

Child Support Modifications in PA

Many things could result in the need to increase or decrease child support payments. Under Pennsylvania law, a support obligation may be adjusted if there has been a "material and substantial change in circumstances." For example, the existence of additional income or assets, changes in custody, changes in employment (e.g., being promoted or demoted), or changes to the guideline.

Many people try to reduce their support obligation when they have experienced a change in employment. However, in Pennsylvania, if you voluntarily take a lower paying job, quit, change occupations or employment status to pursue an education, or are fired for cause, a court won't reduce your obligation. On the other hand, a court *will* make appropriate adjustments for substantial, continuing, and involuntary decreases in income (e.g., if you get sick, or if you are laid-off, terminated, or your job was eliminated due to something that was beyond your control).

Another thing to note is that federal and state law require the guideline to be updated every four years, which could change your support obligation. This constitutes a material and substantial change for which you can petition for a modification. However, you must *actually* petition for the modification, your order will not update automatically when the guideline is updated.

Finally, it is not uncommon for parties to go on and have more children with other partners. If someone who already pays child support has another child, it may become difficult to support the new child while keeping up with a support obligation to the other family. In Pennsylvania, if your total basic child support obligation is 50% or less of your monthly net income, a court will not deviate from the guideline. However, if it exceeds 50%, the court may consider a proportional reduction. The guideline seeks to treat each child equitably, so neither family will be prioritized at the expense of the other. Courts will also consider other income in the family (e.g., a step-parent's income) as a factor when deciding whether to allow a deviation from the guideline amount.

Both parties are obligated to inform the Domestic Relations Section, as well as all other parties, within 7 days of any material change relevant to child support. In order to request a modification, either party may go to the Domestic Relations Section and complete a Petition for Modification. The Domestic Relations Section will then schedule a conference to consider the request. If the court finds there has been a material and substantial change in circumstances, the child support obligation may be increased or decreased based upon the guideline and the current custody arrangement.

*(For more information on this topic or any topic in divorce, custody, mediation, child support, collaborative law, PFA matters, alimony, or other family law matters, contact **Notaro Calabrese & Epstein - Divorce and Family Law Attorneys** at (412) 281-1988 for a free phone consultation with an attorney. You can also schedule online by clicking [here](#).)*