

INSTRUCTIONS FOR FILING A PETITION FOR MODIFICATION OF CHILD SUPPORT AND/OR ALIMONY

Child support calculations must be made using the current Georgia Child Support Guidelines. To obtain the forms and instructions go to: <http://cscalculator.gaaoc.us/>

YOU CAN USE THIS PACKET IF:

- ⇒ you have a Child Support or Alimony Order from a Superior Court in Georgia which orders child support to be paid to you or by you
- ⇒ you are asking for a change in child support or alimony, **and**
- ⇒ the opposing party is a resident of Fulton County (or has signed an waiver to have the case heard in Fulton).

- STEP 1** : Fill out the Petition for Modification of Child Support
- STEP 2** : Fill out the Verification Form
- STEP 3** : Fill out the Summons
- STEP 4** : Fill out the Sheriff's Entry of Service
- STEP 5** : Make a copy of the original child support order and attach it to the Petition for Modification of Child Support
- STEP 6** : Complete the other court required documents such as Case Initiation Form, DRFA,
- STEP 7** : Put the papers together
- STEP 8** : Follow the Superior Court Clerk's instructions for e-filing

HERE ARE DETAILED INSTRUCTIONS ON HOW TO FILL OUT THE FORMS:

STEP 1: The Petition for Modification of Child Support

A. You are the Petitioner. Fill in your full name on the line above "Petitioner", and on the line after "My name is _____".

B. The Respondent is the opposing side. Fill in that person's full name on the line above "Respondent".

C. Leave the "Civil Action File Number" blank. It will be filled in by the Clerk of Court when you file the Petition.

Paragraph 1: Venue

1. Check (a) if the opposing side lives in Fulton County.
2. Check (b) if the opposing side lives in Georgia but not in Fulton County. Enter the Respondent's county on the blank line.
3. Check (c) if the opposing party lives in another state, but you live in Fulton County and your original court order is a Georgia Superior Court Order.

Paragraph 2: Service

1. Check (a) if the opposing has signed an Acknowledgment of Service, Waiver of Venue form.
2. Check (b) if the opposing side will need to be served by a sheriff. Enter the opposing side's address on the blank lines.

Paragraph 3: Prior Order

1. In the first blank insert the date of the original child support order.
2. In the second blank insert the county in Georgia where you got your child support order, in the third blank write the State ("Georgia").
3. In the fourth blank insert the Civil Action File Number from your original child support order.
4. In the fifth blank, insert which party was to receive child support under the original child

support order. *(You are the Petitioner and the other person is the Respondent.)*

5. In the sixth blank, insert the amount of the original child support order. In the next blank write whether it is per “week”, “two weeks”, “twice per month”, or “month”.

In the next section,

Check (a) if there has been a significant change in your income or the income of the other parent. Check the boxes to say whether it is the Petitioner’s or the Respondent’s income that has changed and enter the information on the blanks to show what the income was and then what is has changed to currently.

Check (b) if there has been a significant change in the financial needs of the child. Explain the change in the blank lines.

Paragraph 4: Prior Order for Alimony (skip this section if you are not modifying an alimony order)

1. In the first blank insert the date of the original alimony order.
2. In the second blank insert the county in Georgia where you got your alimony order, in the third blank write the State (“Georgia”).
3. In the fourth blank insert the Civil Action File Number from your original alimony order.
4. In the fifth blank, insert which party was to receive alimony under the original order. *(You are the Petitioner and the other person is the Respondent.)*
5. In the sixth blank, insert the amount of the original alimony order. In the next blank write whether it is per “week”, “two weeks”, “twice per month”, or “month”.

In the next section,

Check (a) if there has been a significant change in your income or the income of the other party. Check the boxes to say whether it is the Petitioner’s or the Respondent’s income that has changed and enter the information on the blanks to show what the income was before and then what is has changed to currently.

Check (b) if the other party is living with someone in a romantic relationship.

Paragraph 5: No Modifications in the Last Two Years

Read and confirm that this statement is true. If it is not true, cross it out.

Request for Relief:

Check all of the boxes that apply to you. Check the spaces to show whether you want an increase or decrease or termination of payments.

Write the date you finish the form and sign your name. Print or type your name, address, telephone number and email where shown.

STEP 2. The **Verification** form tells the Court that you swear, under oath, that what you wrote or put in the Petition is true and correct.

- A. Print or type your full name above the word “Petitioner”.
 - B. Print or type the full name of the person who is the opposing party above the word “Respondent”.
 - C. Print or type your full name on the first line.
 - D. Where it says: This _____ day of _____, 20___, fill in the date, month, and year where indicated.
 - E. Print or type your full name where indicated, and fill in your address, telephone number, and email.
- DO NOT SIGN THIS YET. YOU MUST SIGN IT ONLY IN FRONT OF A NOTARY PUBLIC and get a notary seal below your signature.**

STEP 3: Fill the **Summons** forms.

STEP 4: Complete the **Sheriff’s Entry of Service**. This form is used by the sheriff when he/she serves a copy of these papers on the Respondent. You must fill out one of these.

- A. Write your address under “Attorney’s Address” on the left side.
- B. Put the opposing side’s full name and address under “Name and Address of Party to be Served”.
- C. On the right side, put your full name on the line above “Petitioner” or “Plaintiff”.
- D. On the right side, put the opposing side’s full name on the line above “Respondent” or “Defendant”.

STEP 5: Make a copy of your original **Order** and attach it to your **Petition for Modification of Child Support**.

STEP 6: Complete the other court required forms such as the Domestic Relations Case Filing Information form, the Domestic Relations Affidavit, Automatic domestic Standing Order, and Poverty Affidavit / Affidavit of Indigence (if needed)

STEP 7: Put the papers together.

1. **Domestic Relations Case Filing Information Form** *(included in packet)*
2. **Petition for Modification of Child Support**
3. **Copy of Original Court Order for Child Support** *(attached to Petition as an Exhibit)*
4. **Verification**
5. **Summons** *(available from Fulton County Clerk’s Office or downloadable at <http://www.fultonclerk.org/285/Civil-Forms>)*
6. **Domestic Relations Financial Affidavit** *(available from FLIC Office)*
7. **Automatic Domestic Standing Order** *(included in packet)*
8. **Acknowledgment of Service** *(included in packet)* **OR Sheriff’s Entry of Service** *(available from Sheriff’s Department)*
9. **Poverty Affidavit** *(only if you are very low income and cannot afford to pay the filing & service fees. Available in FLIC Office)*

STEP 8 : (a) Follow the Superior Court Clerk’s instructions for e-filing. There are fees associated with filing this petition and with the Sheriff’s service. Please check with the Clerk to get fee information and e-filing instructions.