



Modifying Child Support Orders



Where do I apply for a modification of the current child support order?

There are two ways for you to ask for the current child support order to be modified:

1. File a Motion to Modify Child Support in court.
 - With the Domestic Relations Court that issued your divorce, legal separation, dissolution, or Civil Protection Order, or
 - With the Juvenile Court that issued your custody or paternity order.
2. Ask the Child Support Enforcement Agency (CSEA) to modify your prior order.

Child support cannot be modified retroactively. It can only be modified going forward.

The court and CSEA use a formula to calculate the amount of child support. You can use the Ohio Department of Job and Family Services child support calculator at ohiochildsupportcalculator.ohio.gov.



Why go to the court?

There are some advantages to asking the judge to modify your current child support order.

1. You can apply to the court at any time. You may not be able to apply to the CSEA except under certain circumstances (see below).
2. If your case is simple and the other parent does not object, it may be faster.
3. Only the judge can grant a deviation in the amount of support.
4. You will appear in person and can tell your story to the judge.

When your request is to the Court, you must prove:

1. A significant change in circumstances since the last order was issued, such as a change in the child's need, a change in a parent's income, or a change in a parent's earning ability, or
2. The change will result in an increase or decrease in the payment of at least 10 percent. You should show the amount of the reduction by completing a child support order.



Why go the CSEA?

There are some advantages to asking the CSEA to modify your current child support order.

1. You do not need to pay a fee to file your request.
2. You do not have to attend the hearing. Everything can be done by phone or mail.

When your request is to the CSEA, you must prove:

1. If the support order is less than 3 years old, you must show one of the following reasons:
 - Either party has experienced a 30% change in income for at least six months.
 - Either party was under-employed (worked below his or her skill level) or unemployed at the time the first order was set and now is employed full time.
 - You have been out of work for at least six months.

- You have been receiving Supplemental Security Income.
 - You are permanently disabled and can provide medical proof of your disability.
 - You are in jail or in an institution and have no assets to pay child support.
 - You want health insurance coverage for your children.
2. If the support order is more than 3 years old, you can apply for a change for any reason.
 3. The CSEA will adjust the child support amount if there is a 10% difference between the original child support order and the new calculation.



What can I do if I disagree with new child support order?

If you disagree with the court decision, you can appeal the decision.

- If a magistrate decided your case, you can file objections to the magistrate's decision.
- If a judge decided your case, you can appeal the decision to the Court of Appeals.

If you disagree with a CSEA decision, you can appeal the decision.

- If the CSEA modifies an original CSEA order, you can appeal that order in Juvenile Court.
- If the CSEA modifies an order from Juvenile Court or Domestic Relations Court, you can ask for an administrative CSEA hearing. If you still disagree, you can appeal to the court that issued the original order.

While your case is pending before the court or the CSEA, the law requires you to keep paying support at the old amount. Otherwise, you will have to pay any arrearage.



When does my duty to pay child support end?

You no longer have an obligation to pay child support when:

- Your child turns 18 years of age. If your child is still attending high school when he or she turns 18, you are obligated to pay child support until the child turns 19 years of age.
- Your minor child lives on his or her own, joins the military, or gets married.
- Your child no longer lives with the custodial parent or has moved in with you.
- You have moved in with the custodial parent.

If your situation meets one of these situations, you should either call the CSEA and request termination or file a Motion to Terminate Child Support with the court.

The information on this flyer is not legal advice.

If you are seeking representation or legal advice, please contact SEOLS.

An attorney-client relationship does not exist between you and SEOLS.

How to contact SEOLS:

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