

RULE 5:6B. Cost-Of-Living Adjustments For Child Support Orders

- **(a)** All orders and judgments that include child support entered, modified, or enforced on or after [the effective date of this rule] September 1, 1998 shall provide that the child support amount will be adjusted every two years to reflect the cost of living.
- **(b)** Orders and judgments that include child support entered, modified, or enforced on or before August 31, 1998 shall be prospectively subject to adjustment every two years to reflect the cost of living.
- **(c)** The cost-of-living adjustment shall be based on the average change in the Consumer Price Index for the metropolitan statistical areas that encompass New Jersey and shall be compounded.
- **(d)** Before a cost-of-living adjustment is applied, the parties shall be provided with notice of the proposed adjustment and an opportunity to contest the adjustment within 30 days of the mailing of the notice. An obligor may contest the adjustment if the obligor's income has not increased at a rate at least equal to the rate of inflation as measured by the Consumer Price Index or if the order or judgment provides for an alternative periodic cost-of-living adjustment. A cost-of-living adjustment shall not impair the right of either parent to apply (1) to the court for a modification of support provisions of the order or judgment based on changed circumstances, or (2) to the State IV-D agency or its designee for a three-year review of a Title IV-D child support order, without the need to show changed circumstances.
- **(e)** The forms and procedures to implement cost-of-living adjustments shall be prescribed by the Administrative Director of the Courts.

Note: Adopted July 10, 1998, to be effective September 1, 1998; text amended and allocated to paragraphs (a), (b), (c), (d), and (e) July 16, 2009 to be effective September 1, 2009.