

PRO SE DOWNWARD MODIFICATION OF CHILD SUPPORT PACKET INSTRUCTIONS

- LEGAL ADVICE OR REPRESENTATION IS NOT BEING PROVIDED IN THIS CLINIC AS TO WHETHER OR NOT YOU SHOULD FILE PAPERWORK PROVIDED
- THIS IS A CLINIC TO ILLUSTRATE THE FORMS AND PROCESS FOR A CHILD SUPPORT REDUCTION IN FAMILY COURT
- IF YOU DO NOT UNDERSTAND THIS PROCESS OR KNOW WHETHER OR NOT YOU SHOULD FILE, YOU SHOULD CONSULT WITH AN ATTORNEY
- REPRESENTATION BY AN ATTORNEY IS ALWAYS PREFERRED AS REPRESENTATION INCREASES CHANCE OF ACHIEVING DESIRED OUTCOME

INSTRUCTIONS FOR PRO SE MODIFICATION FORMS

WHERE DO I FILE?

CHILD SUPPORT ORDERS ESTABLISHED IN SC FILE PAPERWORK WHERE CHILD SUPPORT ORDER ESTABLISHED

HOWEVER, IF YOU HAVE MOVED WITHIN THE STATE AND YOUR CHILD SUPPORT ORDER WAS TRANSFERRED FOR ENFORCEMENT TO THE COUNTY WHERE YOU CURRENTLY RESIDE, FILE WHERE YOU RESIDE.

CHILD SUPPORT ORDERS ESTABLISHED OUT OF STATE
IF YOUR ORDER WAS ESTABLISHED IN ANOTHER STATE AND THE CUSTODIAL PARENT AND CHILD RESIDE OUT OF STATE, YOU MUST FILE REDUCTION PAPERWORK WHERE ORIGINALLY ESTABLISHED. CONSULT COURT ADMINISTRATION IN THAT STATE TO DETERMINE IF SIMILAR PAPERWORK EXISTS.

1. Family Court Cover Sheet

For a child support reduction, this is all you have to complete.

Fill in name of County:	COUNTY NAME
Name of Plaintiff:	PERSON ASKING COURT FOR REDUCTION
Name of Defendant:	PERSON THAT IS OWED CHILD SUPPORT
Judicial Circuit #:	ask clerk
Submitted by:	Your name
Address:	Your address
Email:	Your email
Bar #:	Put "Not applicable"
Telephone:	Number you can be reached
✓ Check Box:	This case is exempt from ADR
✓ Check Box:	Modification of child support – Private Order

2. Certificate of Exemption

✓ Check Box: Custody and Visitation are not contested in this action....., custody is with (check box: DEFENDANT), visitation rights are : *previously established*

IF YOU CANNOT PAY FILING FEES, YOU MUST FILE THE MOTION AND AFFIDAVIT TO PROCEED IN FORMA PAUPERIS, IF YOU FILE THIS YOU ARE SWEARING UNDER OATH THAT YOU CANNOT PAY THE FILING FEE

3. Motion and Affidavit to Proceed in Forma Pauperis

- (1) WRITE THE NAME OF COUNTY YOU ARE FILING ACTION IN.
- (2) WRITE THE NUMBER OF THE CIRCUIT. FOR EXAMPLE:
CHARLESTON IS THE NINTH JUDICIAL CIRCUIT
 - CALL LOCAL FAMILY COURT TO ASK CIRCUIT NUMBER IF NOT KNOWN
- (3) THE CLERK WILL WRITE THE CASE NUMBER IN THESE BLANKS WHEN THE PAPERS ARE FILED.
- (4) PERSON ASKING FOR REDUCTION IS THE PLAINTIFF
- (5) PERSON WHO RECEIVES CHILD SUPPORT IS THE DEFENDANT
- (6) YOUR COMPLETE NAME
- (7) IN THE PRESENCE OF A NOTARY HANDWRITE YOUR FULL NAME

4. Summons

- (1) – (5) IDENTICAL TO THE INFORMATION ABOVE
- (6) THE CITY WHERE YOU ARE FILING
- (7) THE DATE YOU SIGNED THE SUMMONS
- (8) YOUR FULL NAME (HANDWRITTEN)
- (9) YOUR COMPLETE MAILING ADDRESS
(No PO Boxes, must be street address)

