



***COURT OF COMMON PLEAS, MONTGOMERY COUNTY***  
***DOMESTIC RELATIONS DIVISION***

***DENISE L. CROSS, ADMINISTRATIVE JUDGE***

***JUDITH A. KING, JUDGE***

## **Post Decree Motion to Modify Child Support**

### **Required Forms:**

1. Motion to Modify Support, with Affidavit in Support and Notice of Hearing (Language Below)  
*This is a pleading you must create on your own. We do not provide a form for you. Please review the information below with regard to how to prepare this document.*
2. Affidavit of Financial Disclosure  
*Complete all information on the attached form. Sign in the presence of a Notary Public.*
3. Child Support Computation Worksheet  
*Complete all calculations on this worksheet and sign.*
4. Instructions for Service  
*Complete this form. Please note service must be perfected on the other party via certified mail, at a minimum.*

\* **COST/FILING FEE :       \$ 100.00**

\* **FORMAT:** All documents must be typed and must be set up in the proper format, including a 2 ½" top margin, case caption, signature block, etc. PLEASE DO NOT REVERSE THE ORDER OF PLAINTIFF AND DEFENDANT IN YOUR CAPTION. IT MUST READ THE SAME AS YOUR DECREE.

\* **CONTENT OF MOTION:** Any motion requesting a modification of an existing child support or spousal support order shall set forth the current amount of the last order, the date of such order, whether or not there is an arrearage, and the reasons for requesting the modification. An audit from the Support Enforcement Agency will be provided to the Court, however, if the SEA's records are in dispute, it is the responsibility of the party disputing the SEA'S records to compel the attendance of a witness from the SEA. The records of the SEA also may be admitted in accordance with Local Rules if no objection is filed.

### Notice of Hearing

“This motion has been scheduled for a hearing on \_\_\_\_\_, at \_\_\_\_\_ AM/PM before Magistrate \_\_\_\_\_. The parties, with or without counsel, shall be present on the above date at the second floor of the Dayton-Montgomery County Courts Building, 301 W. Third Street, Dayton, Ohio.

Failure to appear may result in dismissal of the motion or uncontested hearing on the motion.”

- \* REQUIRED COPIES: Original Motion plus 4 copies.
- \* PROCEDURE: Any motion filed by a party without an attorney is first to be presented to the Public Legal Specialist located in the lobby information center at 301 W. Third Street, 2<sup>nd</sup> Floor for approval. Once approved, documents need to be taken to the Assignment Office to receive a hearing date. After receiving your hearing date, take all documents to the Clerk of Courts at 41 North Perry Street, Basement Room 9, for filing. Each party must present documentation of his/her current earnings at time of hearing, as well as his/her most recent Federal Income Tax Return. A Child Support Computation Worksheet is attached for your review.
- \* Employees of the Domestic Relations Court and the Clerk of Courts are not permitted to give legal advice or answer questions regarding substantive matters relating to a particular pleading, case or litigant. If you need legal advice, consult an attorney