

# PETITION FOR SUPPORT

Court Case Number

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ALABAMA  
(Circuit or District Court) (Name of County)

\_\_\_\_\_  
*Plaintiff*

v.

\_\_\_\_\_  
*Defendant*

Comes now the Plaintiff and shows unto the Court as follows:

1.  The Defendant has executed the attached Affidavit of Paternity.  
 The Defendant is the person charged with the legal duty of supporting the child(ren) named as follows:  
(If more space is needed, attach a separate sheet of paper.)

NAME OF CHILD:

DATE OF BIRTH:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

and, if ordered, the spouse/former spouse, \_\_\_\_\_ (*name*).

The Defendant is able to pay for the support and maintenance of the child(ren) and spouse/former spouse.

2. CHECK ONE OF THE FOLLOWING:

- The Plaintiff in this case is the custodian of the aforementioned child(ren), and is now receiving or has received Family Assistance toward the support of the child(ren) from the State of Alabama, Department of Human Resources, and has assigned, by operation of law, support rights in regard to the child(ren) to the State of Alabama, Department of Human Resources. These payments are an obligation due to the State of Alabama; OR
- The Plaintiff is now receiving services from the State of Alabama for the enforcement of support pursuant to Title IV-D of the Social Security Act as amended; OR
- The Plaintiff is not receiving services from the State of Alabama for the enforcement of support pursuant to Title IV-D of the Social Security Act as amended.
3.  The Plaintiff is now receiving or has received medical benefits from the State of Alabama, the medical benefits being an obligation due to the State of Alabama.

Ala.Code 1975, §§12-15-115(a)(7);12-15-115(a)(8); 38-10-7(a)

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**WHEREFORE**, the premises considered, the Plaintiff respectfully moves this Honorable Court as follows:

1. To enter an order setting a hearing on the Plaintiff's petition to determine the support of the aforementioned child(ren) and the spouse/former spouse (where applicable).
2. To order at the hearing that the Defendant pay an amount as determined by the Child Support Guidelines toward the support and maintenance of the aforementioned child(ren) and such spousal support as previously ordered (where applicable), and that this Court also enter the appropriate income withholding order.
3. To require that child support payments be made payable to Alabama Child Support Payment Center at P.O. Box 244015, Montgomery, AL 36124-4015.
4.  To require the Defendant to reimburse the  State of Alabama or  Plaintiff for medical expenses of the aforementioned child(ren).  
 To require the  Plaintiff or  Defendant, wherever employed, to include the aforementioned child(ren) on any health insurance policy or health insurance coverage at his or her place of employment or include the child(ren) named above on any health insurance policy or health insurance coverage which he or she may purchase, if the health insurance coverage is accessible to the child(ren) and it is available at a reasonable cost, and to provide evidence of such coverage to the other party in non-Title IV-D cases OR to the \_\_\_\_\_ County Department of Human Resources in Title IV-D cases; OR  
 To require the Defendant to pay a sum for the medical support of the aforementioned child(ren), if health insurance is not accessible, not available, or is not available at a reasonable cost.
5. To require the Defendant to pay \$\_\_\_\_\_ for any child support arrearages, medical support arrearages, or spousal support arrearages and interest accrued thereon as provided by State law.
6. To require the Defendant to pay retroactive support for any period of time in which the Defendant owed a legal duty of support and failed to pay.
7. To require the spousal support payments be made payable to Alabama Child Support Payment Center at P.O. Box 244015, Montgomery, AL 36124-4015.
8. Other: \_\_\_\_\_.

\_\_\_\_\_  
*Date*  
Name and Address of Attorney:

\_\_\_\_\_  
*Plaintiff/Attorney*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone No.: \_\_\_\_\_

**NOTICE TO DEFENDANT**

Court Case Number

This Petition for Support has been filed in Court by the Plaintiff claiming that you have a legal duty to support the aforementioned child(ren) and also your spouse or former spouse (where applicable).

This is a civil proceeding governed by the Alabama Rules of Civil Procedure. Under these rules of court you are **REQUIRED TO FILE A WRITTEN ANSWER TO THE PETITION WITH THE CLERK OF THE COURT ON OR BEFORE THE DATE SHOWN ON THE ATTACHED SUMMONS.** If you or your attorney fail to deliver or mail your written answer so that it will be received in the clerk's office on or before that date, or if you fail to appear at a hearing set in this case, a Judgment by Default may be entered against you which may find that you have a legal duty to pay child support as long as the child(ren) is/are under the age of nineteen (19), or longer if the child(ren) is/are disabled, and spousal support (where applicable).

If the Court establishes in this case that you have a legal duty to support the child(ren) and your spouse or former spouse, under Alabama law, the Court must enter an income withholding order upon your employer. When this income withholding order is served upon your employer, the amount ordered by the Court for support will be deducted from your wages, salary, or benefits as long as you are required to make support payments.

If support payments are ordered paid directly to the Clerk of this Court, you will be required to pay an additional \$1.00 administrative fee as provided in *Ala.Code 1975*, Section 12-19-26, with each periodic payment.

**THIS IS AN IMPORTANT LEGAL PROCEEDING. DO NOT DISREGARD THESE PAPERS.** If you need assistance in responding to this Summons and Petition, you should seek the advice of an attorney.