

Changing a Child Support Order in Your State

! The information below applies only to Washington

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

A parent can find out if Washington State has a child support case by calling 1-800-442-KIDS (1-800-442-5437). Callers can get automated case information from this central phone line or opt to speak to a customer service agent Monday thru Friday, 8AM – 5PM (Pacific Time)

2. How can I contact my child support agency?

- Parents can write to the Washington Division of Child Support at the statewide central mail center: PO Box 11520, Tacoma, WA 98411-5520.
- Parents can e-mail general questions to dcs-cru@dshs.wa.gov.
- Parents can visit the Washington State Division of Child Support website for general information at www.dshs.wa.gov/dcs/.
- Parents are encouraged to speak to their specifically assigned case manager for details about their particular case(s). They can be connected to their assigned caseworker by calling 1-800-442-KIDS (Monday thru Friday, 8AM – 5PM (Pacific Time)). If the case manager is not available, a voice message can be left and calls are generally returned within 24 hours.

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

No.

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

Yes, for incarcerated parents there is a brochure was specifically designed to describe child support issues for incarcerated parents. It provides information about order modifications and contains a tear-off form that people who are incarcerated can use to communicate with Washington State Division of Child Support. The form “Do I still have to pay child support if I am in prison” is attached and is available at <http://www.dshs.wa.gov/pdf/Publications/22-423.pdf>.

General information about obtaining an order modification on your own is available in a brochure “How to obtain or modify a Child Support Order on your own” attached here, and available online at <http://www.dshs.wa.gov/pdf/Publications/22-021.pdf>

On-line automated child support worksheets give parents an opportunity to estimate their monthly child support obligation under the Washington State Child Support Schedule at <https://fortress.wa.gov/dshs/csips/ssgen> or using the Quick Child Support Estimator at <https://fortress.wa.gov/dshs/csips/Resources/QuickEstimator.asp>.

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

Yes, a brochure designed for incarcerated parents is available. It is attached and available online at <http://www.dshs.wa.gov/pdf/Publications/22-423.pdf>. This brochure contains a tear-off form incarcerated parents can use to communicate with Washington State Division of Child Support.

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

A parent may petition the court or administrative agency directly for a modification at any time they wish, particularly if there has been a substantial change in their circumstances since the last order was entered. Incarceration may be viewed by a judge as a substantial change in circumstances and appropriate for an order modification.

In order for the Washington State Division of Child Support to take on the process of filing your modification petition to the court, the order must meet the following basic standards: (1) The order must be at least 35 months old; (2) The anticipated change in the monthly support amount, either up or down, must be at least 25% of the current support amount or \$100/month; (3) The overall change in the remaining support obligation for the life of the order must be at least \$2400; or, (4) there has been a substantial change in circumstances.

7. How do I request the change?

Parents always have the right to petition a court on their own or through the assistance of an attorney or a courthouse facilitator. Or, a parent can ask the Washington State Division of Child Support for assistance modifying the order. If the underlying order was from Washington State (either a court order or administrative order), talking to the assigned case manager about the underlying order is a recommended first step. Then particular forms and documentation may need to be submitted. Required forms will need to be completed and submitted to the Washington State Division of Child Support so staff can begin the process of reviewing the order for possible modification. These forms and processes can be obtained online at <http://www.dshs.wa.gov/dcs/services/modification.asp>.

