

Superior Court of Washington, County of _____

In re:

Petitioner/s (as listed on the Petition):

And Respondent/s (as listed on the Petition):

No. _____

**Final Order and Findings on Petition to
Modify Child Support Order**

(ORMDD)

☐ Clerk's action required: **1, 17**

**Final Order and Findings on Petition to Modify
Child Support Order**

1. Money Judgment Summary

- ☐ No money judgment is ordered.
- ☐ Summarize any money judgment from section 13 in the table below.

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
Lawyer fees				
Court costs			\$	\$
Other (specify):			\$	\$
Yearly Interest Rate: ____% (12% unless otherwise listed)				
Lawyer (name):		represents (name):		
Lawyer (name):		represents (name):		

2. Court findings based on (check all that apply):

- ☐ Parents' agreement.
- ☐ Order on Motion for Default signed on (date): _____.
- ☐ The court's decision after a hearing on (date): _____, at which (check one):
- ☐ no one testified.

☐ these people testified (*name/s*): _____

➤ **Findings & Conclusions**

3. Jurisdiction

- ☐ The court has authority to modify the current child support order because it was issued by a (*check one*):
- ☐ **Washington** state court.
- ☐ **Different** state or jurisdiction, but has been registered in a Washington state court and (*check one*):
- ☐ **All parties live In Washington now.**
- All the parties to the current order (other than a State party) now live in this state; and
 - The children do not live in the state or jurisdiction where the order was issued.
- ☐ **No one left in issuing state.**
- None of the children or parties to the current order (other than a State party) live in the state or jurisdiction where the order was issued;
 - The person asking to modify the order (Petitioner) lives outside of Washington; and
 - Washington has personal jurisdiction over the Respondent because they (*check all that apply*):
 - ☐ live in this state now.
 - ☐ will be personally served in this state with a *Summons* and *Petition* for this case.
 - ☐ lived in this state with the children.
 - ☐ lived in this state and paid for pregnancy costs or support for the children.
 - ☐ did or said something that caused the children to live in this state.
 - ☐ had sex in this state, which may have produced the children.
 - ☐ signed an agreement to join this *Petition* or other document agreeing that the court can decide his or her rights in this case.
 - ☐ other (*specify*): _____
- ☐ **Parties have consented.**
- At least 1 child or party to the current order lives in Washington state now; and
 - Each party to the current order (other than a State party) has filed a consent with the court that issued the current order agreeing that a Washington court may modify the order and take continuing, exclusive jurisdiction.

- ☐ The court does **not** have authority to modify the current child support order because (explain): _____

4. **Should the court modify the monthly child support amount?**

- ☐ Does not apply. No change was requested.
- ☐ **No.** The monthly child support amount should **not** be changed because there are no valid reasons to change it. (Explain why the reasons in the Petition are not valid): _____

- ☐ **Yes.** The monthly child support amount should be changed as written in the new *Child Support Order* because (check all that apply):

- ☐ **Agreement** – The parties agree to the changes.
- ☐ **One year or more has passed** – The current order was signed at least 1 year ago and (check all that apply):
- ☐ the current order causes severe financial hardship for the requesting party or the children.
 - ☐ the court should add a Periodic Adjustment provision according to RCW 26.09.100. Support may be adjusted periodically as described in the new *Child Support Order*.
 - ☐ a child is still in high school and there is a need to extend support beyond their 18th birthday to complete high school.
- ☐ **Two years or more have passed** – The current order was signed at least 2 full years (24 months) ago and (check all that apply):
- ☐ the parents' income has changed.
 - ☐ the economic table or standards in RCW 26.19 have changed.
- ☐ **Default or Past Agreement** – The current order was issued by default or agreement, without the court independently examining the evidence to decide a reasonable amount of support according to the law.
- ☐ **Change of Circumstances** – There has been a substantial change in circumstances since the current order was signed. (Describe): _____

5. **Should the court modify the order to add language allowing for a temporary reduction due to incarceration? (Abatement)**

- ☐ Does not apply. No change was requested.

- ☐ **No.** The person who owes support is not currently incarcerated.
- ☐ **Yes.** The current order does not provide for a temporary reduction (abatement) based on incarceration, and the person who owes support is in jail, prison, or a correctional facility for at least 6 months (or serving a sentence of more than 6 months). Abatement language should be included in the new Child Support Order.

