

LAW LIBRARY RESOURCE CENTER

Procedures: How to file a "Request for Hearing" in response to a "Petition to Modify *Child Support (Simplified Process)*"

To request a hearing you will need to submit:

- One original "Request for Hearing" (plus at least 2* copies).
- One original "Child Support Worksheet" (plus at least* 2 copies).
- One original "Current Employer Information Sheet"

See the "How to Complete a Child Support Worksheet" document in this packet for information on getting the child support calculations filled out automatically and for FREE online.

STEP 1 Separate your documents into 3 (or 4*) sets:

<u>Set 1 for the Clerk of Superior Court (originals):</u> Request for Hearing Child Support Worksheet Current Employer Info Sheet	<u>Set 3: Other Party's Copy:</u> Request for Hearing Child Support Worksheet
<u>Set 2: Your Copy:</u> Request for Hearing Child Support Worksheet	<u>Set 4 – to Serve on the State if DES or DCSS is involved *</u> Request for Hearing Child Support Worksheet

**The State of Arizona may be involved if any parent received public assistance for the children or used the services of the State in establishing or collecting child support. If the State is involved, notice of this action must also be given to the Attorney General's Office.*

NOTE: There will be a fee for filing this document. If this is the first time you have "appeared" (filed papers) in this case, there may an "appearance fee" *in addition to* the filing fee. If you cannot pay the fees at this time, you may petition to defer (delay) payment by submitting an application for fee deferral or waiver, which is available for free from the Clerk of the Superior Court and the Self-Service Center.

STEP 2 File the original forms along with two (or 3*) copies at the Clerk of Superior Court's filing counter. The Clerk will keep the original and date-stamp and return the others to you.

If the *Request for Hearing* was filed in a timely manner a hearing will be set. You will receive notice of the time, date, and location of the hearing by mail.

STEP 3 Notice to other party or parties

After filing the “*Request for Hearing*,” you must immediately mail or deliver a copy of this document to the other party or his/her attorney, and *if the State of Arizona is involved** you must ALSO provide a copy to the Division of Child Support Enforcement (DCSE) of the Office of the Attorney General.

The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If either party already has a case with the State (DCSE or DES) involving the same children as in this case, notice of this action must also be given to the Attorney General’s Office.

SERVING PAPERS ON THE STATE: *(if required)*. The Office of the Attorney General (the “AG”) will accept service by signing an “*Acceptance of Service*” form and returning the form *for you to file with the Court*. There are no court fees for serving the State with an *Acceptance*, as described below:

- (a) You may mail or personally deliver to the Office of the “AG” assigned to your case:
- a copy of the “*Request for Hearing*,”
 - a copy of the “*Child Support Worksheet*”, along with an
 - “*Acceptance of Service*” AND
 - a self-addressed, stamped envelope (*addressed back to you*).

A list of addresses for the AG’s offices is available from the Law Library Resource Center or from the Superior Court’s webpage.

- (b) There may also be a “drop-box” in the Clerk of Superior Court’s filing counter area at which you may leave the above listed documents and the envelope for the AG. Ask the clerk at the filing counter, or

- (c) You may mail all listed documents *and the envelope* to:

Office of the Attorney General
Child Support Services Section
2005 N. Central Avenue – Mail Drop 7611
Phoenix, AZ 85004

Note: The State is not considered served until the AG’s signed *Acceptance of Service* is filed with the Court!