

A NEWSLETTER FROM

# LAW OFFICES OF MATTHEW Z. MARTELL, P.A.

## APRIL ISSUE

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## Family Matters

# Child Support Modifications: Is it Time?

**Y**our divorce has been final for a while. You and your former spouse divided your property and created a plan for parenting your children. One of you is obligated to pay child support to the other based on your state's formula. The formula likely considers both your incomes, the number of children that need support, the number of overnights you each have with your children, and the cost of the children's health insurance and daycare.

Now that some time has passed, the child support amount appears inadequate (or excessive). Can you get it adjusted?

Even though your divorce decree is entitled



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"Final," the court retains the power to modify issues relating to the children, including child support. To get either an upward or downward modification in child support, the petitioner (person seeking the modification) must prove a change in circumstances that is substantial and relatively permanent. Loss of income by a parent, whether the child support paying parent or the recipient, generally must be involuntary.

Many changes may warrant an increase in child support such as a substantial increase or decrease in the paying parent's or recipient parent's income, respectively. A change in the children's needs or additional time spent at the recipient parent's home may also warrant a modification.

## How Often Can You Seek a Child Support Modification?

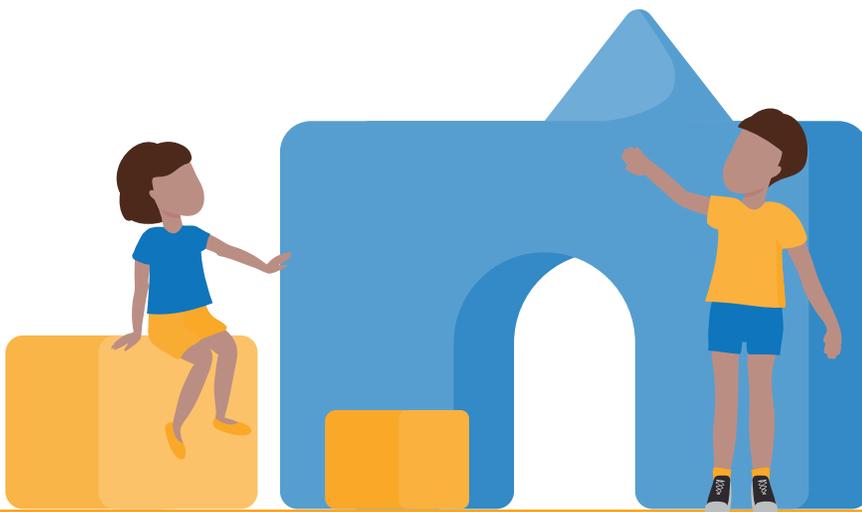
Many states have enacted restrictions on child support modification petitions. You may be limited to filing only if the change you are seeking is greater than a certain percentage of the current amount or if a minimum period has elapsed since the last support order was entered.

Permitting a parent to file a modification petition every four or six months increases the court's workload and often results in little or no change in the support amount. Allowing a parent to file for modification no more often than every 24 months or if there will be at least a 20% change in the child support amount, for example, will regularly benefit the children without being a burden on family court.

## Points to Consider Before Seeking a Modification

Before filing a petition to modify your child support order, consider the following points:

- How long has it been since the last child support order or modification was entered? Has enough time passed according to your state's law?
- Has your income or the income of your former spouse changed substantially since the last order?
- Have you or your former spouse changed jobs, been promoted, or become self-employed?
- Have the living arrangements of your children changed dramatically over the last several months or years? Are the children spending more or fewer overnights with you necessitating a child support modification (or a custody modification)?
- Has the monthly premium for employee group health insurance changed appreciably? Is a recalculation of child





**“Many changes may warrant an increase in child support such as a substantial increase or decrease in the paying parent’s or recipient parent’s income, respectively.”**

support amount on this basis a justification for a modification petition?

- Has the expense of daycare significantly increased, decreased, or terminated for the children?
- Have you visited your state’s family law or court website to determine if a child support calculator is available for use online?
- Have you attempted to recalculate the child support amount using your state’s formula based on perceived or known changes to the factors

in the formula? Has this recalculated child support obligation changed substantially?

#### **Keeping Abreast of Changed Circumstances**

Parents need to stay abreast of any change in circumstances warranting a child support modification. One way to do this is to agree to exchange financial affidavits or declarations, together with pay stubs and tax returns, with the other parent at least annually. Many Marital Settlement

Agreements contain such a provision.

