

## PRO SE MODIFICATION OF JEFFERSON COUNTY CHILD and MEDICAL SUPPORT ORDERS – Procedural Information

**Pro se means “for himself” or “for herself”. This refers to filing legal papers and appearing in court without an attorney.**

- You can ask for a court hearing to change your current child support order by using pro se “Motion to Change Child Support” documents.
- The forms are available on the Wisconsin Court Systems (WCS) website (forms may be printed at no cost at the Child Support Agency, Rm 219 Jefferson Courthouse) or for purchase at the Clerk of Court’s Office in Room 115 of the Jefferson County Courthouse. (See Court Forms section below for more information)

Contact the Child Support Agency (CSA, Courthouse, Rm 219) to:

- Verify if the CSA is an interested party in your case. If the CSA is a party to the case:
  - The CSA will provide the date and amount of your most recent court order (needed for motion)
  - The CSA will provide the court case number and court case caption (needed for motion)
  - The CSA Attorney may appear at the hearing.
  - Even if the CSA Attorney does not attend the hearing, the CSA may ask for reconsideration of the order to correct any errors or omissions

You must first be aware of what the current order is.

- Before deciding to file a motion, **review your present order**. If you do not have a copy:
  - If the CSA is **not** an interested party in your case, you can request to view your file in the Clerk of Court’s office to make the determination based upon **your** review of the file.  
With the court case number and date of the order, you may review or purchase a copy of your order from the Clerk of Courts, Rm 115 of the courthouse
- **If the order was entered less than 33 months ago**, your motion must state a **substantial change in circumstances** since the order was entered.
  - Circumstances relating to child support include:
    - the number of children entitled to support
    - physical placement
    - each party’s gross income (before taxes)
    - other facts the Court used to help determine the last order
- **If the order was entered more than 33 months ago**, you automatically qualify for a hearing to consider a change in the amount.

### PROCEDURAL CHECKLIST

(Once you have reviewed your current orders and are prepared to file the motion)

1.  Complete form FA-4170-Notice of Motion and Motion
2.  Complete form FA-4138 –Income & Expense Statement
3.  Go to the Clerk of Court’s Office – Room 115 of the Courthouse. The Clerk will:
  - Collect the appropriate filing and copy fees (see filing fees section below.)
  - Send the filing for review and scheduling.
  - If you are not indigent you must bring the appropriate number of copies with you or pay \$1.25 per page if the Clerk makes copies. You will need one complete set for each interested party in your case. I.e. The other parent, counsel, GAL, Child Support. (If you have submitted a Petition for Waiver of Fees and have been found to be indigent by the court, the clerk will make the requested number of copies for parties.)
  - Distribute the authenticated copies for service.

4.  Serve the copies on the other party(s).
- Give the other party(s) notice of the hearing by mailing copies of the documents to them or personally delivering a copy to them and ask him/her to “admit service.” To admit service, he/she would complete the bottom portion of the Admission of Service form. **You must include a blank Income & Expense Statement for the other party to fill out.**
  - Fill out the appropriate “Proof of service” form (see attached.) Make a copy for your records and bring the original to the court hearing.

**\*\*Warning: Without proof of service the court may be unable to proceed with the hearing.\*\***

## PREPARING FOR AND GOING TO COURT

- **Do not bring child(ren) to the hearing**
- Arrive a few minutes prior to your hearing and report to the hearing room indicated on the notice of hearing.
- Bring with you to the hearing:
  - Proof of service (unless it has already been filed.)
  - Your completed Income & Expense Statement
- If you fail to appear, your motion will be dismissed.
- If the Child Support Agency is not a party to your case, or the Child Support Agency is a party and the CSA Attorney is not in attendance, you must present your own case.
- You may have others in the hearing room, but not at counsel table – and they may not present arguments for you or act on your behalf. (They may testify.)
- In most cases, the commissioner will make a decision, fill out the order and provide copies of it at the conclusion of the hearing.
- The right to request a hearing “de novo” (new hearing) by the circuit judge will also be explained at the end of the hearing.

## FILING & COPY FEES

- The filing fee for a motion to change support orders is \$30. Payment can be made by cash, check or money order. Payment by use of a credit card/debit card will incur additional processing fees depending on the service method used.
- A form for waiver or deferral of filing fees and services is available from the Clerk of Courts Office or online (see Court Forms Section below). Once you fill out the form a determination will be made.
  - **If you are receiving any form of means tested public assistance**
    - The filing fee is automatically waived
    - The fees for copying filed documents is automatically waived.
  - **If you are not receiving public assistance,**
    - You *may* qualify for a waiver or deferral of the filing and copy fees depending on your income, resources and number of children in the home.

## PRO SE COURT FORMS

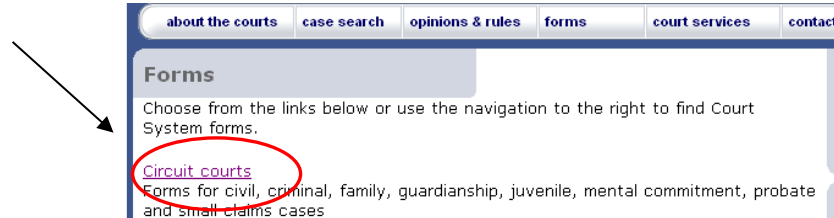
The forms necessary to file a Motion to Change Child Support are available free of charge on The Wisconsin Court System website. The directions for finding the forms you will need are:

To file a motion to change child support: go to [www.wicourts.gov](http://www.wicourts.gov)

Click on *forms* in the top toolbar:



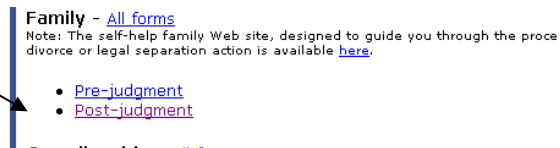
Click on *Circuit Courts*:



Click on *Family*:

- [General](#)
- [Civil](#)
- [Criminal](#)
- [Conservatorship](#)
- [Family](#)
- [Guardianship](#)
- [Juvenile](#)
- [Mental commitments](#)
- [Probate](#)
- [Small claims](#)
- [Spanish/Español](#)
- [Other](#)

Click on *Post-Judgment*:



You will then see a list of forms by name and number (available in WORD or PDF format). The forms you need are:

Notice of Motion and Motion: FA-4170

Income & Expense Statement FA-4138

### Proof of Service Forms:

Admission of Service FA-4119

or  
Affidavit of Mailing FA-4121

### Other forms you may need:

Waiver of Fees CV-410