The forms are not attached here as there are different forms depending on the process used. If DCS is not enforcing your child support or you want to modify your order without a DCS review, you may do it yourself, by using the "Pro Se" method. Packets are available at any DCS office. If DCS is enforcing your child support order, you may ask DCS to review your order to see if a modification is appropriate, or you may petition for modification without DCS's help. For a review you will need to complete the Request for Review of Child Support Order, Washington State Child Support Worksheets, Instructions (if needed), Financial Declaration, and Confidential Information Form (INFO) and mail them to your child support office. If you have an Administrative Order from Washington State, you may petition to modify your support order without asking DCS for a review. You may tell DCS that you want an administrative hearing by completing a Petition for Modification, Washington State Child Support Worksheets, and Financial Declaration, or complete a Late Request for Administrative Hearing and Washington State Child Support Worksheets. Mail the completed forms to the field office that handles your case. (You may also call the field office to request a late hearing.) Direct links to these forms are in <http://www.dshs.wa.gov/dcs/services/modification.asp>, and the forms themselves are available online at <http://www.dshs.wa.gov/dcs/Resources/Forms.asp>, <http://www.courts.wa.gov/forms/>, or www.washingtonlawhelp.org.

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

Once all the required modification forms and supporting financial paperwork has been received by the Washington State Division of Child Support, they will conduct an analysis to determine if the anticipated adjustment to the order meets the threshold. Process times depend on many factors, including whether the order is an administrative order or a court order, which county the action is in and whether the action is undertaken with an attorney, pro se, or via the Division of Child Support. In general, a court order modification via the Washington State Division of Child Support may take 4-6 months to complete.

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

When the Washington State Division of Child Support is taking the lead in pursuing an order of modification, the same basic paperwork is generally required from both parties whether or not the parties agree with each other or not. However, if both parents agree, this generally makes things easier and faster. A modification of either a court order or administrative order can generally proceed without a party needing to actually be present, particularly if the parties agree.

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

If parents ask the Washington State Division of Child Support to initiate the order modification, the requesting party does not have any costs to pay. If a parent petitions the court directly for a modification, court filing fees will likely be required by the court and costs may be incurred serving the other party.

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

Orders in Washington State are not “automatically” modified as a result of incarceration. Parents must specifically request a modification either by petitioning the court directly or asking the Washington State Division of Child Support for assistance processing the paperwork required for a court to consider the request. A modification of either a court order or administrative order can generally proceed without a party needing to actually be present. If a hearing is needed, either the Division of Child Support Staff or the assigned county Prosecuting Attorney’s Office may be able to facilitate a telephonic hearing with the incarcerated parent.

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

Child support caseworkers from nearby local child support offices occasionally visit correctional facilities. Washington State created a video for incarcerated parents that is often shown at the Washington State Department of Corrections intake facility in Shelton, WA.

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

Community resources vary in different locales. The brochure “How to obtain or modify a Child Support Order on your own” lists the following resources: 1) Courthouse Facilitator, www.courts.wa.gov/court_dir; 2) CLEAR (Coordinated Legal Education and Referral), 1-888-201-1014; and 3) Washington Law Help, www.washingtonlawhelp.org.

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

Child support orders in Washington State are not “automatically” adjusted when a parent is incarcerated or released. It is important that parents take action and notify the Washington State Division of Child Support as soon as possible upon incarceration or release.

Washington State Division of Child Support is required by state law to collect child support from wages that may be earned through jobs performed during incarceration. Washington State Division of Child Support does not attach wages earned during work release.



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.



Child Support Web sites

For Division of Child Support (DCS) information:
www.childsupportonline.wa.gov

Child Support Internet Payment Service:
<https://fortress.wa.gov/dshs/csips/csips/default.asp>

Information for Victims or Survivors of Domestic Violence:
<http://www.dshs.wa.gov/dcs/services/domesticviolence.asp>

Child Support Calculator:
<http://www.courts.wa.gov/ssgen/>

Call the DCS office nearest you or call **800-442-KIDS (5437)** to find the office handling your case.

