

## How to

# Respond to a Petition for Child Support Modification

### Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court  
516 3<sup>rd</sup> Ave, Room W-382  
Seattle, WA 98104

Maleng Regional Justice Center  
401 4<sup>th</sup> Ave North, Room 3D  
Kent, WA 98032

## Step 1: Determine your response deadline

20 days	If you were served in person in Washington state (or by mail).
60 days	If you were served in person outside of Washington state or by publication.

## Step 2: Fill out these forms

All of these forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Response to Petition to Modify Child Support Order</a>	FL Modify 502		<input type="checkbox"/>
<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets		<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>		Use this information to complete the Worksheets. Online Child Support Calculation software is available at <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home">https://fortress.wa.gov/dshs/dcs/SSGen/Home</a>	
<a href="#">Financial Declaration of (name): _____</a>	FL All Family 131		<input type="checkbox"/>
<a href="#">Sealed Financial Source Documents Coversheet</a>	FL All Family 011		<input type="checkbox"/>
Gather the necessary financial documents, including: <ul style="list-style-type: none"> <li>Your W-2s and complete personal tax returns for the past 2 years</li> <li>Your most recent pay stubs (at least 6 months)</li> <li>Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more</li> <li>Statements from all of your banks and financial institutions for the past 6 months</li> </ul> <i>Note:</i> The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.			

**Print these, but do not fill them out yet. You will need them later.**

Form Name	Form Number	Notes	Completed
<a href="#">Proof of Personal Service</a>	FL All Family 101	See step 4	<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery</a>	FL All Family 112	See step 4	<input type="checkbox"/>

### How many copies do I need?

- Original set to file with Clerk's office.
- Copy **1** is to serve the other party
- Copy **2** you will keep for your records
- Copy **3** will go to the Commissioner in your case
- Make a **4th** copy if the child(ren) in this case has ever received public assistance. Deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section

### Step 3: File the original forms from Step 2 with the Clerk's Office.

### Step 4: Have the other party served

You may deliver or mail documents yourself. If the other party has an attorney, deliver or mail the forms to the attorney instead. After you have delivered/mailed the forms to the other party or attorney, fill out the *Proof of Personal Service* or *Proof of Mailing or Hand Delivery* form. Make one copy of this form for your records and file the original with the Clerk's Office.

You have now responded to the Petition and must take the following additional steps.

### Step 5: Complete your Trial Memorandum and make 3 copies.

File your Trial Memorandum by the date on your case schedule using this form:

Form Name	Form Number	Notes	Completed
Declaration of (name): _____	FL All Family 135	Use it to explain what you are requesting and why. You may include information on your income and expenses as well as those of the other parent.	<input type="checkbox"/>

#### Copies:

- File the Original in the Clerk's Office
- Deliver copy 1 to the other parent
- Deliver copy 2 to the Commissioner (see Step 8)
- Keep copy 3 for your records
- Make a **4th** copy if the child(ren) in this case has ever received public assistance. Deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

### Step 6: Respond to other party's Trial Memorandum (optional).

File your Response to Trial Memorandum by the date on your case schedule using this form:

Declaration of (name): _____	FL All Family 135	Use this form to respond directly to the claims in the other party's Trial Memorandum.	<input type="checkbox"/>
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#### Copies:

- File the Original in the Clerk's Office
- Deliver copy 1 to the other parent
- Deliver copy 2 to the Commissioner (see Step 8)
- Keep copy 3 for your records
- Deliver copy 4 to the Prosecuting Attorney (if applicable)

## Step 7: Prepare Final Orders.

The next step is to fill out and sign the forms listed below.

**Write the word “proposed” in the upper right hand corner of each copy of the forms.**  
The deadline to deliver these forms is listed on your case schedule.

Form Name	Form Number	Notes	Completed
Final Order and Findings on Petition to Modify Child Support Order	FL Modify 510		<input type="checkbox"/>
Child Support Order	FL All Family 130		<input type="checkbox"/>
Child Support Worksheets	WSCSS-Worksheets		<input type="checkbox"/>

### Copies:

- Keep the Originals for yourself (do not file them, bring them with you to your trial)
- Deliver copy 1 to the other parent
- Deliver copy 2 to the Commissioner (see Step 8)
- Deliver copy 3 to the Prosecuting Attorney (if applicable)

## Step 8: Deliver the forms below (copy 2) to the commissioner.

If you have not already, now it's time to deliver Copy 2 of **all of the forms listed below to the Commissioner:**

- Response to Petition for Support Modification
- Financial Declaration
- Sealed Financial Source Documents Coversheet and financial documents
- Declaration (Trial Memorandum)
- Declaration (Response to Opposing Party's Trial Memorandum)
- Final Order and Finding on Petition to Modify Child Support Order (proposed)
- Child Support Order (proposed)
- Child Support Worksheets (proposed)

Copy the words below in the upper right hand corner on the first page only of the set of forms you are delivering to the Commissioner:

### Working Papers

Attn: Trial by Affidavit Coordinator

For: Trial by Affidavit (date of your trial): \_\_\_\_\_

Presented By: (your name): \_\_\_\_\_

Deliver them to the Judge's Mailroom (room 2D in Kent and room C203 in Seattle) by noon on the deadline listed on your case schedule.

## Step 9: Go to Your Trial

- Get there early! You will need time to go through security.
- Go to the courtroom listed on your *Case Schedule*. Tell the Clerk you are present.
- Take copies of all of your forms to your trial.
- Each side will have 10 minutes to speak to the court, including any counterarguments to what the other party says. Organize your papers, and practice what you want to say.
- You must give the Court your original Final Orders. If you want copies of the signed final orders the day of your trial tell the Clerk.