

SUPPORT MATTERS

I. FILING PETITIONS

Individuals seeking to obtain or modify a support order should file with the Family Court Clerk's Office: (1) an original, complete, notarized petition; (2) compulsory financial disclosure; (3) two complete copies of numbers 1 and 2; and (4) a Family Court Intake Sheet.

Individuals seeking to enforce an existing support order should file with the Family Court Clerk's Office: (1) an original, complete, notarized petition; (2) a copy of the outstanding support order; (3) two complete copies of numbers 1 and 2; and (4) a Family Court Intake Sheet.

Form petitions are available from the Tioga County Family Court (20 Court Street, P.O. Box 10, Owego, NY 13827; 607-687-1730). All petitions should include the correct mailing addresses for all parties.

Individuals may also contact the Tioga County Support Collection Unit (231 Main Street, Owego, New York 13827; 607-687-8536) to request assistance with preparation of a petition (it is necessary to make an appointment for such assistance).

ACCORD (16 Court Street, Room 204, Owego, NY 13827; 607-687-8222) is an agency which attempts to assist individuals who would like to try to settle the issue of support by agreement. Call for an appointment.

II. CORRESPONDENCE/ADJOURNMENT REQUESTS

The Hearing Examiner does not consider or entertain correspondence or telephone calls concerning the merits of a proceeding. Any relief sought from the court should be submitted by appropriate legal pleading. The court does not provide legal advice.

Procedural relief, e.g., requests for adjournment, may be addressed by timely correspondence filed with the court which indicates that a copy of such correspondence has been provided to all opposing parties. As it is not appropriate to contact the court without providing a copy of any correspondence to all opposing parties, any ex parte correspondence (a letter which does not indicate that a copy of same has been provided to all opposing parties) may be returned by the court.

The court does not grant adjournments based upon telephone calls.

Prior to contacting the court for an adjournment, a party is encouraged to contact all opposing parties to determine whether they would consent to an adjournment. With the consent of all parties to a proceeding, adjournment of an initial appearance is usually granted.

III. COMPULSORY FINANCIAL DISCLOSURE

Family Court Act, §424-a requires the filing of compulsory financial disclosure [i.e., a completed and notarized financial disclosure affidavit, a true and representative paycheck stub, and copies of your most recently filed state and federal income tax returns with W-2 form(s) attached] in all child support proceedings.

A. Petitioner

Compulsory financial disclosure shall be attached to the original or modification support petition filed by the Petitioner. Failure to attach such financial disclosure may result in dismissal of such petition without prejudice, prior to the scheduling of a court date.

B. Respondent

Respondents are encouraged to bring an original and two copies of complete financial disclosure (identified above) to the first scheduled court appearance. It is noted that a respondent's failure to file complete financial disclosure with the court and all opposing parties within than ten days after the first court appearance may result in penalties as set forth in Family Court Act, §424-a(b) which include, but are not limited to, granting the relief demanded in the petition, and/or preclusion from offering evidence as to a Respondent's ability to pay.

Parties are encouraged to maintain a copy of the financial disclosure for their records. The court will not make copies of your financial documents.