

**Modification Child Support - 2019 Amendment to Domestic Relations Law §236 [B] (9) (b) (2) (i)**

**Domestic Relations Law §236 [B] (9) (b) (2) (i) was amended effective September 23, 2019 to provide that the court may modify an order of child support, including an order incorporating without merging an agreement or stipulation of the parties, upon a showing of a substantial change in circumstances. Incarceration shall not be considered voluntary unemployment and shall not be a bar to finding a substantial change in circumstances provided such incarceration is not the result of non-payment of a child support order, or an offense against the custodial parent or child who is the subject of the order or judgment.<sup>1</sup>**

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<sup>1</sup> Domestic Relations Law § 236 [B] (9) (b) (2) (i) reads as follows:

**(i) The court may modify an order of child support, including an order incorporating without merging an agreement or stipulation of the parties, upon a showing of a substantial change in circumstances. Incarceration shall not be considered voluntary unemployment and shall not be a bar to finding a substantial change in circumstances provided such incarceration is not the result of non-payment of a child support order, or an offense against the custodial parent or child who is the subject of the order or judgment.**