

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 provide *legal information* only and **are not intended** to be a substitute for legal advice.

Facilitators cannot provide legal advice or complete your forms for you. It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

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 these forms can be downloaded at: www.courts.wa.gov/forms/

| Form Name | Form Number | Notes | Completed |
|--|-------------------|--|--------------------------|
| Response to Petition to Modify Child Support Order | FL Modify 502 | | <input type="checkbox"/> |
| Child Support Worksheets | WSCSS-Worksheets | | <input type="checkbox"/> |
| Child Support Schedule & Instructions | | Use this information to complete the Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home | |
| Financial Declaration of (name): _____ | FL All Family 131 | | <input type="checkbox"/> |
| Sealed Financial Source Documents Coversheet | FL All Family 011 | | <input type="checkbox"/> |
| Gather the necessary financial documents, including: <ul style="list-style-type: none"> ▪ Your W-2s and complete personal tax returns for the past 2 years ▪ Your most recent pay stubs (at least 6 months) ▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more ▪ Statements from all your banks and financial institutions for the past 6 months <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 |
|---|-------------------|------------|--------------------------|
| Proof of Personal Service | FL All Family 101 | See step 4 | <input type="checkbox"/> |
| Proof of Mailing or Hand Delivery | 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 Assigned Judge 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.

You can file your forms by bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You can file your case online on the Clerk's website at:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>. If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov.

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 Assigned Judge (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 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 your Assigned Judge (see Step 8)
- Deliver copy 3 to the Prosecuting Attorney (if applicable)

Step 8: Prepare your TBA Binder and Deliver to the Assigned Judge

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

- 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)

All **Working papers** shall be provided in a three-ring binder with a plastic cover. The moving party must provide the binder to the court by the deadline for their reply and it must include their opening and reply information. The responding party must provide the binder by the deadline for their response. Please list your name, phone number, email address, trial date and cause number on the front of the binder cover using [this document](#) (Trial by Affidavit Coversheet). All other deadlines on the case schedule must be followed.

If you need a binder, some may be available on a first come first serve basis in front of room W-291 in Seattle and A-1222 in Kent.

Deliver them to the Judges' Mailroom by noon on the deadline listed on your case schedule. Delivering these copies will confirm your trial date.



Warning! If you are late delivering your copies to the Assigned Judge, the Court may dismiss your case, and you will have to start again.

Step 9: Your Virtual Trial

All family law hearings are being heard virtually via Zoom. Contact your assigned judge's bailiff for zoom hearing information at least two days prior to your hearing.

For more guidance on Video Hearings, please visit: <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-calendars-locations-operations/virtual-hearings-trials/video-participation>

Important tips for your Zoom hearing:

1. If you are on time for your hearing and you are not let into the meeting within 15 minutes after your scheduled hearing time, please email your assigned judge's bailiff.

Do not leave the waiting room. If you cannot email them, call your assigned judge's bailiff.

2. Once in the meeting please:

a. Mute yourself and turn off your camera until you are called on.

b. Rename yourself with your last name, first name (example: "Doe, Jane").

c. If you get disconnected on accident you can click the link again or call the associated phone number and you will be let back into the meeting.

3. The bailiff will perform a check-in. Please remain muted and do not speak until your name or case number is called.

4. After check-in, wait and remain muted with your camera off until the court is ready for your hearing. When called, identify yourself each time you speak and conduct yourself as you would if you were in a physical courtroom, meaning there are other people present for their hearings too.

5. After your hearing is over you are welcome to leave the meeting.