

**FAMILY COURT
OF THE STATE OF NEW YORK
COUNTY OF _____**

In the Matter of

_____, **PETITIONER**
FIRST M.I. LAST

Docket #: _____
Family File #: _____

Address: _____

Phone # H: () - W: () -
 C: () -

**PETITION FOR MODIFICATION
OF:**

- CHILD SUPPORT**
 SPOUSAL SUPPORT

-AGAINST-

_____, **RESPONDENT**
FIRST M.I. LAST

Address: _____

Phone # H: () - W: () -
 C: () -

THE PETITIONER, BEING DULY SWORN, STATES THAT:

1. There is a current order or judgment directing child support spousal support in this case dated _____ made by the following court: _____.

If the support order is not from this Court, you must attach a copy of the order or judgment you wish to modify. If you do not, your petition may be dismissed.

2. The order in question requires the Petitioner Respondent to make the following support payments:

3. All children named in the current order are *(attach extra page if necessary)*:

<u>NAME</u>	<u>LIVES WITH</u>	<u>DOB</u>
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____/____/____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____/____/____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____/____/____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____/____/____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____/____/____

When you return to Court, both parties must bring your most recently filed tax return, current pay stub and a fully completed financial disclosure affidavit. If you do not bring these documents, your petition may be dismissed or a default judgment may be entered against you.

4. Since that order, circumstances have changed as follows:

5. Because of those changes, I would like the Court to change that order as follows:

6. I have have not tried to modify this order. If you have tried to modify the order, complete the following.

Date of attempt to modify: _____

Court where attempt was brought: _____

Result: _____

7. I am am not the person required to pay support. If you are the person required to pay support, are you seeking a reduction? Yes No

If so, and if you are in arrears, please state why you haven't sought relief sooner.

8. Check the box that applies to you:

- I have applied for child support services with the _____ County Department of Social Services.
- I am applying for child support enforcement services by filing this petition.
- I do not wish to apply for child support services.
- I am not eligible for child support enforcement services because only spousal support is sought.

WHEREFORE, I ask that the Court modify the current order or judgment as set forth above and for other appropriate relief as the law provides.

Dated: _____

Petitioner's Signature

Print Name

Attorney's Signature (if applicable)

Print Attorney's Name (if applicable)

VERIFICATION

STATE OF NEW YORK)
COUNTY OF)

The Petitioner herein, being duly sworn, states: I have read this petition and its contents are true to my own knowledge, except to matters alleged to be on information and belief and, as to those matters, I believe them to be true.

Petitioner's Signature

Subscribed and Sworn to before me
on _____.

(Deputy) Clerk of the Court,
Notary Public or Comm. of Deeds

NOTICE

(1) COST OF LIVING ADJUSTMENT: A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS APPLICATION (PETITION) SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY THE COURT AND TO PRESENT EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHILD SUPPORT STANDARDS ACT.

(2) ADJUSTMENT FOR CHILDREN RECEIVING FAMILY ASSISTANCE: A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

(3) FAILURE TO NOTIFY SCU OF ADDRESS CHANGE: WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.