

CAO RFLPPI M INSTRUCTION 8-2

Use These Instructions to Help You Complete Form CAO RFLPPI M 8-2 STIPULATED MODIFICATION ORDER

NOTICE: These rules and requirements apply ONLY to family law cases filed in the Fourth Judicial District on or after January 1, 2013.

Use this form only if you and the other parent have filed a Stipulation to Modify an Order or Decree (form **CAO RFLPPI M 6-1**).

Talk to an Attorney, if Possible

Warning: When you represent yourself in a court case you are held to the same standard as an attorney. This applies to your preparation of paperwork and your conduct at all hearings and/or trial. Your lack of legal knowledge may cause you to make serious errors in handling your case. These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee that your rights are protected or that you will be satisfied with the result. You should always talk to a lawyer about your legal problems before filing any legal paperwork. Even if you do not hire a lawyer to appear in your case, a lawyer can give you more information about your rights. Call the Idaho State Bar (208-334-4500) to provide you with the name of an attorney who handles this type of case. Contact the Court Assistance Office for information about resources for low-income people, or visit the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Instructions

Fill in the forms by typing or by printing neatly and legibly in **black ink**. Always keep a copy of the completed form for your records.

NOTICE: Any form that starts with the following identifier "CAO RFLPPI" at the bottom of the page is only approved for use in the 4th Judicial District.

At the top left-hand corner of page 1, fill in your full legal name, mailing address and telephone number.

The Court Heading. Fill in the county and judicial district in capital letters (for example, "IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF ADA") exactly like it is in the Order or Decree you are asking to be changed.

The Caption. Fill in the names of the petitioner and respondent exactly as they appeared in the caption in the original case.

The Case No. Fill in the case number from the original court case. This is not the same as your Department of Health and Welfare Child Support case number.

Leave the date in the introductory sentence **blank** (the judge will fill it in later). Fill in the names and date of birth for each child.

You must fill out the following sections of the Stipulated Modification Order. The boxes you check, and the information you insert must be identical to the corresponding paragraphs of the Stipulation to Modify an Order or Decree (form **CAO RFLPPI M 6-1**) which was signed by both parents.

1. Child Custody.

Check the first box if you are not requesting any change in custody. Check the second box if you are requesting changes in custody and enter the date of the custody order you want modified.

1. A. Legal Custody.

Check the same boxes and insert the same terms from paragraph 5A of the Stipulation to Modify an Order or Decree (form **CAO RFLPPI M 6-1**).

1. B. Physical Custody of Minor Child(ren).

Check the same boxes and insert the same terms from paragraph 5B of the Stipulation to Modify an Order or Decree (form **CAO RFLPPI M 6-1**).

2. Child Support.

Check the same boxes and insert the same terms from paragraph 6 and 6a through 6g of the Stipulation to Modify an Order or Decree (form **CAO RFLPPI M 6-1**).

Notice

According to Chapter 12, Title 32, Idaho Code, a Child Support Order is immediately enforceable through income withholding. Income withholding shall be enforced by a Withholding Order issued to the paying parent's employer without additional notice to the paying parent.

The Support Order can also be enforced by license suspension or the filing of a lien upon all real and personal property of the paying parent.

Leave the date blank. The judge will fill in the date when s/he signs the Stipulated Modification Order.

Approval signatures: Some judges require the parents to sign the proposed order indicating their complete agreement on all terms. Date and sign the Order.

Clerk's certificate of service:

Fill in name, mailing address, city, state and zip code for you, the other parent and any other party to the case. Leave the date blank. The clerk will fill it in when s/he signs the certificate.

Exhibits:

Attach the Parenting Plan, if any, to the Stipulated Modification Order as Exhibit A. Attach the child support order from a different case, if any, as Exhibit B.

Make copies of the Stipulated Modification Order with all the Exhibits attached. Note: The original will be filed with the court. You need a copy for each parent and, if Child Support is being modified, you will need another copy that will be sent to the Department of Health & Welfare Child Support Services. Prepare stamped envelopes addressed to yourself and other party(s) for the Clerk to mail a copy of the Stipulated Modification Order with all attachments.

Continue to follow CAO RFLPPI M Instruction 2 to finalize your modification.