

# MODIFICATIONS TO CHILD SUPPORT AND MAINTENANCE

**(750 ILCS 5/510) Sec. 510. Modification and termination of provisions for maintenance, support, educational expenses, and property disposition.**

**(a) ... An order for **child support** may be modified as follows:**

**(1) upon a showing of a substantial change in circumstances; and**

**(2) without the necessity of showing a substantial change in circumstances, as follows:**

**(A) upon a showing of an inconsistency of at least 20%, but no less than \$10 per month, between the amount of the existing order and the amount of child support that results from application of the guidelines specified in Section 505 of this Act unless the inconsistency is due to the fact that the amount of the existing order resulted from a deviation from the guideline amount and there has not been a change in the circumstances that resulted in that deviation; or**

**(B) upon a showing of a need to provide for the health care needs of the child under the order through health insurance or other means. In no event shall the eligibility for or receipt of medical assistance be considered to meet the need to provide for the child's health care needs.**

**(a-5) An order for **maintenance** may be modified or terminated only upon a showing of a substantial change in circumstances. ... In all such proceedings, **as well as in proceedings in which maintenance is being reviewed**, the court shall consider the applicable factors set forth in subsection (a) of Section 504 and the following factors:**

**(1) any change in the employment status of either party and whether the change has been made in good faith;**

**(2) the efforts, if any, made by the party receiving maintenance to become self-supporting, and the reasonableness of the efforts where they are appropriate;**

**(3) any impairment of the present and future earning capacity of either party;**

**(4) the tax consequences of the maintenance payments upon the respective economic circumstances of the parties;**

**(5) the duration of the maintenance payments previously paid (and remaining to be paid) relative to the length of the marriage;**

**(6) the property, including retirement benefits, awarded to each party under the judgment of dissolution of marriage, judgment of legal separation, or judgment of declaration of invalidity of marriage and the present status of the property;**

**(7) the increase or decrease in each party's income since the prior judgment or order from which a review, modification, or termination is being sought;**

**(8) the property acquired and currently owned by each party after the entry of the judgment of dissolution of marriage, judgment of legal separation, or judgment of declaration of invalidity of marriage; and**

**(9) any other factor that the court expressly finds to be just and equitable.**