

# 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/](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 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 parent
- Copy **2** will go to the Commissioner in your case
- Copy **3** you will keep 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 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](mailto: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
<a href="#">Declaration of (name):</a> _____	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 TBA Commissioner (see Step 8)
- Keep copy 3 for your records
- Deliver copy 4 to the Prosecuting Attorney (if applicable)

The other parent also has a deadline to file a Trial Memorandum on the case schedule. You can reply to it if you chose. Use the same declaration form above and follow the same process listed above for filing the original and delivering copies.

### 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
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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 TBA Commissioner (see Step 8)
- Deliver copy 3 to the Prosecuting Attorney (if applicable)

## Step 8: Prepare your TBA Binder and Deliver to the TBA Commissioner

Now it's time to deliver Copy 2 of all of the forms listed below to the TBA Commissioner:

Summons: Notice about Petition to Modify Child Support Order Petition for Support Modification

- Petition to Modify Child Support Order
- Financial Declaration
- Sealed Financial Source Documents
- Declaration
- Child Support Order (proposed)
- Final Order and Findings on Petition to Modify Child Support Order (proposed)
- Child Support Worksheets (proposed)

All **Working papers/binders** 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 2D in Kent.

Deliver them to the Commissioner's 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 TBA Commissioner, the Court may dismiss your case, and you will have to start again.

## Step 9: Your Virtual Trial

All family law motions are being heard virtually via Zoom. Two days before your hearing:

- Go to <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-calendars-locations-operations/superior-court-calendars-schedules/virtual-family-law-hearings>
- Click on the green button that says "Virtual Hearing Links- 1:00 p.m. Calendar"
- Find the name of your case. The zoom link you will use to appear for your hearing will be to the right of your case number.

If you cannot access Zoom for your hearing, you may also use the phone number provided to appear by phone. If you cannot go online to get the hearing information, at least two days before your hearing, call and leave a message at:

- 206-477-1523 for motions noted in Kent, or
- 206-477-2750 for motions noted in Seattle

Court staff will contact you back to let you know how to appear.

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

- a. [FamilyLawStaffSeattle@KingCounty.gov](mailto:FamilyLawStaffSeattle@KingCounty.gov) for Seattle cases or,
- b. [FamilyLawStaffMRJC@KingCounty.gov](mailto:FamilyLawStaffMRJC@KingCounty.gov) for Kent cases.

Do not leave the waiting room. If you cannot email the court, call 206-263-0635 for assistance.

**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 coordinator 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.** Your hearing may start at any time between 1:00 and 4:00 pm. 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.**