

AGREEMENT TO MODIFY CHILD SUPPORT

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**WHEN ALL PARTIES WILL SIGN
AGREEMENT TO MODIFY**

INSTRUCTIONS

Family Court Self Help Workshops

Registration: 8:30 – 9:00 am

All workshops begin promptly at 9:00 am

How to Prepare a Default Decree

First Friday of every month

- **Downtown Phoenix:** 101 W. Jefferson Ave. (East Court Building), Law Library

What to bring: Black Pen

Child Support Modification

1st Friday of every month (two locations)

- **Mesa:** 222 East Javelina Ave., Law Library
- **Phoenix:** 18380 N. 40th Street, Multipurpose Room A

2nd & 4th Friday of every month

- **Downtown Phoenix:** 101 W. Jefferson (East Court Building), Law Library

4th Friday of every month

- **Surprise:** 14264 W. Tierra Buena Lane, Northwest Jury Assembly Room

What to bring: Copy of the Current Child Support Order and a Black Pen

Establishment of Paternity, Custody, Parenting Time and Child Support

Third Friday of every month

- **Downtown Phoenix:** 101 W. Jefferson Ave. (East Court Building), Law Library
- **Mesa:** 222 E. Javelina Ave., Law Library

What to bring: Copy of the Child(ren)'s Birth Certificate and a Black Pen

Stop/Change Income Withholding for Child Support and/or Spousal Maintenance

2nd and 4th Friday of every month

- **Downtown Phoenix:** 101 W. Jefferson Ave. (East Court Building), Law Library

What to bring: Copy of the Current Child Support Order and/or Spousal Maintenance Order and a Black Pen

SELF-SERVICE CENTER

**AGREEMENT TO MODIFY A COURT ORDER FOR
(CURRENT) CHILD SUPPORT**

(INSTRUCTIONS ONLY)

This packet contains court forms and instructions to file to modify a court order for *current* child support when all parties are willing to provide their notarized signatures on the **Agreement**. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File No.	Title	# pages
FREE Workshop Flyer: How to Complete and File the Papers to Modify Child Support			
1	DRMCS7it	Table of Contents (this page)	1
2	DRMCS71i	INSTRUCTIONS: How to fill out Agreement to Modify Child Support	1
3	DRS81i	INSTRUCTIONS: How to fill out the Child Support Order *	1
<p>You will need to use the FREE Online Child Support Calculator to produce the <i>Parents Worksheet for Child Support</i> that <u>must</u> accompany this <i>Agreement</i>.</p> <p>Click on “Child Support Calculator and Worksheet”, on right side of the page at the Maricopa County Superior Court Webpage under ezcourt forms.</p> <p>See the instruction document DRS12h (next page) for more information.</p>			
4	DRS12h	Helpful Information to Complete “ Parent’s Worksheet for Child Support ”	1
5	DRMCS71p	PROCEDURES: What to do after you have completed all forms	2
* Not needed if <u>neither</u> parent will be paying child support as a result of this Agreement.			

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

INSTRUCTIONS: How to Complete All Forms Needed to Submit an “AGREEMENT TO MODIFY CHILD SUPPORT”

Use the **FREE** online child support calculator at the Maricopa County Superior Court website to produce the **Parents Worksheet for Child Support** that **MUST** be turned in along with this **Agreement**.

Using the online calculator is FREE (access to the Internet and a printer required).

If you do not have access to the Internet and/or a printer, you may use the computers at all Superior Court Self-Service Center locations for free and print out the Parents Worksheet produced by the online calculator as well. There is a small, per-page charge for printing.

- Go to the Maricopa County Superior Court Website EZCourt
- Click “**Child Support Calculator**” on right side of the web page.
- Fill in the information requested and print out the **Worksheet**.

