

Ada County Court Assistance Office Online Form Review Overview
MODIFICATION

All Court Assistance Office (CAO) forms are available online for FREE at:

- 1) <https://courtselphelp.idaho.gov> or
- 2) <https://adacounty.id.gov/clerk/court-assistance/family-law/>

OR you may request forms to be emailed to you at: cao@adacounty.id.gov

Type or fill out forms in **black** ink. There are 3 steps.

1 Complete **ALL** of these forms:

- Family Law Case Information Sheet
 - Summons
 - Petition to Modify
Attach Schedules behind Petition, including:
 - Parenting Plan (if changing custody) **Schedule A**
 - Child Support Calculations (if changing) **Schedule B**
- For assistance with child support calculations and the Parenting Plan contact Family Court Services (208)287-7600 or fcs@adacounty.id.gov

2 Complete **ONE** of these forms:

- Acknowledgment of Service
- OR**
- Affidavit of Service

3 If uncontested, complete one set of finalizing forms applicable to your case:

***By Default:** (To file 22 days after service) **OR**

- Judgment of Modification
***Answer every question identically to the answers given on the Petition.*
Attach all of the same Schedules from the Petition behind the Judgment, including:
 - Parenting Plan (if sharing custody) **A**
 - Child Support Continuing Support Worksheet **B** (if you have multiple minor children together)
- Motion and Affidavit for Default
- Default order
- Child Support Order Transmittal
(if setting or changing support)
- 2 self-addressed stamped envelopes, one for each party (These are used to mail a copy of the Decree to each party after being signed by the judge.)

***By Stipulation:** (No waiting period to file)

- Stipulation for Entry of Order/Judgment/Decree
***Attach a completed copy of the Judgment of Modification to the back of stipulation*
- Judgment of Modification
Attach Schedules behind Judgment, including:
 - Parenting Plan (if sharing custody) **A**
 - Child Support Continuing Support Worksheet (if you have multiple minor children together) **B**
- Child Support Order Transmittal
(if setting or changing support)
- 2 self-addressed stamped envelopes, one for each party (These are used to mail a copy of the Decree to each party after being signed by the judge.)

Questions?

Email cao@adacounty.id.gov or call us at (208) 287- 6944/63.

If you are filing in Ada County, you can send your completed forms to the Ada CAO for an **Online Form Review** as attachments to:

cao@adacounty.id.gov .

1) Please SCAN and EMAIL paper forms in **PDF** format, or take pictures and convert to **PDF**. Some cell phones have a feature to convert photos to PDF, or look for a free phone app such as Adobe Scan.

2) **OR** complete the forms in a **PDF, Microsoft Word or Rich Text** format from our websites and email them.

3) We will review and return by email your CAO forms as soon as possible.

Important Notice:

Please keep in mind that we can only help you to review your forms for general completeness. We cannot tell you if the information in your forms is correct, or provide any other legal advice. If you are unsure about something you have listed or want to include in your forms, please seek legal advice before you file. In addition, we are unable to review non-Court Assistance Office paperwork.

Below, there are several options to file your paperwork with the Clerk's Office (subject to change):

	Options	How to
1	Mail paperwork and/or fee payment to Clerk's office (<u>Note</u> : personal check, cashier's check, money order payable to "Ada County" are accepted)	Ada County Clerk's Office 200 W. Front Street Boise, ID 83702
2	E-file, refer to websites for instructions, registration and payment. This option requires setting up an e-filing account and only using e-filing for the life of the case.	https://icourt.idaho.gov/ https://adacounty.id.gov/clerk/court-assistance/resources/ (Note: You will have to select the correct code category for your case type as demonstrated in this fees schedule: https://isc.idaho.gov/rules/IRCP_AppendixA_07.18.pdf For example, the Divorce with Children case falls under code B1A, the Name Change code is A7. Once the correct code is entered, you can fill the information and a correct fee will appear at the end.)
3	Physically drop off the paperwork at the courthouse. The Ada County Courthouse is located at: 200 W. Front Street Boise, ID 83702	A filing desk is located inside the foyer of the courthouse before the security checkpoints, from 8AM-5PM, Monday to Friday.
4	Email paperwork (<u>Note 1</u> : Option not available for paperwork requiring filing fee and/or self-addressed envelopes. <u>Note 2</u> : Option available if <u>Fee Waiver</u> is filed with paperwork)	Clerk's Office filing email: adacourt@adacounty.id.gov

For the current filing process please call the Clerk's Office directly at (208)287-6900 during business hours of 8AM to 5PM.