#### **Talk to an Attorney**

If you have questions regarding modifying your child support order, do not hesitate to consult with your attorney to discuss the changes you know or believe to have taken place. He or she can help you run the numbers through a child support calculator to determine if a modification is warranted. 📌

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*Illustrations by Macrovector*



## Spring Break

# Which National Park Should You Visit?

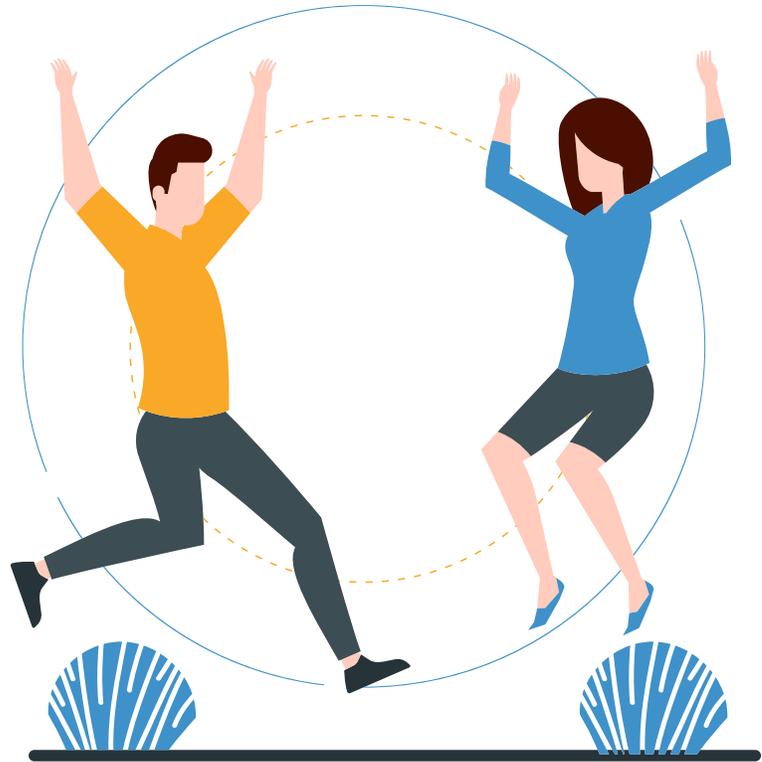
*Whichever park you choose, bring your camera and your spirit of adventure, and you won't be disappointed. Happy trails!*

1. **Everglades National Park (Florida)** is the only place on Earth that is home to both the American alligator and the American crocodile. It also is the last refuge of the endangered Florida panther.
2. In the cold and damp of the Pacific Northwest, you can get lost in a rainforest in **Olympic National Park (Washington)**.
3. **Glacier National Park (Montana)** is home to 25 active glaciers and more than 700 lakes.
4. Visit **Great Smoky Mountains National Park (North Carolina/Tennessee)** in the spring, and you will see why this park is sometimes called Wildflower National Park. (Be prepared to have company. Great Smoky Mountains was the most visited national park in 2017 and 2018, with more than 11 million visitors each year – almost double the number of visitors to the second-most visited park, the Grand Canyon.)
5. **Great Basin National Park (Nevada)** offers

the best nighttime view of the Milky Way in the continental U.S.

6. **Mesa Verde National Park (Colorado)** is home to Cliff Palace, part of the largest archeological preserve in the country. Mesa Verde provides a window into ancient Pueblo culture dating back to A.D. 600 to 1300.
7. You can see a different type of tree at **Petrified Forest National Park (Arizona)**. The trees in this forest are actually tree fossils that are more than 200 million years old.
8. Even though President Grant established our first national park, he does not have a national park named after him. **Theodore Roosevelt National Park (North Dakota)** is the only national park named after a president.
9. The largest national park is **Wrangell-St. Elias (Alaska)**. It spans more than 8-million acres. The smallest – Hot Springs National Park (Arkansas) – covers 5,500 acres.

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## Spring Break

# Fun and Interesting Spring Facts

*Spring has sprung, the flowers are blooming, the birds are chirping, and... you're inside.*

Even if you're stuck indoors, you don't have to miss out on spring! You may not be able to stop and smell the roses, but at least you can

learn more about them. Take a look at some of these fun, interesting, and unusual facts about your favorite season.

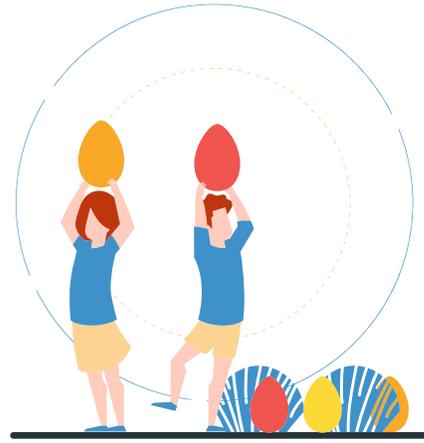
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10. **Kobuk Valley National Park (Alaska)** is home to 100-foot tall sand dunes. During the summer months, temperatures can climb to 100 degrees.

11. **The Grand Canyon (Arizona)** is the only national park that also is regarded as one of the Seven Wonders of the Natural World.

12. **Death Valley National Park (California)** is a place of extremes and superlatives:

- The hottest temperature ever recorded in North America - 134 degrees - was recorded at the aptly named Furnace Creek, in 1913;
- It is the driest place in North America (with average rainfall of less than 2 inches);
- It is the largest national park in the continental U.S. (3.4 million acres); and
- It is home to Badwater Basin, the lowest point (282 feet below sea level) in the western hemisphere. 📌



'SPRING FACTS' FROM PAGE 5

The first day of spring is called the vernal equinox. In ancient Latin, “vernal” translates to spring, while “equinox” means “equal night.”

