

**YAVAPAI COUNTY**  
**Self-Service Center**

**REQUEST TO MODIFY ORDER OF ASSIGNMENT OR INCOME  
WITHHOLDING ORDER  
\*\*PARTIES DO NOT AGREE\*\***

**WHAT TO DO WITH THE COURT DOCUMENTS  
AFTER I HAVE COMPLETED THEM**

**STEP 1:** Make copies of the following document:

<b>DOCUMENT</b>	<b>NUMBER OF COPIES</b>
* Request to Modify Order of Assignment/Income Withholding Order	2

**STEP 2:** Separate your documents into three sets.

**SET 1 - ORIGINALS:**

- \* Request to Modify Order of Assignment/Income Withholding Order
- \* Order Modifying Order of Assignment/Income Withholding Order
- \* Order Terminating Support
- \* New Income Withholding Order

**SET 2 - COPY FOR YOU:**

- \* Request to Modify Order of Assignment/Income Withholding Order

**SET 3 - COPY FOR THE OTHER PARTY: (for you to serve)**

- \* Request to Modify Order of Assignment/Income Withholding Order
- \* **Original blank Request for Hearing and Instructions**
- \* **Original blank Notice of Hearing and Instructions**

**STEP 3:** File the papers at the Court:

**GO TO: THE SUPERIOR COURT TO FILE YOUR PAPERS.** The court is open from 8:00 a.m. – 5:00 p.m., Monday - Friday. **You should go to the court at least two hours before it closes. It is recommended that you not bring your children with you.** You may file your court papers at either of the following Superior Court locations:

Clerk of Superior Court  
Yavapai County Courthouse  
120 S. Cortez Street  
Prescott AZ 86303-4737

Clerk of Superior Court  
Yavapai County Superior Court  
2840 N. Commonwealth Drive  
Camp Verde AZ 86322

**FEES:** When you file with the court, there are fees for petitions, responses, requests, motions, objections and various other actions. The court will accept payment in the form of cash, VISA/MasterCard debit or credit cards, money orders, or personal checks made payable to "Clerk of Superior Court". Personal checks will be accepted with current picture ID. To check out the current fees go online to <http://www.co.yavapai.az.us/clerksupct.aspx>

and find the link to the fees schedule on the top of the page, or call the Clerk's Office in either Prescott at (928) 771-3312, or Camp Verde at (928) 567-7741.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a **deferral or waiver** (delay or completely waive fees and/or costs) when you file your papers with the Clerk of the Court. The **Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment Application** is available at **no charge** from the Clerk's Office, though a fee for applying for the deferral will be added to your costs.

**WHAT THE CLERK WILL DO:** The Clerk will file and keep the original documents and stamp the two copies for you. These are called "conformed" copies. The original Request and new Income Withholding will be placed in your file until proof of service is filed.

**STEP 4:** Serve the document(s) on the other party.

Service of the following document(s) is required by statute and/or the Rules of Civil Procedure

- \* Request to Modify Order of Assignment/Income Withholding Order
- \* Blank Request for Hearing and Instructions
- \* Blank Notice of Hearing and Instructions

See "**SERVICE**" packet, available from Yavapai County Self-Service Center, if you are unsure about how to complete service.

**STEP 5: FILE THE ORIGINAL DOCUMENT WHICH SHOWS SERVICE OF THE OTHER PARTY.**

**WHAT THE CLERK WILL DO:** The Clerk will count the time limit for the other party to file a Request for Hearing. If no Request is filed by the other party by that time, the Clerk will send your Request to Modify Order of Assignment to the judge. Count the days after service yourself, and if you do not hear anything from the court in 30 days, call the Clerk's office to make sure the file was sent to the judge. If a Request for Hearing is filed by the other party, the Clerk will send the documents to the judge at that time.

**WHAT THE JUDGE MAY DO:** You and the other party will hear by mail the judge's decision regarding the Request to Modify. The judge may deny the Request, grant the Request and modify the Order of Assignment/Income Withholding Order or set a hearing to have both parties appear and testify about the matter. It may take a few weeks for you to hear about a decision after the documents are sent to the judge. If you have not heard in that time, please call or come in to the Clerk's office to check on the status of the case.

**THE COURT HEARING.** If you are to appear in court, please remember the following:

- Be sure to write down the date, time and place of the hearing, and come to the hearing.
- Be on time (10 to 15 minutes early is best).
- Dress neatly.
- Be prepared to show the Judge why you believe you are entitled to the relief for which you are asking.

Unless you have been ordered by the judge to bring your child(ren) to court, **DO NOT BRING ANY CHILD(REN) TO COURT.**