all child support modifications require a court order.

In Indiana, incarceration may be a substantial change in circumstances that justifies a modification of a child support order; however, a petition to modify support is required. A modification shall not be made effective prior to the date the petition to modify support is filed with the court.

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

In Indiana, the availability of online county specific materials varies. Contact information for every county prosecutor’s child support office can found on the Indiana Child Support Bureau (CSB) website at <http://www.in.gov/dcs/3215.htm>.

Additionally, parents can find pro se modification forms and information through the Indiana Supreme Court Self-Service Legal Center. The Self-Service Legal Center can be found online at <http://www.in.gov/judiciary/selfservice/>. There is a packet to request a modification when both parents agree to the modification, <http://www.in.gov/judiciary/selfservice/2346.htm>, and when the parents do not agree, <http://www.in.gov/judiciary/selfservice/2345.htm>.

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

No.

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

A court order is required to modify child support. Under Indiana law, a party may petition the court to modify child support when:

- There is a substantial and continuing change of circumstances that makes the existing order unreasonable; or
- The previous order is at least 12 months old and the amount of support calculated under the Child Support Guidelines differs from the current court order by at least 20% .

Incarceration may be a substantial and continuing change of circumstances that justifies a modification of child support.

If the court modifies a child support order due to the incarceration of a parent, the court may order that child support automatically return to the pre-incarceration amount upon release of the parent. The court may also require that a parent participate in a hearing after his or her release to determine the appropriate amount of child support.

7. How do I request the change?

A petition to modify support must be filed in the court with jurisdiction over the support order. The process to file a petition and request a hearing may vary by local court practices.

If the Title IV-D agency is involved with the case (IV-D case), a parent has two options to pursue a modification of child support. The first option is to request a review for consideration of modification through the county prosecutor's office. The request should include the following information:

- Name
- ISETS case number,
- Court cause number,
- Date(s) of incarceration
- Cause number under which the parent is presently incarcerated,
- Name of the facility in which the parent is presently incarcerated,
- List of *any* income sources the parent has while incarcerated (e.g., jobs, monetary benefits, etc.)

Once the county prosecutor's child support office has received the request for modification, they will send the incarcerated parent county specific instructions for further pursuing modification.

The second option a parent may use is to pursue modification in court by filing a petition to modify child support, either on their own (*pro se*) or with the assistance of private counsel.

If the Title IV-D agency is *not* involved with the case (non-IV-D case), the parent may file a petition to modify child support either on their own (*pro se*) or with the assistance of private counsel.

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

The prosecutor's office has up to 180 days to complete a request to modify support. The length of time an individual county prosecutor's office actually takes depends on the circumstances in each county. Once a petition to modify support is filed with the court, the court will set a hearing. Likewise, the length of time the court takes to set a hearing, hear the case, and issue an order depends upon the circumstances of the individual court.

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

Many courts in Indiana permit the parties to submit an agreed order to modify support. If the agreement meets all legal requirements, the court may issue an order modifying support without setting a hearing. The procedures for submitting agreed orders vary by local court practice. Parties should contact the county prosecutor's office (if the case is a Title IV-D case) or the court (if the case is non-IV-D) for further information.

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

No.

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

Modification procedures vary according to the county in which the proceeding is being conducted. If a court hearing for modification of child support has been scheduled, an incarcerated parent may need to file with the court a request to appear (by telephone or in person by a transport order) at the hearing. The parent should contact the local court office or the county prosecutor's child support office for further information.

Simply mailing a request to modify child support to the county may not be enough. It is important that incarcerated parents confirm that requests for modification were filed in court. Filing a petition to modify does not guarantee a change in the child support order.

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

For parents who are incarcerated in the Indiana Department of Correction:

CSB in collaboration with the Indiana Prosecuting Attorneys Council and the Indiana Department of Correction (DOC) developed a video about child support, to be shown to all incarcerated parents during their DOC facility orientation. The incarcerated parent can then contact CSB through their DOC case worker or case manager. CSB will provide the parent with information about their Indiana child support case(s) and will direct the parent to the appropriate county court or prosecutor's child support office.

For parents who are incarcerated in other facilities:

No specific programs exist, but the Kidsline, Child Support website, and Indiana Supreme Court Self-Help Legal Center are available by phone and on-line to assist. See questions 1, 4, and 13 above.

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

Information about available Pro Bono legal services can be found through the Indiana Pro Bono Commission. Services vary by Legal Aid District or County. Information regarding Legal Aid Providers and available services can be found online at <http://www.in.gov/judiciary/probono/2343.htm>.

Parents can find pro se modification forms and information through the Indiana Supreme Court Self-Service Legal Center. The Self-Service Legal Center can be found online at <http://www.in.gov/judiciary/selfservice/>.

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

Simply mailing a request to modify child support to the county may not be enough. It is important that incarcerated parents confirm that requests for modification were filed in court. Filing a petition to modify does not guarantee a change in the child support order.

In Indiana, if the court modifies a child support order due to incarceration of a parent, the court may order that the support automatically return to the pre-incarceration amount upon release of the parent. Modification practices vary according to the county in which the case is being heard. Incarcerated parents should contact the county court or prosecutor's child support office(s) for further information.



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.

