

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
Parentage & Support Branch**

PRINT PLAINTIFF'S NAME

PLAINTIFF/PETITIONER,

v.

PRINT DEFENDANT'S NAME

DEFENDANT/RESPONDENT.

Case No. _____

IV-d _____

Judge _____

**MOTION TO MODIFY CHILD SUPPORT ORDER
Does the Other Party Consent to this Motion? yes no**

I, _____, am the PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT in this case.
PRINT YOUR NAME

1. This Court is the proper place to decide my request to modify support.

2. A support order was entered in this case on _____.
PRINT DATE OF ORDER

3. That support order requires: [CHECK ALL THAT APPLY]

that _____ pay current child support in the amount of \$_____.
PRINT NAME OF PERSON PAYING

[CHECK ONE]

- Monthly
- Semi-monthly (twice each month)
- Bi-weekly (every two weeks)
- Weekly

that _____ pay past due child support in the amount of \$ _____.
PRINT NAME OF PERSON PAYING

[CHECK ONE]

- Monthly
- Semi-monthly (twice each month)
- Bi-weekly (every two weeks)
- Weekly

that the other party provide medical support in this way:

that I provide medical support in this way:

other:

4. The support order was entered for the following child(ren) that I have with the other party (through birth or adoption):

Child's Name	Current Address	Date of Birth	Gender

5. Since the support order was entered, there has been a substantial and material change in the needs of the child(ren) and/or in the noncustodial parent's ability to pay because
[CHECK ALL THAT APPLY]

I am no longer employed. I have not been employed since _____.
PRINT DATE

I am earning less now than I was earning when the child support order was entered.
My current employer is _____.
I now earn \$ _____ per _____.

I am currently disabled and unable to work.

I am currently incarcerated and I state the following about my incarceration:

INMATE ID NUMBER _____
CASE NAME AND NUMBER _____
COURT NAME AND LOCATION _____
PLACE OF INCARCERATION _____
START DATE _____
ANTICIPATED END DATE _____

I am currently supporting my other child(ren) (through birth or adoption):

living in my home

CHILD'S NAME

DATE OF BIRTH

through court-ordered child support payments:

CHILD'S NAME

DATE OF BIRTH

COURT NAME & CASE NUMBER

The other parent is earning more than s/he was earning when the support order was entered.

The child(ren)'s expenses have changed in this way: [EXPLAIN]

The following child(ren) is (are) not living with the other party: [PRINT CHILD(REN)'S NAME(S)]

The following child(ren) is (are) no longer living: [PRINT CHILD(REN)'S NAME(S)]

The following child(ren) is (are) over 21 years of age: [PRINT CHILD(REN)'S NAME(S)]

The following child(ren), although under 21 years of age, is (are) emancipated because of self-supporting employment, active military duty and/or marriage: [PRINT CHILD(REN)'S NAME(S)]

Application of the child support guideline to the current circumstances of the parents results in a presumptive child support order that varies from the current child support order by 15% or more.

There has been a change in the availability and/or cost of medical insurance for the child(ren).

Other:

6. I state the following about Temporary Assistance to Needy Families (TANF): [CHECK ONE]

I am I am not currently receiving Temporary Assistance to Needy Families (TANF).

7. I state the following about Medicaid and/or DC HealthCare Alliance: [CHECK ONE]

I am I am not currently receiving Medicaid and/or DC HealthCare Alliance.

Request for Relief

I RESPECTFULLY REQUEST that the Court [CHECK ALL THAT APPLY]:

- Hold a hearing on this Motion within 45 days of filing and issue a Notice of Hearing and Order Directing Appearance (“NOHODA”) to the other party with the date and time of the hearing.
- DECREASE the child and/or medical support order according to the Child Support Guideline of the District of Columbia.
- INCREASE the child and/or medical support order according to the Child Support Guideline of the District of Columbia.
- SUSPEND the child and/or medical support order for a specific period of time.
- TERMINATE the child and/or medical support order.
- Other:

I ALSO REQUEST that the Court award any other relief it considers fair and proper.

I declare under penalty of perjury that the foregoing is true and correct.

If this document is to be signed outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States, additional requirements must be met prior to signing. See Super. Ct. Dom. Rel. R. 2(c)(1)(B).

SIGN YOUR NAME

DATE

PRINT YOUR NAME

PHONE NUMBER

HOME ADDRESS 1

EMAIL ADDRESS

HOME ADDRESS 2

SUBSTITUTE ADDRESS: CHECK BOX IF YOU HAVE WRITTEN SOMEONE ELSE’S ADDRESS BECAUSE YOU FEAR HARASSMENT OR HARM.