Division of Child Support (DCS) Offices

Everett	800-729-7580 425-438-4800
Fife	866-243-4449 253-922-0454
Kennewick	800-345-9981 509-374-2000
Olympia	800-345-9964 360-664-6900
Seattle	800-526-8658 206-341-7000
Spokane	800-345-9982 509-363-5000
Tacoma	800-345-9976 253-597-3700
Vancouver	800-345-9984 360-696-6100
Wenatchee	800-535-1113 509-886-6800
Yakima	800-441-0859 509-249-6000
Headquarters	800-457-6202 360-664-5000

If you would like to open a case with the Division of Child Support, you can visit your local child support office, contact us at 800-442-KIDS (5437), or go to our web site at:
www.childsupportonline.wa.gov



**How to
obtain or
modify a
Child Support
Order on
your own**



DCS Division of Child Support

Are you trying to prepare or modify your own child support order?



What kind of legal help is available?

You have several options if you can't afford your own attorney:

- Courthouse Facilitator
www.courts.wa.gov/court_dir
- CLEAR (Coordinated Legal Education and Referral)
1-888-201-1014
- Washington Law Help
www.washingtonlawhelp.org

Where can you get the forms you need?

There are several websites where you can find forms:

- Forms for Washington state courts
www.courts.wa.gov/forms/
- DSHS Division of Child Support forms
<http://www.dshs.wa.gov/dcs/Resources/Forms.asp>
- Washington Law Help
www.washingtonlawhelp.org

You can also get hard copy forms from the Facilitator's or the Superior Court Clerk's Office.

Do your children receive public assistance?

If so, you must give notice to the state before entry of your child support order.

Use the **Declaration Regarding Public Assistance, DRPSC 01.U0600**, to advise the court, whether or not the state requires notice.

How do you calculate the support amount?

The Washington State Child Support Schedule (WSCSS) is used to set child support amounts, whether you are entering a brand new order or modifying an existing order.

You can use the online child support calculator at

<http://www.courts.wa.gov/ssgen/>

to figure out what the amount should be.

The facts of your case may allow for setting the obligation at an amount higher or lower than the amount you get from a basic calculation.

How do you get the other parent's income amount?

Child support orders are based on each parent's income. But what if you don't have a copy of the other parent's pay stub?

If you need help finding income information for the other party to your child support order, DCS might be able to provide what you need.

You can use the **Request for Income Information** form to ask DCS if we have income information for the other party. You can get the form on line, from the courthouse facilitator, or from your local legal services provider.

If you already have a DCS case, we may already have the information you need. If you don't have a DCS case, you can ask us to open a "locate only" case just to find out income information. After we get the income information (or if we can't find anything), we close the case.

How can you enforce your child support order?

The pattern form for the Order of Child Support contains options for how the child support will be paid. Most orders provide for payment through Washington State Support Registry (WSSR).

If you provide for payment through WSSR, sign the last page of the order to request DCS enforcement services.

What if you don't have a child support order, but want one?

Although we can't help you with your dissolution or parenting plan, we may be able to assist you in getting an administrative child support order. Contact us at 1-800-442-KIDS or visit our website at

www.childsupportonline.wa.gov

Do I still have to pay child support if I am in prison?



Call the DCS office nearest you or call 800-442-KIDS (5437) to find the office handling your case.

DCS Offices

Everett	800-729-7580 425-438-4800
Kennewick	800-345-9981 509-374-2000
Olympia	800-345-9964 360-664-6900
Seattle	800-526-8658 206-341-7000
Spokane	800-345-9982 509-363-5000
Tacoma	800-345-9976 253-597-3700
Vancouver	800-345-9984 360-696-6100
Wenatchee	800-535-1113 509-886-6800
Yakima	800-441-0859 509-249-6000
Headquarters	800-457-6202 360-664-5000

Legal Resources

Northwest Justice Project Coordinated
Legal Education, Advice & Referral
(CLEAR) Project
888-201-1014
www.nwjustice.org

**Northwest Women's
Law Center**
Information & referral line
206-621-7691

Court Web sites
Contact the courts at
www.courts.wa.gov/

**Division of
Child Support
DCS**

**PO Box 11520
Tacoma, WA 98411**
**www.dshs.wa.gov/dcs/
DCS-CRU@dshs.wa.gov**

**Legal Clinics
and Legal Information**
wsba.org/atj/contact/legasst.htm

***All information
in DCS records
is confidential***

You can have someone (a relative, friend or an attorney) call DCS on your behalf. We can answer general questions for anyone, but we cannot discuss specific case details unless we have your written permission.

