



Appendices

Appendix I - Criteria for support order establishment and modification, review and adjustment orders
 Appendix II - State child support enforcement at-a-glance

APPENDIX I

ALABAMA

Interstate Procedures	Same as intrastate procedures; guidelines information compiled and agreement sought; lacking agreement, evidence is presented to a court for a finding.
Income Considered for Setting Support	Wages, tips, commissions, bonuses, and other types of remuneration for services; unemployment compensation, workers' compensation not included in Alabama definitions
Criteria for Rebuttal	A written finding on record based on evidence the application of guidelines would be inappropriate, agreement establishing a different amount and stating the reasons therefore, then reviewed and approved by the court.
Support Order for Prior Periods	Yes; two years prior to filing of paternity action or back to the birth of the child if the child is less than two years old when action is commenced.
Jurisdiction Requirements	Yes
Modification Procedures	Petitions filed by agency upon request of either the client of an agency determination that action is appropriate following review of order.
Criteria for Modification	At the request of either party when order not reviewed or modified within 12 months unless undue hardship would result from inaction, and one party alleges a substantial change in circumstances; medical support has not been ordered.
Criteria for Change of Circumstances	A change which is substantial and continuing; primarily a change in needs of the child but also considers a change in parent ability to pay
Frequency of Reviews	Every 3 years or at request of either party to the order on non-assigned cases in accordance with state criteria.
Criteria for Review	Every 3 years or at request of either party
Criteria for Adjustment	Change in circumstances which is substantial and continuing

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ALASKA

Interstate Procedures	Notice and Finding of Financial Responsibility served on obligor, who can request informal conference; support based on Alaska guidelines; appeals include formal hearing and judicial review.
Income Considered for Setting Support	Total income from all sources
Criteria for Rebuttal	Clear and convincing evidence
Support Order for Prior Periods	6 years prior to service of paternity complaint or administrative notice or non-AFDC service of complaint
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	CSED will, upon request in non-AFDC cases and every 3 years in AFDC cases, review child support orders for possible modification of the child support obligation and for medical support using current financial information. Reviews can be requested on either administrative or judicial orders.
Criteria for Modification	Substantial change in circumstances based on 15% or higher
Criteria for Change of Circumstances	15%
Frequency of Reviews	Every 3 years based on AFDC cases or upon the request of non-AFDC case party
Criteria for Review	Every 3 years based on AFDC cases or upon the request of non-AFDC case party
Criteria for Adjustment	Every 3 years based on AFDC cases or upon the request of non-AFDC case party

ARIZONA

Interstate Procedures	Upon receipt, case processed in same manner as a local case, using all procedures and techniques. Initiating jurisdiction must request "fair and equitable" support award for Arizona guidelines to apply
Income Considered for Setting Support	1) Special medical needs of the child, cost of providing health insurance for child, child care costs, custodial parent's gross income/assets; age of child; non-custodial parent's gross income/assets; second family. 2) Adjusted gross income of both parents
Criteria for Rebuttal	No
Support Order for Prior Periods	Post paternity cases: retroactive application of guidelines to the date of birth of child is used to direct amount defendant pays for past support. Marital cases: retroactive application of guidelines to date of filing dissolution of marriage the amount parents pay for past support of child.
Jurisdiction Requirements	None
Modification Procedures	1) "Simplified" requires filing court approved forms, notice to other party, request for hearing; "Standard" requires filing "Order to Show Cause" and "Comparative Spouse Affidavit", with hearing. 2) "Simplified" requires filing forms with court and forms served upon both parties; "Order to Show Cause" compels parties to a hearing regarding modification of existing order; "Conference" requires both parties to attend a conference to agree on new support amount.
Criteria for Modification	A variance of 15% or greater from current support order, continuing and substantial change in financial circumstances.
Criteria for Change of Circumstances	1) Modification of amount sought must minimally deviate at least 15% from existing order; 2) Financial circumstances must indicate the same and that substantial change in circumstance will be ongoing and for a period greater than 3 months.
Frequency of Reviews	Every 3 years; non-public assistance cases reviewed on per request basis, upon substantial continuing change in circumstances
Criteria for Review	Increase or decrease of 15% in current order, 3 years since last review, or substantial continuing change in financial circumstances of the payer.
Criteria for Adjustment	Lack of medical support provision; variance of 15% against current support order.

ARKANSAS

Interstate Procedures	UIFSA Provisions
Income Considered for Setting Support	Income as defined by federal income tax laws less deductions for federal and state income tax, FICA or railroad retirement, medical insurance for children, present paid child support for other dependents by court order.
Criteria for Rebuttal	Special medical or educational needs of child; cost of day care for child; non-custodial parent's net income/assets, self-support reserves; shared/joint custody arrangements; contributions to a trust fund for the child
Support Order for Prior Periods	Petition for retroactive support to the birth of the child in the initial action to establish paternity and support or to the date of the petition for support if paternity previously established.
Jurisdiction Requirements	UIFSA Provisions
Modification Procedures	UIFSA Provisions
Criteria for Modification	Continuous Exclusive Jurisdiction or consent of both parties
Criteria for Change of Circumstances	20% or \$100 change per month in gross income
Frequency of Reviews	Once every 36 months from the date of the most recent order or review
Criteria for Review	All AFDC cases; non-AFDC cases upon request of either party
Criteria for Adjustment	Criteria for change of circumstances met and amount adjusted to meet guidelines

CALIFORNIA

Interstate Procedures	Complaint to establish filed with court. Non-custodial parent is served, with 30 days to respond. If no response, default taken. If answer filed, action set for trial.
Income Considered for Setting Support	Net monthly disposable income of each parent.
Criteria for Rebuttal	Support not assigned and parties stipulate to different amount; deferred sale/rental of home exceeds mortgage payments, insurance and taxes; paying parent has very high income; custodial time does not equal payment amount; unjust or inappropriate amount.
Support Order for Prior Periods	A support order may be made retroactive to the date of the filing the notice of motion or order to show cause. State law allows, in AFDC cases, support to be collected retroactively 3 years prior to the date the complaint was filed.
Jurisdiction Requirements	California must have continuing exclusive jurisdiction.
Modification Procedures	Orders can be modified upon a showing of substantial change of circumstances; Income and Expense Declarations must be filed by both parties; child support is calculated from declarations and based on non-custodial parent's ability to pay.
Criteria for Modification	At the request of either party if: guidelines indicate amount must increase or decrease by at least \$50 or 30% whichever is greater, and change anticipated to last at least 6 months or medical insurance is available.
Criteria for Change of Circumstances	Increase or decrease in order of \$50 or 30%, whichever is greater, or medical insurance becomes available.
Frequency of Reviews	Automatically reviewed every 36 months unless one party requests and: case was reviewed in last 12 months, modified within 24 months, quarterly locate unsuccessful.
Criteria for Review	See Frequency of Reviews
Criteria for Adjustment	See Criteria for Modification

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COLORADO

Interstate Procedures	Processed same as in-state cases. Administrative process available for establishment of paternity and support.
Income Considered for Setting Support	Gross income from any source whatsoever, except child support payments received
Criteria for Rebuttal	Support order will be based on Colorado guidelines. Deviation from guidelines requires judicial intervention.
Support Order for Prior Periods	Yes
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Modification may be for either increases or decreases in child or medical support obligation. Colorado uses current income information and state statute requirements to review the case. Child support orders may be adjusted based upon a 10% change in child support calculation or for inclusion of medical support, which constitute a continuing change in circumstances.
Criteria for Modification	Change up or down of at least 10%; total support change; no dollar requirement if review and adjustment is just to add medical insurance requirement.
Criteria for Change of Circumstances	Definition of "substantial change of circumstance" is a 10% variance in guideline calculation
Frequency of Reviews	Every 3 years or upon request of either party
Criteria for Review	(For both) Order at least 36 months old; IV-D or medical support case; AFDC, medical assistance only; IV-E foster care without written request; no assistance or state-funded FC; exception to 36 months rule with demonstrated 10% change.
Criteria for Adjustment	

