

### TERMS:

- Payor – the parent who pays child support
- Payee – the person who receives child support, may or may not be a parent
- Child Support Services (CSS) – Kansas IV-D Agency within Department for Children and Families (DCF)

**Question:** I have had a change in income, will my child support change automatically?

**Answer:** No. Any changes to the child support amount will need a new court order.

**Question:** What will child support services do for me when I request a change to my child support?

**Answer:** Child Support Services can help anyone who has an open case with us. Call the Child Support Call Center at 1-888-757-2445 to see if you have an open case or to ask for an enrollment form. Enrollment forms are at

<http://www.dcf.ks.gov/services/CSS/Pages/Enrolling-for-Child-Support-Services.aspx>.

Payors may enroll for services to modify a child support order. The enrollment form is at:

<http://www.dcf.ks.gov/services/CSS/Documents/CSS%20Enrollment%20Form%20for%20Modification%20or%20Paternity%20Only.pdf>.

**Question:** When can I ask for a modification or change in my child support?

**Answer:** A modification review can occur at any time. Common reasons to ask for a review are change in your job, moving to another state, change in ages of child, parenting time, starting or ending childcare. If the order was made less than three (3) years ago, then the change must be either up or down ten (10) percent. The Kansas Guidelines changed in January 2020 to consider both the payor and payee ability to pay and earn income.

A special rule is in place for when a party has another child. See question #11 for how to access the Kansas Child Support Guidelines.

**Question:** How do I request a change to my child support order?

**Answer:** Anyone may call the Child Support Call Center at 1-888-757-2445. Child Support Services (CSS) will mail a Domestic Relations Affidavit (DRA) to the person who asked for the review. When CSS has a signed DRA, the other party is mailed a DRA. Up to date DRAs from both payor and payee are helpful.

CSS cannot do a review without an up to date and signed Domestic Relations Affidavit from a parent. CSS cannot help on a case unless CSS has an open case.

Parties may choose to hire an attorney to assist them or represent themselves. Parties can also download the forms. See question #11.

**Question:** I got a letter from Child Support Services that says I can have a modification. What is this?

**Answer:** Child Support Services sends out letters to see if a payor or payee would like to have their court order updated. If you want a review, CSS will need you to fill out and sign a Domestic Relations Affidavit (DRA). You can call 1-888-757-2445 and have the DRA mailed to you or you can find it online at:

<https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/ShortFormDRA-2020-fillable.pdf>

Turn it into Child Support Services by:

U.S. mail:                   KS Child Support Services  
                                  P.O. BOX 552  
                                  Lawrence, KS 66044

Scan and Email:        DCF.CSSCustomer@ks.gov

Drop off at a Child Support Office.

To find a nearby office, call the Child Support Call Center at 1-888-757-2445 or find it at:  
<http://www.dcf.ks.gov/services/CSS/Pages/Contractor-Information.aspx>

**Question:** The child on who I pay child support has turned 18, will my child support end automatically?

**Answer:** It varies on how many children are on the order. No matter what, the withholding order will need to be looked at.

See Section V.B.4. Termination of Child Support Obligation (page 30).

<https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/KSCSG-2020withoutmarkup.pdf>.

**Question:** I am in jail. Will my child support order be changed?

**Answer:** A child support order will not change automatically. Steps must be taken to change an order. The Kansas Guidelines changed in January 2020 to take into account payor and payees ability to pay and earn income.

For payors who are in jail or prison, it is helpful for the court to know how long you will be in jail or prison and if you have any income. In the Domestic Relations Affidavit (DRA) section about not working, write in how long you will be in jail and any other helpful facts.

For payees who are in jail or prison, child support needs to know where your child lives. Please call the Child Support Call Center 1-888-757-2445 to update.

**Question:** How is a child support order changed?

**Answer:** In Kansas, we go by a judicial process to change a child support order. Three documents MUST be filed with the Clerk of the District Court to begin:

- 1) A motion to modify child support,
- 2) a completed and signed domestic relations affidavit (DRA) from either a payee or payor or both, and
- 3) a child support worksheet with the suggested new amount.

A Notice of Hearing (NOH) is also filed. The Notice of Hearing tells the parties when and where a Judge will hear the Motion to Modify Child Support.

The Motion and Notice of Hearing are mailed to the last known address of the payee and payor.

**Question:** How do I update my address?

**Answer:** Please call the Child Support Call Center at 1-888-757-2445.

**Question:** Can I file my own Motion to Modify Child Support?

**Answer:** Motions are filed at the Clerk of the Court in the County of your order. A list of Clerk's Offices may be found at this website: <https://www.kscourts.org/About-the-Courts/District-Courts/About-District-Courts/Judicial-Departments>.

**Question:** Where can I find a form to complete?

**Answer:** A Child Support Services (CSS) attorney will prepare the forms after the up to date and signed DRA is given to them. Be aware that Child Support Services attorneys represent the State of Kansas and do not represent either of the payor or payee.

At any time, you may hire an attorney to help you. If you need help finding an attorney, look at: <https://www.kansaslegalservices.org/node/63/get-help> or the Kansas Bar Association <https://www.ksbar.org/page/public>.

Forms for the self-represented are at:

<http://www.kansasjudicialcouncil.org/legal-forms>

<https://www.kscourts.org/About-the-Courts/Programs/Child-Support-Guidelines>

<https://www.kansaslegalservices.org/node/785/free-legal-forms>

The forms for a Motion to Modify Child Support are at:

Motion to Modify Child Support

<http://www.kansasjudicialcouncil.org/legal-forms/child-support-parenting-time/modification-child-support>

Domestic Relations Affidavit Fillable Form

<https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/ShortFormDRA-2020-fillable.pdf>

Child Support Worksheet Fillable Form

<https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/ChildSupportWorksheetFillable.pdf>

**Question:** What are the Child Support Guidelines?

**Answer:** The Child Support Guidelines are the rules around how child support is worked out. They are at <https://www.kscourts.org/About-the-Courts/Programs/Child-Support-Guidelines>.

The Kansas Judicial Branch has FAQs at: <https://www.kscourts.org/About-the-Courts/Programs/Child-Support-Guidelines/Frequently-Asked-Questions>.

**Question:** What happens at the court hearing?

**Answer:** The Court will do one of these:

- 1) Hear the motion to modify child support;
- 2) Grant the motion as filed;

- 3) Dismiss the motion; or,
- 4) Reset the hearing to another date.

Parties should go to the hearing if they can.

**Question:** What if I cannot attend my court hearing?

**Answer:** If you are not able to attend the court hearing and know any time BEFORE the hearing:

- Call the Child Support Attorney named in the upper left-hand corner of the legal documents you got from Child Support Services; or
- Call the District Court, Domestic Department, in the county where the hearing is set.

A list of Clerk's Offices may be found at this website: <https://www.kscourts.org/About-the-Courts/District-Courts/About-District-Courts/Judicial-Departments>.

**Question:** My child support order is not from a Kansas court, how do I change it?

**Answer:** States do not have the same laws about child support. You may want to hire an attorney to help you.

If the Kansas Child Support Services (IV-D) Program has a case, we may be able to help. Call the Child Support Call Center at 1-888-757-2445.

**Question:** My child is in a Child in Need of Care (CINC) case and I signed a relinquishment of my parental rights. Will my child support automatically stop?

**Answer:** A child support order does not end until the relinquishment is accepted. A relinquishment is only final when it is accepted by the person to whom it is given (for example, a relinquishment to the Secretary of DCF is only final on acceptance by the Secretary of DCF).  
If you are involved in a Child in Need of Care (CINC) case, you should contact your attorney in that case with questions about relinquishments.