

Instructions for a Motion to Change Custody or Child Support

- 1) It costs **\$75 to file** a Motion to Change Custody, Visitation or Child Support. The motion to change paperwork will not go to the judge until you have either paid the filing fee or been granted a [fee waiver](#) if you are low income.
- 2) Make sure you have the right packet of forms. This packet only works if you want to change the parenting plan (decision-making and / or the schedule of when the children will be with each parent) or child support.

DO NOT use this packet if you want to do any of the following:

- Collect money the other parent owes you for medical bills
- Collect past due child support
- Sanction the other parent for denying visitation
- Stay (stop) the enforcement of a child support order
- Challenge anything to do with paternity
- Sue the Child Support Services Division

Please contact the Family Law Self-Help Center Phone Line at (907) 264-0851 or (866) 279-0851 for forms & information about these situations or get forms and information on-line at <http://courts.alaska.gov/shc/family/support.htm>.



- 3) If your original case was not decided in Alaska, you must meet Alaska's jurisdiction and registration requirements before an Alaska Court can change your current order. Please read the Registering Foreign Orders page at <http://courts.alaska.gov/shc/family/shcforeign.htm> or call the Helpline for more information, (907) 264-0851 or (866) 279-0851.
- 4) If an Alaska court decided your original case, and at least one parent and/or the children are still in Alaska, you are ready to file the Motion to Change in Alaska. You will need all of the following forms:
 - Motion to Change Parenting Plan or Child Support, [SHC-1500](#)
 - Child Custody Jurisdiction Affidavit, [DR-150](#)
 - Child Support Guidelines Affidavit, [DR-305](#)

NOTE: If you are proposing something other than primary custody of all children with one parent, you will need one of the following forms. Please contact the Family Law Help Line at (907) 264-0851 or (866) 279-0851 for more information or read about [child support calculations](#): <http://courts.alaska.gov/shc/family/support.htm#1>.

 - Shared ([DR-306](#)), Divided ([DR-307](#)) or Hybrid ([DR-308](#)) support calculation
 - Notice of Motion, SHC-1630 [Word](#) | [PDF](#)
 - Confidential Information Sheet, [DR-314](#)

If you cannot afford the filing fee, you can request a fee waiver by filing:

 - Request for Exemption from Payment of Fees, [TF-920](#)
- 5) Fill out all forms completely. If you skip a section, the court may reject or delay your motion. These papers are a lot of work, and you may not be able to do all of them in one sitting.

Remember: the motion must be notarized, which means you must **sign in front of a notary**, who will need to see a picture ID. Court clerks can notarize your signature for free. If no notary is available, use [TF-835 Self-Certification \(No Notary Available\)](#).

Motion to Change Parenting Plan or Child Support, [SHC-1500](#)

The motion is where you tell the judge what you want and why you want it. Be sure to read each question carefully and answer it the best you can.

Child Custody Jurisdiction Affidavit, [DR-150](#)

List all of the places your children have lived for the past 5 years, and whether there are other cases involving these children.

Child Support Guidelines Affidavit, [DR-305](#)

Provide your financial information for the court. You will need to attach your more recent tax return, and 3 most recent pay stubs. Your W-2 may help you figure out the numbers. If you are asking for shared custody, you will need an extra form for more calculations. For step by step instructions for filling out this form, see [How to Fill out the Child Support Guidelines Affidavit](#)  . Please contact the Family Law Help Line at (907) 264-0851 or (866) 279-0851 for more information or read <http://courts.alaska.gov/shc/family/support.htm#1>.

Notice of Motion, SHC-1630 [Word](#) | [PDF](#)

This form tells the other side how much time they have to respond to your motion. Be sure to fill out this form completely. If you forget this form, or do not fill it out, your case may not move forward.

Confidential Information Sheet, [DR-314](#)

Social security numbers are required for child support purposes. In an effort to protect people from identity theft, the court has implemented this confidential form to collect social security numbers. You must fill it out as completely as you can.

- 6) Once you have filled out all of the forms, you are ready to prepare them for filing and serving the other party.