**POINTS AND AUTHORITIES IN SUPPORT OF
MOTION TO MODIFY CHILD SUPPORT ORDER**

In support of this Motion, I respectfully refer the Court to:

1. D.C. SCR-Dom. Rel. R. 7(b) (2009).
2. D.C. Code §§ 16-916.01(r), 16-916.01(t) and 46-204(a) (2009).
3. The record in this case.
4. The attached supporting document(s), *if any*.

[LIST ANY DOCUMENTS THAT YOU ARE ATTACHING]

Service of Your Complaint: Domestic Relations Rule 4

You start a case by filing papers called a **complaint** at the **Family Court Central Intake Center**. When you file a **complaint**, the Family Court Central Intake Center will give you a **summons**. A **summons** is a paper that you must give to the person you are filing against. The person you file against is called an **opposing party** or other **party**. You must make sure that the **opposing party** gets a copy of the **summons** and your **complaint** and any orders. This is called **service of your complaint**. You cannot give the papers to the **opposing party** yourself; someone else must give them to the **opposing party**. **The chart below gives instructions on how to serve the complaint and summons.**

After you make sure that someone else gives the papers to the other party, you must prove to the Court that you did this. You can prove this to the Court by filing an **Affidavit of Service** form. **You must serve the papers and file an Affidavit of Service form within 60 days after you file your complaint.** If you have questions about serving these documents, go to the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

Remember to always keep a copy of the papers for yourself. And, you may need to make more copies to serve the other party in a different way.

Below are the ways you can serve your complaint and summons and prove to the Court that you did it. All of the forms discussed below can be found at the **Family Court Self Help Center** at DC Superior Court or at www.LawHelp.org/DC.

Type of Service	Proof of Service
<p>Have someone who is over 18 years old and not a party to the case (NOT you):</p> <ul style="list-style-type: none"> • Hand a copy of the papers to the other party; or • Leave a copy of the papers at the other party’s home with a person of suitable age and discretion who lives there (someone who you think is old enough or responsible enough to give the papers to the other party). 	<ul style="list-style-type: none"> • The person who served the papers must fill out an Affidavit of Service by Individual. • The completed Affidavit must be filed at the Family Court Central Intake Center.
<p>Mail a copy of the papers to the other party by certified mail, return receipt requested.</p> <ul style="list-style-type: none"> • Send a copy of the papers to the other party’s home. • You can do this yourself at the post office. Someone else can do this for you too. 	<ul style="list-style-type: none"> • Keep the return receipt (“green card”) if it comes back to you; • Fill out an Affidavit of Service by Certified Mail; and • File the completed Affidavit with the return receipt attached at the Family Court Central Intake Center. • Note: If you do not receive a return receipt or it comes back saying your papers cannot be delivered, you will need to serve the papers a different way.

Mail the papers to the other party by first class mail (postage prepaid) and include:

- An envelope addressed to you with a stamp on it (so that the other party can mail the Court's **Notice and Acknowledgement form** back to you); and
- Two (2) copies of the Court's **Notice and Acknowledgment form** (one for the other party to keep and one for you).

- The signed **Notice and Acknowledgement form** is the proof of service.
- The other party has 21 days from the date the letter is mailed to sign and return the Notice and Acknowledgement form to you.
- If the other party returns the completed form, file the completed **Notice and Acknowledgement form** at the **Family Court Central Intake Center**.
- **Note:** If the other party does not return the form, you will need to serve the papers in a different way. If this happens, you can ask the Court to order the other party to pay you back any money you spend serving the papers in another way.

If you are asking for child support or to establish parentage of a child, the **Family Court Central Intake Center** will issue you a Notice of Hearing and Order Directing Appearance (also called a NOHODA). There are special instructions for serving a NOHODA, these can be found at the Family Court Self Help Center and online at www.ProBono.center/NOHODAIstructions

If you need more than 60 days to serve the papers, you can ask the judge to give you more time. You can ask for more time by filing a **Motion for Additional Time to Serve**. You must ask for more time to serve and a new summons before the first summons expires. If you do not do this, the **Family Court Central Intake Center** may dismiss your **complaint**. You can get a **Motion for Additional Time to Serve** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

If you tried but were not able to serve the other party or parties using any of the methods above, you can ask the judge to let you serve the parties in a different way by filing a **Motion for Alternative Service**. You can get a **Motion for Alternative Service** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.