

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 provide *legal information* only and **are not intended** to be a substitute for legal advice.

Facilitators cannot provide legal advice or complete your forms for you. It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

Step 1: Fill out these forms.

All of these forms in Step 1 can be downloaded at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms> and www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Case Assignment Area Form & Case Index Cover Sheets			☐
Confidential Information	FL All Family 001 and 002	Attachment to Confidential Information (Additional Parties or Children)	☐
Summons: Notice about Petition to Modify Child Support Order	FL Modify 500		☐
Petition to Modify Child Support Order	FL Modify 501	Attach a copy of the current Child Support Order	☐
Notice to Military Dependent	FL All Family 103		☐
Child Support Schedule and Instructions (do not make copies of this form)	WSCSS-Schedule	Use these instructions to calculate the Child Support Worksheets. Online Child Support Calculator available at: https://fortress.wa.gov/dshs/dcs/SSGen/Home	☐
Child Support Worksheets	WSCSS-Worksheets		☐
Financial Declaration	FL All Family 131		☐
Sealed Financial Source Documents Coversheet	FL All Family 011	This form goes on the front of the financial documents you file	☐
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 your banks and financial institutions for the past 6 months <i>Note:</i> The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.			

Step 2: Make Copies

Which documents do I need copies of?

- The Case Schedule the Clerk gave you when you filed
- Summons
- Petition to Modify Child Support
- Notice re Military Dependent
- Proposed Child Support Worksheets
- Financial Declaration & Sealed Financial Source Documents

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: Start (file) your case and pay a fee

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You can file your case online on the Clerk's website at:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>. If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov.

While starting the case, the Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>

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 the documents you made copies of in Step 2

How to Serve

- Someone over 18 – **not you** - must serve (give) the other party the documents.
- Someone over 18 -- **not you** – can also mail the forms to the other party (must be sent both regular AND certified mail)
- After serving, the server fills out the *Proof of Personal Service* (If the other parent is personally served outside Washington State, fill out and file a *Declaration: Personal Service Could Not be Made in Washington*.) If the other party was served via mail, the server must fill in and sign the *Proof of Mailing or Hand Delivery*.

Form Name	Form Number	Notes	Completed
Proof of Personal Service	FL All Family 101	Use this form if the other party will be personally served	☐

Proof of Mailing or Hand Delivery	FL All Family 107		
Declaration: Personal Service Could not be Made in WA	FL All Family 102	Use this form if the other party was served outside of Washington state	☐

File the *Proof of Personal Service* or *Proof of Mailing or Hand Delivery* form with the Clerk's Office.

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:

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

If the other parent **does not** respond by the deadline, you can ask the Court for a *Default* Order. Visit the Family Law Facilitator's [webpage](#) to learn more about Default. If the other parent **does** respond by the deadline, follow your Case Schedule and steps 6 through 9 of these instructions.

Step 6: Finish your Case.

There are 3 ways to finish your case.

Default: If the other party does not file a Response to the Petition by the deadline, you may be able to finalize your case by default. There are instructions called "How to Ask for an Order of Default" under the "Motions and Orders" section here: <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/how-to-resources-family-law>

Agreement: If both parties agree to the modifications, you can finalize your case through the facilitator's office. You may bring all your final documents (listed in Step 8), signed by both parties, to either facilitator location to be processed and presented to a judicial officer. You can drop off the documents during facilitator walk-in hours, email to facilitators@kingcounty.gov, or drop in the mailroom in Room C-203 (Seattle) or 2D (Kent).

Trial: If the other party responds and does not agree with the modification, you will follow your Case Schedule and prepare for trial. See below for more instructions on trial preparation.

Step 7: Complete your Trial Memorandum, respond (if necessary) and make 3 copies.

File your Trial Memorandum (Declaration) 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	☐
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		include information on your income and expenses as well as those of the other parent.	
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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 TBA 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 8: 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	Fill this out the way you would like the judicial officer to sign.	☐
Child Support Order	FL All Family 130	Fill this out the way you would like the judicial officer to sign.	☐
Child Support Worksheets	WSCSS-Worksheets		☐

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 TBA Commissioner (see Step 8)
- Deliver 3 copy to the Prosecuting Attorney (if applicable)

Step 9: Prepare your TBA Binder and Deliver to the Mailroom

Now it's time to deliver Copy 2 of all of the forms listed below to the TBA Commissioner (Family Law):

- 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 (this is your Trial Memorandum)
- Child Support Order (proposed)
- Final Order and Findings on Petition to Modify Child Support Order (proposed)
- Child Support Worksheets (proposed)

****Important!** Make sure to serve the other party with your proposed Child Support Order (proposed) and Final Order and Findings (proposed) if you have not done so already. You will fill in and file another proof of service page.***

All **Working papers/binders** shall be provided in a three-ring binder with a plastic cover. The moving party must provide the binder to the court by the deadline for their reply and it must include their opening and reply information. The responding party must provide the binder by the deadline for their response. Please list your name, phone number, email address, trial date and cause number on the front of the binder cover using [this document](#) (Trial by Affidavit Coversheet). All other deadlines on the case schedule must be followed.

DO NOT list a judge name on the Cover Sheet.

If you need a binder, some may be available on a first come first serve basis in front of room W-291 in Seattle and 2D in Kent.

Deliver the Trial Binder to the Commissioner's 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 TBA Commissioner, the Court may dismiss your case, and you will have to start again.

Step 10: Your Virtual Trial

All family law motions are being heard virtually via Zoom. Two days before your hearing:

- Go to <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-calendars-locations-operations/superior-court-calendars-schedules/virtual-family-law-hearings>
- Click on the green button that says "Virtual Hearing Links- 1:00 p.m. Calendar"
- Find the name of your case. The zoom link you will use to appear for your hearing will be to the right of your case number.

If you cannot access Zoom for your hearing, you may also use the phone number provided to appear by phone. If you cannot go online to get the hearing information, at least two days before your hearing, call and leave a message at:

- 206-477-1523 for motions noted in Kent, or
- 206-477-2750 for motions noted in Seattle

Court staff will contact you back to let you know how to appear.

For more guidance on Video Hearings, please visit: <https://kingcounty.gov/courts/superior-court/get-help/Video.aspx>

Important tips for your Zoom hearing:

1. **If you are on time for your hearing and you are not let into the meeting within 15 minutes** after your scheduled hearing time, please email
 - a. FamilyLawStaffSeattle@KingCounty.gov for Seattle cases or,
 - b. FamilyLawStaffMRJC@KingCounty.gov for Kent cases.

Do not leave the waiting room. If you cannot email the court, call 206-263-0635 for assistance.

2. Once in the meeting please:

- a. Mute yourself and turn off your camera until you are called on.
- b. Rename yourself with your last name, first name (example: "Doe, Jane").
- c. If you get disconnected on accident, you can click the link again or call the associated phone number and you will be let back into the meeting.

3. The coordinator will perform a check-in. Please remain muted and do not speak until your name or case number is called.

4. After check-in, wait and remain muted with your camera off until the court is ready for your hearing. Your hearing may start at any time between 1:00 and 4:00 pm. When called, identify yourself each time you speak and conduct yourself as you would if you were in a physical courtroom, meaning there are other people present for their hearings too.

5. After your hearing is over you are welcome to leave the meeting.