# AGREEMENT TO MODIFY CHILD SUPPORT

## WHEN ALL PARTIES WILL SIGN AGREEMENT TO MODIFY

**FORMS** 

For Child Support and/or Spousal Maintenance you may also need the following forms C17.

#### 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 <u>free</u> "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 <u>before</u> 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 <u>both</u> 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.

DRMCS71i-050812

#### **SELF-SERVICE CENTER**

### 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.

DRS81i 120407 Use most current version

#### **SELF-SERVICE CENTER**

## 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)
- 2<sup>nd</sup> "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:

DRMCS71p-050812

#### GRAHAM COUNTY CLERK OF THE COURT 800 W MAIN STREET SAFFORD, AZ 85546

**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 C	Court to let yo	u kno	w whether	r the Orde	r was	signed (	or the r	natt	er was	set
	for a hearing.	If a hearing	is s	cheduled,	you will re	ceive	written	notice	of	when	and
	where to appear	(date, time, a	nd lo	cation).							

#### 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

#### SELF-SERVICE CENTER

#### AGREEMENT TO MODIFY CHILD SUPPORT

#### **CHECKLIST**

#### You may use these forms if . . .

- ✓ You have a current "Child Support Order" that was entered in Maricopa County,
- ✓ You wish to modify the Order,
- ✓ <u>ALL</u> parties AGREE to modify the *Order*,
- ✓ You have the notarized signatures of <u>all</u> parties on the Agreement, AND
- ✓ If either party is using the child support collection or enforcement services of the State, you also have the signature of the Attorney General's representative (from DCSE, the Division of Child Support Enforcement).
- ✓ You understand these forms do not deal with arrears (back support).

#### DO NOT USE THESE FORMS IF . . .

- **X** The other party will not sign the agreement (in front of a notary or Court Clerk).
- **X** You want to modify arrears (money owed for overdue support).

**FEE WARNING:** 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.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

Person Filing: (1) Address (if not prote	cted):			
City, State, Zip Code:				
Telephone: Email Address:				
ATLAS Number:				
	r: If, without a Lawyer or    Attorney for		OP Posno	FOR CLERK'S USE ON
Representing Se	ii, without a Lawyer of Attorney for		OK     Kespt	muem
	SUPERIOR COURT IN GRAHAM		ONA	
(2)	case)	(3) Case No		
		<b>(4)</b> ATLAS No		
(2) Respondent (in origin		AGREEMEN CHILD SUPP		FY
child support is o	ment between the person who or owed to modify (change) the amo	unt to be paid	for current	child support.
	odify the Child Support Order as inc			
(6) INFORMATION	I ABOUT THE CURRENT CHILD SUP	PORT ORDER	(the Order we	want to change)
The Order was Iss	sued on:			(Month/Day/Year)
The Order was Iss	sued by:			(Name of Court)
Located in this Co				
Amount of Curre	nt Child Support Ordered: \$			
(7) The current	Income Withholding Order include	des the follow	ing Court O	rdered payments
	Child Support	\$	per _	
	Spousal Maintenance/Suppor	rt \$	per	
	Other	\$	per _	
	Payments on Arrears:	\$	per	

DRMCS71f-050115 version 7/31/2015-c5

Case No.	

(8)	We agree that current <i>child support</i> should be changed from the current amount of				
	\$	(as listed in <b>(6)</b> above), to the <i>new</i> amount of \$	per month		
	to be paid by $\square$ Mother o	r 🗌 Father.			
(9)	We agree this change sho	ould take effect the first day of, 20	·		

Note: A completed Parent's Worksheet for Child Support is *required* before the Court can modify child support. You may submit the Worksheet produced by the FREE Online Child Support Calculator at <a href="http://superiorcourt.maricopa.gov/ezcourtforms">http://superiorcourt.maricopa.gov/ezcourtforms</a>, which does the math for you, *or* you may *purchase* a packet containing the Worksheet and the 29 pages of Arizona Child Support Guidelines necessary to complete the Worksheet at any Self-Service Center location.

I have completed a Parent's Worksheet for Child Support and it <u>is attached</u> or otherwise <u>filed</u> <u>with</u> 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 Parent's 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 Parent's Worksheet, calculated according to the Arizona Child Support Guidelines, as 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.