5. Complaint for Reduction in Ongoing Child Support

- (1) – (5) IDENTICAL TO ABOVE
- (6) WRITE THE CITY AND COUNTY YOU LIVE IN
- (7) WRITE THE CITY AND COUNTY THE DEFENDANT LIVES IN
- (8) WRITE THE FULL DATE OF YOUR LAST CHILD SUPPORT ORDER
- (9) WRITE THE AMOUNT YOU CURRENTLY PAY FOR ON-GOING CHILD SUPPORT (DO NOT INCLUDE ANY ARREARAGE PAYMENT)

(10) WRITE HOW OFTEN YOU WERE ORDERED TO PAY THIS AMOUNT,
WEEKLY, MONTHLY ETC

(11) LIST THE CHANGE IN CIRCUMSTANCE THAT APPLIES TO YOU

(12) WRITE THE CITY WHERE YOU ARE FILING

(13) WRITE THE DATE YOU SIGNED THE COMPLAINT

(14) YOUR FULL NAME (HANDWRITTEN)

(15) DEFENDANT COMPLETE MAILING ADDRESS
(No Post Offices – must be street address)

(16) PLAINTIFF'S COMPLETE MAILING ADDRESS

6. Financial Declaration

The Financial Declaration Form asks questions about the finances of both you and your spouse. Fill out the sections of the form that apply to you. If POSSIBLE, attach a copy of your most recent pay stub. BE SURE TO COMPLETE THIS FORM THOUGHLY AND PUT ALL DEDUCTIONS.

NOTE: A notary must witness your signature on the Financial Declaration Form.

***ONCE THE FORMS ABOVE ARE COMPLETED - YOU ARE READY TO FILE**

- BRING TWO COPIES OF YOUR COMPLETED FORMS IN THE ORDER LISTED, ALONG WITH THE ORIGINAL TO FAMILY COURT
- MAKE SURE ALL THREE COPIES ARE ASSIGNED THE SAME CASE NUMBER AND ARE "CLOCKED" INTO THE COURT (STAMPED BY CLERK THE TIME AND DATE RECEIVED)
- THE ORIGINAL FORMS WILL BE FILED AT THE COURT BY THE CLERK
ONE COPY IS FOR THE DEFENDANT
ONE COPY IS FOR YOU
- IF YOU FILED A MOTION TO PROCEED IN FORMA PAUPERIS, THE CHIEF ADMINISTRATIVE JUDGE IN YOUR COUNTY WILL REVIEW YOUR MOTION AND YOUR FINANCIAL DECLARATION AND MAKE A DETERMINATION IF YOU SHOULD BE ALLOWED TO PROCEED WITH NO FILING FEES. YOU WILL BE ADVISED OF THE JUDGES DECISION BY THE COURT.

PROCEDURES: AFTER THE LEGAL PAPERWORK IS FILED

How do I serve my legal papers on the Defendant?

If your Motion to Proceed In Forma Pauperis is denied by the Judge, or you are able to pay your own filing fees and therefore chose not to file the Motion to Proceed In Forma Pauperis, you should know the several ways in which you can serve the legal papers on the Custodial Parent. Remember that you must serve the Summons, Complaint, Verification Form, and Financial Declaration on the Custodial Parent at least 30 days prior to any hearing on the case. 35 days is required if sent by mail.

- The **Sheriff's Department** may be able to serve the papers on the custodial parent for a charge of approximately \$25.00. Ask your local clerk of the Family Court in your County if the Sheriff's Department can serve the papers for you and ask about the process to get the papers to the Sheriff's Department. Once the Sheriff's Department serves the papers, the deputy who served the paperwork will prepare an Affidavit attesting to the fact that the papers were served. **This original affidavit must be filed with the Clerk of Court so that it can be put into your Court file. Also, you should bring your copy of this affidavit with you to your first hearing. Please know that the Court cannot proceed without proof that the Custodial Parent was served.**
(*note that if custodial parent in another county instate, you must use Sheriff Dept in that County)
- A **local process server** (listed in yellow pages) can also serve the legal papers on the Custodial Parent. Process Servers are often faster and more efficient than the Sheriff's Department but they cost a good bit more (approximately \$50 - \$75). Like the Sheriff's Department, the Process Server will also prepare an Affidavit of Service which shows the Court that the Defendant has been served. Once you receive the **Affidavit of Service**, immediately file it with the Court. Again keep a copy of this Affidavit for your court file and bring it to court with you.
- Finally, if the Defendant is out of State or you can not afford a Process Server, the only means to accomplish service may be by **registered mail**, return receipt requested (Green Card). This is an inexpensive way to accomplish service. However, the Green Card must be signed by the Defendant to be valid service. Once you receive the Green Card back in the mail, File an Affidavit of Service, attaching the signed Green Card to this Affidavit. File this Affidavit along with the attached Green Card in the Court as soon as possible. Again, make a copy of your affidavit and Green Card and keep in your court file.
(Copy of Sample Affidavit of Service Attached)

ONCE PAPERWORK FILED AND DEFENDANT SERVED
REQUESTING A HEARING DATE IS NEXT

You must request the hearing from the court. Do not request a hearing date that is sooner than (30) days required to answer your complaint, or (35) days if by mail.