CONNECTICUT

Interstate Procedures	URESAs sent to central registry. Support enforcement division docket case in family support magistrate division of superior court, sets hearing and issues summons.
Income Considered for Setting Support	Net income of both parents; net income includes all gross income except other child support received and federal, state or local public assistance grants; taxes, insurance premiums, union dues/fees, alimony and child support for outside party are deductible.
Criteria for Rebuttal	Other financial resources available to parent; extraordinary expenses for child or parent; needs of parent's other dependents; special circumstances outlined in §46b-215a-3 of Connecticut State Agencies .
Support Order for Prior Periods	Yes (3 year limit for paternity cases)
Jurisdiction Requirements	URESAs
Modification Procedures	Direct interstate referral form requesting review and adjustment of order to local Support Enforcement Division office. Support Enforcement Division will prepare appropriate motions if jurisdiction can be obtained, and notify requesting jurisdiction of results.
Criteria for Modification	Substantial change in circumstances of either party or deviation of existing support order from child support guidelines amount (at least 15% deviation).
Criteria for Change of Circumstances	Child emancipated or changed household residence; modification of orders after paternity adjudication, or birth of child after dissolution of marriage; an arrearage order exists; child resides with different custodial relatives; changes to ensure proper collection.
Frequency of Reviews	Every 3 years in AFDC or foster care cases; in all others, upon request of IV-D agency, either parent or guardian
Criteria for Review	AFDC/foster care cases: 36 months since last order or review, without case closure criteria met, good cause granted, not in child's best interest or neither parent requested review. Non-AFDC cases: Significant deviation of 15% in income/assets or more from child support guidelines or written request for review.
Criteria for Adjustment	See Criteria for Modification

DELAWARE

Interstate Procedures	Yes
Income Considered for Setting Support	Gross income/assets of both parties; second family involvement; inflationary factors
Criteria for Rebuttal	The Delaware "Melson" formula is rebuttable only by a finding on the record that an order established pursuant to the guidelines would be unjust or inappropriate.
Support Order for Prior Periods	Maximum two years, at discretion of Court.
Jurisdiction Requirements	Delaware has personal jurisdiction or party submits to Delaware's jurisdiction by consent.
Modification Procedures	Register order in Delaware and file petition for modification, specifying grounds.
Criteria for Modification	Age of order
Criteria for Change of Circumstances	Medical expenses; income change of either party
Frequency of Reviews	Order is at least 2 1/2 years old, unless a substantial change in circumstances was brought on by no fault of the petitioner.
Criteria for Review	
Criteria for Adjustment	

DISTRICT OF COLUMBIA

Interstate Procedures	Upon receipt, case assigned and referred to Superior Court; Office of the Corporation Counsel handles IV-D legal representation on behalf of petitioner; D.C. guidelines apply; stipulations for support used but legal establishment of support requires court order
Income Considered for Setting Support	Cost of providing health insurance for child; child care costs; custodial parent's gross income/assets; age of child; non-custodial parent's gross income/assets; second family involvement; number of children
Criteria for Rebuttal	Needs of child are exceptional; non-custodial parent's gross income substantially less than custodial parent; other support obligations; non-custodial parent requires debt reduction for not more than 12 months; any other exceptional circumstances.
Support Order for Prior Periods	Birth of child plus pre-natal expenses, requiring proof of income from both parties, proof of child care expenses and proof of medical insurance cost for the relevant period.
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Request from initiating state for modification/increase with Motion to Increase affidavit from initiating state; motion filed in Superior Court, summons issued, service on obligor, hearing held, determination made, and order entered.
Criteria for Modification	The application of the guidelines against the current child support order must result in an award that varies by 15% or more change from the existing child support order.
Criteria for Change of Circumstances	No modifications in support obligation in past three years; change in needs of the child or the ability of a parent to provide support.
Frequency of Reviews	Upon request of any party; status request; birth of a new child or every three years.
Criteria for Review	Upon request
Criteria for Adjustment	Adjustment must be at least a 15% variation from existing child support order.

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FLORIDA

Interstate Procedures	Judicial
Income Considered for Setting Support	Income of legal parents is factored; any form of payment to non-custodial parent regardless of the source.
Criteria for Rebuttal	Judge may deviate 5% without stating a reason; deviation above 5% requires court record to contain written finding stating why application of guidelines is inappropriate.
Support Order for Prior Periods	Yes, depending on jurisdiction and case specific information. Prior period may begin at birth of child, date of separation, and/or date of filing case with the court. Criteria depends on jurisdictional requirements.
Jurisdiction Requirements	Modification only if permissible under Full Faith and Credit for Child Support Orders Act.
Modification Procedures	Review of child and medical support upon request of either parent; AFDC, Title IV-E Foster Care and Non-AFDC Medicaid cases reviewed every 3 years. When a support order is inconsistent with the guideline amount by 15% or \$50, whichever is greater, the modification process is enacted.
Criteria for Modification	If permissible, a change of 15% or \$50, whichever is greater, based on criteria for change in circumstances.
Criteria for Change of Circumstances	Parent or child permanently disabled, has chronic illness, special and/or recurring medical needs, financial needs of child or income of either parent have changed significantly. Upon request of either parent; every 3 years in AFDC, Title IV-E and non-AFDC Medicaid cases.
Frequency of Reviews	Section 61.30, Florida statutes to include Criteria for Modification
Criteria for Review	See Criteria for Modification and Criteria for Change of Circumstances
Criteria for Adjustment	

GEORGIA

Interstate Procedures	alf no prior order exists, order must be established through URESA process and/or administrative process; if paternity is disputed, order must be established through URESA process
Income Considered for Setting Support	Non-custodial and custodial parents' incomes
Criteria for Rebuttal	None
Support Order for Prior Periods	No
Jurisdiction Requirements	Final actions filed in the county of the adversely affected party
Modification Procedures	In all AFDC cases and with written request in non-AFDC cases, orders are reviewed within 36 months after date of order. CSE reviews orders for modification of current support, medical support, and arrears/repay amount. The CSE Recommendation for Modification is submitted either to an Administrative Law Judge for Administrative Orders or the Superior Court for Judicial Orders with a request that an Order be issued adjusting the child support award.
Criteria for Modification	A determination that there is a significant inconsistency between the existing child support order and the amount resulting from the application of State codes.
Criteria for Change of Circumstances	Change of circumstances is not a criteria for modification.
Frequency of Reviews	Every three years
Criteria for Review	Medicaid with order at least 36 months old, with a written request.
Criteria for Adjustment	Modification must result in an increase or decrease by 15% or greater with minimum \$25 per month increase or decrease

HAWAII

Interstate Procedures	Most cases handled by administrative process; no distinction between intrastate and interstate cases
Income Considered for Setting Support	Non-custodial and custodial parents' gross incomes/assets.
Criteria for Rebuttal	Showing of exceptional circumstances
Support Order for Prior Periods	Yes, from birth of child and paternity actions; can go back to prior periods only for AFDC cases; discretionary with court hearings officer as to amount recoverable.
Jurisdiction Requirements	URES A
Modification Procedures	Non-AFDC cases: review by request of either parent. AFDC cases: review every 36 months from date of last order or by request. Upon notice of review, both parents have thirty days to provide updated financial information before review initiated. If neither party requests a hearing, an administrative order is signed and filed with the Family Court. If a hearing is requested, an order is entered based on the results of the hearing.
Criteria for Modification	Every three years in AFDC cases; a change in circumstances; statutes require a change in child support guidelines
Criteria for Change of Circumstances	Must be substantial and material change in either of the parents' or child's circumstances
Frequency of Reviews	Upon request of either parent or guardian, and upon receipt of information that there is a change in circumstances warranting a modification.
Criteria for Review	Upon request of either parent or guardian, and upon receipt of information that there is a change in circumstances warranting a modification.
Criteria for Adjustment	Changes of more than \$10

IDAHO

Interstate Procedures	Judicial Process Only. UIFSA
Income Considered for Setting Support	All sources of income. Rarely is the income of the current spouse required.
Criteria for Rebuttal	Idaho Rules of Civil procedure 6(c)(6) Child Support Guidelines require the court to make a specific finding that application of guidelines is inappropriate in a particular case.
Support Order for Prior Periods	Yes, limited to the 36 months preceding the date of filing in court.
Jurisdiction Requirements	UIFSA: Model Act provisions; non-UIFSA: Idaho orders, retained jurisdiction.
Modification Procedures	Administrative reviews conducted every three years. In non-AFDC cases, proceeding requires a request by one of the parties, notice of intent to review and request for information, notice of findings, amended notice of findings if applicable, judicial proceedings to modify.
Criteria for Modification	Substantial and material change in circumstances required.
Criteria for Change of Circumstances	The change must be substantial and material, such as change in custody or extraordinary medical expenses. Unemployment, voluntary unemployment, or under-employment is considered temporary and will not qualify as substantial change.
Frequency of Reviews	36 months unless a substantial and material change in circumstance occurs sooner
Criteria for Review	Every 36 months, a claim of substantial and material change in circumstances, or an increase or decrease of at least \$50 per month.
Criteria for Adjustment	An increase or decrease of at least \$50 or 15% per month of the amount of support.