Case No.
----------

- 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 o	of those listed above the	hat apply to our
situation, application of the G deviation from the Guideline a <b>because:</b> (Explain)	Guideline amount	would be inappropriat	te or unjust and
(11) We also request that a new <i>Income</i> support amount and any additional payme	_		
(12) AGREEMENT REGARDING SUP	PORT EXPENS	SES and TAX DEDUC	CTIONS:
☐ <b>Mother</b> is responsible for providing:	medical	dental 🗌 vision care i	nsurance.
☐ <b>Father</b> is responsible for providing:	medical 🗌	dental 🗌 vision care i	nsurance.
Non-Covered Expenses. All reasona care, prescription and other health car shall be shared as follows: Mother	re charges for th	e minor children, includi	
(13) The costs of travel related to pare follows:	enting time over	100 miles one way sha	all be shared as
Mother % Father	%		
(14) Federal tax exemption(s) for the dep	endent children s	should be allocated as fo	ollows:
Child's Name	Date of Birth	Parent Entitled	For Calendar
	(Month, Day, Year)	to Deduction	Year
		☐ Mother ☐ Father	

Case No
☐ Mother ☐ Father
☐ Mother ☐ Father

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			

- 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.

Page 4 of 5

Case No	
SIGNATURES	
 Date	
::	by
(date)	
·	
Deputy Clerk or Notary Public	
 Date	
::	by
(date)	
<u> </u> -	
Deputy Clerk or Notary Public	
ty to your case, a representative of DE	S or its Division
	Deputy Clerk or Notary Public

Signature of DES / DCSE Representative

Date

Person Filing:	
City, State, Zip Code:	
Telephone:Email Address:	
ATLAS Number:	Ear Clark's Liea Only
Lawyer's Bar Number:  Representing Self, without a Lawyer or Attorney	
Representing Gen, without a Lawyer or Granding	Tennoner on Incopolition
SUPERIOR COUR IN GRAHAM (	
	Case No
Petitioner	
Date of Birth (Month, Date, Year)	ATLAS No
Respondent	CHILD SUPPORT ORDER
Respondent	A.R.S. § 25-503
Date of Birth (Month, Date, Year)	
THE COURT FINDS THAT:  1. Mother: Father:	
have a duty to support the following children:	
mane a confidence continuity comments	
Child(ren)'s Name(s)	Date of Birth
2. The required financial factors and any discretion Support Guidelines are as set forth in the Parent' and incorporated by reference.	
3. Mother Father is obligated to pay suppo	ort to:
In the amount of: \$	
© Superior Court of Arizona in Graham County	DRS81f-060812

© Superior Court of Arizona in Graham County ALL RIGHTS RESERVED OCS

	Case Number:
4.	Deviation (only in applicable cases)  ☐ Application of the Arizona Child Support Guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child(ren) in determining that a deviation is appropriate.

First payment is due on the 1st day of:	
per month, to:	
1. ☐ Mother ☐ Father shall pay child s	upport in the amount of: \$
IT IS ORDERED THAT:	
For the period of:	to
A judgment for past care and support should be	
Past Care and Support	
For the period of:	to
Interest in the amount of: \$	
Interest	
For the period of:	to
Child support arrears exist in the amount of:	
Arrears	
<ul><li>☐ The attached written agreement is made</li><li>☐ Other Reasons for Deviation from Guide</li></ul>	·
	and of the condense by making and
☐ The Court finds the guidelines amount is	s inappropriate or unjust because:
The child support amount <u>after</u> deviation is:	
The child support amount <u>before</u> deviation is:	\$
	is of the child(ren) in determining that a deviation

DRS81f-060812

2.			
		to	_
	Judgment is ordered in favor of: and against:		
	In the principal amount of: \$		
	<ul><li></li></ul>	\$ per month toward child support	
3.		ast care and support in the amount of: \$	
		to	
	Judgment is ordered in favor of:		
	and against:		
	In the principal amount of:	\$	
	■ Mother ■ Father shall pay	\$ per month toward	
		amount until paid in full, <b>OR</b>	
4.	Withholding Order" signed this dathe person obligated to pay (the opayments not made directly througiff unless you have a notarized	gh the Support Payment Clearinghouse pursuant to an "Income. Any time the full amount of support ordered is not withhele bligor) remains responsible for the full monthly amount ordered in the Support Payment Clearinghouse may be considered affidavit signed by the other party agreeing that he or shows for child support. All payments not made by Order is to and mailed directly to:	d, d. a ne
	Support Payme P.O. Box 52107 Phoenix, AZ 85		
	Payments <u>must</u> include the pay	yor's name, ATLAS number or Social Security Number.	
5.	Clerk of the Superior Court and the	parties shall submit current address information in writing to the Support Clearinghouse immediately. The payor shall within 1 sses of employers or other persons or organizations from which ment.	10
6.	The parties shall submit addre	ss changes within 10 days of the change.	
7.	MEDICAL, DENTAL, VISION CA	RE INSURANCE FOR MINOR CHILDREN	
	☐ <b>Mother</b> is responsible for prov	riding ☐ medical ☐ dental ☐ vision care insurance.	
	☐ <b>Father</b> is responsible for prov	viding ☐ medical ☐ dental ☐ vision care insurance.	

