

## modification

n. a change in an existing court order or judgment made necessary by a change in circumstances since the order or judgment was made or to cure an error. An application to the court for modification is common after divorce judgments because the court "retains jurisdiction" over matters concerning the children which may need changes such as terms of child support and custody.

A modification may be needed to change the custody, child support or parenting time ordered in a divorce or paternity decree. The party requesting the modification must show that there has been a substantial and material change in circumstances that requires the modification. Grounds for modification may include:

- (a) A change of the child's or a parent's residence that does not make it possible to maintain the ordered parenting time schedule;
- (b) A change in the income(s) of a party or parties that warrants a change to the child support that was originally ordered;
- (c) The child has requested and the parents agree that the child would prefer to live with the noncustodial parent resulting in a modification of custody and support; or
- (d) Any number of other circumstances that warrant a change to the existing court order.

Michael and Teresa have both handled many modification proceedings during their years of practice. Schedule a free half-hour consultation to discuss your desires for a modification. Michael and Teresa will discuss your options with you and help you to decide on the best course of action in your case.