COMPUTER ACCESS AND PRINTING SERVICES

A. Computer Access:

Your local public library may provide an appointment for free computer access and free Internet service. Please visit your local library's websites for additional information:

- a) Main Boise Public Library: <https://www.boisepubliclibrary.org/classes-events/computer-appointments/>
- b) Meridian Public Library: <https://www.mld.org/>
- c) Nampa Public Library: <https://nampalibrary.org/>

B. Printing Services:

- a) Your local public libraries may also offer printing services. In addition, some also offer mobile printing services. Please visit their websites for detailed information.
- b) Search online or in a local phone book for a printing/copy service business or office supply store. Please check their websites for detailed information.

STEPS FOR MODIFICATION CASES

Step 1: File: Bring or send your forms to the court

- ❑ Complete a) Family Law Case Information Sheet, b) Petition with Parenting Plan, Affidavit Verifying Income, and Child Support Worksheet, and c) Summons. Fill in the case number and Petitioner/Respondent's names, exactly as they appear in the Order, Judgment or Decree you want to change.
- ❑ Sign and date Petition.
- ❑ Make 2 copies of Petition and Summons. Make 1 extra copy of Parenting Plan and 1 extra copy of child support calculations (to attach later to Judgment of Modification).
- ❑ Have forms reviewed at a full-service Court Assistance Office.
- ❑ File originals and copies with Clerk, and pay the appropriate filing fee or a Motion and Affidavit for Fee Waiver. The Clerk will keep the original Petition, stamp your copies and return them to you (1 for you, 1 for the other parent).

Parents are working together

Step 2: Service: Get the forms to the other parent

Parents are NOT working together

- ❑ Fill out Acknowledgment of Service and deliver it to the other parent with 1 copy of the Petition with Schedules and Summons.
- ❑ The other parent completes and signs Acknowledgment of Service in front of a Notary and returns form to you.
- ❑ Make 2 copies of signed Acknowledgment of Service.
- ❑ File original with the court. Keep 1 copy, mail 1 copy to the other parent.

- ❑ Fill out Affidavit of Service. Deliver it with 1 copy of the Petition with Schedules and Summons to a Server:
 - a person 18 or older not a party to the case;
 - professional process server; or
 - the County Sheriff.
- ❑ Server completes and signs Affidavit of Service after serving the other parent.
- ❑ Make 2 copies of signed Affidavit of Service.
- ❑ File original with the court. Keep 1 copy, mail 1 copy to the other

Step 3: Finalize: file forms to complete your case

Stipulation: Parents agree

Case is contested

Default: Case is NOT contested

- ❑ Fill out Stipulation for Entry of Order, Judgment or Decree; Judgment of Modification and Child Support (CS) Order Summary Form.
- ❑ Each signs Stipulation.
- ❑ You should have a total of 2 copies of the Decree: 1 copy to attach to the stipulation and 1 copy for judge to sign.
- ❑ File Stipulation, Judgment and CS Order Summary Form to the Clerk.
- ❑ **Provide 2 self-addressed pre-stamped envelopes; 1 for you and 1 for the other parent.**

Note: Other counties may require additional copies. Check with your local Court Assistance Office.

- ❑ The other parent files a response before 21 days (includes weekends and holidays) after date served.
- ❑ If child support is at issue see CAO FL Instr 5-1 Instructions for Mandatory Disclosures, CAO FL 5-1 Mandatory Disclosure in Contested Cases Involving Child Support, and CAO FL 4-4 Certificate of Service.
- ❑ Consult with an attorney about your options or schedule mediation to see if you both can agree. If you can't agree, your case will go to trial.

- ❑ Wait 21 days (including weekends and holidays) after date served.
- ❑ Fill out Motion and Affidavit for Default (2 copies), Default, (no copy) Child Support (CS) Order Summary Form (no copy) and Judgment of Modification (no copy).
- ❑ Sign default motion.
- ❑ File default forms. Deliver Judgment and CS Order Summary Form to the Clerk.
- ❑ **Provide 2 self-addressed pre-stamped envelopes; 1 for you and 1 for the other parent.**
- ❑ Attend hearing if required.

Note: Other counties may require additional copies. Check with your local Court Assistance Office.