

Person Filing: (1) _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(2) _____
Petitioner/Party A (in original case)

(3) Case No. _____

(4) ATLAS No. _____

(2) _____
Respondent/Party B (in original case)

AGREEMENT TO MODIFY CHILD SUPPORT

This is an agreement between the person who owes child support and the person to whom child support is owed to modify (change) the amount to be paid for current child support.

We, (5a) _____, the person ordered to make payments,
and (5b) _____, the person receiving payments,
ask the Court to modify the Child Support Order as indicated below.

(6) INFORMATION ABOUT THE CURRENT CHILD SUPPORT ORDER (the Order we want to change)

The Order was issued on: _____ (Month/Day/Year)

The Order was issued by: _____ (Name of Court)

Located in this County: _____ (Name of County)

Amount of Current Child Support Ordered: \$ _____ PER _____

(7) The current *Income Withholding Order* includes the following Court Ordered payments:

Child Support: \$ _____ per _____

Spousal Maintenance/Support: \$ _____ per _____

Other: \$ _____ per _____

Payments on Arrears: \$ _____ per _____

(8) We agree that current *child support* should be changed from the current amount of

\$_____ (as listed in (6) above), to the **new** amount of \$_____ per month, to be paid by **Party A** or **Party B**.

(9) We agree this change should take effect the first day of _____, 20_____.

Note: A completed Child Support Worksheet is *required* before the Court can modify child support.

I have completed a Child Support Worksheet and it is attached or filed with this Agreement (required).

(10) (Check the box (a or b, but not both) that applies to you.)

(a) The amount of child support we have agreed to **is** the amount stated on the attached Child Support Worksheet, calculated according to the Arizona Child Support Guidelines,

OR

(b) The amount of child support we have agreed to **is not** the amount stated on the attached Child Support Worksheet, calculated according to the Arizona Child Support Guidelines, but we are entitled to **deviate** (use a different amount) from the Guideline amount **because**:

- **Application of the Guidelines would be inappropriate or unjust in this case, AND**
- **Deviation from the Guidelines would be in the best interests of the children involved, based on all *relevant* factors, including those specified in A.R.S. § 25-320(D):**
 1. The financial resources and needs of the child.
 2. The financial resources and needs of the custodial parent.
 3. The standard of living the child would have enjoyed had the marriage not been dissolved.
 4. The physical and emotional condition of the child, and the child's educational needs.
 5. The financial resources and needs of the non-custodial parent.
 6. Excessive or abnormal expenditures, destruction, concealment or fraudulent disposition of community, joint tenancy and other property held in common.
 7. The duration of parenting time and related expenses.

Based on all relevant factors including any of those listed above that apply to our situation, application of the Guideline amount would be inappropriate or unjust and deviation from

the Guideline amount would be in the best interests of the children, **because:** (Explain)

(11) We also request that a new ***Income Withholding Order*** be issued to include the new child support amount and any additional payments listed in (7), on page one of this Agreement.

(12) AGREEMENT REGARDING SUPPORT EXPENSES and TAX DEDUCTIONS:

Party A is responsible for providing: **medical** **dental** **vision care insurance.**

Party B is responsible for providing: **medical** **dental** **vision care insurance.**

Non-Covered Expenses. All reasonable non-covered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor children, including co-payments, shall be shared as follows: **Party A** _____%, AND **Party B** _____%

(13) The costs of travel related to parenting time over 100 miles one way shall be shared as follows:

Party A _____% **Party B** _____%

(14) Federal tax exemption(s) for the dependent children should be allocated as follows:

| Child's Name | Date of Birth (Month, Day, Year) | Party Entitled to Deduction | For Calendar Year |
|--------------|-------------------------------------|---|----------------------|
| | | <input type="checkbox"/> Party A <input type="checkbox"/> Party B | |
| | | <input type="checkbox"/> Party A <input type="checkbox"/> Party B | |
| | | <input type="checkbox"/> Party A <input type="checkbox"/> Party B | |
| | | <input type="checkbox"/> Party A <input type="checkbox"/> Party B | |

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

Each year, the person obligated to make payments (the obligor) may claim these exemptions only if he or she has paid all child support and arrears ordered for the year by December 31 of that year.

OTHER ORDERS:

THIS AGREEMENT IS TO MODIFY CHILD SUPPORT ALONE. ALL OTHER PRIOR ORDERS OF THIS COURT ARE TO REMAIN IN FULL FORCE AND EFFECT.

AGREEMENT TO MODIFY (CHANGE) CHILD SUPPORT

OATH OR AFFIRMATION OF THE PARTIES

(15) By signing this Agreement, I/We:

- Ask the Court to order the amount of current child support ordered paid to be changed *from* \$_____, *to the new amount of* \$_____, per month, to be paid by Party A or Party B.
- Waive the right to trial on this matter.
- Acknowledge reading and understanding the terms of this agreement.
- Enter this agreement voluntarily and not due to any threat of force or harm, duress, undue influence or coercion from anyone, including the other party.
- Swear or affirm the information provided is true and correct, under penalty of perjury.

SIGNATURES

Petitioner's Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Respondent's Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

NOTE: If the State of Arizona (DES) is a party to your case, a representative of DES or its Division of Child Support Enforcement (DCSE) must also sign this form before you file. (See Instructions)

Signature of DES / DCSE Representative

Date