Collecting Child Support Made E-Z

ILLINOIS

Interstate Procedures	Referrals to establish support through administrative process require the following factual circumstances: Child was born or conceived during marriage, or after child's birth, support sought from man named as child's father on Illinois birth certificate, or in matters involving alleged paternity with support sought by either child's mother or alleged father.
Income Considered for Setting Support	750 ILCS 5/505, non-custodial parent's net income/assets (percentage related to number of children)
Criteria for Rebuttal	Child's prior status of living, and assets of child, custodial parent and non-custodial parent
Support Order for Prior Periods	Legislation supporting action passed, policy being written
Jurisdiction Requirements	In accordance with UIFSA
Modification Procedures	In accordance with UIFSA. Review processes under federal regulations and modification pursuant to UIFSA.
Criteria for Modification	If order is at least three years old, it can be modified showing a 20% or more change under the guidelines, otherwise substantial change in circumstances must be shown.
Criteria for Change of Circumstances	For increase: a) concrete change in needs of child must be shown; b) financial resources and needs of custodial parent are considered, income of current spouse being relevant; or c) financial resources and needs of non-custodial parent are considered, income of current spouse being relevant. For decrease: proof of reduced need by child or reduced ability to pay support by non-custodial parent.
Frequency of Reviews	Every three years on IV-A cases; as requested on non-assistance cases.
Criteria for Review	20% change in support compared to the guidelines (minimum \$10 per month)
Criteria for Adjustment	20% change in support compared to the guidelines (minimum \$10 per month)

INDIANA

Interstate Procedures	
Income Considered for Setting Support	
Criteria for Rebuttal	
Support Order for Prior Periods	May only do so in paternity cases
Jurisdiction Requirements	Follows UIFSA
Modification Procedures	
Criteria for Modification	
Criteria for Change of Circumstances	
Frequency of Reviews	
Criteria for Review	Substantial change in circumstances
Criteria for Adjustment	Per guidelines, a change of 20% or more from current order

IOWA

Interstate Procedures	Standard URESA referral. If paternity is not an issue, administrative order for support is entered unless there is an existing order for current support.
Income Considered for Setting Support	Net monthly incomes of both custodial and non-custodial parents.
Criteria for Rebuttal	Adjustments are necessary to provide for needs of the child and do justice between the parties under special circumstances of case; circumstances associated with permanency and hardship plan for children in foster care.
Support Order for Prior Periods	Yes, up to three years of AFDC expenditures, arrearages not sought for NPA cases
Jurisdiction Requirements	Iowa or foreign order in accordance with federal Full Faith and Credit for Child Support Orders Act 28USC, 1738B
Modification Procedures	Petition filed in district court or administrative modification available as part of review and adjust process.
Criteria for Modification	Substantial change in circumstances or inconsistency with child support guidelines
Criteria for Change of Circumstances	10% variation from guidelines represents a "substantial change in circumstances"; 20% variation needed to initiate modification procedure; CSE agency may also modify an order solely to include medical support.
Frequency of Reviews	Two years from order or last modification when requested; every three years when initiated by IV-D agency for public assistance cases.
Criteria for Review	IV-D case, parent's location known; Iowa or foreign order; meets review requirements; request by parent/agency entitled to such; lasting change in financial circumstances
Criteria for Adjustment	Present child support obligation varies more than 20% from guidelines; availability of health insurance

KANSAS

Interstate Procedures	URES/UIFSA pleadings required; Central Registry initiates procedures; attorneys generally seek order based on guidelines; copy of order sent to initiating state.
Income Considered for Setting Support	Non-custodial parent's income from all sources, excluding public assistance. Includes any income which is regularly/periodically received from any source.
Criteria for Rebuttal	Calculation of respective parental child support obligations is a rebuttable presumption of a reasonable child support order. Court completes Section E of Child Support Worksheet listing all relevant child support adjustments.
Support Order for Prior Periods	Yes, limited to the 36 months preceding the date of filing in court.
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Central Registry initiates procedures; if modification of another state's order is sought, the order must first be registered; for modification of Kansas order, attorney files motion to modify; if a hearing is needed, court determines if there has been a change based on guidelines and adjustments allowed if in child's best interests. A Kansas support order is automatically reduced by child's pro rata share when child is emancipated, dies, is adopted, or lives permanently with obligor.
Criteria for Modification	Review for child support on a three year cycle, upon request in non-assistance cases and without request in AFDC cases; modification upon material change in circumstances
Criteria for Change of Circumstances	Material change in circumstances includes: 10% or more change in non-custodial parent's finances; 7th and 16th birthdays of child; emancipation of child; failure to comply with court award obligations; group health insurance now available; change in custody.
Frequency of Reviews	Every three years (AFDC cases); upon request of either party, once every two years.
Criteria for Review	
Criteria for Adjustment	See Criteria for Modification and Criteria for Change of Circumstances

Collecting Child Support Made E-Z

KENTUCKY

Interstate Procedures	Administrative or Judicial
Income Considered for Setting Support	Commissions, earnings, salaries, wages, and income due or to be due in future from employer and successors, profit sharing plan, pension plan, insurance contract, annuity, social security, lottery winnings, unemployment compensation, workers' compensation
Criteria for Rebuttal	Yes
Support Order for Prior Periods	Yes
Jurisdiction Requirements	URESAs
Modification Procedures	Must register other state's order
Criteria for Modification	Kentucky order; order 36 months old; child must not become emancipated within the next 18 months
Criteria for Change of Circumstances	15% change in obligation
Frequency of Reviews	Every 3 years, or upon request of either party
Criteria for Review	Every 3 years, or upon request of either party
Criteria for Adjustment	Kentucky order; order 36 months old; child must not become emancipated within the next 18 months

LOUISIANA

Interstate Procedures	After receipt and filing of petition from the initiating state, an order is established according to Louisiana law and guidelines.
Income Considered for Setting Support	Gross incomes of both non-custodial and custodial parents. Income of a child may also be considered.
Criteria for Rebuttal	Only the court may deviate from the guidelines.
Support Order for Prior Periods	Order entered retroactive to the date of filing of the petition.
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Register order; file a petition for modification after due notices to parties involved.
Criteria for Modification	None for medical support. At least 25% change in the obligation amount.
Criteria for Change of Circumstances	Needs of the child and parent's ability to pay, and changes relative to one or both of these factors.
Frequency of Reviews	Every three years (AFDC and IV-E cases); upon request of either parent.
Criteria for Review	Needs of the child and parent's ability to pay, and changes relative to one or both of these factors.
Criteria for Adjustment	None for medical support. At least 25% change in the obligation amount.

MAINE

Interstate Procedures	Current support and debts for past support established administratively pursuant to Alternative Method of Support Enforcement (19 MSRA §§491-516).
Income Considered for Setting Support	Wages, salary, commissions, bonuses, pension and retirement program payments, insurance policies, gain from capital and/or labor, profit through sale or conversion of capital assets, unemployment compensation and workers' compensation benefits.
Criteria for Rebuttal	Finding that guidelines-based award would be inequitable, unjust, or inappropriate, or not in child's best interest (see MRSA §317 (3)).
Support Order for Prior Periods	Yes, up to six years prior to commencement of an action to establish an order for past support. Documents required include: affidavit as to gross income/work-related day-care expenses of custodial parent; income/asset forms required by Rules of Maine Supreme Court; affidavit of past payment/nonpayment.
Jurisdiction Requirements	UIFSA, 19 MSRA § 426-J
Modification Procedures	Motion for amendment for Maine court orders; modification only if evidence of more than 15% deviation from Maine guidelines; older orders and reviews previously requested take precedence.
Criteria for Modification	Substantial change of circumstances; by statute, deviation of more than 15% from Maine's guidelines.
Criteria for Change of Circumstances	Deviation of more than 15% from Maine's guidelines.
Frequency of Reviews	Every three years, resources permitting.
Criteria for Review	Deviation more than 15% from Maine guidelines; whether non-custodial parent can obtain or maintain health insurance coverage at a reasonable cost.
Criteria for Adjustment	Deviation more than 15% from Maine guidelines; whether non-custodial parent can obtain or maintain health insurance coverage at a reasonable cost.