6. Should the court order a temporary reduction due to incarceration? (Abatement)

- ☐ Does not apply. No change was requested.
- ☐ **No.** The presumption in favor of abatement has been rebutted because it has been shown that the person who owes support has, or has access to, income or assets to provide support while incarcerated.
- ☐ **No.** DCS can administer the abatement.
- ☐ **Yes.** It has not been shown that the person who owes support has, or has access to, income or assets to provide support while incarcerated. The court should temporarily reduce the total monthly child support amount to \$10 while the person who owes support is in jail, prison, or a correctional facility for at least 6 months (or serving a sentence of more than 6 months).

The support will remain \$10 a month through the third month after the person who owes support is released. After the third month, the support will be 50% of the original amount stated in the current order or \$50 per child, whichever is more, unless a petition for modification has been filed. One year after release, the support will return to the original amount stated in the current order. This temporary abatement of the child support obligation does not constitute modification or adjustment of the order.

7. Should the court change the temporary reduction (abatement) already in effect?

- ☐ Does not apply. No change was requested.
- ☐ No. The current temporary reduction (abatement) should remain as previously ordered by the court or as administered by DCS.
- ☐ Yes. The temporary reduction (abatement) previously ordered by the court or as administered by DCS should be changed because:

The monthly child support amount should be as written in the new *Child Support Order*.

8. Should the court modify the end date for child support?

- ☐ Does not apply. No change was requested.
- ☐ **No.** The end date for child support should **not** be changed because there are no valid reasons to change it. *(Explain why the reasons in the Petition are not valid):*

- ☐ **Yes.** The end date should be changed as written in the new *Child Support Order* because *(check all that apply)*:
- ☐ **Agreement** – The parties agree to the changes.
- ☐ **Finish High School** – The current order was signed at least 1 year ago. *(Child's name)*: _____ will still be in high school when they turn 18 and will need support until they finish high school.
- ☐ **Dependent Adult Child** – The current order says support must be paid for each child until each child turns 18 or is no longer enrolled in high school, whichever happens last. Support should continue past this time for *(child's name)*: _____ because this child will be unable to support themselves and will remain dependent past the age of 18. This child's situation has changed substantially since the current order was signed. *(Describe)*: _____
- ☐ **Default or Past Agreement** – The current order was issued by default or agreement, without the court independently examining the evidence to decide a reasonable end date for support according to the law.
- ☐ **Other** – *(Specify)*: _____

9. Should the court modify post-secondary educational support?

- ☐ Does not apply. No change was requested.
- ☐ **No.** The court should **not** change or order post-secondary support because there are no valid reasons. *(Explain why the reasons in the Petition are not valid)*: _____
- ☐ **Yes. Issue was reserved** – The current order allows a parent/custodian to ask the court for post-secondary support at a later date. The children depend on the parents for the reasonable necessities of life. The court has considered the factors in RCW 26.19.090(2) and decided that post-secondary support should be ordered as written in the new *Child Support Order*.
- ☐ **Yes. Support was granted, need to set an amount** – The current order says the parents must pay for the children's post-secondary support, but did not set a payment amount or percentage. The court has considered the financial resources of the parents and the child, the expenses for post-secondary education, and other relevant information. The court approves the post-secondary support amount or percentage of expenses written on the new *Child Support Order*.
- ☐ **Yes. Modify** – The court should change post-secondary support as follows *(check all that apply)*:
- ☐ **Require** – The current order says post-secondary support is not required. The court should modify the order so that post-secondary support is required for *(Children's names)*: _____. This child depends on the parents for the reasonable necessities of life. The court has considered the factors in RCW 26.19.090(2) and decided that post-

secondary support should be ordered as written on the new *Child Support Order*.

- ☐ **Cancel** – The current order says the parents must pay for the children’s post-secondary (college or vocational school) support. The court should change the order so that post-secondary support is no longer required.
- ☐ **Change Amount** – The current order requires the parents to pay a specific amount or percentage of expenses for the children’s post-secondary (college or vocational school) support. The court should change the amount or percentage as written on the new *Child Support Order*.