IMPORTANT
Notice on Using TrueFiling

1. See if TrueFiling is available for your case type and court location at ak-courts.info/tfcourts.
2. If available, you **must** use TrueFiling unless you are exempt. You are exempt if one of these applies:
 - You are in a jail or correctional facility.
 - You have a disability under the Americans with Disabilities Act (ADA).
 - You do not have safe access to a computer, internet, or email.
 - You cannot access the help you need to use TrueFiling.
 - You have a language barrier or are Limited English Proficient.

You do not need to prove you are exempt. If you are exempt **and** you choose not to use TrueFiling, you must tell the court and the other parent you are exempt on your first filing with the court. Many forms have a check box and space for you to do this already on the form. If not, write the following statement on your document and sign your name after it: "I certify that I am exempt from using TrueFiling for a reason listed in Administrative Bulletin 92."

Filing:

- If you are **using TrueFiling**, you can use it to file your motion with the court. You can pay the filing fee through TrueFiling.
- If you are **not using TrueFiling**, you must mail or hand deliver your copy to the court. You can pay the filing fee by mailing a check or bringing payment to the court.

Service:

For TrueFiling Users

If you filled out your forms electronically, save them as separate documents to your local device. If you filled out your forms on paper, scan or photograph them (make sure they are legible) and save them in a PDF or TIFF file format.

Create a TrueFiling account (if you don't already have one) and log in: <https://akfile.truefiling.com/login>. Upload your response and all attachments as one "bundle." See ak-courts.info/tfhowto for detailed instructions on using TrueFiling.

You must give a copy of everything you file in court to the other party in the case. This is called "service." If the other party has a lawyer, serve their lawyer instead of serving them directly.

If the other party is also using TrueFiling, you can complete service on them within TrueFiling by selecting their name in the service screen after you file. TrueFiling will automatically create a certificate of service to prove that you did this.

If the other party is **not** also using TrueFiling, but **did** give the court an email address, you can use the same screen and procedure to serve them within TrueFiling. However, you will have to type in their email address yourself rather than select from a list.

If the other party is **not** using TrueFiling, and did **not** give the court an email address, you will have to complete service one of these ways:

- Fill out the certificate of service section on the form with the date you served the other party and the method (mail or hand-delivery) that you used. You must complete service on the other party and fill out this section of the form before you upload the documents into TrueFiling, so that it is included on the completed document that the court can see.
- Within TrueFiling, you can select that you served the other party by mail or hand-delivery, **but you must also serve at least one person by email at the same time**. If there are no other parties to serve by email, you can serve yourself by email to get TrueFiling to create the certificate. You must also type in the address you used to mail or deliver the documents to the other party and the date you served them or will serve them.
- Serve the other party as soon as possible after you file and then fill out a separate certificate of service. You can use [TF-700](#) or write your own. Include the name of the person you served, when you served them, the method you used (mail or hand-delivery), and the names of the documents you gave them. Upload this separate certificate to TrueFiling as soon as complete. Your filed documents will not be processed by the court until you file the certificate of service.

For People NOT Using TrueFiling

You must give a copy of everything you file in court to the other party in the case. This is called “service.” If the other party has a lawyer, serve their lawyer instead of serving them directly.

Make two copies of everything you plan to file in court, including any attachments. One set of copies is for you to keep for your records. The other set is to give (“serve on”) the other party. Keep the originals to file with the court (explained in Step 3).

Use **one** of the following methods to serve the other party:

- a. by first-class mail to the mailing address the other party provided in their motion to the court; or
- b. by hand-delivery to the other party in person; or
- c. if the other party is using TrueFiling **or** gave an email address to the court, by email to the email address they listed; or
- d. if the other party agreed to it in any court paperwork, by fax to the fax number they provided.

After serving the documents on the other party, fill out the certificate of service section on the original of the response form that you will file in court. You may also attach a separate certificate of service instead, such as [TF-700](#), or write your own. If using a separate certificate, include the name of the person you served, when you served them, the method you used (mail or hand-delivery), and the names of the documents you gave them. Your filed documents will not be processed by the court until you file a certificate of service.

- 7) **RESPONSE.** The other parent has 10 days to file a response to your motion (13 days if you mailed it). The other parent must serve you with a copy of any response sent to the court. You can file a reply to the response if you want, but you do not need to.
- 8) **HEARING.** The judge may schedule a hearing to get more information or decide any disagreements. The court will send you a notice if a hearing is scheduled.