

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF

.....

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)

PETITION FOR  
MODIFICATION OF AN ORDER  
OF SUPPORT MADE BY  
 FAMILY COURT  
 ANOTHER COURT

Petitioner,

S.S. # (Assignor)

-against-

Respondent.

S.S. #

.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

- 1. a. Petitioner, [check box]:  an individual, is related to the child(ren) as follows [specify]:  
and resides at [specify]:<sup>1</sup>  
 assignee agency, has its place of business at [specify]:
- b. Respondent resides at [specify]:<sup>2</sup>

2. Petitioner is \_\_\_\_\_ and was the \_\_\_\_\_ in an action  
instituted in the  Supreme Court of the State of New York, \_\_\_\_\_ County  [specify other  
court]: \_\_\_\_\_ Court of \_\_\_\_\_ entitled  
Index No. \_\_\_\_\_, and the Respondent was the \_\_\_\_\_ in the action.  
[Delete if inapplicable]:

3.a. A  judgment  order, dated \_\_\_\_\_, was entered in the action directing the

<sup>1</sup> Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at [www.nycourts.gov](http://www.nycourts.gov)).

<sup>2</sup> Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at [www.nycourts.gov](http://www.nycourts.gov)).

Respondent  Petitioner to [specify terms]:

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

b. An order of support dated \_\_\_\_\_, was entered directing the  Respondent  Petitioner to [specify terms]:

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

4. The names, addresses, dates of birth and social security numbers of all children affected by this order are:

<u>Name</u>	<u>Address<sup>3</sup></u>	<u>Date of Birth</u>	<u>Social Security #</u>
-------------	----------------------------	----------------------	--------------------------

5. a. Under the terms of the  judgment  order, the  Supreme Court  Other Court [specify]: \_\_\_\_\_ has not retained exclusive jurisdiction to modify the  judgment  order.

b. [Check if applicable]:  The other Court is a court of competent jurisdiction outside the State of New York.

6. (Upon information and belief) Since the entry of the  judgment  order, there has been a change of circumstances in that [specify]: \_\_\_\_\_

7. Because of this change of circumstances, the  judgment  order should be modified as follows [specify]: \_\_\_\_\_

8. [Delete if inapplicable]: Petitioner failed to make an application earlier for relief from the  judgment  order directing payment prior to the accrual of arrears for the following reason(s) [specify]: \_\_\_\_\_

10. 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.]

11. Respondent  had  did not have a prior order of support that was payable through the Support Collection Unit.

<sup>3</sup> Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at [www.nycourts.gov](http://www.nycourts.gov)).

12. No previous application has been made to any judge or court, including a Native American tribunal, or is presently pending before any judge or court, for the relief requested in this petition (except

WHEREFORE, Petitioner respectfully requests that the  judgment  order of the  Supreme Court  Other Court [specify]: \_\_\_\_\_, dated \_\_\_\_\_, be modified as set forth above and for such other relief as the Court may deem just and proper.

NOTE: (1) 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 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, 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.

Dated: \_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Signature of Attorney, if any

\_\_\_\_\_  
Attorney's Name (Print or Type)

\_\_\_\_\_  
Attorney's Address and Telephone Number