

How to Change Child Support in Minnesota

In order to bring an action before the Court to modify an existing [child support](#) order, the parent requesting the modification must be able to show that one of the following has occurred:

- The parent paying child support, or the [parent receiving child support](#), has had a substantial increase or decrease in his/her income. In order to create a presumption that an increase or decrease in a party's income is "substantial", you must be able to show that a re-calculation of child support based upon both parties' current gross monthly incomes results in a monthly child support obligation which is at least 20% greater or less than, and \$75 greater or less than, the current child support obligation. It is important to note that a parent's "income" for child support purposes is that parent's *gross* monthly income (the amount you are paid before taxes, insurance, retirement contributions are withheld), rather than his or her *net* monthly income (otherwise referred to as your "take home pay");
- The monthly living expenses of one or both of the parents, or the expenses (including out of pocket medical expenses) for the parties' joint children, have substantially increased or decreased, and the current child support order is causing a financial hardship for the parent paying or receiving child support. It is important to consider that an increase or decrease in a party's monthly living expenses will not likely provide the Court with a basis to modify child support, but it is one issue the Court can consider as part of the modification proceeding;
- One of the parents begins receiving or stops receiving public assistance (in the form of medical assistance, [Minnesota care](#), childcare assistance, food stamps, or cash grants from the County/State, etc.);
- The parent ordered to provide health care coverage for the children is no longer eligible to provide the coverage, or the cost for the children's health care coverage has substantially increased or decreased since the date of the last medical support Order;
- The children's childcare expenses have substantially increased or decreased since the date of the last childcare support Order;
- One of the parties' joint children has "emancipated", meaning that he or she has turned 18 years old and graduated from high school (often referred to as secondary school), or he/she is still attending high school but has turned 20 years old, whichever occurs first; or
- An Order has been issued by the Court that substantially modifies parenting time. Under our current child support guidelines, a parent's basic child support obligation is based in part upon the amount of parenting time that parent has with

the parties' joint minor child or children. There are three different levels of parenting time: less than 10%, between 10-45%, and more than 45.1%. If an Order is issued which modifies the parenting time schedule such that the percentage of parenting time awarded to a party changes from one level to another, then that would create a substantial change in circumstances which may warrant a modification of child support so long as the re-calculation of child support results in a new basic child support obligation which is at least 20% greater or less than, or \$75 greater or less than, the prior basic child support obligation.

If you have any questions about modifying your child support order, please give our office a call and ask to speak to one of our family law [attorneys](#). You can also schedule an appointment to meet with one of our family law attorneys to discuss your child support case. Our office phone number is (952) 746-4111. We are located in Bloomington, MN, and serve clients in Hennepin County, Dakota County, Ramsey County, Anoka County and Scott County.

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