

## **115530 Changes in Circumstances - Automatic Review by Local Child Support Agency**

### **(a)**

Any of the following changes in circumstances or combination of changes in circumstances shall be considered a basis for an automatic review for adjustment. Changes in circumstances shall be limited to: (1) The obligor or obligee is incarcerated in a county jail, state or federal prison, or court-ordered rehabilitation facility and there is no evidence of support potential. If the obligor is incarcerated, the local child support agency shall seek to adjust the current order to zero, and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(B) to determine if case closure is appropriate. (2) The obligor's sole income is Supplemental Security Income/State Supplementary Payment, CalWORKs, or any other public assistance program for which eligibility is determined on the basis of need, and that income was used in determining the amount of the support order. If the obligor's sole income is Supplemental Security Income/State Supplementary Payment, the local child support agency shall seek to adjust the current order to zero, and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(D) to determine if case closure is appropriate. Pursuant to Section 17400.5, Family Code, the local child support agency shall file a motion to modify the order within 30 days of verification of receipt of the Supplemental Security Income/State Supplementary Payment. (3)

The obligor stops receiving Supplemental Security Income/State Supplementary Payment, CalWORKs, or any other public assistance program for which eligibility is determined on the basis of need. (4) The obligor has a medically verified total and permanent disability with no evidence of support potential. The local child support agency shall seek to adjust the current order to zero and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(C) to determine if case closure is appropriate. (5) The obligor is institutionalized in a psychiatric facility and has no evidence of support potential. The local child support agency shall seek to adjust the current order to zero and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(A) to determine if case closure is appropriate. (6) The child support order was based on presumed income, and the actual income or income history of the obligor becomes known. (7) The obligor or obligee's health insurance premium was not included in the guideline (Family Code Section 4055) calculation when the child support was established or last adjusted. (8) The obligor or obligee is a reservist in the military and is called to active duty.

**(1)**

The obligor or obligee is incarcerated in a county jail, state or federal prison, or court-ordered rehabilitation facility and there is no evidence of support potential. If the obligor is incarcerated, the local child support agency shall seek to adjust the current order to zero, and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(B) to determine if case closure is appropriate.

**(2)**

The obligor's sole income is Supplemental Security Income/State Supplementary Payment, CalWORKs, or any other public assistance program for which eligibility is determined on the basis of need, and that income was used in determining the amount

of the support order. If the obligor's sole income is Supplemental Security Income/State Supplementary Payment, the local child support agency shall seek to adjust the current order to zero, and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(D) to determine if case closure is appropriate. Pursuant to Section 17400.5, Family Code, the local child support agency shall file a motion to modify the order within 30 days of verification of receipt of the Supplemental Security Income/State Supplementary Payment.

**(3)**

The obligor stops receiving Supplemental Security Income/State Supplementary Payment, CalWORKs, or any other public assistance program for which eligibility is determined on the basis of need.

**(4)**

The obligor has a medically verified total and permanent disability with no evidence of support potential. The local child support agency shall seek to adjust the current order to zero and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(C) to determine if case closure is appropriate.

**(5)**

The obligor is institutionalized in a psychiatric facility and has no evidence of support potential. The local child support agency shall seek to adjust the current order to zero and refer to the case closure regulations at 22 California Code of Regulations, Section 118203(a)(5)(A) to determine if case closure is appropriate.

**(6)**

The child support order was based on presumed income, and the actual income or income history of the obligor becomes known.

**(7)**

The obligor or obligee's health insurance premium was not included in the guideline

(Family Code Section 4055) calculation when the child support was established or last adjusted.

**(8)**

The obligor or obligee is a reservist in the military and is called to active duty.