In order to request a hearing, you must file a **Request for Hearing Form**. These forms are available at every local family court and also provided.

Filling out Request for Hearing Form:

- Issue of custody leave blank
- Leave GAL blank
- Check the work "No" for contested
- Request at least 30 minutes for hearing
- If you provide a self addressed envelope, clerk will mail you a **Notice of Hearing Form** with your hearing date included.

PLEASE NOTE: A LOT OF PEOPLE DO NOT FOLLOW THROUGH WITH THIS LAST STEP AND HAVE THEIR HEARINGS DELAYED

YOU MUST SERVE NOTICE OF HEARING FORM ON THE DEFENDANT AT LEAST 10 DAYS PRIOR TO YOUR HEARING DATE ASSIGNED.

YOU CAN DO THIS BY CERTIFIED MAIL OR THROUGH SHERIFFS DEPT AT THE ADDRESS WHERE THE DEFENDANT WAS ORIGINALLY SERVED.

PROOF OF SERVICE OF THE NOTICE OF HEARING IS REQUIRED FOR THE CASE TO PROCEED. ONCE THE GREEN CARD IS RETURNED TO YOU, STAPLE IT TO AFFIDAVIT OF SERVICE FORM PROVIDED AND FILE WITH THE COURT.

I have court tomorrow, what do I need to know?

You should bring your entire court file which includes:

- Legal Papers that were filed including your financial declaration
- Copies of any evidence that documents your change in circumstance
- Affidavits of Service
- An Order for Reduction of Child Support with amount left blank (provided)

Dress appropriately (no shorts, tank tops), be polite, be honest.

Address the Judge as “Your Honor” and never speak out of turn or interrupt.

Two General Rules:

Only speak when you are asked to speak by the Judge.

Only speak on matters that are relevant to the reduction such as the change in circumstance which has resulted in the need for reduction (ie visitation or other issues are not relevant)

JUDGE REDUCED MY CHILD SUPPORT AND THEN TOLD ME TO PREPARE AN ORDER, WHAT DO I DO???

- Inform the Judge you have an Order that you prepared with the amount of child support to be paid left blank and ask if he will review.
- If Judge says yes, hand Order to Deputy to give to Judge for signature.
- Request a copy of Order signed by Judge and filed by clerk (date stamped) before you leave the courthouse.
- The clerk of court will mail Order, once signed and filed, to Defendant.

How to complete Order:

Fill out caption as previously instructed

Fill in Date of Hearing

Fill in date of original Order containing child support obligation

Fill in names and dates of birth of children for whom support is paid

Do not fill in anything below the lines stating, “IT IS THEREFORE ORDERED”, Judge will fill this section in, as well as he/she will date and sign.

LEGAL FORMS

**CHILD SUPPORT MODIFICATION (REDUCTION) FOR THE SELF
REPRESENTED LITIGANT**

(administrative through DSS/CSE and FAMILY COURT)

SAMPLE FORM LETTER TO DSS/CSE

(HAND DELIVERED OR RETURN RECEIPT REQUESTED)
DEPARTMENT OF SOCIAL SERVICES
CHILD SUPPORT ENFORCEMENT

RE: REQUEST FOR A DOWNWARD MODIFICATION

TO: NAME OF APPROPRIATE CASEWORKER:

(NOTE: CASEWORKERS ARE ASSIGNED BY THE FIRST LETTER OF THE LAST NAME OF THE NON-CUSTODIAL PARENT)

PLEASE BE ADVISED THAT I HAVE A CHANGE IN CIRCUMSTANCE THAT WARRANTS A REVIEW OF MY CHILD SUPPORT CASE AND A POSSIBLE DOWNWARD MODIFICATION.