Why do we associate spring with birds singing? That’s because springtime is when baby birds first learn the specific bird songs of their particular species. The beginning of spring is also the time that birds attempt to attract a mate.

Some studies show people are happier in spring, because the days are longer and nights are shorter. More specifically, having more daylight helps release serotonin—the chemical in your brain that promotes feelings of happiness. At the same time, the increase in light signals

to your brain that it’s time to release less melatonin—the chemical that’s responsible for making you sleepy. Add to that, the surge of light impacts your body’s circadian rhythms, which makes you sleep less. With that, you have what many describe as “Spring Fever.”

There are some flowers that can’t wait to come out of hibernation—daffodils, tulips, irises, and dandelions are some of the earliest spring blooms.

Springtime is not only a time for rebirth, but for new birth: animal litters that are born in springtime include chipmunks, foxes, beavers, otters, swans, black bears, raccoons, and skunks.

In Japan, spring is officially declared when the nation’s

national flower, the cherry blossom, begins to bloom.

While many around the world hunt for Easter eggs, in China, legend has it that on the first day of spring, you can set an egg in an upright position—and it will stay that way due to gravitational forces at play on the equinox. While just a myth, it certainly makes for a fun (and messy) family activity!

In Italy, spring ushers in a centuries-old tradition for women to plant seeds in the gardens of Adonis—a symbol of rebirth.

Some ancient monuments around the world are built with the changing seasons in mind. In Mexico, the ancient Mayans built the giant pyramid of Chichén Itzá to align with the first day of spring to create a spectacular show of light and shadows. When the sun rises over the pyramid on the first day of spring, it creates the illusion of a giant snake slithering up and down the pyramid—a symbol of the Mayan god Kukulcan. 📌

*Illustrations by Designs.ai*

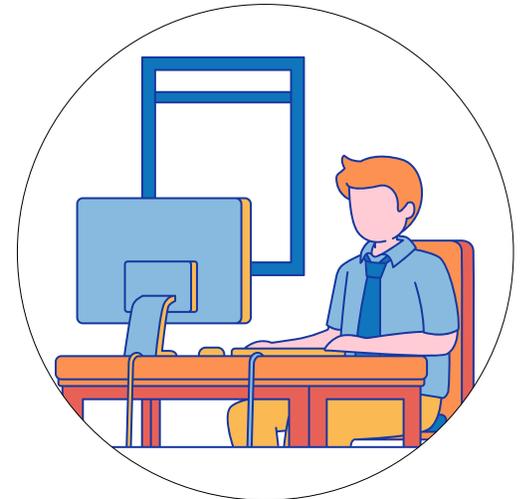
## Staying Healthy at Your Desk

*More and more, studies are exposing the dangers of sitting too much.*

Prolonged sitting can lead to dementia and heart disease and even raise your risk of diabetes or cancer. On the other hand, substituting sitting for more standing has been shown to improve cholesterol, lower the risk of diabetes, and lengthen your overall lifespan.

While sitting can't always be avoided in our daily lives, there are steps you can take to mitigate the damage done by sitting too much:

- Do small exercises at your desk.
- Take frequent breaks to walk and stretch (set an alarm reminder if you need to)
- Take the stairs instead of the elevator
- If close enough, walk or bike to your workplace
- If driving, park farther away from your office



- If you have the option, use a standing desk to alternate between sitting and standing
- When sitting, always pay attention to your posture
- Pay attention to the type of chair you're sitting in (is it giving you the support you need?)
- Or, ditch the chair and sit on an exercise ball
- Look away from your screen every 30 minutes
- Skip the takeout and bring your own lunch
- Keep healthy snacks at your desk
- Drink plenty of water
- Finally, always make sure to get plenty of exercise outside of work. 📌

*Illustration by Designs.ai*

# Watermelon, Tomato and Strawberry Salad with Burrata

Prep 15 mins | Yield 6 -8 servings

*Sweet watermelon, vine-ripened tomatoes and juicy strawberries, on top of melt-in-your-mouth burrata, sprinkled with fresh herbs and pine nuts. This salad is delicious.*



## INGREDIENTS

- 1 burrata cheese
- 2 pounds watermelon, cut into 1 1/2 " cubes
- 1 3/4 pounds heirloom tomatoes, cut into 1 1/2" cubes
- 1 pint strawberries, trimmed and halved
- 2 T basil, chiffonade
- 2 T mint, chiffonade
- 3 T pinenuts
- 2 T white balsamic vinegar
- 2 T olive oil
- Maldon salt to taste
- Pepper to taste

## INSTRUCTIONS

**Using your hands open a burrata cheese and spread it over a serving platter.** Scatter watermelon, tomatoes and strawberries over the burrata. Sprinkle with herbs and pinenuts.

**Put vinegar in a small bowl and whisk in olive oil to create an emulsion.** Drizzle the dressing over the fruit and season with salt and pepper.