

Modification

After the divorce is over, if there is a substantial change of circumstances involving custody of children or support, either party may seek a Modification of the prior custody or support judgment. The Court will generally not modify property divisions. The party seeking a change in support must first establish a substantial change of circumstances that did not exist or was not contemplated at the time of the dissolution before the court can consider a support change. Child support can be changed without showing a change of circumstances if done administratively after a two (2) year wait. Changes in parenting time do not require a substantial change of circumstances. The party seeking a change of custody must first establish a substantial change before the court can even address the issue of how the change would be in the best interest of the children.

Modifications are also often filed if one parent wishes to relocate after a divorce. (See article: You Can't Just "Pick Up and Move" Anymore...The New Challenges Facing Custodial Parents Who Wish to Relocate.)