Case Number:

	Mother % Fa	ather%.			
	Request for payment or reiming days after the services occurred within 45 days after receipt of the services.	ed. The obligated parent n			
9.	The costs of travel related to parenting time over 100 miles one way shall be shared as follows				
	Mother % F	ather%			
). 1.	The parties shall exchange statements, a Parent's Worksh and addresses of their employ  The court allocates the federal	neet for Child Support Amorers every 24 months.	unt, residential addresses	s and the names	
		Date of Birth	Parent Entitled	For Calendar	
	Child's Name	(Month, Day, Year)	to Deduction	Year	
			☐ Mother ☐ Father		
			☐ Mother ☐ Father		
			☐ Mother ☐ Father		
			☐ Mother ☐ Father		
	For years following those list parties shall repeat the pattern Each year, the person observementions only if the obligious year by December 31 of the	n above of claiming deduction above of claiming deduction make paymedigor has paid all child	Mother ☐ Father  d Support Order remainations for each child.  ents (the obligor) ma	y claim these	
	parties shall repeat the patter  Each year, the person ob exemptions only if the obl	n above of claiming deduction above of claiming deduction make paymoligor has paid all child at year.	Mother Father  d Support Order remaind ctions for each child.  ents (the obligor) massupport and arrears of	y claim these ordered for the	

Case Number: \_\_\_\_\_

Date

Judicial Officer

#### **CURRENT EMPLOYER\* INFORMATION**

You may also fill out this form online at the Family Support Center Website.

. ou may also ill out also	от		
THIS FORM MUST BE C	OMPLETED FOR:		For Clerk's Use Only
ORDER TO STOP	IHOLDING ORDER AN INCOME WITHHOLDING F A CHANGE OF EMPLOYER	_	YOR)
CASE NUMBER:	ATLAS NUM	MBER:	
NAME OF PERSON ORI	DERED TO MAKE PAYMENTS	<b>S</b> :	
DEPARTMENT (for the pe STOP ORDER SHOULD B EMPLOYER* NAME:		IE INCOME WITH	HOLDING ORDER OR
	STATE:		
EMPLOYER* TELEPHONE	i:		
EMPLOYER* FAX:			
*or other payor or source	ce of funds		
FOR COU	RT USE ONLY. DO NOT WRI	TE BELOW THI	S LINE.
	WA/FSC		
	WA/LOG ID: TYPE OF W/A DATE AMOUNT OF ORDER EMPLOYER STATUS ENTERED BY NEW W/A AG	SUB DCSE	

DRS88f-041712

erson Filing:		
ddress (if not protected): ity, State, Zip Code:		
elephone:		
mail Address:		
TLAS Number:		
awyer's Bar Number:		FOR CLERK'S USE ON
epresenting	attorney for Petitioner OR Respondent	TON OLENNO GOL ON
	R COURT OF ARIZONA RAHAM COUNTY	
)	(3) Case No.	
Petitioner in Original Case		
<b>3</b>		
· <u> </u>	(4) ATLAS No.	
Respondent in Original Case	<del></del>	
	ORDER STOPPING INCOM	
	ORDER (AND ALL GRAHAM C	OUNTY SUPPORT
	ORDERS)	
	A.R.S. § 25-504	
the employer(s) or other payor(s) of:		
o the employer(s) or other payor(s) of:		
Name:	SSN:	
DO NOT WRITE DELOW THIS LIN		
DO NOT WRITE BELOW THIS LIN	IE. COURT PERSONNEL WILL COMPLETE TH	E FORM.
<u> </u>		
IT IS ORDERED stopping the Inco	me Withholding Order dated (6)	. with the
• • •	The employer(s) or other payor(s) is/are	
• •		-
	come Withholding Order immediately upo	on receipt of this
rder.		
	erminating all Graham County child	• •
oousal maintenance orders in this cas	e number and declaring all child suppo	rt and/or spousal
aintenance orders fully paid and satis	fied, including all past due support, arre	earage judgments
nd interest.		
IT IS FURTHER ORDERED that	the Support Payment Clearinghouse s	shall roloaso anv
		•
-	uture monies received to the obligor (the	person ordered to
ay).		
ated:	1.11.1.000	
	Judicial Officer	
	DI	RSW82f-032613

© Superior Court of Arizona in Graham County ALL RIGHTS RESERVED **ORD** 

Page 1 of 1