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Do Not Attach anything to this Petition
Except: - Continuation pages for any paragraph
- Items specifically required by the Petition form
- Items which the Support Magistrate or Judge has directed you to provide

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF BROOME**

In the Matter of

Family File No: _____

First Name MI Last Name

Docket No: _____

Petitioner

-against-

**PETITION TO VACATE
ACKNOWLEDGMENT OF
PATERNITY/PARENTAGE**

First Name MI Last Name

Respondent

Child's Name

Child's Date of Birth

Male Female

THE PETITIONER, BEING DULY SWORN, STATES THAT:

I reside at: _____
Street Apt# City State Zip

Phone: Cell: () _____ Home: () _____ Work: () _____

Respondent resides at: _____
Street Apt# City State Zip

Phone: Cell: () _____ Home: () _____ Work: () _____

1. The Respondent and I executed the attached Acknowledgment of *Paternity/Parentage* concerning the above-listed child.

You must attach a copy of the Acknowledgment of *Paternity/Parentage* or your petition may be dismissed.

- 2. It has been less than sixty days since the Acknowledgment was signed.
- It has been more than sixty days since the Acknowledgment was signed, BUT the Acknowledgment should be rescinded because: _____

3. The Petitioner's legal obligation for child support in this case should be suspended during this challenge to the Acknowledgment for the following reasons: _____

4. Is any child named here a Native American child covered by the Indian Child Welfare Act of 1978 (25 U.S.C. §1901-1963)? Yes No

5. No previous application has been made to any court or judge for this relief.
 A previous application has been made. State the date, the court, and the results: _____

6. Check which applies to you:
 I have applied for child support services with the Broome County Support Collection Unit (IV-D Program).
 I am applying for child support enforcement services by filing this petition.
 I do not wish to apply for child support services.
 I am not eligible for child support enforcement services because only spousal support is sought.

NOTICE

(1) **COST OF LIVING ADJUSTMENT:** A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS PETITION SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER WAS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY THE COURT AND TO PRESENT EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHLD SUPPORT STANDARDS ACT.

(2) **ADJUSTMENT FOR CHILDREN RECEIVING FAMILY ASSISTANCE:** A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN 24 MONTHS AFTER SUCH ORDER WAS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

DO NOT WRITE BELOW THIS LINE. ATTACH ANOTHER PAGE IF NEEDED.

(3) **FAILURE TO NOTIFY SCU OF ADDRESS CHANGE:** WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

WHEREFORE, Petitioner request that this Court issue an order rescinding the Acknowledgment and an order determining that the alleged father is not the father of the child named herein and to grant such other and further relief as may be appropriate under the circumstances.

VERIFICATION

STATE OF NEW YORK:
COUNTY OF BROOME:

The Petitioner herein, being duly sworn, states that the foregoing petition is true to the Petitioner's own knowledge, except as to matters stated to be alleged on information and belief and as to those matters, the Petitioner believes them to be true.

Petitioner (print or type name)

Signature

Sworn to before me this

_____ day of _____, 20_____

(Deputy) Clerk of the Court
OR Notary Public

Attorney's Name, if applicable (print or type name)

Attorney's Signature