MARYLAND

Interstate Procedures	Judicial process; send URESA petition with Transmittal FSA-200, ICR reviews and send to local court; State's attorney gets consent from obligor or prosecutes case.
Income Considered for Setting Support	Gross income from commissions, salaries, wages, bonuses; dividend, pension, interest, trust, and annuity incomes; Social Security, workers' compensation, unemployment, and disability insurance benefits; alimony or maintenance received.
Criteria for Rebuttal	Second intact family; prior agreement between parties.
Support Order for Prior Periods	Yes, if for child other than child for whom support is sought.
Jurisdiction Requirements	
Modification Procedures	3 certified copies of URESA petition and document change in circumstance
Criteria for Modification	25% change in support obligated amount
Criteria for Change of Circumstances	If application of guidelines would produce a 25% change in support obligated amount, or at the discretion of the court upon showing a material change in circumstance.
Frequency of Reviews	Every three years for AFDC cases, otherwise when either party has requested a review with 36 months since the last order or review.
Criteria for Review	For AFDC, if it is 36 months since the last order or review; non-AFDC when either party has requested a review and it is 36 months since the last order or review.
Criteria for Adjustment	Application of guidelines would produce at least 25% change in support amount

Collecting Child Support Made E-Z

MASSACHUSETTS

Interstate Procedures	UIFSA, judicial procedures for establishment
Income Considered for Setting Support	Gross income
Criteria for Rebuttal	Obligor has other children whom he is legally required to support
Support Order for Prior Periods	Yes. Depending upon the circumstances of the case, may go as far back as pre-natal period.
Jurisdiction Requirements	UIFSA
Modification Procedures	DOR staff review case, pursue adjustment in court if appropriate
Criteria for Modification	Change in order upon application of guidelines and need for health coverage
Criteria for Change of Circumstances	N/A
Frequency of Reviews	Every 3 years, or upon request
Criteria for Review	Every 3 years, or upon request
Criteria for Adjustment	Change in order upon application of guidelines and need for health coverage

MICHIGAN

Interstate Procedures	1) URESA petitions handled by Prosecuting Attorney in respondent's county; 2) URESA registration requests handled by Friend of the Court in obligor's county; 3) Interstate Income Withholding requests processed by Friend of the Court in county of obligor's employer; 4) Support collections processed by Friend of the Court where order entered.
Income Considered for Setting Support	Cost of child's health insurance, child care costs, net income/assets of both parents, second family involvement, inflationary factors, custodial arrangements, pre-existing orders, visitation abatement.
Criteria for Rebuttal	Applying guidelines would be unfair and unjust.
Support Order for Prior Periods	Paternity Act authorizes support for prior periods, provided filing occurs before age six.
Jurisdiction Requirements	Orders registered in Michigan fall under jurisdiction of circuit courts.
Modification Procedures	Friend of the Court must review child support orders not less than once every 2 years when: <ul style="list-style-type: none"> • A party requests a review in writing • Child subject to the order received AFDC or Medicaid unless good cause exists not to proceed with support action or the order provides for health care coverage, and neither party requested a review. • The initiating state requests a review on behalf of a Title IV-D services recipient.
Criteria for Modification	Criteria includes a change in physical custody of child not court ordered, increased or decreased needs of a child; changed financial conditions of parties, probable access by an employed parent to dependent health care coverage.
Criteria for Change of Circumstances	N/A
Frequency of Reviews	See Criteria for Modification
Criteria for Review	Every 24 months as described in procedures.
Criteria for Adjustment	10% of ordered amount, or 5% per week, whichever is less.

MINNESOTA

Interstate Procedures	Administrative process if case is a consent or default; if case is contested, it could become judicial. Adm. Process Statute 518.5511
Income Considered for Setting Support	Non-custodial parent's net income/assets, periodic income, salary, wages, commissions, deferred compensation, certain overtime, dividends, interest, trust income, and work-related benefits, compensation and bonuses; spousal maintenance received, disability benefits. Also number of children, child care costs and costs of child's health insurance.
Criteria for Rebuttal	See Mn. Stat. 518.551
Support Order for Prior Periods	Minnesota law allows reimbursement up to two years prior to the date action was started. Information has to be stated in the facts and order as to what amount of reimbursement you are asking for and how you arrived at the amount.
Jurisdiction Requirements	CEJ per UIFSA
Modification Procedures	Upon signed request for non-public assistance cases and automatically for public assistance cases, every 36 months. Workers may elect to do more as often as circumstances allow. Interstate requests for review must include a signature from a party or a IV-D worker and sufficient financial information to review.
Criteria for Modification	Difference of 20% and a minimum of \$50 higher or lower with application of Minnesota guidelines than the current order. If due to change in circumstances, must be a change longer than 6 months. Fluctuations in child care must meet the dollar standard.
Criteria for Change of Circumstances	Failure to comply with medical support provisions and at least 20% and minimum of \$50 change up or down.
Frequency of Reviews	Every 3 years at minimum.
Criteria for Review	Order at least 35 months old; IV-D or medical support enforcement case; AFDC, MA of IV-E Foster care without request, or non-public assistance with request; UIFSA CEJ requirements must be met.
Criteria for Adjustment	See Criteria for Modification; Minnesota has biannual cost of living increase (COLA).

MISSISSIPPI

Interstate Procedures	URESAs; Interstate income withholding
Income Considered for Setting Support	Extraordinary medical, psychological, educational, or dental expenses; independent income of child; payment of both child support and spousal support to obligee; seasonal variations in one or both parents' income or expenses; age of the child; special needs; time spent with non-custodial parent; total available assets of both parents and child.
Criteria for Rebuttal	N/A
Support Order for Prior Periods	N/A
Jurisdiction Requirements	N/A
Modification Procedures	IV-D cases with assignments to the state are reviewed every three years or sooner if requested by either parent. A review must be requested by the other state or either parent in cases without assignments to the state.
Criteria for Modification	15% change in adjusted income of either parent, or change in the needs of the child
Criteria for Change of Circumstances	Extraordinary medical expenses, independent income of the child, available assets of the child, age of the child, change in involvement of non-custodial parent in child's activities
Frequency of Reviews	Every 3 years, or upon request
Criteria for Review	15% change in adjusted income of either parent, or change in the needs of the child
Criteria for Adjustment	15% change in adjusted income of either parent, or change in the needs of the child

Collecting Child Support Made E-Z

MISSOURI

Interstate Procedures	Handled same as local cases; Missouri enforces existing order. If no order, established through administrative process. URESA process in circuit court when paternity is contested; requesting state must require order for genetic testing and necessities.
Income Considered for Setting Support	Custodial parent's gross income/assets; non-custodial parent's gross income/assets; other child and spousal support being paid. Income may be imputed for unemployed and underemployed parents as well as in cases in which current income is unknown.
Criteria for Rebuttal	Court or administrative agency enters a written or specific finding on the record that the presumed amount is unjust or inappropriate.
Support Order for Prior Periods	Yes; request should indicate period for which support is sought, financial income information for the period, and AFDC paid out during the period. Period limited to five years preceding the commencement of the action in paternity cases. Only pursued by county prosecutors; no administrative establishment procedures.
Jurisdiction Requirements	Follow CEJ requirements in Full Faith and Credit for Child Support Orders Act. If Missouri is to modify, order is registered under Section 454.340, RSMo then modified.
Modification Procedures	Upon request in AFDC cases and with or without a request in AFDC cases, orders are reviewed every three years for child support and medical support modification, for increase or decrease in support. Financial information on both parties is obtained. Modified through Missouri administrative orders of judicial orders through administrative process. Parties have the right to request administrative hearing to contest the motion to modify. When a judicial order is modified administratively, modified order is sent to court for approval. The court has 45 days to approve order or set it for trial. DCSE can refer modification case to attorney or contract attorney to file a petition with the court to have the order modified.
Criteria for Modification	Presumed child support differs 20% or more (higher or lower) than present obligation; child ceases to meet requirements to receive current support and other child are on order; health insurance obligation needs to be added to order.
Criteria for Change of Circumstances	Changed circumstances so substantial and continuing as to make terms of order unreasonable; court considers financial resources of both parties, earning capacity of employed parent, and if application of guidelines would alter current order by 20% or more
Frequency of Reviews	Every 3 years
Criteria for Review	Must be IV-D and order entered, modified or reviewed at least 36 months ago; AFDC, medical assistance only, or IV-E foster care done with or without a request; non-AFDC must have request; child ceases to meet requirements and other children remain on order; order lacks health insurance provision; alleged lasting 50% change in income.
Criteria for Adjustment	See Criteria for Modification

