

## **115545 Process After Adjustment Criteria Assessed**

### **(a)**

Within 15 business days of determining that it is appropriate to seek an adjustment, the local child support agency shall take one of the following actions:

(1) File a motion for modification or an order to show cause to seek an adjustment with the court and serve the notice of motion for modification or order to show cause on the parties. Service shall be conducted in accordance with the requirements of Section 1013, Code of Civil Procedure or any other manner allowed in the Code of Civil Procedure. (2) File a motion to set aside the child support order and serve the notice of motion to set aside on the parties if a child support order meets the criteria for set aside pursuant to Section 17432, Family Code. Service shall be conducted in accordance with the requirements of Section 1013, Code of Civil Procedure or any other manner allowed in the Code of Civil Procedure. (3) Enter into a stipulation with all necessary parties and file the stipulation with the court.

### **(1)**

File a motion for modification or an order to show cause to seek an adjustment with the court and serve the notice of motion for modification or order to show cause on the parties. Service shall be conducted in accordance with the requirements of Section 1013, Code of Civil Procedure or any other manner allowed in the Code of Civil Procedure.

**(2)**

File a motion to set aside the child support order and serve the notice of motion to set aside on the parties if a child support order meets the criteria for set aside pursuant to Section 17432, Family Code. Service shall be conducted in accordance with the requirements of Section 1013, Code of Civil Procedure or any other manner allowed in the Code of Civil Procedure.

**(3)**

Enter into a stipulation with all necessary parties and file the stipulation with the court.

**(b)**

Within 14 days of the issuance of an adjusted order, the local child support agency shall send a copy of the adjusted court order to the parties.

**(c)**

Within 14 days of a determination that an adjustment will not be sought, the local child support agency shall provide, by mail or personal delivery, a written notice of the determination to the parties which includes the following information: (1) The local child support agency's determination that it will not seek an adjustment of the child support order because of one of the following: (A) The criteria was not met. (B) The order has been reviewed for an adjustment within the last six months and nothing has changed since the last time the requesting party requested a review. (C) The requesting party failed to submit current and complete income and expense forms and/or the requested documents. (2) An explanation of why the adjustment criteria was not satisfied, if applicable. (3) A statement informing the parties that each party may file his or her own notice of motion or order to show cause for adjustment of the child support order and may obtain the necessary forms from the local child support agency. (4) A statement informing the parties of the option to obtain the assistance of the local Family Law Facilitator. (5) The

name(s), address and public telephone number for the local Family Law Facilitator.

(6) Information on the availability of the complaint resolution and state hearing processes pursuant to 22 California Code of Regulations, Chapter 10, Section 120001 et seq.

**(1)**

The local child support agency's determination that it will not seek an adjustment of the child support order because of one of the following: (A) The criteria was not met. (B) The order has been reviewed for an adjustment within the last six months and nothing has changed since the last time the requesting party requested a review. (C) The requesting party failed to submit current and complete income and expense forms and/or the requested documents.

**(A)**

The criteria was not met.

**(B)**

The order has been reviewed for an adjustment within the last six months and nothing has changed since the last time the requesting party requested a review.

**(C)**

The requesting party failed to submit current and complete income and expense forms and/or the requested documents.

**(2)**

An explanation of why the adjustment criteria was not satisfied, if applicable.

**(3)**

A statement informing the parties that each party may file his or her own notice of motion or order to show cause for adjustment of the child support order and may obtain the necessary forms from the local child support agency.

**(4)**

A statement informing the parties of the option to obtain the assistance of the local Family Law Facilitator.

**(5)**

The name(s), address and public telephone number for the local Family Law Facilitator.

**(6)**

Information on the availability of the complaint resolution and state hearing processes pursuant to 22 California Code of Regulations, Chapter 10, Section 120001 et seq.