

Outline
Chelan County

MODIFICATION OF CHILD SUPPORT

Local Court Rule 94.04 requires that all pro se (self-represented) people have their proposed Temporary Orders and all Final Orders reviewed and pre-approved by the Family Law Court Facilitator, Navigator, Limited Licensed Legal Technician or private attorney before the Clerk can set a hearing date. You may call the Chelan County Clerk's Office at (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator. The fee for a 45-60 minute appointment is \$40.00. She will review your papers, answer questions, help you in completing the process and set a hearing date.

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. The Family Law Court Facilitator and the Clerk's Office cannot give legal advice.

Your specific situation may require additional forms and procedures which may not be listed on this outline. Attached to this outline is a list of the forms contained in the complete packet available at the Chelan County Clerk's Office for a fee of \$20.00.

- 1. FORMS:** Obtain the forms listed in this outline. The Chelan County Superior Court Clerk sells **Modification of Child Support** packets which include the required state and local forms. To make the process easier to understand, these packets are divided into "Steps" (Step 1, Step 2, Step 3, etc.). The packet cost is \$20.00 and it contains all the forms needed to complete the modification process. You may also download the forms for free at the Washington State Court website: www.courts.wa.gov/forms . Chelan County Local Court Rules and local forms are available for view and download at www.co.chelan.wa.us/superior-court or you may purchase individual local forms at the Chelan County Clerk's Office.
- 2. HELP:** If you need help understanding forms or procedures, the Family Law Court Facilitator can review your papers you have completed yourself, answer questions, and help you with procedures. The Family Law Court Facilitator cannot give legal advice, does not represent you, may assist but cannot fill out your papers for you and may also help the other party. There is a \$40 fee per 45-60 minute appointment. To see a Family Law Court Facilitator you must make an appointment by calling (509) 667-6380 or (509) 667-6236.
- 3. COMPLETE THE FORMS:**
Fill out:
 - *Case Information Cover Sheet
 - *Confidential Information Form (FL All Family 001)
 - *Petition to Modify Child Support Order (FL Modify 501)
 - *Summons: Notice about Petition to Modify Child Support Order (FL Modify 500);
 - *Child Support Worksheets (WSCSS-Worksheets)
 - *Child Support Order (FL All Family 130)
 - *Financial Declaration (FL All Family 131)
 - *Sealed Financial Source Documents (FL All Family 011) (cover sheet)
- 4. FILE YOUR PAPERS:** File your papers with the Chelan County Superior Court Clerk. The filing fee is \$56.00 if you are modifying a Chelan County Order and \$260.00 if the order to be modified is from another county. You may pay by cash, check, money order, cashier's check, Mastercard, or Visa.

(There is an additional fee if a credit or debit card is used.) There is a process by which you can waive the filing fee if you qualify. The Clerk's Office has a "Fee Waiver Packet".

5. **SERVICE**: Have the other party served with copies of all your filed papers except the **Confidential Information Form**. You must have someone, who is 18 years or older and who is not a party to your case serve the other party by personally handing him/her copies of the papers. **You cannot serve the papers yourself**. The person serving the papers must completely fill out and sign a **Proof of Personal Service (FL All Family 101)**. Make sure that all the papers that were served are listed on the **Proof of Personal Service** and that the date, time and place of service are filled in because that is your proof that the other party was properly served. File the **Proof of Personal Service** at the Clerk's Office. The other party has 20 days (if served within the state of Washington) or 60 days (if served outside of the state) in which to file a **Response to Petition to Modify Child Support Order (FL Modify 502)**.

6. **DEFAULT**: If the other party does not file a **Response** to your Petition within the allowed time you may file a Motion for Default.

Fill out:

***Motion for Default (FL All Family 161)**,

***Order of Default (FL All Family 162)**

***Note for Motion Calendar (Local Court form contained in the packet or available at the Clerk's Office)**.

Complete these three forms and file them at the Chelan County Clerk's Office. These motions are heard on Fridays at 9:30 am. The Court Facilitator can help you file this Motion. You may call (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator.

7. **FINAL PAPERS**: Schedule an appointment with the Family Law Court Facilitator to review and pre-approve your final papers and set your final hearing. Fill out and bring all your completed forms listed below with you to the appointment. If you are finishing your case by default, make sure all your final orders are filled out exactly the same as the papers the other party was served. If you reach an agreement, both parties must sign the completed final papers. The Family Law Court Facilitator can help you with the final papers if you do not understand them.

***Motion for Default (FL All Family 161) unless previously filed.**

***Order of Default and (FL All Family 162) unless previously filed.**

***Final Order and Findings on Petition to Modify Child Support Order (FL Modify 510)**

***Child Support Order (FL All family 130)**

***Child Support Worksheets (WSCSS-Worksheets)**

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8. **SETTING A FINAL HEARING If there has been an appearance by the other party:**
(The Family Law Court Facilitator will help you with this at the time your Final Orders -#7 above - are reviewed and pre-approved.)

Complete:

***Notice of Hearing on Petition to Modify Child Support Order (FL Modify 506)**

***Proof of Mailing or Hand Delivery (FL All Family 112)**

If the other party has filed a Response or made an appearance in this case s/he must receive notice of the final hearing; a copy of the **Notice of Hearing on Petition to Modify Child Support Order**

must be mailed to the other party at least 8 (5 plus 3 for mailing) days prior to the date set for hearing. The person who mails or hand delivers the papers to the other party must sign the **Proof of Mailing or Hand Delivery (FL All Family 112)** declaring under penalty of perjury that they provided the Notice of Hearing on Petition to Modify Child Support Order either by mail or hand delivery to the other party. This is your proof that the other party received notice.

9. FINAL PAPERS:

Your original Final Orders (#7 above) will be held by the Clerk and made available to the Judge for signing on the day of your final hearing.

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Helpful Phone Numbers and Websites

Chelan County Superior Court Clerk's Office (509) 667-6380

Volunteer Lawyer Program of Chelan County (509) 663-2778

CLEAR line for a referral to the Volunteer Legal Professional (888) 201-1014

State Prosecuting Attorney – Family Support Division (360) 336-9461

www.courts.wa.gov/forms to download standard family law forms

www.washingtonlawhelp.org for general information on a variety of legal topics

www.nwjustice.org for general information and resources

www.co.chelan.wa.us/superior-court Superior Court website

www.co.chelan.wa.us/clerk Chelan County Clerk website.

www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information)

Steps 1 – 4 MODIFICATION OF CHILD SUPPORT ONLY

STEP 1 – Starting the case

Case Information Cover Sheet
Confidential Information Form
Summons: Notice about Petition to Modify Child Support Order
Petition to Modify Child Support Order
Declaration about Public Assistance
Proposed Child Support Worksheets
Proposed Child Support Order
Financial Declaration
Sealed Financial Source Document Cover Sheet

STEP 2 – Serving the papers

Service Accepted
Agreement to Join Petition (Joinder)
Response to Petition to Modify Child Support Order
Proof of Personal Service

STEP 3 – If a Response is NOT filed

Motion for Default
Order on Motion for Default
Note for Motion
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)

OR – If a Response IS filed

Notice of Hearing on Petition to Modify Child Support
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)

STEP 4 – Finalizing the modification

Final Order and Findings on Petition to Modify Child Support Order
Order of Child Support
Child Support Worksheets
Notice of Hearing on Petition to Modify Child Support Order
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)