MONTANA

Interstate Procedures	Administrative process; handled same as state cases. In absence of support order, Notice of Financial Responsibility is served, default if no request for hearing, abstracted to District Court, use of mandatory support guidelines.
Income Considered for Setting Support	Gross/net income of both parents. Income received from all sources. Self-employment includes gross receipts minus ordinary and necessary expenses for operating business or self-employment. Also considered are special medical needs of child, health insurance for child, age of child, household size of both mother and father.
Criteria for Rebuttal	Evidence child's needs are not being met; showing application of guidelines would be unfair for child or one of the parties; the best interests of child. If order not based on support guidelines, Administrative Law Judge must include in order why guidelines are inappropriate. See MCA §40-5-226(5).
Support Order for Prior Periods	No. Obligation commences on first day of month immediately following month in which notice was issued.
Jurisdiction Requirements	CEJ analysis per UIFSA and subject matter and personal jurisdiction over necessary parties under MCA §40-5-272.
Modification Procedures	Administrative and court orders of other states reviewed only if subject matter jurisdiction obtained under UIFSA and personal jurisdiction over all parties. Administrative process used for modifying support and health insurance orders. First stage: preliminary guidelines computation performed; if parties are in agreement, a Modification Consent Order is prepared and signed; failure to respond is deemed to be consent to Order. Second stage: request for arbitration by either party and pre-hearing settlement telephone conference; should parties fail to reach agreement, Notice of Proposed Modification issued and parties have 30 days to challenge decision; failure to challenge results in final administrative order. Third stage: if administrative order challenged, hearing may be requested. At hearing's conclusion, an order representing the final decision is entered.
Criteria for Modification	Amount of monthly child support obligation in current order does not conform to guidelines; current order does not contain health insurance; current order does not provide credit for social security benefits due to obligor's disability.
Criteria for Change of Circumstances	Net income of either parent changes 25% or more; household composition of either parent has changed; change in custody/visitation; one or more children emancipated, at age of majority or died; new child born after order; obligor disabled; one or more children developed special needs or needs no longer exist; order set without using guidelines.
Frequency of Reviews	AFDC every 36 months; non-AFDC upon request 30 months after last order or review and significant change in circumstances has occurred.
Criteria for Review	AFDC every 36 months; non-AFDC upon request 30 months after last order or review and significant change in circumstances has occurred.
Criteria for Adjustment	Obligation increases/decreases \$25 or more; modified order requires health insurance for child and/or provides for social security benefits for child due to obligor's disability.

NEBRASKA

Interstate Procedures	Judicial; UIFSA applies
Income Considered for Setting Support	Gross income of both parents; deductions for other child support obligor must pay, taxes, mandatory retirement payments, and union dues.
Criteria for Rebuttal	Extraordinary medical expenses for either parent or child; special needs of disabled child; juveniles placed in foster care; whenever application of guidelines would be unjust or inappropriate.
Support Order for Prior Periods	N/A
Jurisdiction Requirements	Nebraska must obtain continuing, exclusive jurisdiction; UIFSA exception regarding modification of registered foreign order.
Modification Procedures	Judicial process involving motion to modify, service of process, answer, hearing, and order; modification retroactive only back to date of service of motion to modify.
Criteria for Modification	Case is IV-D; modification of child support or medical coverage only; current order is at least 3 years old and it has been 3 years since last review; it is a current order and not for income withholding only, it is an active Nebraska order, and is not a tribal order; obligor is not institutionalized or incarcerated; at least one parent resides in Nebraska; last child in order will not be emancipated for another 12 months; financial circumstances have lasted 6 months and will last at least another 6 months.
Criteria for Change of Circumstances	Material change in circumstances; each case evaluated on its own merits for good cause shown; rebuttable presumption of material change created by 10% variation from current amount if changed circumstances have lasted 6 months and will last at least 3 more.
Frequency of Reviews	Upon request of either parent, or a guardian, but not more than once every 3 years.
Criteria for Review	Sufficient data to convince court a material change in circumstances exists/occurred.
Criteria for Adjustment	Sufficient data to convince court a material change in circumstances exists/occurred.

NEVADA

Interstate Procedures	Use of state guidelines to establish support amount based on non-custodial parent's gross income; establish immediate income withholding; non-custodial parent must provide health insurance if available at reasonable cost.
Income Considered for Setting Support	Non-custodial parent's gross income/assets
Criteria for Rebuttal	Cost of health insurance, child care; special educational needs of child; age of child; responsibility of parents for support of others; value of services contributed by both parents; public assistance; mother's pregnancy/confinement costs; travel expenses if custodial parent moves from original jurisdiction; time spent with child; other expenses for child.
Support Order for Prior Periods	Based on circumstances, may go back four years
Jurisdiction Requirements	URES (NRS 130)
Modification Procedures	Upon request in non-assistance cases and without request in AFDC cases, every 3 years. One (1) year before modification or change.
Criteria for Modification	Order being enforced in Nevada; order is at least 3 years old; requests by either parent or guardian or IV-D agency. Application of state guidelines warrants 15% increase or decrease in support order and/or availability of health insurance.
Criteria for Change of Circumstances	At least 20% change with minimum \$75 increase/decrease in non-custodial parent's obligation; must be at least one year from last order or review. Also any case when custodial parent wants to cover child's health insurance or non-custodial parent's employment does not cover child with health insurance
Frequency of Reviews	Every three years; upon request of either parent or guardian for non-AFDC cases, or upon request of interstate IV-D agency for out-of-state AFDC cases.
Criteria for Review	Order at least 35 months old
Criteria for Adjustment	See Criteria for Modification

Collecting Child Support Made E-Z

NEW HAMPSHIRE

Interstate Procedures	OCS submits a recommended order to the court for Judge's signature.
Income Considered for Setting Support	Gross income from any source minus support paid under court or administrative order, 50% of amount paid for health insurance for child(ren), mandatory contributions to retirement plans and actual state income taxes paid, and day care expenses.
Criteria for Rebuttal	A written or specific finding that application of guidelines would be unjust or inappropriate as determined using state's criteria.
Support Order for Prior Periods	Yes, 6 years for AFDC cases, no limit for other types.
Jurisdiction Requirements	New Hampshire order, must get personal service/jurisdiction under Full Faith and Credit
Modification Procedures	Interstate Enforcement transmittal and notarized financial statement from custodial parent
Criteria for Modification	Substantial change in circumstances or three years since last order. IV-D agency reviews only if a 20% change and at least \$50 per month change; no medical support included in original order
Criteria for Change of Circumstances	Change must be permanent, involuntary, and substantial.
Frequency of Reviews	Not more than every 3 years for AFDC cases or upon request for non-AFDC cases; must show change in financial circumstances in non-AFDC cases
Criteria for Review	Compliance with guidelines
Criteria for Adjustment	See Criteria for Modification

NEW JERSEY

Interstate Procedures	Expedited processes; petition is received at central registry and processed; notice sent to non-custodial parent; if consent is not reached, case is scheduled for a hearing.
Income Considered for Setting Support	Gross income/assets of both parents; second family involvement; child support and/or alimony orders from other relationship.
Criteria for Rebuttal	A written or specific finding on the record stating that the amount is unjust or inappropriate. N/A
Support Order for Prior Periods	N/A
Jurisdiction Requirements	Formal motion is filed with the court.
Modification Procedures	
Criteria for Modification	There must be a 20% change from the existing order.
Criteria for Change of Circumstances	Change in circumstance is continuing; agreement or decree has made explicit provision for change; increase in need of custodial parent compared to original order; decrease in amount if not needed; modification also based upon non-custodial parent's ability to pay.
Frequency of Reviews	Every three years for AFDC cases; upon request of either parent, or a guardian, in non-AFDC cases
Criteria for Review	Every three years for AFDC cases; upon request of either parent, or a guardian, in non-AFDC cases
Criteria for Adjustment	A 20% change from the existing order.

NEW MEXICO

Interstate Procedures	UIFSA adopted verbatim
Income Considered for Setting Support	Actual gross income of parent, from any and all sources, if parent is employed to full capacity, or potential income if unemployed or underemployed. Gross income does not include income of subsequent spouses.
Criteria for Rebuttal	A finding that application of guidelines would be unjust or inappropriate, or which may include a substantial hardship on any party.
Support Order for Prior Periods	Yes. Support retroactive to date of child's birth. May direct father to pay reasonable expenses of mother's pregnancy, birth, and confinement.
Jurisdiction Requirements	UIFSA
Modification Procedures	Automatic review every 3 years. Financial affidavits/information obtained to complete review; parties notified of review in writing. If review indicates modification, both parties are given 30 days to respond to finding. Right to seek modification rests with the department in cases with assignment of support rights.
Criteria for Modification	Application of current guidelines would result in 20% or more deviation from existing order, and petition for modification filed more than one year after filing of existing order.
Criteria for Change of Circumstances	Not defined in statute.
Frequency of Reviews	At least every three years in AFDC cases; at either party's request in non-AFDC cases.
Criteria for Review	See above.
Criteria for Adjustment	See above.

