

FINAL BILL REPORT

SHB 3016

C 279 L 10

Synopsis as Enacted

Brief Description: Updating provisions concerning the modification, review, and adjustment of child support orders to improve access to justice and to ensure compliance with federal requirements.

Sponsors: House Committee on Judiciary (originally sponsored by Representative Pedersen; by request of Department of Social and Health Services).

House Committee on Judiciary
Senate Committee on Human Services & Corrections

Background:

A party to a child support order may petition the court for modification of the order at anytime upon a showing of a substantial change in circumstances. An order may be modified one year or more after it has been entered without a showing of a substantial change in circumstances for limited reasons, such as if the order works a severe economic hardship on either party or if the child is in high school and support beyond the child's 18th birthday is needed. Child support orders may be adjusted once every 24 months based upon changes in the parents' income without a showing of a substantial change in circumstances. An order may also be adjusted 24 months from the date of the entry or the last adjustment, whichever is later, based upon changes in the statutory child support economic.

The Division of Child Support (DCS) of the Department of Social and Health Services provides services to establish, modify, and enforce child support orders. The DCS must provide services if a family is receiving Temporary Assistance to Needy Families (assistance).

In assistance cases, the DCS may file an action to modify a child support order if the support order is 25 percent or more below the appropriate support amount established in the standard calculation and the reasons for deviation from that amount are not set forth in findings.

The statute does not address when and under what circumstances the DCS may provide services in nonassistance cases.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In cases in which assistance is being paid on behalf of the child, the DCS may file an action to modify or adjust a child support order if the order is at least 25 percent *above or* below the standard calculation and the reasons for deviation are not set forth in findings.

In nonassistance cases, the DCS may file an action to modify or adjust an order if the case meets the DCS's review criteria, the order is at least 25 percent above or below the standard calculation, and a party to the order or another jurisdiction has requested review. In addition, the DCS may file an action, in nonassistance cases, to modify or adjust a child support order under any of the statutorily authorized circumstances, if a party to the order requests review.

If testimony other than an affidavit is required in any modification proceeding, the court must permit a party or witness to testify by telephone or other electronic means, unless good cause is shown.

Votes on Final Passage:

House	96	0	
Senate	48	0	(Senate amended)
House	97	0	(House concurred)

Effective: June 10, 2010