Advantages of Using the Online Child Support Calculator

- The online calculator is free.
- The online calculator does the math for you
- The online calculator produces a neater, more readable worksheet.
- The online calculator produces a more accurate child support calculation, **AND**
- **You don’t have to go through 37 pages of Guidelines and Instructions**

If you want to perform the calculations yourself, you will need an additional 39 pages of guidelines, instructions, and the Parents Worksheet itself. These are available for separate purchase from the SSC as part of the “**Child Support**” packet, or may be downloaded for free from the Maricopa County Superior Court Webpage.

You may also attend the free “How to Complete Papers to Modify Child Support” Workshop described in the flyer that appears at the beginning of this packet.

COMPLETE THE “AGREEMENT TO MODIFY CHILD SUPPORT”

ALL Parties Must Sign this Agreement. That means:

1. **BOTH** parents must sign in front of a Clerk at the Filing Counter *or* a Notary, **and**
2. If the State of Arizona (DES / DCSE) is involved, a representative of the Arizona Attorney General’s office, DCSE, must **ALSO** sign before you turn in the papers.

OTHER FORMS YOU MAY NEED

Current Employer Information Sheet (CEI)

Complete a CEI for the parent who is paying child support under the current court order.

If this agreement changes which *parent* pays child support, include a CEI for both parents.

Order Stopping Income Withholding Order

IF the agreement results in the parent who is currently paying NO LONGER having to pay, include an “**Order Stopping Income Withholding Order**” to be sent to that parent’s employer.

Child Support Order - If child support is still to be paid by either parent after this Agreement, include a new “**Child Support Order**” (See separate instructions [DRS81i] in this packet).

**WHEN YOU HAVE COMPLETED ALL NEEDED FORMS, GO TO THE “PROCEDURES” PAGE
AND FOLLOW THE STEPS LISTED THERE.**

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**INSTRUCTIONS: HOW TO COMPLETE THE
“CHILD SUPPORT ORDER”**

Type or print neatly using **BLACK INK ONLY.**

CASE CAPTION

- If you are providing this information to **establish** a child support order, fill in the names and the dates of birth (DOB) of the persons shown as Petitioner and Respondent on the petition to establish child support or to get other relief (divorce, paternity, etc.)
- If you are providing this information to **modify** your current support order, fill in the names and dates of birth (DOB) of the persons shown as Petitioner and Respondent on the order that established the child support.
- Fill in your case number. If you do not have a case number, leave this item blank.
- Fill in your ATLAS number. If you do not have an ATLAS number, leave this item blank.

NUMBERED INSTRUCTION

Match the number of the instruction below to the matching number on the first page of the **“Child Support Order.”**

- (1) Fill in the full name of the mother and the father of the minor children who are the subject of this **“Child Support Order.”**

Fill in the full name and birth date of all minor children who are the subject of this **“Child Support Order.”** (Use extra pages if necessary).

LEAVE THE REST OF THE FORM BLANK. THE JUDGE OR COMMISSIONER WILL COMPLETE THE REST OF THE INFORMATION AND SIGN THE ORDER.

Self-Service Center (SSC)

HOW TO COMPLETE A PARENTS WORKSHEET FOR CHILD SUPPORT

Use the **FREE** online child support calculator at the Superior Court's Web page to produce the *Parents Worksheet for Child Support* that **MUST** be turned in along with your other court papers.

Using the online calculator is FREE (access to the Internet and a printer required).

If you do not have access to the Internet and/or a printer, you may use the computers at all Superior Court Self-Service Center locations for free and print out the Parents Worksheet produced by the online calculator as well. There is a small, per-page charge for printing.

- Go to the Superior Court's ezcourtform Web page
- Click "**Child Support Calculator**" on right side of the web page.
- Fill in the information requested and print out the Worksheet.

Advantages of Using the Online Child Support Calculator

- The online calculator is free.
- The online calculator does the math for you
- The online calculator produces a neater, more readable worksheet.
- The online calculator produces a more accurate child support calculation, **AND**
- **You don't have to go through 37 pages of Guidelines and Instructions**

If you want to perform the calculations yourself, you will need an additional 39 pages of guidelines, instructions, and the Parents Worksheet itself. These are available for separate purchase from the SSC as part of the "**How to Calculate Child Support**" packet, or may be downloaded for free from the Superior Court's Web page.