NEW YORK

Interstate Procedures	Hearing conducted whereupon respondent may request amount based on guidelines or oppose amount; case matter postponed for hearing examiner to review facts and determine support amount.
Income Considered for Setting Support	Income includes gross total income as should be or have been reported on the most recent federal income tax return and may also include: investment income, benefits not included, attributed income from available sources, self-employment deductions.
Criteria for Rebuttal	10 factors including: financial resources of parents and child; physical and emotional health of child; child's special needs; child's previous standard of living; tax consequences to parties; non-monetary contributions to child's care; educational needs of parents; substantial difference in parents' incomes; extraordinary expenses incurred exercising visitation rights; any other factors deemed relevant by the court.
Support Order for Prior Periods	Orders are effective from either date petition is filed, or date public assistance granted; support may be ordered retroactive to birth of child at court's discretion.
Jurisdiction Requirements	Orders issued by New York courts but not registered orders
Modification Procedures	File petition with court alleging change of circumstances.
Criteria for Modification	A significant and unforeseen change of circumstances with regard to various factors.
Criteria for Change of Circumstances	A significant and unforeseen change of circumstances with regard to various factors.
Frequency of Reviews	If AFDC, IV-E, MA: only once every three years; if non-AFDC, once every three years upon request of either party.
Criteria for Review	If AFDC, IV-E, MA: only once every three years; if non-AFDC, once every three years upon request of either party.
Criteria for Adjustment	If calculated order amount differs 10% or more than reviewed order, or if order does not have provision for health care coverage.

Collecting Child Support Made E-Z

NORTH CAROLINA

Interstate Procedures	UIFSA; local IV-D contacts defendant for voluntary support agreement; documents reviewed by district court judge who signs order approving support agreement; if defendant not willing to enter support agreement, case is scheduled for court.
Income Considered for Setting Support	Gross income from any source, including but not limited to: wages, salaries, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security, workers' compensation, disability, insurance and unemployment benefits, gifts, prizes, and alimony/maintenance from other parties.
Criteria for Rebuttal	Guidelines are rebuttable; guidelines amount mandatory unless basis for deviation would be inequitable to either party.
Support Order for Prior Periods	Yes; 3 year limit on claim from date expenditure was made.
Jurisdiction Requirements	North Carolina must have CEJ under UIFSA
Modification Procedures	A court order is modified upon motion in the cause and showing of substantial changed circumstance affecting the welfare of child by either parent or interested party.
Criteria for Modification	A 15% change in amount between existing order and amount based on guidelines, and if existing order is at least 3 years old. If less than 3 years old, party requesting modification review must verify "substantial change of circumstance." Physical and emotional health needs; educational needs; day care costs or costs relating to child's age; change in custody status.
Criteria for Change of Circumstances	Every three years or less if there is a significant change of circumstance.
Frequency of Reviews	Order must be 3 years old or there must be a substantial change of circumstances.
Criteria for Review	Physical and emotional health needs; educational needs; day care costs or costs relating to child's age; change in custody status.
Criteria for Adjustment	

NORTH DAKOTA

Interstate Procedures	Judicial process
Income Considered for Setting Support	All of the obligor's income excluding means-tested public assistance benefits.
Criteria for Rebuttal	Increased: need if support for more than 6 children sought; ability of obligor with monthly net income exceeding \$10,000 or with increased assets; educational costs; medical needs; cost of child care. Reduced: ability to pay support due to expenses incurred to visitation; ability of obligor to pay due to continued or fixed expense other than subsistence, work or daily living expenses; ability of obligor to pay due to medical needs.
Support Order for Prior Periods	Yes. IV-D will go back to date of assignment or birth (whichever later) for AFDC cases, or date of application for non-AFDC cases.
Jurisdiction Requirements	UIFSA, CEJ
Modification Procedures	If review determines modification is appropriate, parties have opportunity to stipulate. If no stipulation made, motion made to court and hearing may be held.
Criteria for Modification	15% change up or down; if current order provides for support payments in amount less than 85% or more than 115% of guideline amount.
Criteria for Change of Circumstances	Not specifically defined except: consideration of public assistance and availability of health insurance at reasonable cost.
Frequency of Reviews	3 years
Criteria for Review	Not reviewed if order or last review less than 35 months old; not conducted in Medicaid-only case if current order contains medical provisions or, in non-AFDC case, neither party requests review.
Criteria for Adjustment	15% change up or down; if current order provides for support payments in amount less than 85% or more than 115% of guideline amount.

OHIO

Interstate Procedures	Judicial and administrative via URESA petition.
Income Considered for Setting Support	All sources of income considered except for means tested income.
Criteria for Rebuttal	30 days from issuance of recommendations to dispute calculations.
Support Order for Prior Periods	Yes.
Jurisdiction Requirements	The order must be reviewed and adjusted in the initiating jurisdiction.
Modification Procedures	Complete within 180 days of request with an opportunity to challenge outcome with a hearing.
Criteria for Modification	10% variance in support award calculated using the guidelines.
Criteria for Change of Circumstances	30% change in income and resources for at least six months.
Frequency of Reviews	Every 36 months or sooner if 30% change has occurred.
Criteria for Review	36 months or 30% change in income or resources.
Criteria for Adjustment	10% variance

OKLAHOMA

Interstate Procedures	Handled same as local cases. Judicial or administrative process may be utilized to establish order for support.
Income Considered for Setting Support	Parents' gross income/assets; income can be imputed for either parent; actual cost of providing health insurance for child; support alimony or child support being paid by court order for other children not before the court.
Criteria for Rebuttal	Court can deviate if award inequitable, unreasonable or not in child's best interests, and specific finding of fact supporting such action must be made by court; when both parties represented by counsel, guidelines do not have to be followed.
Support Order for Prior Periods	Yes. 5 year limit for paternity establishment cases.
Jurisdiction Requirements	CEJ analysis under UIFSA.
Modification Procedures	AFDC cases reviewed on three year cycle. Non-AFDC reviewed upon written request if: review not conducted within last 30 months or completed within last 12 months, and significant change has occurred since last adjustment; non-custodial parent is located. If AFDC case, exception to 3 year cycle if non-custodial parent has employment related insurance, case is Medicaid and order does not include provision for medical support.
Criteria for Modification	Amount of award deviates 25% or more from existing order.
Criteria for Change of Circumstances	No clear definition other than not in compliance with child support guidelines.
Frequency of Reviews	3 year cycle
Criteria for Review	See Modification Procedures
Criteria for Adjustment	See Criteria for Modification

Collecting Child Support Made E-Z

OREGON

Interstate Procedures	Oregon may use administrative process on any interstate request to establish a support order in accordance with UIFSA.
Income Considered for Setting Support	Evidence of other available resources to parent; reasonable necessities of parent; net income remaining after withholdings required by law or employment conditions; needs of other dependents; needs/hardships of child and/or parents; tax consequences; whether custodial parent remains at home to care for child; other spouse's income.
Criteria for Rebuttal	Special needs of child; cost of child's health insurance; child care costs; both parents' gross and net income/assets; second family involvement.
Support Order for Prior Periods	Yes; date of application or most recent referral or October 1, 1995, whichever is most recent and not previous to October 1, 1995.
Jurisdiction Requirements	Yes; current residence not required.
Modification Procedures	Administrative in accordance with UIFSA.
Criteria for Modification	After two years, change in circumstances not needed; if less than two years, requires proof of change in circumstances.
Criteria for Change of Circumstances	Material change continuing and unanticipated.
Frequency of Reviews	Every two years or upon request of either parent, or a guardian.
Criteria for Review	Every two years or upon request of either parent, or a guardian with proof of change in circumstances.
Criteria for Adjustment	Proven change of circumstances.