TACOMA WA 98411-5520

PO BOX 11520

DIVISION OF CHILD SUPPORT



PLACE
STAMP
HERE

Does my child support responsibility go away while I am in prison?

No. Your child support payments are due every month even if you are in prison or in jail.

If you cannot pay, your support debt continues to get bigger each month unless you change the order.

What happens to the 20% deducted from the money going into my inmate account?

Washington State law requires that the Department of Corrections (DOC) take money for child support from earnings, gratuities, and workers compensation benefits paid out to you. The money they take is sent once a month to the Division of Child Support (DCS) to apply to your child support cases. If we receive more than you owe the extra will be refunded back to your inmate account.

What can I do?

By completing the form in this brochure and mailing it to us, you can ask DCS to:

- Review your child support order to lower the current support payments. This may modify your support order. If you do not have a case with DCS, you can apply for our services.
- Lower or write-off the portion of your child support debt that is owed to the state of Washington. This process is called a Conference Board.
- Send you an application for services. We establish paternity, and establish, modify, and enforce orders for child support and health insurance.
- Release our hold on your driver license.

DCS does **not** provide visitation, custody, or parenting plan services.

How can changing (modifying) my order help me?

Child support should be set to reflect your current situation. If you want to change the amount your are charged for current support you have to modify your child support order.

- Changing your current support won't change how much debt you already owe.
- It doesn't happen automatically, you have to fill out paperwork and ask for it to change. It can take months to modify an order and you have to work with us the whole time to make it happen.
- The new order sets the start date of the change. The earliest it can start is the court filing date. It is **not** the date you asked DCS to review your order.

How can I change the amount I already owe?

Sometimes, where financial hardships occur, DCS will consider forgiving some or all of a child support debt that is owed to the state of Washington. This happens during a process called a Conference Board.

The Conference Board Unit **cannot** forgive debt owed directly to someone else or another state. However, the person owed the child support debt can forgive the debt you owe them. If that is something they want to do they must contact DCS for more information.

What if I get a new notice?

DCS can serve you legal notices while you are in prison, including a notice to establish child support.

Do not ignore mail from DCS!

Usually, you have 20 days to answer the legal notices we send you. (Each notice has information about your rights.)

- If you object to the terms in the notice, you can ask us for relief.
- If you **do not** answer the notice it will automatically become final after 20 days pass and we will start to enforce it.

What about my driver license?

Let us know when you are in prison or work-release and we will release our hold on your driver license and keep it off until 30 days after you are released.

During those 30 days you need to contact us again to work out a payment plan. If you don't your license may be suspended again by child support. The sooner you call DCS the easier it will be for us to work with you. We are required to collect your current child support and something towards any support debt.

What will happen once I find a job?

When you have a child support obligation you are required to notify us each time you get a new job. If you contact us once you find employment we can work with you on the amount you pay each month towards your debt.

If you don't notify child support then when we send out the garnishment to your employer it may be at an amount that is higher than what will work for your budget.

Call DCS and we will work with you!

Tape Closed Here Before Mailing

DCS Information Request

Please send me forms to:

- Ask DCS to change my child support order(s). Apply for full enforcement services from DCS.
- Ask for a Conference Board. Allow someone else to talk about my case with DCS.
- I'm incarcerated, please release my license. I am disabled and need special help.
- I read limited English. Please send the forms in Language

Other (explain)

I am incarcerated at

My DOC # is

My Estimated Release Date is

DCS Case Number

Name

Address (Street or PO Box)

City

State

Zip

Signature

Date MM / DD / YY