

This is a private record.

This is a Tier 2 case.

My Name

Address

City, State, Zip

Phone

Email

I am the Petitioner
 Respondent
 Attorney for the Petitioner Respondent and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

	Petition to Modify Child Support
_____ Petitioner	_____ Case Number
V.	_____ Judge
_____ Respondent	_____ Commissioner

Instructions:

- You must complete this form before you file it. The judicial services representative cannot complete this form for you. Use the Checklist to help you understand and complete this form.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Attach:

- Additional pages as needed to complete paragraphs that don't have enough space. Write the paragraph number on the additional page.
- Any documents referred to in this document.
- Non-Public Information Form, more fully describing any non-public information referred to in this document.
- Cover Sheet
- Summons
- The controlling child support order to be modified
- Non-public Information – Parent Information and Location
- Non-public Information – Minors
- Non-public Information – Safeguarded Address (if applicable)
- Affidavit about Child Support Services
- Notice to Child Support Division of the Attorney General (if applicable)
- Child Support Worksheet
- Other attachments described in this document if they are applicable (Insurance Premium and Child Care Adjustment Worksheet, Consent to Jurisdiction, Stipulation to Enter Judgment)
- Proposed Findings of Fact, Conclusions of Law and Order Modifying Child Support (if Stipulation to Enter Judgment is also being filed)

I swear or affirm that the following is true.

(1) Controlling order. The order controlling child support is:

Title of order:			
Name of Court:		State	
Address of Clerk of Court:		Phone Number of Clerk of Court:	
Case Number:		Case Name	
Date Signed:		Signed by Judge:	
Payor:	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Monthly Amount	\$

(2) Jurisdiction

- (A) The controlling order was entered by a court or agency in _____ (state).
- (B) The controlling order: (Check one.)
 has not been changed.
 was last changed by a court or agency in _____ (state).
- (C) If the controlling order was entered or last changed by a court or agency in another state, has it been registered and confirmed in Utah? (Applies only if the controlling order was entered or last changed by a court of another state.)
 Yes No Does not apply
- (D) I reside in _____ (state).
- (E) The other party resides in _____ (state).
- (F) The children reside in _____ (state).
- (G) Do petitioner and respondent consent to have the Utah district court modify the controlling order that was entered or last changed by a Utah court? (Applies only if the controlling order was entered or last changed by a Utah court, and petitioner, respondent and the children do not reside in Utah.)
 Yes (Attach the consent.) No Does not apply
- (H) Do petitioner and respondent consent to have the Utah district court modify the controlling order that was entered or last changed by a court of a state other than Utah? (Applies only if the controlling order was entered or last changed by a court of a state other than Utah, petitioner and respondent do not reside in Utah, and
 the children reside in Utah, or
 Utah has personal jurisdiction over at least one party.)
 Yes (Attach the consent and file it in the court in which the order was entered or last changed.) No Does not apply
- (I) Utah can exercise personal jurisdiction over any non-resident individual in this action or the individual's guardian or conservator because:
 (At least one must apply, but check all that do apply.)
 the individual has been personally served with notice within Utah; or

- the individual submits to the jurisdiction of Utah by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction; or
- the individual resided with the children in Utah; or
- the individual resided in Utah and provided prenatal expenses or child support; or
- the children reside in Utah as a result of the acts or directives of the individual; or
- the individual engaged in sexual intercourse in Utah and the child may have been conceived by that act of intercourse; or
- the individual asserted parentage in the putative father registry maintained in Utah by the state registrar of vital records in the Department of Health; or
- there is a basis for the exercise of personal jurisdiction consistent with the Utah Constitution and the United States Constitution.

(3) Relationship to children. I am the: (Check all that apply.)

- payor (person who pays child support)
 - payee (person who receives child support);
- and the
- mother of
 - father of
 - legal guardian, conservator or custodian of
- the children more fully described in the attached Non-public Information Form.

(Grounds (reasons) to modify child support: Paragraphs (4), through (8) are separate grounds to modify child support. At least one Paragraph must apply, but more than one might apply. Check all that do apply. Note that some Paragraphs have conditions that are in the alternative and some conditions that are combined.)

(4) **Grounds to modify.** The controlling child support order should be modified because _____ (child's name) is emancipated.

(5) **Grounds to modify.** The controlling child support order should be modified because there has been a material change: (At least one must apply, but check all that do apply.)

- in the availability, coverage, or reasonableness of cost of health care insurance of the payor payee; and/or
- in work-related or education-related child care expenses of the payor payee. (Attach Insurance Premium and Child Care Adjustment Worksheet.)

(6) **Grounds to modify.** The controlling child support order should be modified because: (All must apply.)

- it has not been modified within the last three years; and
- there is a difference of 10% or more between the support amount as ordered and the support amount as required under the guidelines; and
- the difference is not temporary.

(7) **Grounds to modify.** The controlling child support order should be modified because there has been a material change: (At least one must apply, but check all that do apply.)

- in custody; or
- in the relative wealth or assets of the parties; or
- of 30% or more in the income of a parent; or
- in the employment potential and ability of a parent to earn; or
- in the medical needs of the child; or
- in the legal responsibilities of a parent for the support of others.

The material changes described in this Paragraph result in a difference of 15% or more between the support amount as ordered and the support amount as required under the guidelines. The difference is not temporary.

(8) **Change in child tax exemption award.** The controlling order awards the child tax exemption to petitioner respondent under the following terms:

The controlling order should be modified so that petitioner respondent is awarded the child tax exemption under the following terms:

The payor has no child support arrears, and the change in the award of the tax exemption will result in a tax benefit to the parent awarded the exemption.

(9) Child Support Guidelines. The modified child support is based on our income or is imputed based on our work history. (Attach the Child Support Worksheet that you used and, if applicable, the Insurance Premium and Child Care Adjustment Worksheet.)

(A) The requested child support amount is consistent with the guidelines.

OR

(B) The amount of child support requested is **not** consistent with the guidelines because complying with a provision of the guidelines or ordering an award amount resulting from use of the guidelines would be unjust, inappropriate, or not in the best interest of the child after considering: (Check all that apply.)

- the standard of living and situation of the parties;
- the relative wealth and income of the parties;
- the payor's ability to earn;
- the payee's ability to earn;
- an incapacitated adult child's ability to earn;
- benefits received by or on behalf of an incapacitated adult child;
- the needs of the payee, the payor, and the children;
- the ages of the parties;
- the responsibilities of the payor and the payee for the support of others.

- (10) **Request for change in monthly child support payment.** Therefore, I request that the court order that petitioner respondent pay \$_____ each month to support our children.
- (11) **Costs and attorney fees.** I request that the other party pay my costs and attorney fees because, without this payment, I would be unable to bring this action.
- (12) **Stipulation.** The other party has stipulated to the requested child support amount. (Attach Stipulation to Enter Judgment.)
- (13) **Remainder of order unchanged.** The remainder of the order described in Paragraph (1) should remain unchanged.

_____ Sign here ► _____
 Date
 Typed or Printed Name _____

I certify that _____, who is known to me or who presented satisfactory identification, has, while in my presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

_____ Sign here ► _____
 Date
 Typed or printed name (Court Clerk or Notary Public) _____
 Notary Seal