

SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED THE PETITION AND FORMS TO MODIFY AN “INCOME WITHHOLDING ORDER”

(When the Other Party Will Not Sign an Agreement to the Change)

STEP 1: MAKE TWO COPIES* (or 3, if the State (DES/DCSE) is involved) **OF THE:**

- “Petition to Modify Income Withholding Order” (“*Petition to Modify*”)

STEP 2: SEPARATE YOUR PAPERS INTO THREE SETS* (4, if DES/DCSE is involved)

Set 1 – ORIGINALS to file with the Clerk of Court “ <i>Petition to Modify</i> ” (1 original) “ <i>Current Employer Information Sheet</i> ” (1 original) +2 Self-Addressed, Stamped Envelopes: One Addressed to you; One Addressed to the Other Party	Set 2 – COPY for Other Party (1) “ <i>Petition to Modify</i> ”
	Set 3 – COPY for You (1) “ <i>Petition to Modify</i> ”
	Set 4*– COPY for the State (*if required) (1) “ <i>Petition to Modify</i> ”

* If **DES** or **DCSE** is involved, you will also need **an extra copy** of the **Petition**, to serve on the State, as instructed in **STEP 5** on the next page.

STEP 3. GO TO THE CLERK OF COURT FILING COUNTER TO FILE YOUR PAPERS. You may file your papers from 8 a.m. to 5 p.m., Monday through Friday, at the following Superior Court locations:

Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032

Hand the originals and all sets of copies to the Clerk at the filing counter **and pay the filing fee**. The Clerk will keep the originals, stamp the extra copies to show that these are copies of papers you have filed with the Court, and return the stamped copies to you. The stamped sets of copies are now called "conformed" copies.

FEES: A list of current fees is available from the Self Service Center and from the Clerk of Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Self-Service Center.

STEP 4: MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your Copy.
- The Copy for DES/DCSE (if required*)

STEP 5: SERVE THE PAPERS ON THE OTHER PARTY(IES). The papers may be delivered by the Sheriff's Department, a licensed process server, commercial delivery service or mail by which you can obtain an original or copy of the other party's signature confirming delivery, or by **Acceptance of Service** as described in the "SERVICE" packet available from the Self-Service Center or the Internet.

The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If either party already has a case with the State (**DCSE or DES**) involving the same children as in this case, notice of this action **must also** be given to the Attorney General's Office.

SERVING PAPERS ON THE STATE: (if required). The Office of the Attorney General (the "AG") will accept service by signing an "**Acceptance of Service**" form and returning the form *for you to file with the Court*. There are no court fees for serving the State with an **Acceptance**, as described below:

a) You may mail or personally deliver to the Office of the Attorney General (the "AG") assigned to your case*:

- a copy of the "**Petition to Modify Income Withholding Order**" along with an
- "**Acceptance of Service**" AND
- a **self-addressed, stamped envelope** (addressed back to you).

(b) There may also be a "drop-box" in the Clerk of Court's filing counter area at which you may leave the above listed documents and the envelope for the **AG**. Ask the clerk at the filing counter, **OR**

(c) You may mail all listed documents and the self-addressed stamped envelope to:

Office of the Attorney General
Child Support Enforcement Section
P.O. Box 6123 – Site Code 775C
Phoenix, AZ 85005

Note: The State is not considered served until the AG's signed *Acceptance of Service* is filed with the Court!

Note: A party who is served with the papers *in Arizona*, whether a person or the State of Arizona (the AG / DCSE), has **20** days from the date of service to file a request for a hearing. A party who is served with the papers outside Arizona has **30** days from the date of service to file a request for hearing.

STEP 6: WAIT for the Court to let you know whether the Order was signed or the matter was set for a hearing. If a hearing is requested, a hearing or a conference will be scheduled. If no party requests a hearing, the Judge may grant or deny your request or may still schedule a hearing to obtain further information. **If** a hearing is scheduled, you will receive written notice of the date, time, and location.

If a hearing or a conference is scheduled:

- Attend
- Be On Time
- Dress Neatly
- Write down the date, time and location
- Do NOT Bring Children to Court