PENNSYLVANIA

Interstate Procedures	Judicial establishment procedure used.
Income Considered for Setting Support	Net income from sources including but not limited to: wages, salaries, fees, compensation in kind, commissions, property income, interest, rents, royalties, dividends, annuities, life insurance, endowment charge of indebtedness, partnership income, interest in estate or trust, military or railroad retirement benefits; social security and disability benefits; workers' compensation and unemployment compensation benefits.
Criteria for Rebuttal	Unusual needs or fixed obligations; other support obligations; other household income; ages of the children; assets of the parties; medical expenses not covered by insurance; standard of living of parties and their children; and other relevant and appropriate factors, including the best interests of the child(ren).
Support Order for Prior Periods	Date support request filed.
Jurisdiction Requirements	As long as this state remains the residence of obligor, obligee, or child for whose benefit the support order is issued, or until each individual party has filed written consent to modify order and allow state to assume continuing, exclusive jurisdiction.
Modification Procedures	Order must be registered in order to modify.
Criteria for Modification	Must show material and substantial change in circumstances for the mother, father or child. These changes must be reflected in the support guidelines.
Criteria for Change of Circumstances	Significant change in earnings or expenses for either party to the support action, or changes in needs for the child or children.
Frequency of Reviews	Orders are reviewed every 3 years.
Criteria for Review	Time or material change in circumstances.
Criteria for Adjustment	See Criteria for Modification

RHODE ISLAND

Interstate Procedures	Same as for in-state cases.
Income Considered for Setting Support	Obligor's income as presented by initiating jurisdiction (gross income).
Criteria for Rebuttal	None
Support Order for Prior Periods	No
Jurisdiction Requirements	Federal regulations are followed.
Modification Procedures	Increase or decrease in income, or increase in need
Criteria for Modification	Change of circumstances, time elapsed
Criteria for Change of Circumstances	Proof of need; proof of increased ability (income)
Frequency of Reviews	Every year upon request of either parent, or guardian. At least every three years for AFDC cases.
Criteria for Review	Timely request / age of order
Criteria for Adjustment	Proof justifying modification

SOUTH CAROLINA

Interstate Procedures	Administrative process used to extent possible; notices sent and agreement attempted. If not possible, judicial process employed; pleadings filed, defendant served, agreement attempted; if failed, judge will hear case.
Income Considered for Setting Support	Custodial parent's income; any income or source of compensation for non-custodial parent; assets of both parties; alimony
Criteria for Rebuttal	Standards of deviation from guidelines considered on a case-by-case basis
Support Order for Prior Periods	Yes; to date of genetic testing on paternity contested cases
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Upon request in non-assistance cases and without request in AFDC cases, review for possible modification at least every three years. Uses current information, selection criteria, state statute requirements for child support and medical support obligations. Modification can be attempted if non-resident party submits to South Carolina jurisdiction. Orders may be adjusted based on changes of income of either party, if order works hardship on either party, if order is too low, if child is enrolled in high school past age of 18, or if medical insurance is very expensive. Proof of income/financial declarations required; pleadings completed by staff attorney.
Criteria for Modification	Change up or down of at least \$25 or 20-25% of support amount.
Criteria for Change of Circumstances	No hard definition
Frequency of Reviews	Every three years
Criteria for Review	Order at least 3 years old; IV-D or medical support case; AFDC, MAO or IV-E Foster Care case; change in circumstances
Criteria for Adjustment	See above

Collecting Child Support Made E-Z

SOUTH DAKOTA

Interstate Procedures	Same as local cases; non-custodial parent served with Notice of Support Debt and court order obtained utilizing income shares.
Income Considered for Setting Support	All sources of income, including disability
Criteria for Rebuttal	Support based on proportionate share of both parents' combined net incomes. It is presumed each parent is capable of earning minimum wage, except in cases of physical or mental disability.
Support Order for Prior Periods	Yes, limited to 6 years.
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Either party may file a Petition for Modification of Child Support with the state office of child support enforcement. The circuit judge appoints a referee who schedules a hearing and recommends an order for support. If no objections, the court enters an order within 10 days. If there are objections, the court sets a hearing date and enters an order after the hearing.
Criteria for Modification	Change up or down of at least \$25 per month and/or 20% unless medical insurance needs to be added, in which case there is no dollar/percentage requirement.
Criteria for Change of Circumstances	For orders entered after 7/1/89, a change of circumstances is required but not defined.
Frequency of Reviews	35 months
Criteria for Review	Locate not necessary; at least one of the parties resides in South Dakota in incoming request; order at least 35 months old.
Criteria for Adjustment	See Criteria for Modification

TENNESSEE

Interstate Procedures	Standard URESA petition required for establishment of support order.
Income Considered for Setting Support	Gross income/assets (award based on a flat percentage of net income as defined by state; gross income is needed to make this calculation)
Criteria for Rebuttal	Cost of health insurance for child; time spent with non-custodial parent; extraordinary medical or educational expenses; any other extraordinary expenses; foster care, extraordinary net income of obligor
Support Order for Prior Periods	Yes, to date of birth.
Jurisdiction Requirements	Standard URESA law
Modification Procedures	When there is a significant variance, as defined in guidelines, between guidelines and amount of support ordered.
Criteria for Modification	At least 15% or \$15 per month
Criteria for Change of Circumstances	Drastic change in circumstances
Frequency of Reviews	Every 3 years
Criteria for Review	3 years since order filed or most recent petition to modify order; obligor's location is known; material change in circumstances permanent and involuntary
Criteria for Adjustment	See Criteria for Review

TEXAS

Interstate Procedures	Support order established by court based on Texas child support guidelines.
Income Considered for Setting Support	100% of all compensation paid or payable for personal services, however denominated. Statutory deductions for social security tax, federal withholding and income tax, union dues, cost of child's health insurance, and state income tax.
Criteria for Rebuttal	If application of guidelines would be unjust or inappropriate under the circumstances; outlined in detail in Texas Family Code Chapters 154.122 and 154.123.
Support Order for Prior Periods	Yes.
Jurisdiction Requirements	Texas must have or be able to assume CEJ.
Modification Procedures	Judicial modifications are used in interstate cases.
Criteria for Modification	If there is a change of circumstances, modification should be in accordance with guidelines.
Criteria for Change of Circumstances	There must be a change of circumstances of the child or person affected by the order that is material and substantial and has occurred since the date of the order. Modification must be in the best interest of the child.
Frequency of Reviews	Every 3 years in AFDC cases, or upon the request of either parent/guardian in non-AFDC cases.
Criteria for Review	Date of last review; whether locate information is available; whether request has been made.
Criteria for Adjustment	The order does not substantially conform with guidelines; 30% deviation from guidelines or support increases/decreases by minimum of \$50 per month to meet modification; a substantial change in obligor income; substantial increase in the needs of the child.

UTAH

Interstate Procedures	Incoming cases the same as Utah cases; utilizes administrative process.
Income Considered for Setting Support	Compensation paid or payable for personal services, however denominated. Income from earned income sources is limited to the equivalent of one full-time job. However, if a parent consistently worked more than 40 hours per week prior to order, this income may be considered in calculating the guidelines.
Criteria for Rebuttal	Amount would be unjust, inappropriate, or not in the best interest of the child.
Support Order for Prior Periods	Yes (4 year limit for paternity establishment cases).
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Review upon written request in non-AFDC cases and without a request in AFDC cases in a three year cycle; reviews of Utah court orders or Utah administrative orders can be requested. Court orders that require modification are referred to the Attorney General's office. Current information used to determine if award should be modified to bring order in compliance with state established guidelines.
Criteria for Modification	Change up or down of at least 25%; however, there are no requirements if modification is only to add a medical provision.
Criteria for Change of Circumstances	Utah law defines a 25% change as a change of circumstance and all other issues are dealt with on a case by case basis.
Frequency of Reviews	Every 3 years in non-AFDC cases; by the request of either parent, the guardian, or other state.
Criteria for Review	Automatically every 3 years in non-AFDC cases; by the request of either parent, the guardian, or other state.
Criteria for Adjustment	See above

Collecting Child Support Made E-Z

VERMONT

Interstate Procedures	Judicial process
Income Considered for Setting Support	Income from any source; income from non-income producing assets over \$10,000 other than primary residence and not more than \$15,000 of a motor vehicle's value.
Criteria for Rebuttal	Ability to pay; deviation factors
Support Order for Prior Periods	Yes; establish support to date obligor would have known the child was his.
Jurisdiction Requirements	URES A
Modification Procedures	OCS reviews for modification non-public assistance orders at the request of either parent at any time; public assistance orders reviewed every three years. Modifications may be upwards or downwards, and medical support is included in review and in modification.
Criteria for Modification	Modification may be requested by either parent from the court upon the showing of a "real, substantial, and unanticipated change in circumstances."
Criteria for Change of Circumstances	A difference of more than 10% between current obligation and new obligation.
Frequency of Reviews	Every three years for public assistance cases; at the request of either parent at any time in non-public assistance cases.
Criteria for Review	Without request in public assistance, Medicaid-only, or IV-E Foster Care cases or with request in non-public assistance cases, and: 35 months since last order/review; non-custodial parent not in locate, not ANFC or SSI, incarcerated or institutionalized; case not in waiver status; current support obligation; at least 18 months before termination of order.
Criteria for Adjustment	Real, substantial or unanticipated change in circumstances, with 10% or more change in obligation amount

