

Defendants Who are Disabled and/or Applying for Disability

To file a petition to modify your existing support obligation you must be able to say that there has been a substantial change in your circumstances since your last hearing. If a physical condition exists which affects your ability to work, the court may consider this to be a substantial change.

You are required, by your Court Order, to notify the Domestic Relations Office and the other party in your case of any change in circumstance within seven (7) days of the change. You must contact the Domestic Relations Office either in writing or by mail to tell us about this disability and your intention to apply for benefits to which you may be entitled.

Once notified, the Domestic

Relations Office will forward to you a form which will require completion by your physician.

The physician's verification form must be returned to the Domestic Relations Office so that it may be added to your case file.

The completion of this form **DOES NOT** change your current support obligation.

If you believe the change in circumstance, due to your disability or filing of disability, would be substantial, you may file a petition for modification. Petitions may be obtained by calling DRS, checking online, or in our lobby.

What Happens Next?

At the time of the modification conference you should be aware that:

Your Support Order may be
INCREASED OR DECREASED
depending on the current circumstances.

At the time of the modification conference, you **MUST** provide current disability information and appropriate documentation indicating:

- ◆ when you filed for disability
- ◆ with whom you filed the disability claim
- ◆ approximately how long you will be disabled
- ◆ Any type of income received as a result of the disability

If the above information is not provided to the Conference Officer at the time of the Conference, your petition may be dismissed.

Merely filing for disability **DOES NOT** stop the enforcement of your current support obligation. If you are disabled and you choose not to file a petition for modification you will then be required to pay your current support obligation.

What will happen if I do not pay ?

Domestic Relations will send a Notice of Non-Compliance, and if there is no resolution, schedule a contempt conference.

When you appear at the contempt conference, you should have adequate documentation to provide to the Conference Officer to prove your claim. No change will be made to your child support obligation at the time of the contempt conference.

If you have any questions,

please contact:

The Domestic Relations Section

Disability



**Butler County Domestic
Relations**

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