



**THE COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
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Press Release

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**PROBATE AND FAMILY COURT ANNOUNCES A NEW
JOINT PETITION FOR MODIFICATION OF CHILD SUPPORT JUDGMENT**

Boston, August 6, 2008 - The Probate and Family Court announces a new Joint Petition for Modification of Child Support Judgment (CJ-D 114).

When last revised in April 2007, language was added to the Joint Petition for Modification of Child Support Judgment form that was causing confusion to some practitioners relative to the effective date of the modified support order.

By statute the court is specifically prohibited from retroactively modifying child support orders "...except with respect to any period during which there is a pending complaint for modification, but only from the date that notice of such complaint has been given..." **SEE** G.L. c. 119A, § 13 (a).

Since there is no authority for retroactive modification of child support, language in the petition that could be interpreted as granting that authority has been deleted. The effective date of the new form is 8/08.

If you have questions, please contact Attorney Jocelyne D. Welsh at the Administrative Office of the Probate and Family Court Department.