

# HOW TO PETITION FOR A HEARING REGARDING AN EX PARTE INCOME WITHHOLDING ORDER

TO COMPLETE THESE FORMS YOU WILL NEED A COPY OF THE EX PARTE ORDER.

## INSTRUCTIONS

**FOR ALL FORMS: TYPE OR PRINT NEATLY USING BLACK INK**

Match the number of the instruction to the corresponding number on the form.

### 1<sup>st</sup> Form: Petition for Hearing Re: Ex Parte Income Withholding Order

- (1) Type or print the information requested at the upper left corner for the person filing this form.
- (2) Type or print the information requested as it is listed on the **“Ex Parte Income Withholding Order”**.
- (3) Type or print your name in the blank space provided.
- (4) Check all of the boxes that describe why you want a hearing regarding the **“Ex Parte Income Withholding Order”**.
- (5) Check this box if you want the Court to order the Support Payment Clearinghouse to not pay out any monies already received until after the hearing (**Note: This hold, if granted, does not happen instantly.**).
- (6) **Sign and Date the form.** By signing the form you are stating to the Court that the information you have entered is true and correct to the best of your knowledge, under penalty of perjury.

### 2<sup>nd</sup> Form: Notice of Hearing – Fill in only the information described below.

- (1) Type or print the name of Petitioner and Respondent, Case Number, and ATLAS Number (if any) as listed on the **“Ex Parte Income Withholding Order”**.
- (2) LEAVE THE REST OF THE FORM BLANK. The Judicial Officer or Clerk will complete the rest.

## PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED THE FORMS

1. Make two copies of both forms (three, if there is an ATLAS Number).
  2. File your papers with the Clerk of the Superior Court at any Maricopa County Courthouse location:  
**201 W Jefferson, Phoenix; 18380 North 40<sup>th</sup> Street, Phoenix; 222 E. Javelina Drive, Mesa or 14264 W. Tierra Buena Lane, Surprise**
  3. Hand your originals and all copies to the Clerk at the filing counter who will enter the date, time and place of hearing, sign the Notice, and return the copies to you. Keep one set for your records.
  4. There is a fee for filing this request, **but if you have never “appeared” in this case**, meaning you or your attorney have not previously filed any response or other papers in this case, **there may also be an Appearance Fee.** If you cannot afford this fee, you may request a fee deferral application from the Clerk of Court’s Office or the Self Service Center. The form may also be obtained from the Self Service Center’s website at:  
<http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/forms/>
1. You must then immediately serve a copy of the **“Petition”** and the **“Notice”** on the other party or his/her attorney. See the Self-Service Center’s “Service” packet(s) for further information if needed.
  2. **If either party is using the child support collection services of the state IV-D agency (DES), you must also send a copy to that agency. You may do this by mailing to this address: Attorney General, Child Support Enforcement, P. O. Box 6123, Site Code 775 C, Phoenix, AZ 85005**
  3. Attend the hearing.