MY CHANGE IN CIRCUMSTANCE IS AS FOLLOWS:

(LIST HERE THE APPROPRIATE CHANGE)

ATTACHED ARE THE DOCUMENTS YOU NEED TO PROCESS MY REVIEW. **(MAKE SURE YOU ATTACH THE APPROPRIATE ATTACHMENTS)**

MY FULL NAME, ADDRESS, AND SOCIAL SECURITY NUMBER ARE AS FOLLOWS **(ALSO INCLUDE DSS CASE NUMBERS IF KNOWN)**

NAME: _____

ADDRESS: _____

SOC SEC: _____

THANK YOU FOR YOUR ATTENTION TO THIS MATTER,

(YOUR SIGNATURE)

STATE OF SOUTH CAROLINA)
)
 COUNTY OF _____)
)
 _____)
 Plaintiff,)
 vs.)
 _____)
 Defendant.)

IN THE FAMILY COURT
 _____ JUDICIAL CIRCUIT

FAMILY COURT COVERSHEET

Docket No. _____

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for docketing purposes for the Clerk of Court and must be signed and dated, and filled out completely. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

Submitted by: _____ SC Bar # _____
 Address: _____ Telephone # _____
 _____ Fax # _____
 Email: _____ Other: _____

DOCKETING INFORMATION (Check one box below if filing in a Mandatory Mediation County)

- This case is subject to MEDIATION pursuant to the Family Court Alternative Dispute Resolution Rules.
- This case is exempt from ADR (certificate attached).

Nature of Action Codes (Check One)	
Marital Dissolution	Support
<input type="checkbox"/> Divorce (110)	<input type="checkbox"/> Child Support – Private (501)
<input type="checkbox"/> Annulment (120)	<input type="checkbox"/> Child Support – Administrative Process (502)
<input type="checkbox"/> Separate Support and Maintenance (130)	<input type="checkbox"/> Child Support – Judicial Process (503)
<input type="checkbox"/> Registration of Foreign Divorce Decree – without support/custody (190)	<input type="checkbox"/> Registration of Foreign Order of Support (504)
<input type="checkbox"/> Registration of Foreign Divorce Decree – with support/custody (191)	<input type="checkbox"/> UIFSA – Outgoing (505)
<input type="checkbox"/> Marital Dissolution – Other (199)	<input type="checkbox"/> UIFSA – Incoming (506)
	<input type="checkbox"/> Modification of Child Support – Private (507)
	<input type="checkbox"/> Modification of Child Support – DSS (508)
Abuse and Neglect	<input type="checkbox"/> Modification of Alimony (525)
<input type="checkbox"/> Abuse and Neglect – Child (210)	<input type="checkbox"/> College Expenses (530)
<input type="checkbox"/> Abuse and Neglect – Adult (220)	<input type="checkbox"/> Support – Other (599)
<input type="checkbox"/> Abuse and Neglect – Other (299)	
	Custody/Visitation
	<input type="checkbox"/> Child Custody/Visitation (610)
Juvenile Delinquency	<input type="checkbox"/> Modification of Custody/Visitation (615)
<input type="checkbox"/> Truancy (311)	<input type="checkbox"/> Registration of Foreign Child Custody Order (690)
<input type="checkbox"/> Incurable (312)	<input type="checkbox"/> Custody/Visitation – Other (699)
<input type="checkbox"/> Runaway (313)	
<input type="checkbox"/> Criminal Offense (320)	Miscellaneous Actions
<input type="checkbox"/> Juvenile Delinquency – Other (399)	<input type="checkbox"/> Name Change (710)
	<input type="checkbox"/> Correction/Birth Record (720)
	<input type="checkbox"/> Judicial Bypass (730)
	<input type="checkbox"/> Adoption (740)
Protection from Domestic Abuse	<input type="checkbox"/> Foreign Adoption (741)
<input type="checkbox"/> Domestic Abuse – Intimate Partner (410)	<input type="checkbox"/> Post Dissolution Equitable Distribution (750)
<input type="checkbox"/> Domestic Abuse – Minor (420)	<input type="checkbox"/> Paternity – Private (761)
<input type="checkbox"/> Registration of Foreign Order of Protection (490)	<input type="checkbox"/> Paternity – DSS (762)
<input type="checkbox"/> Domestic Abuse – Other (499)	<input type="checkbox"/> Termination of Parental Rights – Private (771)
	<input type="checkbox"/> Termination of Parental Rights – DSS (772)
	<input type="checkbox"/> Miscellaneous Actions – Others (799)

Submitting Party Signature: _____ Date: _____

Custodial Parent (if applicable): _____

Note: Frivolous civil proceedings are subject to sanctions pursuant to Rule 11, SCRPC and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. § 15-36-10 et seq.

