

Instructions for Filing a Motion to Modify Arrearage Payment

1. Please make sure you specify what you are requesting the Court to consider. Support your request by adding the specific reasons to explain why you are filing a motion with the Court.
2. Please type or neatly print in black or blue ink.
3. The Petitioner must bring an original and at least one copy of the latest Journal Entry to the Clerk's Office to be filed along with this packet.
4. The filing fee is \$20.00 and can be paid in cash, check, money order, or credit card. There will be a 2.5% non-refundable convenience fee for credit card payments. Checks and money orders should be for the exact amount of the filing fee and be made payable to the Cuyahoga County Juvenile Court.
5. The Office of Child Support Services is a party to all support actions and must be listed on the service page in order to be served copies of any filings related to child support.
6. The **obligee** is the person who receives the support. An Obligee is any person, including a state or political subdivision, to whom a duty of support is owed.
7. The person ordered to pay support is an **obligor**. An Obligor is any person owing a duty of support or against whom proceedings for enforcement of a duty of support or a registration of support orders is commenced.

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

In the matter of:

Case Number: _____
(One Case Number Only)

(Child's Name)

Judge: _____

Office of Child Support Services

Plaintiff

Motion to Modify Arrearage Order

Plaintiff: Obligor Obligee

V.

Defendant: Obligor Obligee

Now comes _____ the obligor obligee, pro se, and moves this
(Name)

Honorable court for an order decreasing increasing the arrearage order that was made on

_____ because current household expenditures, changes in income,
(Date of Order)

extraordinary healthcare issues, and/or other reasons for deviation from the current amount exist per R.C.

3121.35 and/or R.C. 3123.14. This motion is supported by the attached affidavit which is made party hereof by reference as though fully written herein.

Respectfully submitted,

Movant Signature

Name

Address

City State Zip Code

Phone Number

Email

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

AFFIDAVIT

I, _____, being duly sworn depose and state the following:
(Your Name)

1. I am the obligor obligee in Juvenile Court Case number _____.
2. Since the last modification of child support arrearage payments, there has been a significant change in circumstances.
3. The Court previously ordered the obligor to pay child support arrearage in the amount of \$_____ per week month other: _____ for the child.
4. Since the order, the change of circumstance is related to (please check all that apply):
 - Household Expenditures, including:

 - Income variables, including:

 - Extraordinary health care issues, including:

 - And/or any other reasons for deviation from the presumed amount, including:

I respectfully request that the previously ordered arrearages be modified.

The modification will affect that child support by more than 10% of the ordered amount.

Affiant, further sayeth naught.

Applicant/Movant Signature

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public

INSTRUCTIONS AND INFORMATION FOR WRITTEN REQUESTS FOR SERVICE

The Court cannot consider a complaint (a document that initiates a legal action) or a motion (written request), unless it has been “served” (sent to all persons related to the case). When a complaint has been filed, the Clerk’s Office will send a summons (a document informing a defendant that a legal action has been filed against them) to all parties on the case.

If you are attempting to change or modify a court order, the motion you file must be “served” by the Clerk’s Office, **NOT BY YOU**. You **MUST** instruct the Clerk to serve all parties (persons related to the case) by using the form on the next page titled “Instructions for Service.” You will find the types of service available listed below. You must also provide the Clerk with a copy of the document (motion) that you wish to be served. Upon your direction, the Clerk’s Office will send a summons with the attached document (motion) to all the parties you wish to serve using the type of service you select.

Please do not serve yourself, as you already have notice of your filing. It is YOUR responsibility to provide a complete and full address for all legal parties involved (this includes a street address, apartment numbers, city, state, and zip code).

Unless service is quickly and properly executed in a timely fashion, the legal proceedings could be disrupted, delayed, or even dismissed. To ensure that all parties are properly served, you are charged with the responsibility of using all resources to obtain an accurate and complete address.

The following are guidelines for determining the most appropriate type of service. **You may want to consult your attorney or read Civil Rule 4 for guidance.**

CERTIFIED MAIL: is mail that requires proof of receipt with a signature, and a complete and accurate address. If the certified mail is returned as refused or unclaimed the court will automatically send out ordinary mail to the same address. **Certified mail is a required method of service on all first-time filings.**

ORDINARY MAIL – is mail that requires an accurate and complete address, but does not require a signature or proof of receipt. If the mail is unable to be delivered by the U.S. Postal Service, it will be returned and marked with the reason it could not be delivered.

THIS SHEET IS INFORMATIVE ONLY AND SHOULD BE REMOVED PRIOR TO FILING.

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

In the Matter of: _____ Case Number: _____
(Child's name)
 Pending Court Date (if applicable): _____ Judge: _____

INSTRUCTIONS FOR SERVICE

Pursuant to Juvenile Rule 16 and Civil Rule 4.1, for all first requests for service, the Clerk of Court will serve a copy of your filing to the parties listed by certified mail, unless an alternate service method is selected from the options provided. Service requests by other methods, or additional service requests on parties, may incur further fees. Upon subsequent requests for service the Clerk of Court will only serve by the method selected below.

Choose ONE service type per name and address:

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

PLEASE BE ADVISED THAT IF YOU INCLUDE MULTIPLE ADDRESSES FOR THE SAME PERSON, THE ADDRESS WILL NOT BE UPDATED IN OUR SYSTEM. YOU MUST COMPLETE A CHANGE OF ADDRESS FORM, WHICH CAN BE FOUND IN THE CLERK'S OFFICE OR ON THE COURT'S WEBSITE: www.juvenile.cuyahogacounty.us

PLEASE IDENTIFY THE COMPLAINT OR MOTION THAT YOU WISH TO HAVE SERVED IN THE SPACE BELOW OR ATTACH A COPY TO THIS FORM.



Petitioner Name-Printed

Attorney Name-Printed

Signature _____ Date _____

Signature _____ Date _____

Address

Address

City _____ State _____ Zip Code _____

City _____ State _____ Zip Code _____

Phone Number

Phone Number

E-mail address

E-mail address