

## Procedures: What to do after you have completed the “*Petition to Modify Child Support*” – Standard process

1. After you have completed the “Petition to Modify”, complete the:
  - “*Affidavit of Financial Information (AFI)*.” There are two AFI included this packet. Fill out one and leave the blank copy for the other party to complete.
  - “*Current Employer Information Sheet*”
  - Attach to the Petition the “*Child Support Worksheet*” that supports your existing child support order.
  
2. Make three (3) copies (4, IF DES/DCSE is involved\*) of the:
  - “*Petition to Modify Child Support*” – Standard Process, with the attached “*Child Support Worksheet*” from Order you wish to modify
  - “*Affidavit of Financial Information*” (completed by you)
  
3. Separate your papers into 4 sets (5, if DES / DCSE is involved).

Set 1 - Originals for Clerk of Superior Court <ul style="list-style-type: none"> <li>• “<i>Petition to Modify</i>” with attached “<i>Child Support Worksheet</i>” from order you wish to change</li> <li>• “<i>Affidavit of Financial Information</i>”</li> <li>• “<i>Current Employer Information Sheet</i>”</li> </ul>	SET 2 - For Family Department <ul style="list-style-type: none"> <li>• “<i>Petition to Modify</i>” with attached “<i>Child Support Worksheet</i>” from order you wish to change (copies)</li> <li>• “<i>Affidavit of Financial Information</i>”</li> </ul>
SET 3 - Copies for other party <ul style="list-style-type: none"> <li>• “<i>Petition to Modify</i>” with attached “<i>Child Support Worksheet</i>” from order you wish to change</li> <li>• “<i>Affidavit of Financial Information</i>” **</li> </ul>	SET 4 - Copies for you <ul style="list-style-type: none"> <li>• “<i>Petition to Modify</i>” with attached “<i>Child Support Worksheet</i>” from order you wish to change</li> <li>• “<i>Affidavit of Financial Information</i>”</li> </ul>
SET 5 - Copies for the Attorney General (“the AG”) (only if DES or DCSE is involved) * <ul style="list-style-type: none"> <li>▪ “<i>Petition to Modify</i>” with attached “<i>Child Support Worksheet</i>” from order you wish to change</li> <li>▪ “<i>Affidavit of Financial Information</i>”</li> </ul>	

\* For more information on when and how to serve notice on the AG, see (7) on next page.

\*\* Add a *blank* AFI to the set of papers served on the other party as stated in (7) on next page.

4. File the papers at the Court:

Go to the Clerk of Superior Court’s filing counter: Hand the originals and all sets of copies to the Clerk. The Clerk of Superior Court will keep the originals, stamp and return the extra copies to you. The stamp shows they are copies of papers filed with the Court (and are now called "conformed" copies).

You may file your papers from 8am to 5pm, Monday through Friday, at these 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 40<sup>th</sup> 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, or money order made payable to the "Clerk of Superior Court" are acceptable forms of payment. A list of current fees is available from the Law Library Resource Center website or from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

5. Go to the Family Department

Central Court Building  
201 West Jefferson, 3rd floor  
Phoenix, Arizona 85003

Southeast Court Complex  
222 East Javelina Avenue, Suite 1300  
Mesa, Arizona  
85210

Northwest Court Complex  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

Northeast Court Complex  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

Deliver set 2 of the Clerk-stamped copies and pick up an "Order to Appear."

6. The Family Department will schedule a conference and hearing. You and the other party will meet with a conference officer to talk about the case to try to reach agreement. For those matters on which you are unable to reach full agreement, a hearing will be held just after your conference to decide the case.

The date, time, and location of the conference/hearing are on the "Order to Appear." Make 1 copy of the "Order to Appear," or if the State of Arizona is involved, make 2.

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 as described in 7, below

7. Serve the papers on the other party (or parties): You must arrange for service of the papers on the other party (or parties). You must make good faith efforts to complete service promptly and within 10 days after receipt of the issued "Order to Appear." You must complete service no later than 20 days before the hearing

- Serve the original "Order to Appear" along with Set 3 of the other papers *on the other party*, and include a blank AFI for the other party to fill out.
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- The papers may be delivered by the Sheriff's Department, a licensed private process server, commercial delivery service or mail by which you can obtain an original or copy of the other party's signature confirming delivery, or by "Acceptance of Service" as described in the "SERVICE" packet available from the Law Library Resource Center or its website.

If DES or DCSE is involved:

- Serve a copy of the *Order to Appear* along with Set 5 of the other papers *on the Attorney General's Office*.
- NOTE: You must keep the AG's office informed. You cannot complete this change to child support without the AG's approval and signature on the Final Court Order.

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 Attorney General (the "AG") assigned to your case\*:
- a copy of the "*Petition to Modify*," your "*Affidavit of Financial Information*" along with
  - an "*Acceptance of Service*" AND
  - a self-addressed, stamped envelope (*addressed back to you*).
- (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 of Superior Court at the filing counter, *OR*
- (c) You may mail the documents and the self-addressed stamped envelope to:

Office of the Attorney General  
Child Support Services Section  
2005 N. Central Avenue – Mail Drop 7611  
Phoenix, AZ 85004-2926

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

8. Go to the court conference/hearing. Be on time. Do not bring children to court. Dress neatly. Be prepared to tell the Judge why the court order should be changed. Bring the following to the hearing:
- A copy of the "*Petition to Modify Child Support*" with attached "*Child Support Worksheet*" from order you wish to change
  - An "*Affidavit of Financial Information*" completed by you