

**FAMILY COURT
OF THE STATE OF NEW YORK
COUNTY OF _____**

In the Matter of

_____, **PETITIONER**

FIRST M.I. LAST

Address: _____

Phone # H: () - W: () -

C: () -

Docket #: _____

Family File #: _____

**PETITION FOR VIOLATION OF
COURT ORDER:**

- CHILD SUPPORT**
- SPOUSAL SUPPORT**
- OTHER** _____

-AGAINST-

_____, **RESPONDENT**

FIRST M.I. LAST

Address: _____

Phone # H: () - W: () -

C: () -

WARNING: THE PURPOSE OF THE HEARING REQUESTED IN THIS PETITION MAY INCLUDE A REQUEST TO PUNISH THE RESPONDENT FOR CONTEMPT OF COURT, WHICH MAY INCLUDE SANCTIONS OF A FINE OR IMPRISONMENT OR BOTH. YOUR FAILURE TO APPEAR IN COURT MAY RESULT IN YOUR IMMEDIATE ARREST AND IMPRISONMENT FOR CONTEMPT OF COURT.

THE PETITIONER, BEING DULY SWORN, STATES THAT:

1. Respondent is: my spouse my former spouse my parent
 we have a child in common other _____

2. The relationship of each party to the child(ren) named below is:

	<u>Mother</u>	<u>Father</u>	<u>Other</u>
Petitioner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Respondent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

3. The children who are the subjects of this proceeding are:

<u>NAME</u>	<u>LIVES WITH</u>	<u>DOB</u>
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____

4. In the original proceeding, which resulted in this Order, I was the Petitioner Respondent.

5. By order of this Court, dated _____, Respondent was directed to:

6. The Respondent willfully violated the Order of this Court by the following actions. ***(Be specific and include date, time and place, if relevant.)***

I ask leave to amend this petition to include any arrears which may accrue up to the date of the hearing.

7. I have have not applied to any other court alleging the same violation alleged here. If so, state the court, date and outcome.

8. Check the box that applies to you:
- I have applied for child support services with the _____ County Department of Social Services.
 - I am applying for child support enforcement services by filing this petition.
 - I do not wish to apply for child support services.
 - I am not eligible for child support enforcement services because only spousal support is sought.

WHEREFORE, I request that the Respondent be found to be in contempt of court and dealt with in accordance with applicable provisions of the law.

Dated: _____

Petitioner's Signature

Print Name

Attorney's Signature (if applicable)

Print Attorney's Name (if applicable)

VERIFICATION

STATE OF NEW YORK)
COUNTY OF)

The Petitioner herein, being duly sworn, states: I have read this petition and its contents are true to my own knowledge, except to matters alleged to be on information and belief and, as to those matters, I believe them to be true.

Petitioner's Signature

Subscribed and Sworn to before me
on _____.

(Deputy) Clerk of the Court,
Notary Public or Comm. of Deeds

NOTICE

(1) COST OF LIVING ADJUSTMENT: A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS APPLICATION (PETITION) SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY THE COURT AND TO PRESENT EVIDENCE WHICH

THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHILD SUPPORT STANDARDS ACT.

(2) ADJUSTMENT FOR CHILDREN RECEIVING FAMILY ASSISTANCE: A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

(3) FAILURE TO NOTIFY SCU OF ADDRESS CHANGE: WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.