

**Request for Modification Review
Step 2**

Modification request packet is received from the requesting party, either CP or NCP.

The Modification Packet is reviewed to determine if the case meets the following modification criteria:

- ❖ The youngest child will not emancipate in less than one year
- ❖ A current support order exists and if no current support order exists, the children have not emancipated.
 - If the \$0 is due to incarceration/disability and circumstances have not changed, the modification will not be processed.
 - Orders that have been terminated must be re-established. REAM will not be opened. Refer case to the appropriate Paternity & Establishment team for processing.
- ❖ Ensure Arizona has jurisdiction to modify and/or register the order. If neither the order nor the parties are in Arizona, the order cannot be modified unless the parties agree to consent to Arizona jurisdiction.
- ❖ If current support is accruing but the case is not in current paying status, the case may need to be reviewed for enforcement action.
- ❖ If the order is not from Arizona, the modification should be processed in the state of the non-requesting party.
- ❖ Note: If case does not qualify for a modification review or the requesting party did not return all necessary documents, go to Eloquence and generate FCSE0001 F0033 (NCP) or FCSE0001 F0103 (CP) to notify the requesting party why their case does not qualify for a modification review.

**Additional Information
Version 1: 12/30/2020**

- ❖ The requesting party should provide all necessary documents at the time of their request. All new requests must include the following documents, or the modification review will not occur:
- ❖ Completed Affidavit of Financial Information (AFI) for Child Support
 - Signed Agreement to Accept Service by Mail with the *requesting parties* mailing address and is dated within the last 30 days
 - A photocopy of a valid driver's license or other government-issued identification card.
 - Birth certificates for biological or adopted children who are listed on the AFI as living with the client
 - If court order is less than 3 years old, proof of change in circumstances is required
 - If daycare expenses are listed on the AFI, proof of cost is required.
 - If client lists medical/dental premiums on the AFI, proof of cost is required.
- ❖ The requesting party should be asked to provide the following documents, however, not providing these documents will not prevent the modification review from occurring:
 - If employed, 2 most recent paystubs; OR
 - Most recent W-2 or 1099 forms from all sources of income; OR
 - Federal income tax return for the last 3 years (especially if self-employed)
- ❖ If the modification packet is complete, proceed to the REAM screen.
- ❖ If the modification packet is not complete, determine if the missing information is available to the DCSS through other sources.
 - Contact the requesting party by phone and explain which documents are needed to continue with their modification request. Update CAAL with the telephone conversation to the requesting party.
 - If contact by phone is not successful, send an action notice requesting the required documents.
 - Provide the requesting party ten (10) days to provide necessary documents to proceed.
 - Create a FREE worklist item for eleven (11) days to determine if the requesting party returned the needed documents.
 - If documents are returned, proceed to the REAM screen.
 - If the requesting party did not return the requested documents, enter CAAL E8827 indicating what documents were missing/incomplete.
 - Generate document to the requesting party advising their request was denied.

