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ATTORNEYS AT LAW

SEASON'S GREETINGS



Happy Holidays! Do you want to be entered into a drawing for a gift package from Gehris & Associates, LLC? Here's how it works:

From now until December 23rd we will bring you 12 short articles regarding legal issues that were addressed in the law in 2020. We are posting these articles on our Gehris & Associates, LLC Facebook page. Please go to our Facebook page and 'like' AND 'share' the article each day. If you 'like' AND 'share' the article your name will be entered in to a drawing for a gift package. This means that if you 'like' AND 'share' every article you will receive 12 entries. After all 12 days of Christmas articles have been posted, we will announce the winner of the prize package. Please pass this along to your friends and family. Anyone can enter.

If you missed any previous articles, you can find them on our Facebook page.

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Child Support Modification



To modify child support, a party must provide evidence of a substantial change in circumstances. 750 ILCS 5/510(a)(1). Substantial changes include the children's needs, the obligor parent's ability to pay, or a change in both since the most recent child support order was entered. A showing of a substantial change in circumstances warrants modification of child support only when a court must take "equitable action" to protect the best interests of the children.

In the case of *In Re Marriage of Stacy Connelly and Ryan Connelly* the Court held that Ryan's 10% increase in his income along with his approximately 13% increase in parenting time, and Stacy's 12% increase in her income did not constitute a substantial change in circumstances to warrant modification of Ryan's child support obligation. The Court further found that these changes were small, were already considered by the parties when they entered into their marital settlement agreement, the increases did not give Stacy a "windfall" of support from Ryan, and Ryan failed to show any specific evidence of either party's additional, decreased, excessive, or uncommon expenses for the minor children. Both parents have an obligation to financially support their children. Child support will not be modified solely based on additional costs that children require as they grow older or an increase in both parties' incomes, which better allows them to provide for their children.

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