

MODIFYING A CHILD SUPPORT ORDER

CHILD SUPPORT & WHEN YOU CAN MODIFY

What is Child Support?

Both parents have a legal responsibility to support their children. The Court will order a parent to pay an ongoing monthly amount of child support to the other parent to contribute to the child's basic living expenses.

When can a child support order be modified?

1. If there is a substantial & continuing change that will amount to a 10% change (up or down) in the order.
2. If the order does not contain a provision for medical and dental insurance, payments of deductibles and co-pays, or unreimbursed medical expenses.
3. Added expenses (new house, car, etc.) do not qualify for a modification.

CHILD SUPPORT GUIDELINES & CALCULATIONS

The Child Support Guidelines are designed to make sure that a fair share of each parent's income and resources are given to their child.

The guidelines use a formula based on what the parents would have spent on the child had they not separated.

The following may be factored in:

- Gross income (before taxes) of both parents.
- The child's income (if any). *Does not include child support.*
- Number of overnights the child spends with each parent.
- Expenses, including health insurance and childcare.
- Other child support orders, financial support given for children of another relationship, and any spousal support (maintenance or alimony) that may be paid or received.

The Family Law Software is a free online program you can use to estimate the amount of child support. Exact child support order amounts will be calculated by the court or Child Support Services.

To estimate your child support, visit: [Family Law Software](#)

OPTIONS TO MODIFYING CHILD SUPPORT

Through the Court:

File a Motion to Modify Child Support JDF 1403. See Instructions JDF 1403i for step-by-step guidance.

Through Child Support Services (CSS):

Orders can be reviewed for a potential change at any time. You may want to request a review because:

- The child has emancipated and is no longer living with parent receiving support.

- Either parent's income has changed.
- The costs of raising the child have changed, such as healthcare or childcare.
- A change in the number of overnights the child has with the other parent.
- It has been 3 years since your order was last reviewed.

Contact your local office to get the forms or access for free online at: [Child Support Services changing an order](#)

All child support review requests must be made in writing at the county office handling your case. The request must also include an Income and Expense Affidavit, supporting documents, and the reason for the change.

Following the review, the order may go up, down, or stay the same. It can take up to 6 months to change an order.

CUSTODY: PARENTING TIME & DECISION MAKING

You may ask for Allocation of Parental Responsibilities (Custody) Orders in your Child Support case.

1. Fill out and file: Motion for Parenting Time JDF 1531
2. A copy of the motion must be mailed, handed, or emailed (if party has consented in writing) to all parties in the case.

3. The Judge will review your motion and enter an order. Make sure you read all orders.
4. The Court may set your case for a hearing.

Not applicable if you already have a Domestic Relations (DR) case regarding Divorce or Custody.

The Court may have other requirements, such as: mediation; co-parenting classes; a status conference with a Family Court Facilitator; and/or additional forms to be filed.

DURATION OF CHILD SUPPORT ORDERS

In Colorado, emancipation occurs, and child support ends automatically when the youngest child on the order reaches 19, in most cases.

Reasons why child support may continue past 19:

- If the child is still in high school or an equivalent program, support continues until the end of the month after graduation, or until they turn 21.
- If both parties agree in writing.
- The child is mentally, or physically disabled and continued support is ordered.

Other ways a child emancipates:

They enter active-duty military, get married, and/or are self-supporting.

If there are multiple children on the order and one child emancipates, file a Motion to Modify Child Support JDF 1403. See instructions JDF 1403i.

RESOURCES

For court help or to locate legal assistance, visit [Colorado Judicial Self-Help Resources](#)

For information on FREE Child Support Services, visit: [Child Support Services](#)

SAFETY CONCERNS?

Please contact the National Domestic Violence Hotline for assistance.

Call 1-800-799-7233 or visit [The Hotline](#)

Highly trained advocates are available 24/7/365 to talk confidentially with anyone experiencing domestic violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

THE FAMILY SUPPORT REGISTRY (FSR)

All child and spousal support (maintenance) payments can be processed through the FSR, including cases managed by Child Support Services, as well as orders not being enforced by Child Support Services.

FSR services include:

- An accurate legal record of all payments.
- Access to payment information 24 hours a day in English and Spanish.
- Access to Customer Service: M-F, 8:00am-5:00pm.

Contact the FSR:

Email: cdhs_fsrcustomerservice@state.co.us

Call: 303-299-9123 (local) or 1-800-374-6558 (national)

Visit the FSR website to login or create an account: [Family Support Registry](#)

PREPARING FOR A COURT HEARING

Can I go to court without an attorney?

Yes. If you go to court without an attorney, you are representing yourself and considered "your own attorney."

You are held to the same standards and rules as an attorney.

Will the Judge/Magistrate help me?

No, the Judge/Magistrate is neutral and impartial.

How do I prepare for my court hearing?

Know what you are asking the Judge/ Magistrate to decide.

Be ready to give clear and specific arguments for your position.

Know your case number.

Ensure you have filed all required forms. Check with your court Self Help Center for a list.

Bring your witnesses with you to your court hearing (if you need to subpoena, seek assistance at the Self-Help Center).

Organize your evidence (called exhibits) and bring copies for everyone. Example photos.

Bring a notepad and pen to take notes.

Arrive early and do not bring children with you.