

F.C.A. § 455; Art. 5-B

[NOTE: Personal Information Form 4-5/5-1d, containing social security numbers of parties and dependents, must be filed with this Petition]

Form 4-15

(Relief from Support Payments and Commitment )  
8/2010

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF

.....  
In the Matter of a Proceeding for Support  
under Article (4)(5-B) of the Family Court Act

Docket No.

(Commissioner of Social Services, Assignee,  
on behalf of \_\_\_\_\_, Assignor)  
Petitioner,

PETITION  
FOR RELIEF  
FROM SUPPORT  
PAYMENTS AND  
COMMITMENT

-against-

Respondent.

.....  
TO THE FAMILY COURT:

The undersigned

respectfully alleges that:

1. \_\_\_\_\_, was the Petitioner and that [specify]:  
was the Respondent in the above-entitled proceeding.

2. a. An Order of Support, dated [specify]: \_\_\_\_\_, was entered by the Family  
Court, \_\_\_\_\_ County.

b. [Delete if inapplicable]: An Order of Commitment, dated [specify]: \_\_\_\_\_,  
was entered by the Family Court, \_\_\_\_\_ County.

3. The name(s) and date(s) of birth of the child(ren) are:  
Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

4. (Upon information and belief) The Respondent is financially unable to comply with the Order of  
Support because [state facts]:

5. [Delete if inapplicable]: Respondent failed to make application from relief from the Order of  
Support because [state facts]:

6. 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 Respondent requests that  he she be relieved entirely partially from making any payment of the order of support and from the order of commitment and for such other and further relief as the Court may deem just and proper.

NOTE: (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 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.

\_\_\_\_\_  
Petitioner

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

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

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

\_\_\_\_\_

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