

Upon your appearance on the return date of the summons you **must be prepared to proceed to conclusion of this case**. You must provide the court with proof of your income and assets.

You must provide to the court the following documents on that date:

- **Notarized original and two copies** of the enclosed financial disclosure form.
- **Two copies** of current and representative pay stubs.
- **Two copies** of your most recently filed state and federal income tax return including copies of your W-2 wage and tax statement(s).
- **Two copies** of social security, pension, unemployment, workers compensation or other award letters if applicable.

Note: you may also be required to provide past pay stubs, income tax returns, employer statements, corporate, business or partnership books, records, corporate and business income tax returns, receipts for expenses or such measures of verification as the court deems appropriate.

You have the right to bring an attorney or you may represent yourself. **Under limited circumstances**, the court may consider appointing counsel **after** the first court appearance.

You have the right, through an attorney or by yourself, to present evidence both by testimony and the submission of documentation. The Support Magistrate will decide what may be considered and entered as evidence.

You may qualify to testify by telephone, audio-visual or other electronic means [FCA433(c)].

To qualify you must either:

- Reside out of state.
- Reside in a New York State county not contiguous to Westchester County. The five counties of New York City are treated as one county for this purpose.
- Be incarcerated and not expect to be released within a reasonable period after the scheduled date.
- Prove you will suffer undue hardship by appearing in court.

If you wish to request permission to appear telephonically, you must submit form UIFSA-10, which you may obtain from any Family Court or on the Internet at www.courts.state.ny.us.

Special Notices

The Petitioner need not appear. Your petition may be based solely on the documents file! You may, however, choose to appear in person or you may contact the Support Collection Unit at (914-995-5781) to hire paid representation or you may appear electronically. If you wish to appear telephonically, mail or fax (914-995-8648/8649) UIFSA-10 to the court.

The Respondent must appear as directed on the summons. If the respondent fails to appear, a warrant may be issued for his/her arrest and/or an inquest may be taken granting the relief requested. If the respondent fails to submit the required financial disclosure documents as described above, an order may be entered which excludes that information. A temporary or permanent order will be made on the return date of this petition whether or not you appear.

Child Support Orders: State Law requires the Family Court to order the non-custodial parent to pay at least twenty-five dollars (\$25) per month in child support. However, if the non-custodial parent's income is below the poverty level as reported by the federal Department of Health and Human Services, that parent or his/her legal representative is allowed to tell the Family Court why (s)he should not be ordered to pay \$25 per month in child support. If you wish to tell the Family Court that you should be ordered to pay less than \$25 per month, you will need to tell the court that your income is below the poverty level, what your income consists of and the reasons why you think that you should be ordered to pay less than \$25. The Family Court will then decide the amount of your support order.

Paternity Petitions: If a denial to the paternity allegation is entered, both parties and the child will be required to submit to genetic screening. The tests may be performed on the return date of the summons/notice. Please bring with you two forms of identification (one of which must contain a photo). You may be required to pay the cost of testing.