FOR MANDATED ADR COUNTIES ONLY

Allendale, Anderson, Beaufort, Clarendon, Colleton, Florence, Greenville, Hampton, Horry, Jasper, Lee, Lexington, Oconee (Family Court Only) Pickens (Family Court Only), Richland, Sumter, Union, Williamsburg, and York Counties.

SUPREME COURT RULES REQUIRE MEDIATION OF ALL CONTESTED DOMESTIC RELATIONS ACTIONS. IF THE DOCKETING INFORMATION ON PAGE 1 OF THIS COVERSHEET INDICATES THAT THIS CASE IS SUBJECT TO MEDIATION YOU ARE NOTIFIED THAT MEDIATED SETTLEMENT CONFERENCES ARE REQUIRED IN THIS CASE, AND THAT THE COURT-ANNEXED ADR RULES SHALL APPLY TO ALL CASES IN WHICH MEDIATION IS REQUIRED. FOR ADDITIONAL INFORMATION CONCERNING THE PROCESS AND TIME FRAMES, PLEASE CONSULT THE ADR RULES. KEY SECTIONS OF THE RULES ARE IDENTIFIED BELOW.

CONTESTED ACTIONS INVOLVING CUSTODY AND VISITATION

Rule 3	Actions Subject to ADR
Rule 4(d)(1)(3)(4) &(5)	Appointment of Mediator by Family Court
Rule 5(g)	Scheduling in Family Court
Rule 6(g)	Agreement in Family Court
Rule 7(f)	Reporting Results of Conference
Rule 9	Compensation of Neutral

ALL OTHER CONTESTED ACTIONS

Rule 3	Actions Subject to ADR
Rule 4(d)(2)(3)(4) &(5)	Appointment of Mediator by Family Court
Rule 5(g)	Scheduling in Family Court
Rule 6(g)	Agreement in Family Court
Rule 7(f)	Reporting Results of Conference
Rule 9	Compensation of Neutral

Indigent Cases: Where a mediator has been appointed, a party may move before the Chief Judge for Administrative Purposes to be exempted from payment of neutral fees and expenses based upon indigency. Applications for indigency shall be filed no later than ten (10) days after the ADR conference has been concluded. Determination of indigency shall be in the sole discretion of the Chief Judge for Administrative Purposes.

Please Note: Attendance at mediated settlement conferences is mandatory. You must comply with the Supreme Court rules regarding court-ordered mediation. Failure to do so may affect your case and may result in sanctions.

Note: Frivolous civil proceedings are subject to sanctions pursuant to Rule 11, SCRPC and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. § 15-36-10 et seq.

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
)
)
)

) Plaintiff,
)
) vs.)
)
)
)

) Defendant.)

IN THE FAMILY COURT

JUDICIAL CIRCUIT

**CERTIFICATE OF
EXEMPTION**

Docket No. _____

I certify that this action is exempt from mediation based on the following:

- This is a contempt action.
- This action involves issues of custody or visitation, but these issues were submitted to mediation with a certified mediator prior to filing this action.
- Other showing of exception circumstances: _____

- Custody and visitation are not an issue in this action because there are no children.
- Custody and visitation are not contested in this action because the parties have agreed that custody shall be with (Plaintiff/Defendant) and that agreed visitation rights are as follows:

Date: _____
Signature of Attorney for _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
)
)
)

Plaintiff,)
)
vs.)
)
)

Defendant.)

IN THE FAMILY COURT

JUDICIAL CIRCUIT

**MOTION AND AFFIDAVIT
TO PROCEED IN FORMA PAUPERIS**

Docket No. _____

I, _____, being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in this case. I request that the complaint be filed and service made without cost to me.

Sworn to before me this
_____ day of _____, 20_____

Notary Public of South Carolina

Plaintiff

My Commission expires: _____

ORDER

- Leave is *granted* to proceed in forma pauperis.
- Leave is *denied* to proceed in forma pauperis. This case will be dismissed without further order of the court if the filing fee and associated costs are not paid on or before _____, 20_____. (Family Court Only)

Date: _____, 20_____

Family Court Judge

_____, S.C.

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

Custodial Parent (if applicable): _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
 (1)

IN THE FAMILY COURT

JUDICIAL CIRCUIT
(2)
CASE NO: _____ -DR- _____
(3)

_____,)
(4) PLAINTIFF,)
)
)
VS.)
)
_____,)
(5) DEFENDANT.)

SUMMONS

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is hereby served upon you, and to serve a copy of your Answer to this Complaint upon the subscriber, at the address shown below, within thirty days (30) after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

(6) _____, S.C.

