

QUESTIONS?

1. Please visit the BCSE Website:



www.dhhr.wv.gov/bcse

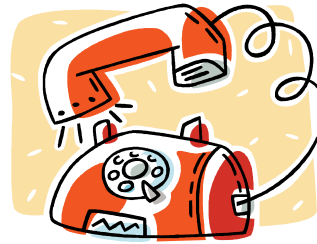
2. Call your local BCSE office:

You may obtain the telephone number from the blue pages of your telephone directory or from our Website listed in Number 1 above.

3. Call our toll-free hotline number:

1-800-249-3778

Kanawha County: 558-4665



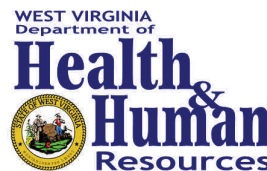
Child Support Hotline

1-800-249-3778

OR

If calling from Kanawha
County:

(304) 558-4665



Bureau for Child Support Enforcement
350 Capitol Street, Room 147
Charleston, WV 25301-3703
BCSE Publication No. 220
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WEST VIRGINIA
DEPARTMENT OF HEALTH
AND HUMAN RESOURCES
BUREAU FOR CHILD
SUPPORT ENFORCEMENT

Administrative Modification of Child Support Orders

Working for
West Virginia's Families



www.wvdhhr.org/bcse

What is an Administrative Modification of Child Support?

In addition to other existing procedures, any child support obligee or obligor seeking a modification of a child support order due to a substantial change of circumstances may request the help of the BCSE. The BCSE will assess, prepare and present an appropriate Petition for Modification and Proposed Order to the Family Court if the case qualifies for a modification. The filing fee of \$35.00 will be paid by the BCSE for all Petitions filed pursuant to this process.

Definitions:

Obligee– The parent to whom child support is paid.

Obligor– The parent who has been ordered to pay child support.

BCSE– The West Virginia Bureau for Child Support Enforcement

Substantial Change of Circumstances– An increase or decrease in income due to a loss of job, promotion, raise, or new job; increased expenses for the child; the child no longer lives with the person receiving support payments, etc.

How Do I File an Administrative Modification for Child Support?

1. Contact your local BCSE office and request an administrative modification of your child support order.
2. You will be given an Administrative Modification packet of forms with instructions.
3. Read the directions and completely fill out the forms.
4. Return the completed packet with any supporting documentation to your local BCSE office.
5. If you are the requesting party and you do not completely fill out and return all the forms, the BCSE may not take action on your request.
6. When the BCSE receives your completed packet, it notifies the opposing party that a request for modification assistance has been received.
7. The BCSE sends the opposing party a copy of your request, along with an Notification Packet of forms for the opposing party to fill out and send back to the BCSE.
8. If the opposing party does not respond, the BCSE will use the requestor's information and any other available information to determine if a substantial change in circumstances has occurred.
9. Either party may request a meeting with the BCSE to discuss the requested modification.
10. This meeting is for informational purposes only; it is **NOT** a hearing.

11. Based upon the information given by the parties, the BCSE recalculates the child support obligation based upon the child support guidelines.
12. If no credible information exists to establish a substantial change of circumstances, the BCSE will notify the parties that no action will be taken on the modification request.
13. If the parties disagree with the BCSE's decision, they may file a Petition for Modification with the Family Court on their own.
14. If the BCSE determines that a substantial change in circumstances has occurred, it files a Petition for Modification and a Proposed Order with the Circuit Clerk.
15. The Circuit Clerk serves copies on the parties and notifies them that they have 20 days from receipt of the Petition and Proposed Order to file an objection with the Family Court.
16. If 20 days pass without objection, the Family Court will either enter the Proposed Order or set the matter for a hearing.
17. If either party objects to the Proposed Order, the Family Court must set the matter for a hearing.
18. The Family Court will consider the evidence presented at the hearing and make a decision.
19. That decision will be written down in an Order, and copies will be sent to all parties.