

Decree Modifying Child Support

In the Iowa District Court for _____ County
County where the Application is filed

<p>Upon the Petition of</p> <hr/> <p>Petitioner <i>Full name: first, middle, last</i></p> <p>and concerning</p> <hr/> <p>Respondent <i>Full name: first, middle, last</i></p>	<p>Equity case no. _____</p> <p style="text-align: center;">Decree Modifying Child Support</p>
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1. Appearances and Manner of Resolution

On the _____ day of _____, 20____, this matter was before the court for final action on the Application to Modify Child Support.

A. Petitioner is *Check each that applies*

- (1) Applicant
- (2) Other party

B. Respondent is *Check each that applies*

- (1) Applicant
- (2) Other party

C. Applicant *Check all that apply*

- (1) Appeared personally
- (2) Appeared by attorney _____.
- (3) Did not appear
- (4) Is found to be in default after proper notice

D. The other party *Check all that apply*

- (1) Appeared personally
- (2) Appeared by attorney _____.
- (3) Did not appear
- (4) Is found to be in default after proper notice

E. The Child Support Recovery Unit (CSRU) *Check one*

- (1) Is not involved in this case
- (2) Is involved in this case, and a representative appeared
- (3) Is involved in this case, but a representative did not appear

F. The case was resolved by *Check one*

- (1) Default, or
- (2) Agreement, or
- (3) Contested hearing

2. Findings of Fact

A. Applicant's personal information

_____		_____	
<i>Applicant's name</i>		<i>Birth year</i>	
_____	_____	_____	_____
<i>Applicant's present street address</i>	<i>City</i>	<i>State</i>	<i>ZIP code</i>
_____	(_____) _____	_____	
<i>County</i>	<i>Phone number</i>	<i>Email address</i>	

B. The other party's personal information

_____		_____	
<i>Other party's name</i>		<i>Birth year</i>	
_____	_____	_____	_____
<i>Other party's present street address</i>	<i>City</i>	<i>State</i>	<i>ZIP code</i>
_____	(_____) _____	_____	
<i>County</i>	<i>Phone number</i>	<i>Email address</i>	

C. Other person who receives child support

- (1) There is no other person (non-parent) who receives child support in this case.
- (2) The following other person (non-parent) does receive child support in this case.

_____		_____	
<i>Full name: first, middle, last</i>		<i>Birth year</i>	
_____	_____	_____	_____
<i>Present street address</i>	<i>City</i>	<i>State</i>	<i>ZIP code</i>
_____	(_____) _____	_____	
<i>County</i>	<i>Phone number</i>	<i>Email address</i>	

D. Applicant properly served the other party with notice.

E. Default *Check one*

- (1) Neither party is in default
- (2) Applicant is in default
- (3) The other party is in default

F. Neither party is in the military service, prison, or jail.

G. Substantial change in circumstances *Check one*

- (1) There is no substantial change in circumstances justifying modification.
- (2) There is a substantial change in circumstances justifying a modification of:

- a. Child support
- b. Tax dependency deduction
- c. Health insurance or health care expenses

H. Other Information

3. Judgment and Decree

A. Application to Modify Child Support

- (1) The Application to Modify Child Support is dismissed.
- (2) The Application to Modify Child Support is granted as set forth below.

B. Child support

- (1) Child support shall remain the same as this court previously ordered.
- (2) Child support this court previously ordered is terminated effective on the ____ day of _____, 20__, for the following children:

First, middle, & last initials of each child	Birth year
(a)	
(b)	
(c)	

First, middle, & last initials of each child	Birth year
(d)	
(e)	
(f)	

Check this box if a separate sheet listing additional children is attached.

- (3) Child support this court previously ordered is modified as follows:
 - a. The other party shall pay child support in the amount of \$ _____ per month to Applicant.
 - b. Applicant shall pay child support in the amount of \$ _____ per month to the other party.
 - c. The other party shall pay child support in the amount of \$ _____ per month to another person (non-parent).
 - d. Applicant shall pay child support in the amount of \$ _____ per month to another person (non-parent).

If (3)c or (3)d is checked above, the name and address of the other person (non-parent) is:

<i>Full name: first, middle, last</i>	<i>Birth year</i>
<i>Present street address</i>	<i>City</i>
<i>County</i>	<i>State</i>
<i>Phone number</i>	<i>ZIP code</i>
<i>County</i>	<i>Email address</i>

(4) The child support amount in (3)a or (3)b above is for the following children:

First, middle, & last initials of each child	Birth year	First, middle, & last initials of each child	Birth year
(a)		(d)	
(b)		(e)	
(c)		(f)	

Check this box if a separate sheet listing additional children is attached.

(5) Support payments will start on the ____ day of _____, 20____, and continue on the same day of each month thereafter.

C. Variance from Guidelines

- (1) This amount of child support does not vary from the child support guidelines.
 (2) This amount of child support does vary from the child support guidelines because:

D. Payments

- (1) Child support payments shall be made until the child reaches the age of 19 years or reaches the age of 18 and graduates from high school, whichever occurs sooner, unless the child sooner marries or dies.
- (2) Unless payments are being made through income withholding, child support payments shall be paid to the:
- a. Clerk of court in _____ County; or
 - b. Collection Services Center, P.O. Box 9125, Des Moines, Iowa 50306-9125; or
 - c. Iowa Department of Human Services website.

Each payment shall identify the name of the **payor** (the person making the payment). If it is paid to the Collection Services Center (CSC), it shall include the CSC case number.

(3) If support payments are not paid as ordered here and become delinquent in an amount equal to the payment(s) for one month, the district court or the Child Support Recovery Unit (CSRU) may, upon application, order an Assignment of Income sufficient to pay the support obligation. The amount of the Assignment of Income shall not exceed the amount specified in 15 U.S.C., section 1673(b).

