

## **CAO P INSTRUCTION 8-2**

### **Use These Instructions to Help You Complete Form CAO P 8-2 Decree of Paternity, Custody, Child Support ADA COUNTY**

If the other parent has not responded to your Petition for Paternity, Visitation, Custody, Support and you want your judge to enter an Decree, it must have exactly the same information and terms as the Petition for Paternity, Visitation, Custody, Support (**CAO P 1-2**). Unless you file a new Petition and start over, you cannot change anything without the agreement of the other party or at the direction of your judge. If you do need or want to make changes that both parents agree upon, you can file a "Stipulation for Entry of Order, Judgment, or Decree." You will need form CAO P 6-9 Sworn Stipulation for Entry of Order, Judgment, or Decree. You can obtain these forms from a Court Assistance Officer or at the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Fill in the forms by typing or by printing neatly and legibly in **black ink**.

**At the top left-hand corner of page 1**, fill in your full legal name, mailing address, telephone number, and email address (if you have one).

**The Court Heading.** Fill in the county and judicial district in capital letters (for example, "IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF ADA") exactly like it is in the Petition for Paternity, Custody, Visitation, and Support.

**The Caption.** Fill in the names of the Petitioner and Respondent exactly as they appeared in the caption in the Petition for Paternity, Custody, Visitation, and Support.

**The Case No.** Fill in the case number assigned by the court clerk to the case when you filed the Petition.

**The Name of the Document:** Check the boxes to indicate the orders you want.

Complete the following paragraphs of the Decree:

#### **1. Paternity:**

- Check the box Petitioner or Respondent and fill in the father's full legal name.
- Fill in the name and date of birth for each minor child.

#### **3.A. Child Custody. Legal Custody of Minor Child(ren).**

Check the same boxes and insert the same terms from paragraph 7 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms **and** have completed form CAO FL 6-1 Stipulation for Entry of Order, Judgment, or Decree. If so, insert the new terms upon which you have agreed.

#### **3.B. Child Custody. Physical Custody of Minor Child(ren).**

Check the same boxes and insert the same terms from paragraph 8 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms **and** have completed form CAO FL 6-1 Stipulation for Entry of Order, Judgment, or Decree. If so, insert the new terms upon which you have agreed.

#### **4. Child Support.**

If there is an existing child support order, check the first box and fill in the information of the

child support order if you want that order to continue and control child support instead of getting a new order and skip to section 6. If the child support order is from a different case, attach a copy of that order, Judgment or Decree as Schedule B and skip to section 6.

**Or**

If the child support order is in a different case and it has been consolidated to the custody case, check the second box fill in the information of the child support order. You will fill in the new support information in section 5.

#### **5. New Child Support Amount.**

Check the same boxes and insert the same terms from paragraph 10a through 10h of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2) unless you and the other parent have agreed to different terms and have completed form CAO FL 6-1 Stipulation for Entry of Order, Judgment, or Decree. If so, insert the new terms upon which you have agreed.

Note: If you have agreed in the Stipulation for Entry of Order, Judgment, or Decree to a different amount of child support, you will need to provide a new Affidavit of Income and Child Support Worksheet which shows the calculation of the new amount. If you have new child support calculations attach a copy of the new child support calculations as Schedule B.

#### **6. Name Change.**

If you requested a change of name for the child(ren), check the box and insert the same terms from paragraph 11 of the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2).

#### **7. Amended Birth Certificate.** Insert Father's name in space provided.

**Leave the date blank.** The judge will fill in the date when s/he signs the Decree.

**Clerk's certificate of service:** Fill in name, mailing address, city, state and zip code for Petitioner and Respondent. Leave the date blank. The clerk will fill it in when s/he signs the certificate.

**Schedules:** Attach all required Schedules to the back of the Decree of Paternity, Custody, Visitation and Support (with a staple). The Schedules will be the same ones which were attached to the Petition for Paternity, Custody, Visitation and Support (form CAO P 1-2).

Make one extra copy of the Decree with all the attachments to be attached (stapled) to the back of the Stipulation if you are completing the case by agreement. If you are completing the case by default, make one extra copy with all the attachments and retain it for your own records.

**Refer to CAO M/P Instruction 6-1 Finalizing a Custody or Modification Case for additional information.**