These changes should be made because *(check all that apply)*:

- ☐ **Agreement** – The parties agree to the changes in the new *Child Support Order*.
- ☐ **Default or Past Agreement** – The current order was issued by default or agreement, without the court independently examining the evidence to decide these issues.
- ☐ **Change of Circumstances** – There has been a substantial change in circumstances since the current order was signed.
 - ☐ See change of circumstances described in section 4 above.
 - ☐ Other *(Describe)*: _____

10. Should the court modify payment for children’s expenses or tax issues?

Important! Although personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.

- ☐ Does not apply. No change was requested.
- ☐ **No.** The court should **not** change payment for other expense or tax issues because there are no valid reasons for change. *(Explain why the reasons in the Petition are not valid)*: _____

- ☐ **Yes.** The court should order or modify the following as written in the new *Child Support Order* *(check all that apply)*:
 - ☐ daycare expenses.
 - ☐ educational expenses.
 - ☐ long-distance transportation expenses.
 - ☐ other expenses.
 - ☐ tax issues.

These changes should be made because *(check all that apply):*

- ☐ **Agreement** – The parties agree to the changes.
- ☐ **2 years or more have passed** – It has been at least 2 full years (24 months) since the order was signed and these requests are based only on changes in the parents' income or the economic table or standards in RCW 26.19.
- ☐ **Default or Past Agreement** – The current order was issued by default or agreement, without the court independently examining the evidence to decide these issues.
- ☐ **Change of Circumstances** – There has been a substantial change in circumstances since the current order was signed.
 - ☐ See change of circumstances described in section 4 above.
 - ☐ Other *(Describe)*: _____

11. Should the court modify health insurance orders?

- ☐ Does not apply. No change was requested.
- ☐ **No.** The court should **not** change health insurance orders because there are no valid reasons for change. *(Explain why the reasons in the Petition are not valid):*

- ☐ **Yes.** The court should change health insurance orders as written in the new *Child Support Order*. These changes should be made because *(check all that apply)*:
 - ☐ **Agreement** – The parties agree to the changes in the new *Child Support Order*.
 - ☐ **2 years or more have passed** – It has been at least 2 full years (24 months) since the order was signed and these changes are based only on changes in the parents' income or the economic table or standards in RCW 26.19.
 - ☐ **Default or Past Agreement** – The current order was issued by default or agreement, without the court independently examining the evidence to decide these issues.
 - ☐ **Change of Circumstances** – There has been a substantial change in circumstances since the current order was signed.
 - ☐ See change of circumstances described in section 4 above.
 - ☐ Other *(Describe)*: _____

12. Overpayment / underpayment caused by modification

- ☐ Does not apply.

- ☐ **Underpayment** – The changes to the *Child Support Order* caused an underpayment of support or other expenses. The underpayment must be paid according to the judgment in section 23 of the new *Child Support Order*.
- ☐ **Overpayment** – The changes to the *Child Support Order* caused an overpayment of support or other expenses. The overpayment must be repaid according to section 24 of the new *Child Support Order*. However, if the changes are because of a temporary reduction in support (abatement) due to the incarceration of the person who owes support, there is **no** credit or refund for payments received **before** the Division of Child Support is notified of the incarceration.

13. Fees and costs

- ☐ Does not apply. Neither party asked that the other party pay their lawyer fees and costs.
- ☐ (Name): _____ should pay court costs, lawyer fees, and other reasonable costs listed in the Money Judgment in section 16 below because (explain): _____
- ☐ (Name): _____ should **not** have to pay court costs, lawyer fees, and other reasonable costs because (explain): _____
- ☐ Other: _____

14. Other findings, if any

➤ **Court Orders**

15. Decision

- ☐ The *Petition* is denied. The current final *Child Support Order* remains in effect.
- ☐ The final *Child Support Order* and *Worksheets* signed by the court today or on (date): _____ are approved and filed separately.

16. Money judgment for fees and costs (summarized on page 1)

- ☐ No money judgment is ordered.
- ☐ The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> Lawyer fees			\$	\$
<input type="checkbox"/> Court costs			\$	\$
<input type="checkbox"/> Other fees and expenses (specify):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

☐ The interest rate is ____% because (*explain*): _____

17. Other orders (if any)

Ordered.

Date

▶ _____
Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below.

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

▶ _____ ▶ _____
Petitioner signs here or lawyer signs here WSBA # Respondent signs here/lawyer signs here WSBA #

Print Name

Date

Print Name

Date