- (4) Pursuant to Iowa Code section 252D.8, the income of the child support payor is immediately subject to withholding regardless of whether support payments are in arrears. A copy of this order shall be mailed by payor to payor's employer. Payor's employer is directed to withhold child support from payor's income and forward the payments to the office specified elsewhere in this order. The employer's and subsequent employers' duties are governed by Iowa Code section 252D.17. Until such time as the employer or other income provider withholds the required amount of support, it is the payor's responsibility to ensure payment.
- (5) Each party shall file with the clerk of court or CSRU, as appropriate, upon entry of this order, and to update as appropriate, information on location and identity of the party, including social security number, residential and mailing addresses, telephone number, driver's license number, and name, address, and telephone number of the party's employer. The information filed will be disclosed and used pursuant to Iowa Code section 598.22B. Each party shall file the information with the clerk of court, or, if support payments are to be directed to the collection services center as provided in sections 252B.14(2) and 252B.16, with CSRU.

E. Subsequent child support actions

In any subsequent child support action CSRU initiates or action between the parties, upon sufficient showing that diligent effort has been made to ascertain the location of such a party, CSRU or the court shall deem due process requirements for notice and service of process to be met with respect to the party, upon delivery of written notice to the most recent residential or employer address filed with the clerk or unit pursuant to paragraph D(5) above.

F. Ongoing support obligation *Check if applicable*

- The ongoing support obligation for the child or children named in this Decree shall be automatically adjusted without further order to correspond to the number of children entitled to current support as the number of children entitled to current support changes.

Based on the parties' current financial circumstances, under the current Child Support Guidelines, child support shall be automatically adjusted as follows:

_____ children \$ _____ per month	_____ children \$ _____ per month
_____ children \$ _____ per month	_____ children \$ _____ per month
_____ children \$ _____ per month	_____ children \$ _____ per month

G. Accrued child support.

- (1) There is no accrued child support owing.
- (2) There is accrued child support owing and judgment is entered against:
 - a. The other party for \$_____, such being the amount of child support that would have accrued for the period from the _____ day of _____, 20____ through the _____ day of _____, 20____.

The other party will pay this accrued child support in installments of \$_____ per month commencing on the _____ day of _____, 20____.
 - b. Applicant for \$_____, such being the amount of child support that would have accrued for the period from the _____ day of _____, 20____ through the _____ day of _____, 20____.

The other party will pay this accrued child support in installments of \$_____ per month commencing on the _____ day of _____, 20_____.

H. Tax Deduction *Check all that apply*

- (1) The tax deduction shall remain the same as this court previously ordered.
- (2) The tax deduction this court previously ordered shall be modified as follows:
 - a. Applicant shall claim _____
 - 1. Every tax year starting in tax year _____
 - 2. Other: _____
 - b. The other party shall claim _____
 - 1. Every tax year starting in tax year _____
 - 2. Other: _____

Each party shall execute all forms needed to put this award into effect.

I. Health care expenses *Check all that apply*

- (1) Health care expenses will be paid the same as this court previously ordered.
- (2) Health care expenses this court previously ordered shall be modified as follows:

Applicant Other party

- will provide medical support (health insurance) and take all necessary actions to ensure health insurance coverage of the minor children pursuant to Iowa Code chapter 252E by obtaining an employment-related group health benefit plan for the minor children.
- (3) Should an employment related group health benefit plan for the minor children not be or become available, then the parties shall cooperate in obtaining private health insurance coverage for the minor children and the cost of said private health insurance coverage shall be paid:

_____ % by Applicant and _____ % by other party.

- (4) Uncovered medical expenses for the children which exceed \$250 per year for one child or \$500 per year for all children shall be paid:

_____ % by Applicant and

_____ % by other party

J. The court fees in this case are \$ _____ and *Check one*

- (1) Applicant will pay all court fees.
- (2) The other party will pay all court fees.
- (3) Applicant and the other party shall each pay one-half of the court fees.
- (4) Applicant will pay _____ % and the other party will pay _____ % of the total court fees.

K. Attorney's fees

(1) Applicant's attorney's fees *Check one*

- a. Not applicable.
- b. Applicant will pay the other party's attorney's fees.
- c. The other party will pay \$ _____ for Applicant's attorney's fees.

(2) The other party's attorney's fees *Check one*

- a. Not applicable.
- b. The other party will pay his or her own attorney's fees.
- c. Applicant will pay \$ _____ for the other party's attorney's fees.

L. Other

Dated this ____ day of _____, 20____.

Judge

_____ Judicial District of Iowa

Attachment A

Assets

Description	Gross Value	Awarded to:	
		Petitioner	Respondent
1. _____	\$ _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____	\$ _____
4. _____	\$ _____	\$ _____	\$ _____
5. _____	\$ _____	\$ _____	\$ _____
6. _____	\$ _____	\$ _____	\$ _____
7. _____	\$ _____	\$ _____	\$ _____
8. _____	\$ _____	\$ _____	\$ _____
Total Assets	\$ _____	\$ _____	\$ _____

Debts

1. _____	\$ _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____	\$ _____
4. _____	\$ _____	\$ _____	\$ _____
5. _____	\$ _____	\$ _____	\$ _____
6. _____	\$ _____	\$ _____	\$ _____
7. _____	\$ _____	\$ _____	\$ _____
8. _____	\$ _____	\$ _____	\$ _____
Total Debts	\$ _____	\$ _____	\$ _____

Net Total (Assets Minus Debts): \$ _____

Net award to Petitioner and Respondent: \$ _____ \$ _____

Difference between the two awards: \$ _____