

CHILD SUPPORT Changes during MILITARY DEPLOYMENT

RECENTLY ACTIVATED MILITARY PERSONNEL:

Do you have a child support order and you or the other parent of your children has recently been called up for military duty?

The Vermont Family Court realizes that many of you, or the parent of your children, may have been called to active duty, both at home and abroad. Often there is not much time for you to get your affairs in order before deployment.

If you have an existing Child Support Order, the following information is offered to assist you in taking the appropriate steps to continue to provide for your children.

Notification of Change of Address or Employment:

- _ If you, or the other parent, has been called to active duty and have a Child Support Order, either as a custodial or non-custodial parent, **YOU MUST** advise the Office of Child Support of your change in address. You may reach them by calling 1-800-786-3214. If your order is not wage withholding, then you should let the Family Court know your current address.
- _ If you have a court case pending on child support, you must let the family court know that you, or the other parent, have been mobilized so that the hearing date can be changed.

Child Support Modification:

- _ If you, or the other parent, have experienced a change in income as a result of being called to active duty, you may request a review of your child support order. In order for the court to consider a modification of a child support order, there must be a ***real, substantial and unanticipated change in circumstance***. A change in the order (or current ordered amount of child support.) of more or less than 10% shall constitute such a change.
- _ You should **obtain the following forms**, either from the court or from the judiciary website at: www.vermontjudiciary.org:
 - o Emergency Motion to Modify Child Support based upon Military Deployment.
 - o Supporting Affidavit (804)
 - o Form 813 (Financial Information Affidavit)
 - o ***(The Affidavit must be signed in front of a notary public)***
 - o Cover Sheet (form 800)

- § You should **attach the following documents** to the Motion:
- o Copy of your Military Order of Deployment or letter from commanding officer
 - o 4 most recent pay stubs
 - o Military rank and pay grade information
 - o Any other supporting information that the court would find helpful.

If you are able to reach an agreement with your spouse on this change, please request: A Stipulation and Amended Order RE: Child Support@

Bring these forms and documents to the Court for filing.

See Pamphlet #15 **Divorcing Someone in the Military** for other information.