

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

_____)
_____)
_____)
_____)
_____)
_____)
_____)
_____)

Dist. Ct. Case No. _____
OAH Case No: _____
OK IV-D FGN: _____
Obligor: _____
Custodial Person: _____

(Insert Case style above as it is on your original Order.)

ORDER MODIFYING CHILD SUPPORT

On _____, 20____, this matter came on for hearing on the Motion to Modify Child Support filed by _____ per
Your name
[43 O.S. § 118]. The Oklahoma Department of Human Services (OKDHS), Child Support Enforcement, appears through its attorney.

The Obligor (noncustodial parent) appears:

- In person, pro se.
- in person, with counsel _____
- not.
- not, being in default.
- not, having previously signed this order.
- not, represented by counsel _____

The Custodial Person appears:

- in person, pro se.
- in person, with counsel _____
- not.
- not, having previously signed this order.
- not, represented by counsel _____

Other persons appear: _____

The Court, being informed by evidence presented and hearing from the parties, find that this Court has jurisdiction over the parties and the subject matter of this action. The Court, therefore, **FINDS, ORDERS AND DECREES AS FOLLOWS:**

1. **CHILDREN.** The mother or father of the minor child(ren) in the above case was ordered to pay \$_____ per month for child support on _____ for the child(ren) listed below:

Date of order

| Child's name | Date of birth |
|--------------|---------------|
| | |
| | |
| | |
| | |

2. **MODIFICATION.** Since that order was entered there has been a substantial and material change in circumstances as follows:

- A child for whom the order was entered has turned 18 and is no longer regularly enrolled and attending high school.
- The father's income has changed.
- The mother's income has changed.
- The living arrangements of the child(ren) have changed.
- The child care expenses have changed.
- There has been a change in health insurance or it was not addressed in a previous order.
- Other: _____

3. **CHILD SUPPORT.** Because of these material changes in circumstances, the Motion to Modify Child Support is granted. The mother or father is the Obligor and is ordered to pay for the support of the above-named minor child(ren) the sum of \$_____ per month beginning on _____, 20____, and on the same day of each month thereafter until further order of this Court or until the minor child(ren) reaches the age of 18 years, or until the age of 20 years, provided the child(ren) is regularly enrolled in and attending high school.

4. **CHILD SUPPORT COMPUTATION FORM.** The child support is calculated according to the Oklahoma child support guidelines as follows: (select one)

- The child support obligation is set in accordance with the child support guidelines without deviation and a copy of the child support computation sheet is attached hereto.
- The Court deviates from the amount of support in accordance with the child support guidelines as it results in an amount that is inequitable, unreasonable under the circumstances, and/or not in the best interests of the child(ren), and in support of the deviation the Court finds the following:
 - Pursuant to 10 O.S. § 7003-8.8(B)(3)(c), deviation is determined necessary in order for the parent to meet the obligations of a court-imposed individual treatment and service plan.
 - Other: _____

5. **MEDICAL SUPPORT.** OKDHS inquired into the availability of health care insurance and: (select one)

- Medical support through group plan.** Mother Father shall obtain health insurance coverage for the minor child(ren) immediately or whenever such insurance is available through an employer or other group plan.
- Alternative medical support.** Neither parent is required to provide health insurance coverage through an employer-sponsored or other group plan at this time because medical support is being provided through the following alternative coverage:
 - Indian Health Services.** The child(ren) is eligible or believed to be eligible for Indian Health Services. The parents shall cooperate fully in taking the necessary action through the appropriate tribe to enroll the child(ren). The tribal member parent shall provide a copy of the card or other documentation to the child support enforcement office to verify the child(ren) is enrolled and eligible for Indian Health Services. If the child(ren) is determined by the tribe not to be eligible for Indian Health Services, Mother Father shall

obtain health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Department of Defense. The child(ren) is believed to be eligible for or enrolled in the Department of Defense managed health care program, TRICARE. The name of the Department of Defense sponsor (military service member or Department of Defense employee) is _____. The parents shall cooperate fully in enrolling the child(ren) in the Defense Enrollment Eligibility Reporting System (DEERS). The parent(s) shall provide a copy of the identification card for the child(ren) to the child support enforcement office to verify the child(ren) is enrolled in DEERS. In the event the child(ren) is not receiving TRICARE coverage through DEERS, Mother or Father shall provide health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Other alternative coverage. Mother Father shall provide health care coverage for the minor child(ren) in this case as follows:

The parent providing the health care coverage shall provide proof of coverage to the child support enforcement office and shall keep the coverage in effect until further order of the Court. In the event that the parent ordered to provide alternative health care coverage is no longer providing it, Mother Father shall provide health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Other: _____

Uncovered expenses. Mother shall pay _____ per cent and Father shall pay _____ per cent of the reasonable and necessary medical, dental, orthodontic, optometric, psychological, or any other physical or mental health expenses for the minor child(ren) not covered by insurance or other health care plan. If

reimbursement is required, the Custodial Person who incurs the expense shall be reimbursed by the Obligor within 30 days of receipt of documentation of the expense.

