

Emergency rule 13 of the California Rules of Court is adopted, immediately, to read:

1 **Emergency rule 13. Effective date for requests to modify support**

2
3 **(a) Application**

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5 Notwithstanding any other law, including Family Code sections 3591, 3603, 3653,
6 and 4333, this rule applies to all requests to modify or terminate child, spousal,
7 partner, or family support. For the purpose of this rule, “request” refers to *Request*
8 *for Order* (form FL-300), *Notice of Motion (Governmental)* (form FL-680), or
9 other moving papers requesting a modification of support.

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11 **(b) Effective date of modification**

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13 Except as provided in Family Code section 3653(b), an order modifying or
14 terminating a support order may be made effective as of the date the request and
15 supporting papers are mailed or otherwise served on the other party, or other
16 party’s attorney when permitted. Nothing in this rule restricts the court’s discretion
17 to order a later effective date.

18
19 **(c) Service of filed request**

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21 If the request and supporting papers that were served have not yet been filed with
22 the court, the moving party must also serve a copy of the request and supporting
23 papers after they have been filed with the court on the other party, or other party’s
24 attorney when permitted. If the moving party is the local child support agency and
25 the unfiled request already has a valid court date and time listed, then subsequent
26 service of the request is not required.

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28 **(d) Court discretion**

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30 Nothing in this rule is meant to limit court discretion or to alter rule 5.92 or 5.260
31 regarding which moving papers are required to request a modification of support.

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33 **(e) Sunset of rule**

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35 This rule will remain in effect until 90 days after the Governor declares that the
36 state of emergency related to the COVID-19 pandemic is lifted, or until amended or
37 repealed by the Judicial Council.

Instructions for Review and Action by Circulating Order

Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by **12:00 p.m., Sunday, April 19th**
- If you are unable to reply by **April 19th** please do so as soon as possible thereafter.

Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.