

IN THE COURT OF COMMON PLEAS OF YORK COUNTY PENNSYLVANIA

PLAINTIFF (person who receives support)

DRO No
Docket No.
Authority/DPW
PACSES

VS

DEFENDANT (person who pays support)

PETTITION FOR AMENDMENT OF SUPPORT ORDER

TO THE HONORABLE JUDGES OF SAID COURT
The undersigned Petitioner respectfully represents that:

- 1. Petitioner is (your name) and resides at (your address)
2. Respondent is (other party's name) and resides at (other party's address)
3. There is an active support order on this case entered by the Court of Common Pleas of York County, Pennsylvania.
4. That since the entry of said Order there has been a material and substantial change in circumstances: (In this section, you should indicate any changes which are the basis for your petition.)
5. That by reason of said change in circumstances, the said Order should be modified as follows:

WHEREFORE, Petitioner respectfully prays that the existing Order of Court be modified in the respects herein before set forth and for such other relief as the Court may find just and proper.

NOTICE: Effective March 1, 1995 PA R.C.P. 1910.19(c) states as follows: Pursuant to a petition for modification, the trier of fact may modify or terminate the existing support order in any appropriate manner based upon the evidence presented.

Date
Fee Paid/Receipt No.
Exempt Welfare SSI
Date Worker

Petitioner Signature
Phone Number
Name of Attorney
(if you want the attorney to be sent a notice of conference or a copy of any order)

NOTE: This is a formal pleading and will be mailed to the other party. Any confidential addresses and telephone numbers should not be written on the petition but should be provided to the Domestic Relations Section on a separate paper.

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A **\$20.00 fee** must be paid by the petitioner at the time of filing of the petition for it to be considered properly filed and processed. Payment should be attached to the petition. A receipt will be mailed to the person paying the fee. Payment by check or money order should be made payable to: **Domestic Relations Section, 45 North George Street Suite 2100, York, PA 17401** and should reflect the name and Social Security Number of the Petitioner paying the fee. PACSES Case ID for the case upon which the fee is being paid, a notation that the payment represents a modification fee and the petition must be signed by the petitioner. Any checks returned and charged to Domestic Relations are subject to a \$25.00 processing fee and will halt the modification process.  
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INSTRUCTIONS FOR PETITION FOR AMENDMENT

The person completing this petition is the petitioner.

**THE DOMESTIC RELATIONS RECEPTIONIST IS NOT PERMITTED TO ANSWER QUESTIONS ABOUT PROPER COMPLETION OF THIS PETITION.**

**IF YOUR PETITION IS TO BE SENT TO ANOTHER PENNSYLVANIA COUNTY OR STATE FOR RESOLUTION, YOU CANNOT COMPLETE AND SUBMIT ON YOUR OWN AT THIS TIME.** You must make an appointment with a modification intake worker to complete the necessary paperwork.

You must **fully complete all blanks (see the specific instructions on the petition for item 4)** for the petition to be processed. Include a telephone number where you can be reached in the event of questions or problems with your petition. A petition is considered **filed** on the date it is received by/submitted to York County Domestic Relations. **You should attach a copy of your most recent paystub with the petition and any independent proof of your reason for modification** (such as proof of child's high school graduation, a custody order, a Divorce Decree, proof of layoff or decreased earnings, etc..).

Present Pennsylvania Statute and Rule governing modifications is as follows:

**1. Statue 4352 (a): General rule.** Allows for a review of a case if the most recent order is more than three years old upon the filing of a Petition for Amendment.

**Statue 4352 (e): Retroactive modification of arrears.** No court shall modify or remit any support obligation, on or after the date it is due, except with respect to any period during which there is a pending petition for modification. If a petition for modification was filed, modification may be applied to the period beginning on the date that notice of such petition was given, either directly or through the appropriate agent, to the obligee or where the obligee was the petitioner, to the obligor. However, modification may be applied to an earlier period if the petitioner was precluded from filing a petition for modification by reason of a significant physical or mental disability, misrepresentations of another party or other compelling reason and if the petitioner, when no longer precluded, promptly filed a petition. In the case of an emancipated child, arrears shall not accrue from and after the date of the emancipation of the child for whose support the payment is made.

**2. Rule 1910.19: Support Modification. Termination. Guidelines as Substantial Change in Circumstance**

- (a) A petition for modification or termination of an existing order shall specifically aver the material and substantial change in circumstances upon which the petition is based. A new guideline resulting from new or revised support guidelines may constitute a material and substantial change in circumstances.
- (b) The procedure upon the petition shall be in accordance with Rule 1910.10 et seq. (NOTE: This means a joint support conference will typically be scheduled to resolve the petition. Please be aware some are resolved administratively by an order without a conference, including removing a child who has left a plaintiff's care, removing an emancipated child, removing a spouse due to a divorce, or dismissing a petition because there has been no material and substantial change in circumstance.)
- (c) Pursuant to a petition for modification, the trier of fact may modify or terminate the existing support order in any appropriate manner based upon the evidence presented.

You should expect a joint support conference to be scheduled on a petition within 6-10 weeks of the date it is filed. A petition that can be handled administratively (without a conference) should be resolved in 2-4 weeks if no verification with the plaintiff is required and within 6-8 weeks if verification with the plaintiff is required.

**IF YOU ARE NOT ABLE TO COMPLETE THE PETITION ON YOUR OWN, YOU MAY CALL THE OFFICE AND SCHEDULE A MODIFICATION INTAKE APPOINTMENT.**