(8) _____
PLAINTIFF

(7) _____.

(9)Address of Plaintiff:

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
(1)

IN THE FAMILY COURT
_____ JUDICIAL CIRCUIT
(2)
CASE NO: _____-DR-_____-_____
(3)

_____,)
(4) PLAINTIFF,)
)
VS.)
)
_____,)
(5) DEFENDANT.)

**COMPLAINT FOR REDUCTION IN
ONGOING CHILD SUPPORT**

1. Plaintiff is a resident of (6) _____
2. Defendant is a resident of (7) _____
3. Plaintiff is currently under an order to pay child support pursuant to an Order dated,
(8) _____, in the amount of \$ (9) _____ .00 + court costs per (10) _____.

(Copy of Current Order Attached).

4. Plaintiff is informed and believes that he/she has a significant change in circumstance that warrants a downward modification to his current Order.
5. The significant change in circumstance is as follows: (11) _____

WHEREFORE, the Plaintiff respectfully prays that the Court will grant the modification request and award such other relief as the Court deems just and proper.

Dated: _____

Defendant's Address (15):

PLAINTIFF
Plaintiff's Address (16):

STATE OF SOUTH CAROLINA)
)
 COUNTY OF _____)
)
 _____)
 Plaintiff,)
 vs.)
 _____)
 Defendant.)

IN THE FAMILY COURT OF THE
 _____ JUDICIAL CIRCUIT

FINANCIAL DECLARATION
OF _____

Docket No. _____

HUSBAND/FATHER		WIFE/MOTHER	
Address		Address	
Age		Age	
Occupation		Occupation	
Employer		Employer	
Employer Address		Employer Address	

Gross Monthly Income	Husband/Father	Wife/Mother
Principal Earnings from Employment ¹		
Overtime, Tips, Commission, Bonuses ²		
Pensions, Retirement, and Annuities income		
Additional Employment income		
Social Security Benefits (SSA) and VA Benefits		
Disability and Worker's Compensation Benefits		
Unemployment and AFDC		
Spousal or Child Support (from other marriage/relationship)		
Dividends, Interest, Trust Income, and Capital Gains		
Rental Income and Business Profits		
Other (Specify):		
TOTAL GROSS MONTHLY INCOME		

Payroll Deductions from Monthly Income	Husband/Father	Wife/Mother
Federal Income Tax ³		
State Income Tax		
Social Security and Medicare Tax (FICA)		
Self-Employment Tax		
Health and Dental Insurance (Adult)		
Health and Dental Insurance (Child)		
Union Dues		
Voluntary Retirement Contribution (401(k), 457, IRA)		
Mandatory Retirement Contribution		
Savings Plan		
Other (Specify):		
TOTAL MONTHLY DEDUCTIONS		
NET MONTHLY INCOME ⁴		

Estimate monthly expenses: (Specify which party is the custodial parent and list name and relationship of all members of household whose expenses are included.) _____

MONTHLY EXPENSES ⁵	Husband/Father	Wife/Mother
Residential Rent Payment		
Note or Mortgage Payment on Residence(s)		
Food and Household Supplies ⁶		
Utilities, Water, and Garbage Collection		
Telephone and Cellular Phone		
Medical, Dental and Disability Insurance Premiums (not deducted from paycheck)		
Life Insurance Premiums (not deducted from paycheck)		
Child Support (from other relationship)		
Work Related Day Care		
Spousal Support (from prior marriage)		
Auto Payment		
Auto Insurance, taxes, gasoline, and maintenance ⁷		
SUBTOTAL: <input style="border: 2px solid black; width: 100px; height: 20px;" type="text"/>		
Real Property Tax on Residence(s)		
Maintenance for household ⁸		
Adult Clothing		
Children's Clothing ⁹		
Cable Television, Satellite, and Internet/Online Services		
Laundry and Dry Cleaning ¹⁰		
Medical and Dental Expenses (not paid by insurance)		
Prescriptions, Glasses, and Contacts (not paid by insurance)		
Children's incidental expenses ¹¹		
School lunches, supplies, field trips, and fees ¹²		
Entertainment ¹³		
Adult Incidental expenses ¹⁴		
All Installment payments ¹⁵		
Other (Specify):		
SUBTOTAL: <input style="border: 2px solid black; width: 100px; height: 20px;" type="text"/>		
TOTAL MONTHLY EXPENSES		

