

**INFORMATION CONCERNING FILING OBJECTIONS
AND REBUTTAL IN A PROCEEDING BEFORE A HEARING EXAMINER**

You have received a copy of an Order of Support signed by the Family Court Hearing Examiner and the findings of fact upon which the order is based. **THIS ORDER MUST BE OBEYED.**

Either person has the right to file specific written objections to this order. Objections must be filed with the Family Court Clerk within **thirty (30) days** of the date the order was received in court or personally served, or, if the order was received by mail, within **thirty-five (35) days** from the date this order was mailed. The objections will then be reviewed by the Family Court Judge. Even though the objection has been filed, the amount of support ordered by the Hearing Examiner **MUST** continue to be paid unless and until the Judge signs a different order.

PROCEDURE FOR FILING OBJECTIONS:

1. The objection must be in writing and contain the name, file number and docket number of the case.
2. The reason for your objections and the parts of the order objected to must be clearly stated.
3. The opposing person must be served with a copy of the objection, either in person or by mail, and an "Affidavit of Service" must be completed. (See form on back of this sheet).
4. The **original** of the objections and the Affidavit of Service must be filed with the Clerk of the Court within **thirty (30) days** of the date the order was received in Court or personally served or, if the order was received by mail, within **thirty-five (35) days** of the mailing of the Order.
5. A transcript of any hearing held will not be necessary unless the Judge requires it. If so, the Family Court Clerk will provide information necessary to obtain a transcript. The person filing the objection must pay for the cost of the transcript.
6. If an objecting person cannot afford to pay for the transcripts, when required by a Judge, the Family Court Clerk will provide information for obtaining the transcripts without charge.
7. The person served with the objections has a right to file a rebuttal. A rebuttal is an answer to the objections.

PROCEDURE FOR FILING A REBUTTAL:

1. A rebuttal to objections must be in writing and contain the name, file number and docket number of the case.
2. The rebuttal must state the date the objections were received, the specific objections being answered, and the reason for the rebuttal.
3. The opposing person must be served with a copy of the rebuttal, either in person or by mail within **thirteen (13) days** after receipt of the objection, and an "Affidavit of Service" must be completed. (See form on the back of this sheet).
4. The **original** copy of the rebuttal and the Affidavit of Service must be filed with the Family Court Clerk within the **thirteen (13) day's** period.

AFFIDAVIT OF SERVICE BY MAIL

CASE NAME: _____ Petitioner, vs.
_____, Respondent.

DOCKET NO. _____ **FILE NO.** _____

ORDER ENTERED _____ **(Date)**

State of New York)
County of Chemung) ss:

I, _____, being duly sworn, depose and say that I am over 18 years of age, and that I reside at _____

Deponent affirms that on _____ deponent served a copy of the within **OBJECTIONS/REBUTTAL** to the order entered, in this matter upon the following persons at the addresses stated below, by depositing the same in a postpaid, properly addressed envelope, in a post office or official depository under the exclusive care and custody of the United State Postal Service, within the State of New York as follows:

1. Name _____

Address _____

2. Name _____

Address _____

3. Name _____

Address _____

4. Name _____

Address _____

Date: _____

Signature of Person Mailing Objections or Rebuttal

Subscribed and sworn to before me this
_____ day of _____, 19

Notary Public