

CHAPTER 9566
DEPARTMENT OF HUMAN SERVICES
SUPPORT PAYMENTS

9566.0010 SUPPORT PAYMENTS.

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Subpart 1. Notice. The forms in subparts 2 and 3 can be used by individuals who are obligated to pay child support or maintenance and by individuals to whom child support or maintenance is owed.

The terms of a court order regarding maintenance or child support may be modified upon a showing of one or more of the following:

- A. substantially increased or decreased earnings of a party;
B. substantially increased or decreased need of a party;
C. receipt of public assistance; or

D. a change in the cost-of-living for either party as measured by the Federal Bureau of Labor Statistics.

The forms can be used by an individual representing themselves or by their attorney. The forms are not a substitute for use of an attorney.

Completion of these forms will not guarantee that you will be successful in the court hearing.

The papers must be typed in triplicate, be properly completed, notarized, and filed with the clerk of the court having jurisdiction over the matter. The required fees must be paid, and the other party must be properly served with a copy of these papers.

These papers have been intended for use by a wide variety of individuals who may have unique reasons for making a motion. The forms may not be applicable for everyone and may not, therefore, meet everyone's needs.

Subp. 2. Notice of motion and motion.

STATE OF MINNESOTA
COUNTY OF _____

DISTRICT/COUNTY COURT
____JUDICIAL DISTRICT
FAMILY COURT DIVISION

____Petitioner

NOTICE OF MOTION
AND MOTION

-vs-

File number_____

____Respondent

TO THE ABOVE NAMED

TAKE NOTICE, that on the ____ day of _____, 19__ at ____ M of said day in Room ____ of the Courthouse of _____County, _____, Minnesota, the undersigned, on all the files, records, and proceedings herein and upon the attached affidavit, will move the Court for an order pursuant to Minnesota Statutes, section 256.87, 518.64, or 518.641 for a modification of the support and/or maintenance obligation as the Court deems appropriate. The grounds for this motion are stated in the attached affidavit.

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(signature, name, address,
and telephone number of
moving party.)

Subp. 3. Custodial parent's affidavit.

STATE OF MINNESOTA
COUNTY OF _____

DISTRICT/COUNTY COURT
____JUDICIAL DISTRICT
FAMILY COURT DIVISION

_____Petitioner

-vs-

_____Respondent

CUSTODIAL PARENT'S
AFFIDAVIT
File Number _____

_____, being first duly sworn, deposes and says: (check appropriate items)

___ That I am the petitioner/respondent (circle one) in the above-entitled action.

___ That I am the custodial parent of:

Name: _____ Birthdate: _____

Name: _____ Birthdate: _____

Name: _____ Birthdate: _____

___ That the respondent/petitioner, hereinafter referred to as the obligor, by order of the _____ District/County Court dated _____, was ordered to make child support payments of \$_____ per _____ (week/month), effective _____ for the support of said child(ren).

___ That at the time of the above order, I was (check appropriate box):

___ Separated

___ Divorced

___ Unmarried and

___ Living alone with my child(ren)

___ Living with relatives

___ Sharing a household with nonrelatives

___ Remarried, and my spouse was employed at

_____ (company or

occupation) and earned \$_____ per

week/month (circle one) paycheck.

___ That my net monthly income at the time of the order was \$_____ per month from _____ (employer and/or AFDC).

___ That I also received Food Stamps and Medical Assistance.

___ That my net monthly income at the present time is \$_____ from _____.

Charge Account: (list)	Date of Order	Present Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL MONTHLY EXPENSES	_____	_____

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- ___ That, to the best of my knowledge, the obligor is currently employed at _____ and earns \$_____ per _____, with a monthly net income of \$_____.
- ___ That, to the best of my knowledge, at the present time of the above child support order, the obligor was employed at _____ (specify if unemployed) and earned \$_____ per _____.
- ___ That at the present time, the obligor is:
 - ___ Remarried and his/her spouse is employed at _____.
 - ___ Unmarried
- ___ That I request an increase in my child support due to: (optional)
 - ___ Substantially increased or decreased earnings of a party.
 - ___ Substantially increased or decreased need of a party.
 - ___ Receipt of public assistance.
 - ___ A change in the cost of living for either party as measured by the Federal Bureau of Statistics.
 - ___ Other (please explain): _____

FURTHER YOUR AFFIANT SAYETH NOT

Subscribed and sworn to before me this _____ day of _____, 19____.

Signature of Affiant
(signed before notary public)

Notary

Statutory Authority: MS s 518.64