

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
S.S. # (Assignor)
-against-

(Commissioner)

Respondent.

S.S. #
.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. Petitioner is Commissioner of Social Services whose official address is
in the County of _____, State of New York and is authorized to originate this proceeding (as
assignee) pursuant to the Social Services Law and the Family Court Act of the State of New York.

2. (Upon information and belief) (Assignor) and Respondent were married at
on _____, 19____.)

3. Respondent is chargeable with the support of _____ (and) (the following
dependent(s)
Name _____ Date of Birth _____ Social Security Number _____
Spouse:

Child(ren)

4. (Upon information and belief) Respondent, on or about _____, 19____, and
subsequently thereto, has failed to provide fair and reasonable support for the dependent(s) according to
Respondent's means and earning capacity.

(5. Respondent's (past financial responsibility) (credit references) (credit history) and
(_____) make it unlikely that Respondent will make payment in accordance
with said order of support .)

(6. Respondent has an (employer) (income payor) as defined in CPLR 5214(a), whose address is _____, as a source of income.)

7. No previous application has been made to any court or judge for the relief herein requested (except _____).

WHEREFORE, Petitioner prays for an order for support¹ directing Respondent to furnish such support as shall be deemed fair and reasonable, that Respondent be required to exercise the option of additional coverage for health insurance in favor of (his) (her) spouse and child(ren) above-named, and for such other and further relief as the law provides.

NOTE: (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 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, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING

¹Pursuant to Section 111-g of the Social Services Law, where an order of support directs that support payments be made to the support collection unit of a social services district, the petition in such proceeding shall be deemed to be an application for support services hereunder.

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.

Petitioner

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and Telephone Number

VERIFICATION IN PROCEEDING
BY GOVERNMENTAL AGENCY

STATE OF NEW YORK)
 : ss.:
COUNTY OF)

being duly sworn, deposes and says:

That (s)he is _____ and _____
is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his)(her) own knowledge except as to those matters herein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

Sworn to before me this _____
day of _____ 19 .

Petitioner

(Deputy) Clerk of the Court
Notary Public