

Changing a Judgment of the Court

Filing a Complaint for Modification

Use these instructions if there has been a change in the situation of you or one of the parties to your case and you wish to modify a judgment of the court.

Produced by the Suffolk Probate & Family Court Community Outreach Program—Richard Iannella, Register

READ THIS:

Information provided in this packet **IS NOT LEGAL ADVICE**, it is information. This information is not a substitute for a competent lawyer.

When you sign a legal document or file any papers in court, it can seriously affect you in the future. You should always try to get legal advice before filing documents.

Bar Association lawyer referral services are listed in our brochure "Legal Resources in and around Suffolk County." Also listed are free legal service providers. You may be eligible for help.

INSTRUCTIONS FOR COMPLETING the COMPLAINT FOR MODIFICATION

Look at the sample form on the opposite page and fill out a blank form by following the instructions for each letter or number. DO NOT FILL IN THIS SAMPLE FORM. Please print or type all information.

- A.** Put in SUFFOLK.
- B.** If you are filing to modify a final judgment from a divorce or paternity case, the Docket Number from the original case will be used. Fill in that Docket Number here.
- C.** If you are filing the case, you are the plaintiff. You are the plaintiff for this Complaint for Modification even if you were the Defendant in the original Divorce or Paternity case. Print your name here.
- D.** Print the name of the Defendant here. The Defendant is the person who was the opposing party in the original case.
 - 1.** Print your address here. Then print the address of the defendant.
 - 2.** Put in the date of the judgment you wish to have modified.
Print the docket number of the case which you wish to have modified.
Write out the order that the court made and which you now wish to have modified. For example...the court ordered that.. The Plaintiff, Jane Smith, pay to the Defendant, John Smith, the sum of \$100 each week for child support.
 - 3.** Describe the change that has occurred since the time of the original court order. Print carefully, because the form does not leave much room. You must describe the CHANGE in the circumstances in as much detail as possible. For example: I was laid off from the job I had at the time of the court order. I have a new job, but it pays less per hour than the previous job.
 - 4.** Put in the date of the original judgment and then the Docket number.
Describe the modification you would like the Court to make: for example...be modified by “reducing the amount of child support paid from \$100 per week to \$75 per week.”
- E.** Put in today’s date, sign the form and fill in your address and phone number.
- F.** Turn the form over and fill in your name and address again, and the name and address of the defendant.