

CAO P INSTRUCTION 8-2

Use These Instructions to Help You Complete Form **CAO P 8-2 Decree of Paternity, Custody, Child Support**

If the other parent has not responded to your Petition for Paternity, Visitation, Custody, Support and you want your judge to enter an Decree, it must have exactly the same information and terms as the Petition for Paternity, Visitation, Custody, Support (**CAO P 1-2**). Unless you file a new Petition and start over, you cannot change anything without the agreement of the other party or at the direction of your judge. If you do need or want to make changes that both parents agree upon, you can file a "Stipulation for Entry of Order, Judgment, or Decree." You will need form CAO P 6-9 Sworn Stipulation for Entry of Order, Judgment, or Decree. You can obtain these forms from a Court Assistance Officer or at the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Fill in the forms by typing or by printing neatly and legibly in **black ink**.

At the top left-hand corner of page 1, fill in your full legal name, mailing address, telephone number, and email address (if you have one).

The Court Heading. Fill in the county and judicial district in capital letters (for example, "IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF BANNOCK") exactly like it is in the Petition for Paternity, Custody, Visitation, and Support.

The Caption. Fill in the names of the Petitioner and Respondent exactly as they appeared in the caption in the Petition for Paternity, Custody, Visitation, and Support.

The Case No. Fill in the case number assigned by the court clerk to the case when you filed the Petition.

The Name of the Document: Check the boxes to indicate the orders you want.

Leave the date blank in the introductory sentence.

Check either the first box if this is a default Decree or the second box if you and the other parent have filed a written Stipulation for Entry of Order, Judgment, or Decree (**CAO P 6-9**) for the entry of this Decree.

Minor Child/ren of the parties: Fill in the name and date of birth for each minor child.

Complete the following paragraphs of the Decree:

Minor Child/ren of the Petitioners: Fill in the name and date of birth for each minor child.

1. Legal Custody of Minor Child(ren).

Check the same boxes and insert the same terms from paragraph 7 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms **and** have completed form CAO P 6-9 Stipulation for Entry of Order, Judgment, or Decree. If so, insert the new terms upon which you have agreed.

2. Physical Custody of Minor Child(ren).

Check the same boxes and insert the same terms from paragraph 8 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms **and** have completed form CAO P 6-9 Stipulation for Entry of Order, Judgment,

or Decree. If so, insert the new terms upon which you have agreed.

3. Child Support.

Check the same boxes and insert the same terms from paragraph 9 and 9a through 9g of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms **and** have completed form CAO P 6-9 Stipulation for Entry of Order, Judgment, or Decree. If so, insert the new terms upon which you have agreed.

Note: If you have agreed in the Stipulation for Entry of Order, Judgment, or Decree to a different amount of child support, you will need to provide a new Affidavit of Income and Child Support Worksheet which shows the calculation of the new amount.

4. Name Change.

If you requested a change of name for the child(ren), check the box and insert the same terms from paragraph 10 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2).

5. Amended Birth Certificate. Insert Father's name in space provided.

Leave the date blank. The judge will fill in the date when s/he signs the Decree.

Clerk's certificate of service: Fill in name, mailing address, city, state and zip code for Father and Mother. Leave the date blank. The clerk will fill it in when s/he signs the certificate.

Exhibits: Attach all required Exhibits to the Decree of Paternity, Custody, Visitation and Support (with a staple). The Exhibits will be the same ones which were attached to the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2).

Make three more copies of the Decree of Paternity, Custody, Visitation and Support (total of 4) with all the Exhibits attached.

Refer to CAO M/P Instruction 6-1 Finalizing a Custody or Modification Case for additional information.