Installment Loan Payments Section

Creditor	For	Monthly Payment	Balance	Owed by ¹⁶

Other Debts and Obligations *not* payable in monthly installments

Creditor	For	Date Payable	Balance	Owed by ¹⁶

Are you currently in Bankruptcy? YES NO

Are any obligations listed above, including mortgage and note payments, in arrears? YES NO

If yes, please list the obligations in arrears.

All Marital Property Known to Parties

Assets	Husband/Father	Wife/Mother	Joint
Cash and Money in Checking Account(s)			
Money in Savings Account(s), Credit Union, Money Market, or Cert. of Dep.			
Value of Voluntary Retirement Account(s)			
Value of Pension Account			
Value of Publicly Held Stocks, Bonds, Securities, Mutual Funds			
Value of Privately Held Stocks and Other Business			
Value of Real Estate – Net of Mortgage Balances			
Value of All Other Property ¹⁷			
TOTAL ASSETS			

Any Non Marital Property Known to Parties

Description of Asset	Title Owner	Date of Acquisition	Source of Funds to Acquirer	Estimate Present market Value

If total assets are less than \$300,000.00, sign and have notarized.

If total assets are greater than \$300,000.00, itemize assets by completing additional sections below and sign and have notarized.

Financial Accounts Section¹⁸

Owner	Name of Institution	Type of Account	Balance

Voluntary Retirement Accounts and Pension Accounts Section

Type of Account	Value

Publicly Held Stocks, Bonds, Securities, Mutual Funds Section (Non-Retirement)¹⁹

Name of Company	Number of Shares/Type of Account	Value

Real Estate Section²⁰

Owner	Address	Value	Mortgage Balance	Mortgage Equity

Other Property Section¹⁷

Owner	Description of Asset	Value	Loan Balance	Equity

Signature

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

(SEAL)

Notary Public for South Carolina
My commission expires: _____

Custodial Parent (if applicable): _____

-
1. A recent paystub should be attached to the Financial Declaration. To compute Principal Earnings from Employment, first determine whether you are paid semi-monthly, biweekly, or weekly. If you are paid semi-monthly, multiply the gross amount of your pay check by two. If you are paid biweekly, multiply the gross amount of your pay check by 26 and then divide by 12. If you are paid weekly, multiply the amount of your paycheck by 52 and divide by twelve. Round to the nearest whole dollar.
 2. To compute Overtime, Tips, Commission, and/or Bonuses, take an average of your monthly earnings from overtime, tips, commission, bonuses, etc. from the past three years or the length of employment if employed less than three years (including this year).
 3. To compute State, Local, and Social Security Tax deductions, use the same formula used to compute principal earnings in endnote 1 above, or consult or have your attorney consult an accountant.
 4. Net monthly Income is equal to Total Gross Monthly Income minus Total Monthly Deductions.
 5. Do not include any expense in the Monthly Expenses section that has already been included in the Deductions from Gross Monthly Income on page one of the Declaration.
 6. Food Expense is to include the cost of groceries, toiletries, cleaning supplies, and casual eating out.
 7. Auto Expenses are to include gasoline, oil changes, tune-ups, tire replacement, maintenance, and related items.
 8. Maintenance for Household is to include appliance and household repairs, landscaping, house cleaning, pest control, pool service, alarm service, and other related items.
 9. Clothing Expense is to include shoes and clothing purchases, clothing repair and alterations, and related items.
 10. Laundry Expense is to include the cost of laundry service, dry cleaning, and related items.
 11. Children's Incidental Expenses are to include allowance, summer camp, baby sitters, lessons, activities, participatory sports, and related items.
 12. School Expense is to include tuition, supplies, field trips, dues, tutors, locker rentals, school lunches, and other related items.
 13. Entertainment is to include movies, theater, vacations, sporting events, compact discs, digital video discs, and related items.
 14. Adult Incidental Expenses are to include cosmetics, hair and nail care, books, magazines, newspapers, business dues, memberships, pets, charity, religious dues or tithes, gifts, bank charges, hobbies, and related items.
 15. All Installment Loan Payments is the total amount itemized in Installment Loan Payments Section, which should include all loan payments not already listed as a monthly expense. Examples: home equity loan, credit cards, etc.
 16. Indicate which spouse legally owes the payment (husband, wife, or joint).
 17. Other property is to include automobiles (minus loan balance), boats (minus loan balance), furniture, furnishings, china, silver, jewelry, collectibles, and other personal property.
 18. Itemize Financial Accounts such as checking, savings, credit union, money market, or certificate of deposit accounts in the Financial Accounts Section.
 19. Itemize Publicly Held Stocks, Bonds, Securities, Stock Options and Mutual Funds (excluding retirement accounts) in the Publicly Held Stocks, Bonds, Securities, Mutual Funds Section.
 20. Itemize each parcel of Real Estate in the Real Estate Section.

