

F.C.A. §§ 440, 461, 466, 467,  
S.S.L. § 111-g  
[NOTE: Personal Information Form 4-5/5-1d,  
containing social security numbers of parties and  
dependents, must be filed with this Petition]

Form 4-13  
(Support - Petition for Enforcement  
of Order Made by Another Court)  
8/2010

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF

.....  
In the Matter of a Proceeding for Support  
Under Article 4 of the Family Court Act

Docket No.

(Commissioner of Social Services, Assignee  
on behalf of \_\_\_\_\_, Assignor)

Petitioner,

PETITION FOR ENFORCEMENT  
OF AN ORDER OF SUPPORT MADE  
BY ANOTHER COURT

-against-

Respondent.  
.....

**WARNING: THE PURPOSE OF THE HEARING REQUESTED IN THIS  
PETITION IS TO PUNISH [SPECIFY NAME]:  
FOR CONTEMPT OF COURT, WHICH MAY INCLUDE SANCTIONS  
OF A FINE OR IMPRISONMENT OR BOTH. YOUR FAILURE TO  
APPEAR IN COURT MAY RESULT IN YOUR IMMEDIATE ARREST  
AND IMPRISONMENT FOR CONTEMPT OF COURT.**

TO THE FAMILY COURT:

The Petitioner respectfully alleges that:

1. a. Petitioner, [check box]:  an individual, is related to the child(ren) as follows [specify]:  
and resides at [specify]:<sup>1</sup>  
 assignee agency, has its place of business at [specify]:

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<sup>1</sup> Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at [www.nycourts.gov](http://www.nycourts.gov)).

b. [Applicable where Petitioner is assignee]: Assignor resides at [specify]:<sup>2</sup>

c. Respondent resides at [specify]:<sup>3</sup>

2. Petitioner is \_\_\_\_\_ and was the \_\_\_\_\_

\_\_\_\_\_ in an action brought in the \_\_\_\_\_

Supreme Court of the State of New York, \_\_\_\_\_ County  Other

court [specify]: \_\_\_\_\_ ) entitled \_\_\_\_\_

\_\_\_\_\_, Index No. \_\_\_\_\_, and the Respondent was the [specify party]: \_\_\_\_\_ in

the action.

3. A  judgment  order, dated \_\_\_\_\_, \_\_\_\_\_, was made in that action and the Respondent was directed to [specify]: \_\_\_\_\_

A true copy of the  judgment  order is attached and made a part of this Petition.

4. The names, addresses<sup>4</sup> and dates of birth of all child(ren) affected by this order are:

<u>Names</u>	<u>Address</u>	<u>Date of Birth</u>
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.[Check applicable box(es)]:]

Under the terms of the  judgment  order, the  Supreme Court  other court [specify]: \_\_\_\_\_  has  has not retained exclusive jurisdiction to modify the  judgment  order.

The other court is a court of competent jurisdiction outside the State of New York .

6. (Upon information and belief) Respondent has failed to comply with the order of the  Supreme Court  other court [specify]: \_\_\_\_\_ in that [specify provision(s)] of order alleged to be violated and nature of violation(s): \_\_\_\_\_

[Check if applicable]: 7.  Respondent's failure to comply was willful.

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<sup>2</sup> See note 1.

<sup>3</sup> See note 1.

<sup>4</sup> Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at [www.nycourts.gov](http://www.nycourts.gov)).

8. No previous application has been made to any judge or court, including a Native American tribunal, or is presently pending before any judge or court, for the relief requested in this petition (except :

9. Petitioner (or Assignor if Petitioner is Commissioner): [check applicable box]:

has applied for child support services with the local Department of Social Services.

is now requesting child support services by the filing of this Petition.<sup>5</sup>

has continued to receive child support services after the public assistance or care case has closed.

does not wish to make application for child support services.

is not eligible for child support enforcement services). [Petitioners seeking only spousal support are ineligible.]

10. The last order of support  was  was not payable through the Support Collection Unit.

WHEREFORE, Petitioner requests that the Respondent be dealt with in accordance with Article 4 of the Family Court Act.

NOTE:<sup>6</sup> (1) A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS APPLICATION (PETITION) SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY THE COURT AND TO PRESENT EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHILD SUPPORT STANDARDS ACT.

(2) A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED

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<sup>5</sup>Pursuant to Section 111-g of the Social Services Law, signing this petition is deemed to be an application for child support enforcement services.

<sup>6</sup> Not applicable to out-of-state orders entered in New York State for enforcement purposes only.

AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS TO WHICH AN ADJUSTED ORDER CAN BE SENT, AS REQUIRED BY SECTION 443 OF THE FAMILY COURT ACT. THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

Date:

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Signature of Attorney, if any

\_\_\_\_\_  
Attorney's Name (Print or Type)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attorney's Address & Telephone Number