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<p>Update REAM Note: Review NCP's other cases to determine if a group mod is appropriate.</p> <p>Add "A"dd to add a new record</p> <ul style="list-style-type: none"> ❖ Update the "Requested By" field (who requested the modification review) ❖ Update the "Info Request" field with the date the requesting party completed their documents (either CP or NCP) ❖ Press control/enter. <p>Note: Documents will be generated to the non-requesting party (NRP) in overnight batch processing.</p>	<ul style="list-style-type: none"> ❖ Review the demographic screen for the NRP. Begin any necessary locate verification if verified locate does not already exist for the NRP. Update CPML/NCML as appropriate. Use one of the following CAAL narratives to identify the locate results: <ul style="list-style-type: none"> ○ L1036 Locate Complete - NCP Located ○ L1037 Locate Completed - NCP Not Located ○ L1043 Locate Complete – CP Located ○ L1044 Locate Completed – CP Not Located ○ L1045 NCP Locate Results Pending ○ L1046 CP Locate Pending ❖ Create a "FREE" worklist item for ten (10) days to determine if the NRP returned their modification packet.
<p>Outreach to the Non-Requesting Party</p> <ul style="list-style-type: none"> ❖ If the NRP returned their packet, update REAM with the date the packet was returned in the "Info Request" field. ❖ If the NRP has not returned the modification packet by the 11th calendar day, contact the NRP by phone. Explain the modification process, confirm their address and advise that the modification review will continue whether the packet is returned or not and may result in a change in the order. ❖ If contact with the NRP is not successful, proceed with the modification review. 	<ul style="list-style-type: none"> ❖ Contact the NRP for a phone interview to obtain the information needed for the Modification Referral Summary form. <ul style="list-style-type: none"> ○ Review stipulation options with the NRP ○ Encourage the NRP to submit pay stubs, daycare costs, healthcare cost, etc. within the next five (5) days or ten (10) days out of state. Explain how the Acceptance of Service works and a photocopy of a valid driver's license or other government-issued identification card will be needed. ❖ Advise that the modification review will continue and if there is a potential change in the order, both parties will be notified. ❖ Explain the important documents to bring to court (i.e.: social security determination, medical diagnosis, etc.)
<p>Completing the Modification Review</p> <ul style="list-style-type: none"> ❖ Complete the Modification Referral Summary with information about the requesting and non-requesting party. 	<ul style="list-style-type: none"> ❖ If the NRP did not return their packet review the following databases: <ul style="list-style-type: none"> ○ BG01 to determine income ○ HAZT for information about additional children in the NRP's household ○ ATLAS to determine if additional cases exist for either party ○ Self-employed (Google, Arizona Corporate Commission, Credit Report when applicable) ○ HEAplus ○ Contact the employer ❖ If income cannot be verified, use minimum wage for non-requesting party or an AG consult to determine the correct wage to use. If the NRP is located outside of Arizona, verify the hourly minimum wage for the state the NRP is residing in. ❖ If neither party is working full-time, estimate their earnings based on the hourly wage and 40-hour work week. ❖ Complete a "Guidelines" worksheet using the information from the Modification Referral Summary.
<p>Determine if a Modification Referral is Appropriate</p>	<ul style="list-style-type: none"> ❖ Subtract the current support order by the proposed order. Take the difference and divide it by the current support

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<p>The “Guidelines” worksheet will determine if there is a change of circumstances that show that the amount of the support order would change by at least fifteen percent (15%).</p> <p>Review prior LETL/CAHL notes to determine events/circumstances considered when the last court order was entered.</p> <p>Consult with the Attorney General’s Office (AGO) if circumstances of case need to be considered before denial is issued.</p>	<p>amount. If this number is at least 15% or greater, proceed with the modification referral.</p> <ul style="list-style-type: none"> ❖ If the difference is less than 15%, go to REAM and in the action field type in “M”odify. ❖ Go to the denial field and enter DNM (does not meet 15% change). ❖ Press Enter/Control. ❖ Letters will be generated to both parties advising that the modification request has been denied. ❖ If the difference is more than 15%, refer case to the AGO. ❖ Ensure valid locate exists for both parties.
<p>Refer Case to AGO OSC Modification</p>	<ul style="list-style-type: none"> ❖ Complete Modification Referral Checklist ❖ Complete Modification Referral Summary ❖ Provide copy of the current Child Support Worksheet <ul style="list-style-type: none"> ○ Provide copies of all prior current child support worksheets when available ❖ Provide copy of AZTECS CAP 1 & 2 (both parties) ❖ Provide Social Security award or VA benefits letter ❖ Provide copy of BG01 (both parties) ❖ Generate PRAD (ATLAS, PRDU) for each party unless Agreement to Accept Service by Mail is attached (PRAD) ❖ Generate the following documents on Eloquence: <ul style="list-style-type: none"> ○ Petition to Modify Child Support ○ Current Employer Information ○
<p>Refer Case to AGO Simplified Modification</p>	<ul style="list-style-type: none"> ❖ Complete Modification Referral Checklist ❖ Complete Modification Referral Summary ❖ Provide copy of Child Support Worksheet <ul style="list-style-type: none"> ○ Provide copies of all prior current child support worksheets when available ❖ Provide copy of AZTECS CAP 1 & 2 (both parties) ❖ Provide Social Security award or VA benefits letter ❖ Provide copy of BG01 (both parties) ❖ Generate PRAD (ATLAS, PRDU) for each party unless Agreement to Accept Service by Mail is attached (PRAD) Generate the following documents on Eloquence: <ul style="list-style-type: none"> ○ Petition to Modify Support ○ Judgment and Order ❖ Update the CAAL screen with one of the following activity codes: <ul style="list-style-type: none"> ○ M2674 DOCUMENTS TO ATTY FOR APPROVAL – MODIFICATION; or ○ M2675 DOCUMENTS TO ATTY FOR APPROVAL – MODIFICATION STIP.