

RCW 26.09.100 Child support—Apportionment of expense—Periodic adjustments or modifications. (1) In a proceeding for dissolution of marriage or domestic partnership, legal separation, declaration of invalidity, maintenance, or child support, after considering all relevant factors but without regard to misconduct, the court shall order either or both parents owing a duty of support to any child of the marriage or the domestic partnership dependent upon either or both spouses or domestic partners to pay an amount determined under chapter 26.19 RCW.

(2) The court may require automatic periodic adjustments or modifications of child support. That portion of any decree that requires periodic adjustments or modifications of child support shall use the provisions in chapter 26.19 RCW as the basis for the adjustment or modification. Provisions in the decree for periodic adjustment or modification shall not conflict with RCW 26.09.170 except that the decree may require periodic adjustments or modifications of support more frequently than the time periods established pursuant to RCW 26.09.170.

(3) Upon motion of a party and without a substantial change of circumstances, the court shall modify the decree to comply with subsection (2) of this section as to installments accruing subsequent to entry of the court's order on the motion for modification.

(4) The adjustment or modification provision may be modified by the court due to economic hardship consistent with the provisions of *RCW 26.09.170(6)(a). [2010 c 279 s 3; 2008 c 6 s 1013; 1991 sp.s. c 28 s 1; 1990 1st ex.s. c 2 s 1; 1989 c 375 s 7; 1988 c 275 s 9; 1987 c 430 s 3; 1973 1st ex.s. c 157 s 10.]

***Reviser's note:** RCW 26.09.170 was amended by 2020 c 227 s 13, changing subsection (6)(a) to subsection (8)(a), effective February 1, 2021.

Part headings not law—Severability—2008 c 6: See RCW 26.60.900 and 26.60.901.

Severability—1991 sp.s. c 28: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1991 sp.s. c 28 s 9.]

Effective date—1991 sp.s. c 28: "Sections 1 through 9 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect September 1, 1991." [1991 sp.s. c 28 s 10.]

Captions not law—1991 sp.s. c 28: "Captions as used in this act do not constitute any part of the law." [1991 sp.s. c 28 s 11.]

Effective dates—1990 1st ex.s. c 2: "(1) Sections 5 and 22 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [March 26, 1990].

(2) The remainder of this act shall take effect July 1, 1990." [1990 1st ex.s. c 2 s 30.]

Severability—1990 1st ex.s. c 2: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1990 1st ex.s. c 2 s 31.]

Effective dates—Severability—1988 c 275: See notes following RCW 26.19.001.

Severability—1987 c 430: See note following RCW 26.09.170.