STATE OF SOUTH CAROLINA)

IN THE FAMILY COURT

COUNTY OF _____)

_____ JUDICIAL CIRCUIT

(1)

(2)

CASE NO: _____ -DR- _____ - _____

(3)

_____,)
(4) PLAINTIFF,)

VS.)

AFFIDAVIT OF SERVICE

_____,)
(5) DEFENDANT.)

PERSONALLY APPEARED BEFORE ME, _____, a person over the age of 18 years of age, who being duly sworn deposes and says that he/she mailed a certified Copy of the **Summons and Complaint**, by registered mail return receipt requested on _____ to the Defendant's last known address. That the Defendant acknowledged receipt of the said Summons and Complaint by personally signing the Receipt Card on _____. The original Receipt Card was returned and is attached to this affidavit.

Sworn to and subscribed before me this _____ day of _____, 200_.

AFFIANT

Notary Public for the State of South Carolina
My Commission Expires: _____ 200_.

STATE OF SOUTH CAROLINA)

IN THE FAMILY COURT

COUNTY OF _____)

_____ JUDICIAL CIRCUIT

(1)

(2)

CASE NO: _____-DR-_____-_____

(3)

_____,)

(4)

PLAINTIFF,

VS.)

AFFIDAVIT OF SERVICE

_____,)

(5)

DEFENDANT.)

PERSONALLY APPEARED BEFORE ME, _____, a person over the age of 18 years of age, who being duly sworn deposes and says that he/she mailed a certified Copy of the **Notice of Hearing**, by registered mail return receipt requested on _____ to the Defendant's last known address. That the Defendant acknowledged receipt of the said Request for Hearing Form by personally signing the Receipt Card on _____. The original Receipt Card was returned and is attached to this affidavit.

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

AFFIANT

Notary Public for the State of South Carolina
My Commission Expires: _____ 20_.

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
(1)

IN THE FAMILY COURT
_____ JUDICIAL CIRCUIT
(2)
CASE NO: _____-DR-_____-_____
(3)

_____,)
(4) PLAINTIFF,)
VS.)
_____,)
(5) DEFENDANT.)

ORDER GRANTING REDUCTION IN ONGOING CHILD SUPPORT OBLIGATION

AT A HEARING held on _____, 2011, the Court determined it has jurisdiction over the subject matter and the parties in this action. The Court considered facts and circumstances which may include both parties' incomes, abilities to pay, education, expenses and assets, needs of the children and their standard of living. Based upon this evidence, the Court makes these findings of fact.

1. This Court has jurisdiction over the subject matter and the parties in this action.
2. Plaintiff pays child support to the Defendant pursuant to an Order dated, _____, for his minor child(ren) whose names and dates of birth are:

NAME: _____, DOB _____ NAME: _____, DOB _____
NAME: _____, DOB _____ NAME: _____, DOB _____

3. That a significant change in circumstance has occurred making the current ongoing child support obligation owed by the Plaintiff to the Defendant for the care of the above name minor children unreasonable and child support obligation should be reduced.

IT IS THEREFORE ORDERED:

- A. The Defendant owes a child support arrearage of \$ _____ in this case.
- B. The Defendants ongoing child support payments are reduced to \$ _____, plus \$ _____ towards the arrearage, plus five percent (5%) court costs, for a total payment of \$ _____ per _____, beginning _____. **Copy of the child support worksheet calculation attached.**
- C. Each payment shall be made payable to the _____ Family Court, shall contain the Family Court file number and the Defendant's full name.
- D. The Defendant shall pay the amount as ordered until the minor child(ren) are emancipated or until further order of the Court.
- E. Other: _____.

AND IT IS SO ORDERED.

Date: _____, 20_____
_____, S.C. Family Court Judge