

# How to Apply to the Child Support Service for **Recalculation** of Child Support

## Introduction to the service:

The Child Support Service assists payors and recipients to make changes to their existing child support amount if there has been a change in income. This service is free and an alternative option to going to court.

## What can be recalculated?

The Service may recalculate existing child support agreements, court orders, family arbitration awards, calculation decisions, and recalculation decisions as long as the child support document meets eligibility requirements.

## You are not eligible for recalculation if:

- It has been less than six months since the date of the existing child support document
- The income used to determine the existing amount of child support was imputed
- The income to be used to recalculate child support is from self-employment, farming, or rental income
- Your existing child support is set out in a child support agreement made prior to March 15, 2018 (If you have a court order prior to or after this date, the court order may be eligible for recalculation. Please contact the Child Support Service)
- The existing child support document states the income of the payor is over \$150,000
- The amount of support was not determined based on the Child Support Guidelines Tables
- An application affecting child support is proceeding through the court
- The child support document indicates the child support amount cannot be recalculated
- The applicant is the payor and is not receiving any income (unless the recipient agrees to allow the recalculation)
- The parent who did not apply for a recalculation resides outside of Saskatchewan (unless that parent agrees to use the service)
- Payor stands in the place of a parent (in *loco parentis*)

A recalculation applies to child support payments on a go-forward basis and does not determine section 7 extraordinary expenses, retroactive payments or arrears.

## To submit an application for recalculation, follow the steps below:

1. Obtain a recalculation application form. The form can be accessed online at [Child Support Service | Child Support | Government of Saskatchewan](#) or by contacting the Child Support Service:

Child Support Service  
 323, 3085 Albert Street  
 Regina, Saskatchewan S4S 0B1  
 Phone (306) 787-5042  
 Toll Free 1-833-825-1445  
 Fax (306) 787-2599  
 Email [childsupportservice@gov.sk.ca](mailto:childsupportservice@gov.sk.ca)

2. Include your current information and as much information as possible about the other parent on the application form.
3. Submit your application by email, fax or mail. You **MUST** provide a copy of your current child support document as part of the application. If you are submitting an agreement, ensure that it has been filed at a Court of King's Bench and an affidavit is attached with the court's stamp. If you do not have a copy of the child support document, you can request a copy from the court where it was issued or filed. If you are enrolled in the Maintenance Enforcement Office (MEO), you can ask the MEO for a copy, or authorize the Child Support Service to obtain a copy from the MEO.
4. The Service will contact you by telephone to discuss your application and confirm eligibility for the recalculation.
5. If eligible, the Service will request one or both parties (depending on the parenting arrangement) to provide a financial statement and proof of income to complete an income assessment. The child support amount will be recalculated by applying the federal Child Support Guidelines Tables.
6. If a recalculation decision is issued, it will be sent to both parents by email and/or mail. The recalculation decision will be filed with the court. It will also be sent to the Maintenance Enforcement Office, if applicable.

**If you do not have a child support agreement or court order, contact:**

- The Child Support Service for an initial calculation for child support
- The Family Law Information Centre for free family law information or to obtain a self-help kit
- A lawyer (Legal Aid, Pro Bono Law Saskatchewan, private lawyer)

**Where to go for assistance if your existing child support document is not eligible for recalculation:**

- If you and the other parent agree to a new amount for child support, you can make a new agreement.
- An agreement **must** include: the parent's names, the names and dates of birth of the children involved, the type of parenting arrangement (where the child(ren) reside), the total annual gross income of the parents (which may include income not taxed by the Canada Revenue Agency), the amount of support to be paid, the start date of the child support payments, a clause that addresses whether to allow for a future recalculation), the signatures of the parents, and the date it was signed. The agreement **can** also include the

amount for Section 7 expenses and any splitting of those expenses, any adjustments to arrears owing, and any other relevant clauses.

- If parents do not agree to a new amount of child support the parents can still address matters outside of court. Both parties may agree to work with a family mediator, collaborative lawyers, or go through arbitration. If either party wishes to ask the court to determine the new amount of child support, an application can be made to the court to ask a judge to decide upon the new terms of child support. This can be done with or without a lawyer.
- If you need a self-help kit to make a new agreement, or make an application to court for a new order, or if you have questions regarding your options, you can contact the Family Law Information Centre at 1-888-218-2822 or 306-787-5837 or email [familylaw@gov.sk.ca](mailto:familylaw@gov.sk.ca) and ask for help.

### **Child Support Guidelines used to determine child support:**

The federal Child Support Guidelines include tables that are used to figure out a child support amount. A copy of the Child Support Guidelines' Table for Saskatchewan and an online look-up can be found here: [2017 Child Support Table Look-up \(justice.gc.ca\)](http://2017.ChildSupportTableLook-up.justice.gc.ca).