



## MODIFICATIONS

Iowa, Nebraska, and South Dakota allow people to modify previous Court Orders regarding child custody, visitation, child support, and other family law matters. However, certain criteria must be met in order to modify. In Iowa, the following principles apply to all child custody and child support modification actions:

(1) there must be a substantial and material change in the circumstances occurring after the entry of the decree; (2) not every change in circumstances is sufficient; (3) it must appear that continued enforcement of the original decree would, as a result of the changed conditions, result in positive wrong or injustice; (4) the change in circumstances must be permanent or continuous rather than temporary; (5) [for support cases] the change in financial conditions must be substantial; and (6) the change in circumstances must not have been within the contemplation of the trial court when the original decree was entered.

*In re Marriage of Vetternack*, 334 N.W.2d 761, 762 (Iowa 1983).

The party seeking the modification has the burden to prove such changed circumstances exist by a preponderance of the evidence. *In re Marriage of Lee*, 486 N.W.2d 302, 304 (Iowa 1992).