

## **What TO DO at your child support hearing**

(See other side for what NOT TO DO at your hearing.)

DO consult and talk with an attorney if at all possible about your child support issues.

DO file your papers on time.

DO notify the County or the court if you or the other party will need an interpreter at the hearing.

DO bring three (3) copies of records that show your current income, public assistance, and expenses.

DO dress your personal best for court. (No hats!)

DO sit at one of the ends of the table at the hearing, opposite from the opposing party. The support worker and county attorney will sit between you.

DO turn off your cell phone or pager.

DO listen to the Magistrate when he or she is speaking. The Magistrate may be giving you important instructions about something you need to do after your hearing or an explanation of his or her decision. **NEVER interrupt the Magistrate.**

DO focus on the issue and stick to the facts. You will feel a lot of emotion but you need to act professionally in the courtroom. Even though it is very personal, try to treat your court hearing like a business transaction – remain calm and state the facts.

DO wait your turn to speak. Both parties get a chance to speak at a hearing. The person who has filed the motion usually speaks first. Please do not interrupt the other person.

**DO tell the truth.** Remember, you are under oath when signing your motion papers and when in the courtroom. Lying to a Magistrate is perjury and punishable. Lying may result in the Magistrate not believing others things that you say.

DO answer the Magistrate's questions with respectful words (not grunts and nods.) Speak clearly and loud enough so everyone in the hearing room can hear and understand you. You don't want to lose by accident because no one heard what you said.

DO bring a good attitude to the court! Sarcasm and hostility do not help the Magistrate decide your case. You may not want to be there but this is your chance to be heard --- don't waste it!

DO send any additional documents that you are ordered to send to the Magistrate as soon as possible.

DO talk to a lawyer right away if you believe the Magistrate's decision is wrong. There are very strict timelines for when you can have an Order reviewed or appealed. The Magistrate cannot change his or her decision based on a telephone call or letter from you.

DO talk to the child support officer if your circumstances change (for example, your address, income, job, or expenses change).

## **What NOT TO DO at your child support hearing**

(See other side for what TO DO at your hearing)

DON'T expect the Court or the County to serve (or send) your papers upon the other party. You must arrange for service of papers.

DON'T serve the papers yourself! Make sure that you have someone over 18 years of age (but not you) serve the other party and the County at least 23 days before the hearing date if serving by mail (20 days if serving in person).

DON'T be late! Plan to get to Court at least 30-60 minutes before your hearing so you will have time for traffic, weather and parking. But don't be surprised if your hearing begins a little late – each case is different and some need extra time to get all the information out.

DON'T bring children to Court. If you must bring your children, bring someone with you to watch the children in the hallway while you are in court. Children will not be allowed in the hearing room.

DON'T speak while anyone else is speaking. Never interrupt the Magistrate! You will have your chance to speak.

DON'T bring up issues that are not in the motion papers you served on the other party and filed with the Court. Everything you want to talk about at your hearing must be included in your papers so the Magistrate and the other side know what you are talking about.

**IMPORTANT!** DON'T ignore a motion that you received in person or by mail. If you don't respond and don't show up at the hearing, the Court may give the other party everything he or she is asking for.

DON'T bring up parenting time/visitation or custody issues at your child support hearing. A child support Magistrate can only decide child support issues. If you want to change or modify custody or parenting time/visitation, go to the Family Court Self-Help Center.

DON'T expect the Magistrate to give you legal advice or help at the hearing. Just think how unfair you would think it is if the Magistrate told the other party what to do at the hearing.

DON'T be surprised if the Magistrate and the county attorney ask you the same question more than once. Make sure your answers are consistent, complete and honest.

DON'T lie. **Tell the truth.** You are under oath when signing your motion papers and when in the courtroom. Lying to a Magistrate is perjury and is a punishable crime. Lying also may result in the Magistrate not believing others things that you say.

DON'T expect that you will get everything you are asking for. The Court looks at both sides of the case and make a decision that is best for the children and fair to both sides. (Read the other side of this page about what to do if you believe the decision is wrong.)

DON'T underestimate the importance of consulting with a lawyer. If you have the ability to hire or consult with an attorney, DO IT!