

Rule to Modify Child Support

This form (SES 886 – 08/20) is published by the Louisiana Department of Social Services “Support Enforcement Services.”

1. This form addresses modification (increase or decrease) of existing child support judgments. Louisiana law requires that a material change in circumstances exist before you are entitled to a modification. As a general rule, the modification becomes effective from the date that the Rule is filed with the Court. This form applies when the modification is being filed in the parish and court where the prior child support judgment (which hasn't been registered elsewhere), was rendered.

2. Do you have a child support judgment that is being handled by the State (Support Enforcement Service?) ☐ Yes or ☐ No (*✓check one*)

3. If you stated Yes, please go to Items No. 4-6.
If you stated No, please go to Item No. 7.

4. As the person seeking to file the Rule, are you the payor (person who makes the payment of child support) or are you the payee (the person who receives the child support?)
☐ Payor or ☐ Payee (*✓check one*). You will need the LASES Docket No.

5. **•Payee:** If you receive child support you should contact your case worker with the State (Support Enforcement Services) and request that they seek a modification. You are permitted to also seek an increase yourself but will need to complete the form and file it.

- a. As the filer, you, together with the State, would be the *plaintiff*. You would also be the mover.
- b. Check all the boxes that apply. Example: If the payor has a new job; increase in income; expenses have increased for child, etc.; or describe in other, any *other* factors.
- c. Fill out your address and phone number.
- d. Fill out the name of the payor and where he/she needs to be served. Also, check the box for the State Office that is or was handling the child support case.
- e. Take the original and at least 3 copies of the Rule to file with the Clerk of Court. If you cannot afford the filing fee, you should ask for an *in forma pauperis* form. Keep a stamp copy for yourself. The Clerk will process the others.
- f. Once you get a court date(s) from the Clerk of Court, be prepared to provide any documentation and proof of your eligibility for the modification.

6. **•Payor:** If you make payments, you are able to also contact the State (Support Enforcement Services) but, you are also able to expedite the matter by seeking the modification on your own.

- a. As the filer, you would be the *defendant*. You would also be the *mover*.
- b. Check all the boxes that apply. A reduction in income; order changing custody or visitation; child turns 18 and not in high school, etc.; or describe in *other*, any other factors.
- c. Fill out your address and phone number.
- d. Fill out the name of the payee and where he/she needs to be served. Also, check the box for the State Office that is or was handling the child support case.
- e. Take the original and at least 3 copies of the Rule to file with the Clerk of Court. If you cannot afford the filing fee, you should ask for an *in forma pauperis* form. Keep a stamp copy for yourself. The Clerk will process the others.
- f. Once you get a court date(s) from the Clerk of Court, be prepared to provide any documentation and proof of your eligibility for the modification.

7. You would proceed in the same manner as in 5 or 6 above except that it would not involve the State Child Support Office (Support Enforcement Services). Get the Docket No. from the prior Court judgment that set the prior child support award that you seek to modify. The service would only go out to the other party (parent), and not to the Child Support State Offices.

In seeking the relief, you should have the required basis or proof that would entitle you to the relief. You may want to consult an attorney to make sure. Court costs and sanctions could otherwise be imposed on you, as allowed by law.

PLAINTIFF

VERSUS:

DEFENDANT

LASES #

FILED:

DOCKET NO

JUVENILE/DISTRICT COURT/FAMILY COURT

PARISH OF

STATE OF LOUISIANA

DEPUTY CLERK

RULE TO MODIFY CHILD SUPPORT

NOW INTO COURT comes _____, ☐ defendant/☐ plaintiff
(check one) in proper person, who shows to this Honorable Court that pursuant to a judgment of
this court, child support was entered for the minor child(ren).

Mover avers that he/she is entitled to a modification of the child support because of the
following material change in circumstances: (check all that apply).

- ☐ involuntary unemployment
☐ reduction in income
☐ order changing custody or visitation
☐ change in childcare costs
☐ child turns 18 and is not in high school
☐ child’s living arrangement changes
☐ Other (*describe*): _____
- ☐ new employment
☐ increase in income
☐ adding or dropping medical insurance
☐ extraordinary medical expenses
☐ increase or decrease in expenses for child
☐ NCP incarcerated
- _____

WHEREFORE, mover prays that _____ be ordered to
appear to show cause on a date and time to be fixed by the court, why mover should not be awarded
a modification in child support payments to be fixed by the court according to the child support
guidelines.

Respectfully submitted,

☐ DEFENDANT/ ☐ PLAINTIFF (check one)

ADDRESS _____

Tel. No: _____

ORDER

IT IS ORDERED that _____ show cause on the _____
day of _____, 20____, at ____:____ am/pm (circle one), why the child
support order in the above captioned matter should not be modified in an amount fixed by this
court according to the child support guidelines.
_____, LOUISIANA, this _____ day of _____, 20____.

PLEASE SERVE:

OPPOSING (OTHER) PARTY

ADDRESS: _____

JUDGE/HEARING OFFICER

☐ CHILD SUPPORT OFFICE though
DISTRICT ATTORNEY’S OFFICE

OR

☐ CHILD SUPPORT OFFICE through
CHILD SUPPORT ENFORCEMENT (CES)
DISTRICT OFFICE