VIRGINIA

Interstate Procedures	Handled same as local cases. Virginia will enforce existing order; if no order exists and paternity not an issue, Virginia will establish administrative support order. If administrative establishment not possible, case will be taken to court for judicial establishment.
Income Considered for Setting Support	Combined monthly gross income of both parents from all sources. Spousal support included limited to support paid to pre-existing order/written agreement. Costs of health care and child care (due to employment of custodial parent) added to support obligation.
Criteria for Rebuttal	Administratively; multiple family cases; imputing income; also if an obligor is not satisfied with obligation, an appeal can be noted and referred to court; court may consider a number of other factors.
Support Order for Prior Periods	Yes
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Either party in IV-D case, or an IV-D agency, may request in writing a review of obligation at any time. Whether requested or not, active AFDC, AFDC/FC, and Medicaid-only cases are reviewed every 36 months from date of most recent order; modifications may be for increases or decreases; reviews can be requested of support enforcement agencies or the court. If the child support is court ordered, and it is specified the order deviates from guidelines, enforcement agency petitions the court for a hearing. If it is not specified that the order deviates from guidelines, the enforcement agency asks the court to approve the Proposed Modified Order.
Criteria for Modification	An adjustment is made up or down if a material change in circumstance has occurred, defined as the difference between existing order and new obligation being at least 10% of existing amount, and change is at least \$25 monthly.
Criteria for Change of Circumstances	Virginia law does not define change of circumstances.
Frequency of Reviews	Active AFDC, AFDC/FC, and Medicaid-only cases are reviewed every 36 months from date of most recent order; review at the request of either party of IV-D agency.
Criteria for Review	Review at any time at the written request of either party of IV-D agency.
Criteria for Adjustment	At the request of either party, or of another IV-D agency if there is at least 10% difference in amount of current obligation and new amount, and at least \$25 change monthly

WASHINGTON

Interstate Procedures	Handled same as local cases; if order exists, Washington enforces existing order; if no order and paternity not an issue, administrative order for support entered.
Income Considered for Setting Support	Gross/net income/assets of both parents; non-recurring income, salary, wages, commissions, deferred compensation, overtime, contract-related benefits, dividends, interest, trust income, severance pay, annuities, capital gains, unemployment compensation, retirement benefits, spousal maintenance received, bonuses, disability benefits. Also, age and number of children, child care costs, special medical needs of child, cost of providing health insurance for child, second family involvement, long distance transportation expenses, and education expenses.
Criteria for Rebuttal	See RCW 26.19.075 "Standards of Deviation from the Standard Calculation"
Support Order for Prior Periods	Yes (5 year limit for paternity establishment cases)
Jurisdiction Requirements	CEJ analysis per UIFSA
Modification Procedures	Review upon written request in non-AFDC cases and without a request in AFDC cases in a three year cycle; review for child support or medical support, and for increases or decreases; when a child support order is inconsistent with Washington guidelines, the case is referred for modification action. All child support orders may be adjusted once every 24 months based upon income changes of either party without a showing of substantially changed circumstances, and also when: the order works severe economic hardship on either party, the child was age 0-11 when the order was set and is now 12-18 years old, the child is still in high school and has reached age 18; orders prior to June 7, 1984 may be modified to include health insurance. Mandated pleadings to initiate modification action are completed by DCS or attorney staff.
Criteria for Modification	Change up or down of at least \$100 per month and 25%, total support change of at least \$2,400 for life of the order; no dollar requirement if just adding medical support
Criteria for Change of Circumstances	No hard and fast definition of "substantial change of circumstances"
Frequency of Reviews	Every 3 years
Criteria for Review	Upon request in non-AFDC cases and without a request in AFDC, IV-E Foster Care or medical assistance only cases; IV-D or medical support case; order at least 35 months old; for Washington order, one party is a resident; for foreign order, both reside in state.
Criteria for Adjustment	See Criteria for Modification

WEST VIRGINIA

Interstate Procedures	URES A
Income Considered for Setting Support	Net income will be used until July 1, 1997, when Income Shares takes effect: use of gross income less payment of previously ordered child support, spousal support or separate maintenance; deduction for additional dependents may be allowed by court if obligor has other legal dependents.
Criteria for Rebuttal	Guidelines apply as rebuttable presumption; if court finds guidelines inappropriate, the court may disregard or adjust them to accommodate needs of the child or children or circumstances of either or both parents.
Support Order for Prior Periods	Yes
Jurisdiction Requirements	Under Full Faith and Credit, will attempt as long as one of the parties or the child continues to reside in West Virginia.
Modification Procedures	Investigation for modification conducted every three years, or at least once a year upon request of either party; both parties shall receive 30 days notice of review and the results of the review; if result of review is to seek modification of the order, a petition is filed and each party given 30 days notice of hearing.
Criteria for Modification	The child support order may be modified if there is a substantial and continuing change of circumstances.
Criteria for Change of Circumstances	If application of guidelines would result in a new order that is more than 15% different than the current order, the circumstances are considered to be a substantial and continuing change.
Frequency of Reviews	At least every three years, but no more than once a year.
Criteria for Review	Order is 36 months old; 15% deviation from child support; case lacks medical insurance, AFDC, medical assistance only, or IV-E foster care case without request.
Criteria for Adjustment	Order is 36 months old; 15% deviation from child support; case lacks medical insurance, AFDC, medical assistance only, or IV-E foster care case without request.

Collecting Child Support Made E-Z

WISCONSIN

Interstate Procedures	Family Court Commissioners or judicial process, depending on the county.
Income Considered for Setting Support	All income except public benefits or child support received for a child.
Criteria for Rebuttal	Unfair to one or all parties
Support Order for Prior Periods	Birth of the child
Jurisdiction Requirements	UIFSA CEJ
Modification Procedures	UIFSA, s.769.303, s.769.611, s. 769.611 (b) (4)
Criteria for Modification	Conformance to guidelines
Criteria for Change of Circumstances	Earnings of obligor substantially increased or decreased; needs of a party or the child and substantially increased or decreased; children have extraordinary medical expenses not covered by insurance; a substantial change in child care expenses; passage of 33 months; receipt of AFDC by either parent; lack of conformance guidelines without reasons given; or by judicial decision.
Frequency of Reviews	Every 33 months, by request, or with a substantial change.
Criteria for Review	Request or order is 33 months old
Criteria for Adjustment	10% and at least 40% difference monthly

WYOMING

Interstate Procedures	Yes
Income Considered for Setting Support	Yes. Statutes require both parties income be used to determine support under income shares guidelines
Criteria for Rebuttal	Yes. Deviation Statutes
Support Order for Prior Periods	Child support is deemed effective at birth. Court limits arrearages to assigned support unless the non-custodial parent has been avoiding the establishment process or does not appear as ordered, or agrees otherwise.
Jurisdiction Requirements	CEJ
Modification Procedures	Yes
Criteria for Modification	20% change in the amount of current support or a substantial change of circumstances if child support is set in a property settlement agreement.
Criteria for Change of Circumstances	Any change considered "substantial" by the court.
Frequency of Reviews	Every three years by the IV-D program; private action can take place every six months.
Criteria for Review	34 months without review or modification.
Criteria for Adjustment	20% change in the amount of current support or a substantial change in circumstances.

APPENDIX II

STATE CHILD SUPPORT ENFORCEMENT AT A GLANCE

State	Program	# of Local Offices	UIFSA	URES A	RURES A
Alabama	State/county	67		✓	
Alaska	State	3	✓		
Arizona	State	8	✓		
Arkansas	State	25	✓		
California	County	58		✓	
Colorado	County/state	63	✓		
Connecticut	State	14		✓	
Delaware	State	3	✓		
District of Columbia	State/local	0	✓		
Florida	State	85		✓	
Georgia	State	54			
Hawaii	State	4		✓	
Idaho	State	8	✓		
Illinois	State	143	✓		
Indiana	State/county	N/A	✓		
Iowa	State	23		✓	
Kansas	State	31	✓		
Kentucky	State	19		✓	
Louisiana	State	12	✓		
Maine	State	12	✓		
Maryland	State	24	✓	✓	
Massachusetts	State	8	✓		
Michigan	State	N/A		✓	
Minnesota	State/county	83	✓		
Mississippi	State	84	✓		
Missouri	State	22		✓	
Montana	State	5	✓*		
Nebraska	State	11	✓		
Nevada	State/county	4		✓	
New Hampshire	State	12		✓	
New Jersey	State/county	21		✓	
New Mexico	State	7	✓		
New York	State/county	58		✓	
North Carolina	State	16	✓		
North Dakota	State/county	8	✓		
Ohio	County	88		✓	
Oklahoma	State	4	✓		
Oregon	State	N/A	✓		
Pennsylvania	State/county	67	✓		
Rhode Island	State	1		✓	
South Carolina	State	11	✓		
South Dakota	State	8	✓*		
Tennessee	State	31		✓	
Texas	State	68	✓		
Utah	State	6	✓		
Vermont	State	5			✓
Virginia	State	24	✓		
Washington	State	9	✓		
West Virginia	State	54		✓	
Wisconsin	County	72	✓		
Wyoming	State	9	✓		

* Did not adopt direct withholding by employers