6. **CHILD CARE.** (select one)

- The Obligor's share of child care expenses is included in the child support amount ordered in paragraph 3 above. The Custodial Person shall provide timely documentation to the Obligor of said expenses.
- Child care is not currently being expended, but should such expenses occur, the Obligor is ordered to pay _____ per cent of monthly employment or education-related child care expenses of said child(ren), as additional child support, commencing on the same day and to be paid in the same manner, as any current child support set out in paragraph 3 above. The Custodial Person shall provide timely documentation to the Obligor of said expenses.

7. **METHOD OF PAYMENT.** All child support payments shall be made by employer's check, cashier's check, money order, or government check, payable to Oklahoma Department of Human Services, identified with the above FGN number on the face of the payment (or Social Security number if no FGN available) and mailed to:

Oklahoma Centralized Support Registry
P. O. Box 268849
Oklahoma City, OK 73126-8849

PAYMENTS MADE IN ANY MANNER OTHER THAN AS SPECIFIED IN THIS COURT ORDER SHALL BE CONSIDERED GIFTS AND SHALL NOT BE CREDITED TO THE AMOUNT OWED.

8. **INCOME ASSIGNMENT.** An immediate income assignment is ordered pursuant to 12 O.S. § 1171.3(G)(1). A portion of the Obligor's monthly or other periodic income shall be assigned to the Custodial Person or appropriate in an amount sufficient to ensure payment of the monthly support obligation, including any arrearage and judgment payments. The assignment is effective immediately; provided however, that the **Obligor remains responsible for making payments directly to OKDHS in any month when an income assignment is not in effect or does not pay the full amount due under this order.**

9. ADDRESS OF RECORD FOR SERVICE OF PROCESS AND ADDRESS AND EMPLOYMENT CHANGES. Title 43 O.S. § 112A requires all parties and Custodial Persons to inform the Central Case Registry of the current address of record for service of process in support, visitation, and custody actions. The following applies to the Obligor and any Custodial Person subject to this order. Any changes (names and addresses) in your address of record, your employer, and your health insurance must be provided in writing to the Central Case Registry within 30 days of the change at the following address:

Central Case Registry
P. O. Box 528805
Oklahoma City, Oklahoma 73152-8805

Your last address of record may be disclosed to a party or Custodial Person upon request in accordance with OKDHS rules. OKDHS does not release home addresses if prohibited by a court order granted for the protection of a parent or Custodial Person, or if the case has a family violence indicator. The address of record does not have to be the address where you live. You may be served in child support actions filed after this date by regular mail to the last address of record provided to the Central Case Registry. If your physical address and address of record are different, you must notify the child support enforcement office of any changes in your physical address. Future notices will be sent to the last address of record provided to the Central Case Registry.

The following is the current address of record for service of process for the Obligor: _____

The following is the current address of record for service of process for the Custodial Person (if applicable): _____

10. PRIOR ORDERS AND CHILD SUPPORT ARREARS. All provisions in prior orders entered in this case not specifically modified herein remain in full force and effect. The issue of child support owed by either parent for a period prior to this order is reserved for future determination.

11. INTEREST ON PAST-DUE CHILD SUPPORT. Unpaid child support payments accruing under an Oklahoma order draw interest at the rate of ten per cent per year

from the date they become delinquent, and the interest shall be collected in the same manner as the payments upon which the interest accrues. Orders issued by other states may have a different interest rate for unpaid child support.

12. OBLIGOR'S EMPLOYMENT INFORMATION.

Employer's name: _____

Address: _____

Phone number: _____

13. ENFORCEMENT. The OKDHS Child Support Enforcement Division may enforce this order in any court with jurisdiction to enforce child support orders, including administrative court. The Obligor understands that until (1) all past-due child support is paid in full, and (2) the Obligor is current on all support obligations, multiple enforcement remedies may be used. These remedies include, but are not limited to, interception of state and federal tax refunds, and pursuant to 56 O.S. § 240.23, intercepting or seizing periodic or lump-sum payments from: (1) a state or local agency, including unemployment compensation, workers' compensation, and other benefits, and (2) judgments, settlements, and lotteries; attaching and seizing assets of the obligor held in financial institutions; attaching public and private retirement funds; imposing liens in accordance with 43 O.S. § 135; and increasing the monthly payment on child support, for purposes of securing past-due support, in an amount not to exceed five per cent of the total child support order. Such increase may not be made more than once every 12 months.

14. ADDITIONAL ORDERS. _____

JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM AND CONTENT:

Printed name

Address

Address

Phone

Attorney for

OBA#

Address

Address

Phone

State's attorney, CSE, OKDHS

OBA#

Address

Address

Phone

Printed name

Address

Address

Phone

Attorney for

OBA#

Address

Address

Phone

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing Order Modifying Child Support were served as follows:

In person on _____, 20____ to:

- Obligor
- Attorney for the Obligor
- Custodial Person
- Attorney for the Custodial Person
- State's Attorney, CSE, OKDHS _____
- Other _____

By regular mail on _____, 20____ to:

- Obligor at Address of Record
- Attorney for the Obligor at the address listed above
- District Attorney
- Attorney for the Custodial Person at the address listed above
- State's Attorney, CSE, OKDHS _____
- Other _____

at _____

Signature of person certifying copies were served in person or mailed