

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....

In the Matter of a Paternity Proceeding

Docket No.

Petitioner,

PATERNITY
PETITION
(Parent)

-against-

Respondent

.....

PETITIONER

RESPONDENT

(list information about yourself)

(list information about other party)

STREET: _____ **STREET:** _____

CITY/STATE: _____ **CITY/STATE:** _____

ZIP: _____ **COUNTY:** _____ **ZIP:** _____ **COUNTY:** _____

DOB: _____ **DOB:** _____

SEX: _____ **RACE:** _____ **SEX:** _____ **RACE:** _____

SS#: _____ **SS#:** _____

WGT: _____ **HGT:** _____ **WGT:** _____ **HGT:** _____

HAIR COLOR: _____ **EYE COLOR:** _____ **HAIR COLOR:** _____ **EYE COLOR:** _____

TEL: _____ **TEL:** _____

EMP: _____ **EMP:** _____

ATY: _____ **ATY:** _____

TO THE FAMILY COURT:

The undersigned petitioner respectfully shows that:

1. Petitioner had sexual intercourse with the above-named Respondent during a period of time beginning on or about the ____ day of _____, _____, and ending on or about the ____ day of _____, _____, and as a result thereof (Petitioner) (Respondent) became pregnant.

[Alternative allegations; delete inapplicable provisions]:

3. (a) (Petitioner) (Respondent) gave birth to a (male) (female) child out of wedlock on the ____ day of _____, _____.

(b) (Petitioner) (Respondent) is now pregnant with a child who is likely to be born out of wedlock.

4. (Petitioner) (Respondent) is the father of the child

5. At the time of conception of the child, the mother (was not married) (was married to [name] _____, whose last known address is: _____).

6. (Petitioner) (Respondent) (has acknowledged) (acknowledges) paternity of the child (in writing) (and) (by furnishing support).

7. The name, date of birth and social security number of the child involved is:

<u>Name</u>	<u>Date of birth</u>	<u>Social Security #</u>
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8. No previous application has been made to any court or judge for the relief herein requested (except

9. Petitioner: [alternative allegations, delete inapplicable clauses]

- (a: has made application for child support services with the local Department of Social Services).
- (b: hereby makes application for child support enforcement services by the filing of this petition).
- (c: does not wish to make application for child support services).
- (d: is the non-custodial parent of the subject child).

10. The subject child (is)(is not) a Native American child subject to the Indian Child Welfare Act

of 1978 (25 U.S.C. §§ 1901-1963).

11. Pursuant to F.C.A §§ 545, upon the entry of an Order of Filiation, the Court shall, upon application of either party, enter an order of support for the subject child.

WHEREFORE, Petitioner requests that this Court issue a summons or warrant requiring the Respondent to show cause why the Court should not enter a declaration of paternity, an order of support and such other and further relief as may be appropriate under the circumstances.

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

Dated: _____ , _____ .

