

State of Minnesota

District Court

County

Judicial District:
Court File Number:
Case Type:

In Re the Marriage of:

Plaintiff / Petitioner

vs / and

Defendant / Respondent

Intervenor

Notice of Motion and Motion To Modify Child Support

Notice

TO: Other Party:

First Middle Last
Street Address Apt. No.
City State Zip

County Attorney's Office:

Name of County Attorney
Street Address
City State Zip

PLEASE TAKE NOTICE that the undersigned will bring a motion before the Honorable
(Name of Child Support Magistrate, Judge or Referee), on (Date: Month, Day, Year)

at o'clock at the County Courthouse
(Time) (a.m./p.m.) (Name of building where hearing to be held)

or Government Center located at in the city of
(Street address where hearing to be held)

Minnesota, (check the public calendar at the hearing location for the hearing date)
(City where hearing to be held)

and will ask the court to modify the existing child support order as requested in the following motion.

Motion

I request that the court modify the support order dated _____
(Date of existing support order)

by ordering the following (*check all that apply*):

- | | |
|--|--|
| <input type="checkbox"/> Increasing basic child support | <input type="checkbox"/> Decreasing basic child support |
| <input type="checkbox"/> Increasing medical support | <input type="checkbox"/> Decreasing medical support |
| <input type="checkbox"/> Increasing child care support | <input type="checkbox"/> Decreasing child care support |
| <input type="checkbox"/> Increasing arrearage payment | <input type="checkbox"/> Decreasing arrearage payment |
| <input type="checkbox"/> Establishing medical support | <input type="checkbox"/> Establishing child care support |
| <input type="checkbox"/> Changing other medical terms (<i>describe</i>): _____ | |
| _____ | |
| <input type="checkbox"/> Other (<i>describe</i>): _____ | |
| _____ | |

The facts upon which I base my request are set forth in the attached Affidavit in Support of Motion to Modify Child Support.

Notice of Rights to Other Party

- You have a right to a hearing, if a hearing is not already scheduled.
- You have the right to object or respond to the changes I am requesting.
- If you decide to respond or object to this motion, a packet entitled “Response to Motion to Modify Child Support” is available from court administration.
- If you choose to respond, a written response or counter motion, along with your financial affidavit for child support, must be served upon all parties **at least 14 days before any scheduled hearing**. A counter motion is where you can raise **new** child support issues, in addition to responding to the issues in this motion.
- You must file a copy of your written response or counter motion, financial affidavit for child support, and supporting documents **at least 5 days before any scheduled hearing**.
- The court may, in its discretion, choose not to consider any documents you file with the court if they are not filed on time.

Settlement

This matter may be settled without a court hearing if all parties, including the county attorney, reach an agreement. To discuss a possible settlement, contact the following person at the phone number listed: _____ at

(Name of person to contact to discuss settlement)

(_____) _____
(Phone number of person to contact)

Acknowledgment by Party Making Motion:

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- d. The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: _____

Signature

Print Name: _____

Address: _____

City/State/Zip: _____

Telephone: (_____) _____

Attorney for: _____