

**DOMESTIC RELATIONS SECTION
OF SCHUYLKILL COUNTY**

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PETITIONING INSTRUCTIONS

Enclosed is a copy of a petition for modification which you requested. Also included is a brochure which will help you complete the petition. You must show a change in circumstance since the entry of the support Order under section # 2, and you must check the type of change you are requesting, for example, increase, decrease, etc.

Upon completion of the petition, **sign your name in two places**, date the petition, and return it to this office with a check or money order, made payable to the Domestic Relations Section, in the amount of **\$15.00 to cover the cost of filing the petition**. Upon receipt of your petition, a conference will be scheduled in this office. **There is no fee if you are on cash assistance, SSI, or in prison.**

Since we will be mailing the notice to appear **we must have** both parties current address, phone numbers, in the event of a continuance, and current employers to send for wages of parties. Please attach a separate slip of paper with this information on it to your petition. Thank you.

Note for incarcerated defendants: The State Supreme Court has ruled that incarceration, in and of itself, is not a good enough basis on which to modify or eliminate an existing support obligation (Yerkes vs Yerkes case, PA June 2, 2003). The principal goal in child support matters is to serve the best interest of the child and/or children. Although a person cannot be denied the right to file a petition for modification and/or termination based on a change in circumstances, the existing order will not be suspended due to incarceration. There is an exception: the Plaintiff (Obligee) in a support action agrees to such suspension or termination of the support obligation and is not a recipient of cash assistance through the Department of Welfare.