You may also attend the free "*How to Complete Papers to Modify Child Support*" workshop described in the flyer that appears at the beginning of this packet.

You may also call 602-506-3762 for an appointment for assistance (in English or Spanish) at the Phoenix courthouse. Ask for the "Calculations Department". There is a FEE for this service.

WHEN YOU HAVE COMPLETED ALL NEEDED FORMS, GO TO THE "PROCEDURES" PAGE AND FOLLOW THE STEPS LISTED THERE.

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PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED THE FORMS TO MODIFY CURRENT CHILD SUPPORT by AGREEMENT

STEP 1: AFTER YOU HAVE COMPLETED ALL OF THESE DOCUMENTS, MAKE TWO COPIES OF DOCUMENTS NUMBERED "1" AND "2"

1. "Agreement to Modify Child Support" ("Agreement to Modify")
2. "Parents Worksheet for Child Support" ("Parents Worksheet")
- "Current Employer Information Sheet"* (may refer to sources of money *other than* employers)
- 2nd "Current Employer Information Sheet"* (if applicable)*
- "Order Stopping Income Withholding Order" (if applicable)*

STEP 2: SEPARATE YOUR DOCUMENTS INTO THREE SETS:

Set 1 – ORIGINALS to file with Clerk Agreement to Modify (1 original) Parents Worksheet Child Support Order (if child support still to be paid) Order Stopping Income Withholding Order* (if applicable)* Current Employer Information Current Employer Information* (for other parent, if applicable)* +2 Self-Addressed, Stamped Envelopes: One Addressed to you; One Addressed to the Other Party	Set 2 – COPIES for Other Party Agreement to Modify Parents Worksheet
	Set 3 – COPIES for You Agreement to Modify Parents Worksheet

* IF the agreement results in the parent who is currently paying NO LONGER having to pay, include an "Order Stopping Income Withholding Order" to be sent to that parent's employer.

* IF the Agreement changes which parent pays child support, include a "Current Employer Information" sheet for that parent, the one who will now pay child support, also.

STEP 3: FILE THE PAPERS AT THE COURT. Take all originals and copies.

GO TO THE CLERK OF THE COURT'S FILING COUNTER: Present the originals, the envelopes and all sets of copies to the Clerk at the filing counter. The Clerk will keep the originals and the envelopes, and stamp the extra copies to show that these are copies of papers filed with the Court, and return the conformed (stamped) copies to you.

You may file your papers from 8am to 5pm, Monday through Friday, at any of the following Superior Court locations:

Central Court Building

201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Southeast Court Complex

222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northwest Court Complex

14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Court Complex

18380 North 40th Street
Phoenix, Arizona 85032

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, AMEX/VISA/MasterCard debit or credit cards, money order, or check made payable to the "Clerk of Superior Court" are acceptable forms of payment.

An Agreement (or "Stipulation") is a filing by **BOTH parties**. If one of the parties has not previously "made an appearance", that is he and/or she have not previously filed a response or other papers and paid a filing fee under this case number, **there will be a substantial appearance fee due from that party in addition to the filing fee for the modification itself.**

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff's Office, you may request a **deferral** (payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available at no charge from the Self-Service Center.

STEP 4: MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your Sets of Copies with the Clerk's stamp on them (the "conformed" copies).

WHAT THE COURT MAY DO:

- Grant the relief you requested;
- Schedule a hearing for you and the other party if the Judge needs additional information;
- Return your paperwork because you did not show good reason for the change requested or the paperwork was incomplete; OR
- Enter other orders the Judge thinks proper.

STEP 5: WAIT for the Court to let you know whether the Order was signed or the matter was set for a hearing. If a hearing is scheduled, you will receive written notice of when and where to appear (date, time, and location).

REMINDER:

- Did you provide **two self-addressed, stamped envelopes (to the Clerk)** so the staff can mail the decision to both parties (as listed in STEP 3, above)?
- one addressed to you;
 - one addressed to the other party