SELF-SERVICE CENTER

INSTRUCTIONS FOR PETITION FOR INCOME WITHHOLDING ORDER EX PARTE (WITHOUT NOTICE)

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DEFINITIONS:

"Obligee" is the person or agency entitled to receive support payments.

"Obligor" is the person ordered to make support payments.

Throughout these instructions the terms **"employer," "wages,"** and **"paycheck"** are used. However, this ***Petition for Income Withholding Order Ex Parte*** (without notice) may also be used in situations where a person is asking for an assignment of the Obligor's **other monies such as lottery winnings, worker's compensation or other income.**

COMPLETE THIS FORM TO PETITION FOR AN EX PARTE INCOME WITHHOLDING ORDER IF:

- You are the Obligee and there is an Arizona order establishing a support obligation or spousal support (maintenance) obligation, including past-due amounts, **OR**
- You are the Obligor and you want to begin a voluntary Income Withholding Order.

TO COMPLETE THIS FORM AND FILE THE PETITION YOU WILL NEED:

- Information from the Order(s) you want to enforce
- Attach a certified copy of the Order establishing the support obligation to the petition, if that order was issued in an Arizona county other than the one where you will file this request.
- Attach a certified copy of the most recent order requiring payment on past-due support amounts to the petition, if that order was entered in an Arizona county other than the one where you will file this request.

NOTE: **These forms do not apply if your support order is not from Arizona.** In that case, you may want to contact the state child support enforcement agency where your order was entered, the Department of Economic Security child support enforcement agency, in Arizona, or a private attorney regarding enforcement.

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FOLLOW THESE INSTRUCTIONS:

- **TYPE OR PRINT NEATLY USING BLACK INK.**
- Match each numbered step in the instructions with the item on the attached form that has the same number.

1. Type or print the name, address and telephone number of the person filing the Request. Include your **ATLAS** number if your case is a title IV-D case. (An attorney who is filing the Request must also list the name of the person represented and the attorney's State Bar number.)

2. Type or print the first, middle and last name of the person shown as the Petitioner on the order that established the support obligation. Type or print the first, middle and last name of the person shown as the Respondent on the order that established the support obligation.

3. Type or print the case number assigned to your case on this page and at the top of each additional page. If the order was issued in a county other that they one where you are filing this petition, leave this line blank.

4. Type or print the date the order that established the support obligation was signed by a Judicial Officer.

5. Type or print the first, middle and last name of the obligor (person ordered to pay support).

6. Type or print the name of the Court which established the support obligation.

7. Type or print the name of the County and State where the court is located.

8. Enter all amounts previously ordered. The amounts you enter should reflect monthly payments.

9. Check all boxes that apply.

10. The requesting person must sign on the appropriate line in front of a Clerk of Superior Court or Notary Public affirming the contents of the Petition are true to the best of their knowledge. You must have picture identification with you.

WHEN YOU HAVE COMPLETED THIS FORM:

- File the petition with the Clerk of the Superior Court. There is a filing fee for this process. Check with the Court of Court for the current filing fee amount. A list of current fees is available from the Self Service Center and from the Clerk of Court's website.

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- **There may be additional fees**, including an *appearance fee* if this is the first time you have filed papers in this case. 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. You may file your petition at any one of the following locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Facility
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

The Clerk of the Superior Court
Northwest Court Facility
14264 West Tierra Buena Lane
Surprise, Arizona 85374

The Clerk of the Superior Court
Northeast Court Facility
18380 North 40th Street
Phoenix, AZ 85032

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- If one of the parties is using the child support services of the **Division of Child Support Service (DCSS)** a copy of the petition and a copy of the ***"Income Withholding Order"*** must be mailed to:

Attorney General, Child Support Enforcement,
P.O. Box 6123, Site Code 775C,
Phoenix, AZ 85005.

- If the Petition is granted, an Income Withholding Order will be issued and the Clerk of Court will serve the Income Withholding Order on the obligor's employer. The obligor will be mailed a copy of the Order by the Court. The obligor will have the right to file a Request for Hearing to object to the Ex Parte Income Withholding Order.

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