

Request to change child support



Instructions

For the latest information, learn more about **Starting a case to change child support payments** at: <https://www.illinoislegalaid.org/legal-information/startng-case-change-child-support-payments>.

Note: E-filing has changed how things work. Check with your local Circuit Clerk on how to request a court hearing date, file your papers, and whether the hearing is in-person or remote. Read the “How to File and Send a Motion and Notice” instructions after page 2 for more information.

What to do right now:

1. If you did not add your e-signature, sign the ***Motion to Modify Child Support***, and each Proof of Delivery that is attached. Make 3 copies of the motion after you sign it.
2. If you did not add your e-signature, sign the ***Notice of Court Date for Motion*** and complete the delivery method and time if necessary. Ask the local Circuit Clerk about the hearing to fill out section 1. Hearing Information. Make a copy to keep for your own records.
3. If you did not start the earlier divorce or support case that led to the child support order, and have never before filed an ***Appearance*** in the case, you may need to file one. Check with your local Circuit Clerk. You can use this Easy Form to make your ***Appearance***:
<https://www.illinoislegalaid.org/legal-information/appearance>
4. Take all copies of the ***Motion to Modify Child Support*** and each ***Notice of Court Date for Motion*** to the motion counter at the courthouse where you are filing.
 - The clerk will file stamp all of the papers, keep the originals for the court file, and give you back your copies.
 - The clerk will tell you what times and dates a Judge can hear your motion. You must choose one of these times.
 - The clerk will write that time and date on the original papers, and you must write the same time and date on the other copies.
 - If your case involves the Department of Healthcare and Family Services, the State’s Attorney or the Attorney General’s office, the clerk may keep a copy of the petition and a notice and deliver those for you. Ask the clerk if you need to mail a copy of the petition and the notice to the State’s Attorney or Attorney General’s office.
 - If you need to file an ***Appearance***, you will be asked to pay a fee. If you cannot afford to pay, please read these instructions on waiving court fees:
<https://www.illinoislegalaid.org/legal-information/filing-court-papers-free>
5. You must then deliver all the forms listed below to the other parent or their lawyer. It is a good idea to send these forms electronically or by certified mail so that you have proof of delivery.
 - One copy of the ***Motion to Modify Child Support***,
 - The ***Notice of Court Date for Motion*** which is addressed to them.
6. You will likely have to complete a ***Financial Affidavit***, if you have not done so recently. You can use the Easy Form at
<https://www.illinoislegalaid.org/legal-information/financial-affidavit> to fill out the form. **Note:** If you are asking the court to end child support because all of the children have graduated high school or have become emancipated, you do not have to complete this form.

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What to do on your court date:

1. Bring all of the following papers with you to court. You should have a copy for yourself, plus one to hand the judge, if needed:
 - The ***Motion to Modify Child Support***,
 - All ***Notices of Court Date for Motion***, and
 - The ***Order for Support*** for the judge to complete after the hearing.If you are not ending child support, you will also need to bring the following:
 - Your completed ***Financial Affidavit***,
 - The ***Support Information Sheet***,
 - If you want support payments taken out of the other parent’s paycheck, bring the ***Income Withholding for Support***, and
 - Any other papers which have been filed in this case.
2. Dress nicely, like you would for a job interview.
3. Plan to arrive 30-45 minutes early. If you are not in court when the judge calls your case, the judge may “strike” your motion. If that happens, you will need to start all over again.

What to do after the court date:

If child support payments have changed, you need to make sure the employer of the parent who is paying support knows about it.

1. Make sure the updated child support payment amount and frequency are listed in the ***Income Withholding for Support*** and ***Letter to Employer***. The ***Order for Support*** signed by the judge should have this information.
2. Send the ***Letter to Employer***, ***Income Withholding for Support***, and ***Order for Support*** to the employer of the parent who will pay support. Mail these using Certified Mail, so you have a record of sending these forms.
3. If your case involves the Illinois Department of Healthcare and Family Services (HFS), contact them for help delivering the forms. You can contact Child Support Services by calling 1-800-447-4278 (TTY: 1-800-526-5812). Or you can find a regional office by visiting:
<https://hfs.illinois.gov/childsupport/parents/offices.html>
4. If the other parent does not pay the child support payments they are ordered to pay, learn about enforcing a child support order: <https://www.illinoislegalaid.org/legal-information/enforcing-child-support-order-0>