

115535 Review for Adjustment

(a)

Within 40 business days of the date of the written notices provided to a party as set forth in Sections 115510(f)(6), or 115525. The local child support agency shall: (1) Verify whether either of the following situations exists: (A) A change in circumstance pursuant to either Section 115520 or Section 115530 exists and is reasonably expected to last for more than three months. (B) The parties stipulated to a child support order below the amount established by the statewide uniform guideline. No change of circumstance need be demonstrated to obtain an adjustment of the child support order to the applicable guideline level or above. (2) Terminate the review and adjustment process in accordance with 115545(c), if such a change in circumstance does not exist or is not reasonably expected to last for more than three months, and the parties did not stipulate to a child support order below the amount established by the statewide uniform guideline. (3) Determine whether the amount of the support would be altered, upward or downward, by at least 20% or \$50, whichever is less, in instances where a change in circumstance exists and is reasonably expected to last for more than three months, or the parties stipulated to a child support order below the amount established by statewide uniform guideline. The LCSA shall determine the 20% or \$50 alteration by either: (A) Calculating the guideline amount based upon the income and expense information of the parties, or (B) Presuming that the amount

of the support is altered, if the presumption criteria in Section 115540 is met.

(1)

Verify whether either of the following situations exists: (A) A change in circumstance pursuant to either Section 115520 or Section 115530 exists and is reasonably expected to last for more than three months. (B) The parties stipulated to a child support order below the amount established by the statewide uniform guideline. No change of circumstance need be demonstrated to obtain an adjustment of the child support order to the applicable guideline level or above.

(A)

A change in circumstance pursuant to either Section 115520 or Section 115530 exists and is reasonably expected to last for more than three months.

(B)

The parties stipulated to a child support order below the amount established by the statewide uniform guideline. No change of circumstance need be demonstrated to obtain an adjustment of the child support order to the applicable guideline level or above.

(2)

Terminate the review and adjustment process in accordance with 115545(c), if such a change in circumstance does not exist or is not reasonably expected to last for more than three months, and the parties did not stipulate to a child support order below the amount established by the statewide uniform guideline.

(3)

Determine whether the amount of the support would be altered, upward or downward, by at least 20% or \$50, whichever is less, in instances where a change in circumstance exists and is reasonably expected to last for more than three months, or the parties stipulated to a child support order below the amount established by statewide uniform guideline. The LCSA shall determine the 20% or \$50 alteration by either: (A) Calculating

the guideline amount based upon the income and expense information of the parties, or

(B) Presuming that the amount of the support is altered, if the presumption criteria in Section 115540 is met.

(A)

Calculating the guideline amount based upon the income and expense information of the parties, or

(B)

Presuming that the amount of the support is altered, if the presumption criteria in Section 115540 is met.

(b)

The local child support agency shall use the income and expense Judicial Council forms and requested documents provided by a party and/or income and expense information obtained by the local child support agency instead of presuming a 20% or \$50 alteration in the child support amount to calculate the guideline amount if the information is provided or obtained at any time prior to the court order modifying the amount of support.