Syndicate Legal Advisory Services

Modifications

Syndicate Legal Advisory Services – *Modifications*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

Are you unhappy with the orders that were made in your Family Law case and would like to have those orders modified? If a judge has entered an Order for Child Custody, Visitation, Child Support, or Spousal Support in your case, you may be able to modify or change it.

There are many reasons why you would want to change the prior court orders that were made in your case. These reasons include (but is not limited to):

- You and the other party to the proceeding have come to an agreement that is different than the Court Orders.
- There has been a significant change in circumstances in your situation since the orders were entered.
- The Court, or the other party, made a procedural error that you believe resulted in a ruling that was not in your favor.

If you believe any of the circumstances mentioned above apply to your case, you may be able to request that the Court Modify the existing Order.

Agreement: If you wish to modify any court orders in your case, you may attempt to come to a new agreement with the other party to the proceeding. This option would be the most cost effective for you, since there would be no need to appear in court. Once an agreement is reached, the agreement must be submitted to the Family Law Court, where the judge will sign the agreement. Once the judge signs the agreement, the agreement becomes a court order and is legally enforceable.

Syndicate Legal Advisory Services – *Modifications*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

Change in Circumstances: If you and the other party cannot reach an agreement, you may still request that the court change your orders, as long as you can show a significant change in circumstances. A modification based on change of circumstances can be utilized in child custody, visitation, child support, and spousal support cases. It applies to "Final Orders" in your Family Law case. The law and procedure for changing temporary orders is slightly different.

Child Custody & Visitation Modifications: If you would like to change your Child Custody or Visitation Order(s), you must be able to show that there has been a significant change in circumstances that requires a new Child Custody or Visitation Order. You must be able to prove that the existing orders are no longer in the best interest of your child. The burden falls on the person who is attempting to change the child custody and visitation orders to show the court that the new proposed orders are in the best interest of the child.

Changes in Child Custody and Visitation Orders can be very difficult to achieve. The courts always strive to ensure that the orders are in the best interest of the child. If the Order(s) have been in place for a significant period of time, the court may feel as though changing the orders would disrupt the stability that the child has enjoyed during the time the current orders have been in effect.

Syndicate Legal Advisory Services – *Modifications*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

Child & Spousal Support Modifications: In order to change a child support or a spousal support order, without an agreement, you must also show that there has been a change in circumstances since the orders were made. The change in circumstances does not necessarily have to be as significant as with modifications to Child Custody and Visitation Order(s). A change in your income, or the income of the other party, can be enough to modify your support orders.

Post-Judgment Motions: If you disagree with the Final Judgment in your Family Law Case, there are also Post-Judgment Motions that can be filed on your behalf, in order to modify your Order(s). Post-Judgment Motions can be more complicated than the other modification options. The various motions that can be filed to modify your Final Judgment are:

- A Motion for a New Trial or a Motion for Reconsideration, if you believe that the court made a legal or procedural error
- A Motion to Set Aside the Court's Judgment, if you believe the Judgment was made under duress, by mistake, or by the fraudulent activity of one of the parties; and
- A Motion to Vacate, if you believe there is a conflict between the Court's Ruling and its reasoning for the Ruling.

SYNDICATE LEGAL ADVISORY SERVICES

WWW.SYNDICATELEGALADVISORY.COM