

F.C.A. §§ 440, 461, 466, 467,
S.S.L. § 111-g

Form 4-13
(Support - Petition for Enforcement
of Order Made by Another Court)
9/2007

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

In the Matter of a Proceeding for Support
Under Article 4 of the Family Court Act

Docket No.

(Commissioner of Social Services, Assignee
on behalf of _____, Assignor)

Petitioner,

S.S.#

**PETITION FOR ENFORCEMENT
OF AN ORDER OF SUPPORT MADE
BY ANOTHER COURT**

-against-

S.S. #

Respondent.

[Warning **REQUIRED** in petitions for contempt; delete or strike if inapplicable]:
 **WARNING: THE PURPOSE OF THE HEARING REQUESTED IN THIS
PETITION IS TO PUNISH THE PETITIONER 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.**

PETITIONER

(list information about yourself)

RESPONDENT

(list information about other party)

STREET: _____

STREET: _____

CITY/STATE: _____

CITY/STATE: _____

ZIP: _____ COUNTY: _____

ZIP: _____ COUNTY: _____

DOB: _____

DOB: _____

SEX: _____ RACE: _____

SEX: _____ RACE: _____

WGT: _____ HGT: _____

WGT: _____ HGT: _____

EYE COLOR: _____ HAIR COLOR: _____

EYE COLOR: _____ HAIR COLOR: _____

TEL: _____

TEL: _____

EMP: _____

EMP: _____

ATTY: _____

ATTY: _____

TO THE FAMILY COURT:

The Petitioner respectfully alleges that:

1. Petitioner is _____ and was the _____
in an action brought in the Supreme Court of the State of New York, _____ County
 Other court [specify]: _____) entitled _____,
Index No. _____ and the Respondent was the (specify party): _____ in
the action.

2. A judgment order, dated _____, _____, was made in that action
and the Respondent was directed to [specify]: _____

A true copy of the judgment order is attached and made a part of this Petition.

3. The names, addresses,¹ dates of birth, and social security numbers of all child(ren) affected
by this order are:

<u>Names</u>	<u>Address</u>	<u>Date of Birth</u>	<u>Social Security #</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

¹ Unless ordered confidential, pursuant to Family Court Act §154-b, because of a risk that disclosure would place the health, safety or liberty of the child at risk.

.[Check applicable box(es)]:]

4. Under the terms of the judgment order, the Supreme Court _____
 other court [specify]: _____ has has not retained exclusive jurisdiction to modify
the judgment order.

The other court is a court of competent jurisdiction outside the State of New York .

5. (Upon information and belief) Respondent has failed to comply with the order of the
 Supreme Court _____ other court [specify]: _____ in that [specify
provision(s) of order alleged to be violated and nature of violation(s)]: _____

[Check if applicable]: Respondent's failure to comply was willful.

6. No previous application has been made to any court or judge for the relief requested in this
Petition (except [specify]:

7. Petitioner: [check applicable box]:

has applied for child support services with the local Department of Social Services.

now applies for child support enforcement services by the filing of this petition.

does not wish to make application for child support services.

is not eligible for child support enforcement services). [Petitioners seeking only spousal
support are ineligible.]

8. The last order of support was was not payable through the Support Collection Unit.

WHEREFORE, Petitioner requests that the Respondent be dealt with in accordance with
Article 4 of the Family Court Act.

NOTE:² (1) 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

² Not applicable to out-of-state orders entered in New York State for enforcement
purposes only.

SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR 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) 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 TWENTY-FOUR 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) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS TO WHICH AN ADJUSTED ORDER CAN BE SENT, AS REQUIRED BY SECTION 443 OF THE FAMILY COURT ACT. 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.

Date:

Petitioner

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address & Telephone Number

