

MODIFYING AN ORDER

Either parent may request that the Rhode Island Family Court *modify the child support order*. According to the law, the party asking for the modification must show a significant change in circumstances. Some examples of a significant change in circumstances include:

- Loss of employment or Lay off
- Disability or Worker's Comp.
- Incarceration
- A decrease in income earned
- An increase in income earned
- Emancipation of the youngest child
- Increase in the needs of the child
- Birth of a new child
- Change of custody
- Death of either party

The Office of Child Support Services can assist either party in filing a *motion to modify*. Also there is a *pro-se* packet available if you would like to file the motion on your own. The Rhode Island Family Court will apply the guideline chart in effect to determine the new child support order.



HOW TO FILE A MOTION TO MODIFY

- All motions are filed at the RI Family Court
- Motions are retroactive to the date of filing and not to the date when your situation changed.
- Copies of the motion must be sent to all parties and OCSS
- Copy of the motion filed must be sent **certified mail** to the Custodial Parent
- You can obtain assistance in filing the Motion at OCSS
- Pro-Se packet is available for incarcerated parents

REVIEW AND ADJUSTMENT OF AN ORDER

Either party or the State may *file a motion for review and adjustment* based upon the conclusion of **three** years since the last child support order was established or modified. Under the law the parties need not prove a significant change in circumstances. The court will apply the guidelines and determine the new order.

The Office of Child Support Services can assist either party in filing a motion for review and adjustment and can file a motion for review and adjustment in a FIP (Family Independence Program) case at the state's request. *The order may go up or down upon application to the court.*

There is a review and adjustment packet available if you would like to file this motion on your own.

**HOW DO I MODIFY MY
CHILD SUPPORT ORDER?**

**WHEN CAN I ASK TO HAVE
MY CHILD SUPPORT
ORDER REVIEWED?**

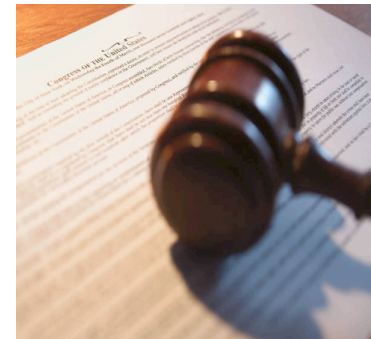
**WHAT IS THE DIFFERENCE
BETWEEN MODIFYING
AND REVIEWING MY
CHILD SUPPORT ORDER?**



**Department of
Human Services
OFFICE OF CHILD
SUPPORT SERVICES
77 Dorrance Street
Providence, RI 02903
401-458-4400
OCSS.RI.GOV**

**WHAT YOU NEED TO
KNOW ABOUT:**

**MOTION TO MODIFY AN
ORDER &
REVIEW AND
ADJUSTMENT OF ORDERS**



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www.cse.ri.gov