

**IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA
FAMILY LAW DIVISION**

Petitioner

v.

Case No. _____
Division _____

THE STATE OF FLORIDA, on behalf of

Respondent

MOTION IN TITLE IV-D CASE

I, *(full legal name)* _____, move:

1. I am the obligor of a child support order in this case.
2. I request a hearing on the following matter *(check each appropriate reason)*:

_____ (a) Motion for Rehearing. (Will be heard by Hearing Officer) I am filing this motion within 10 days of the date the order I am questioning was entered and I want the hearing officer to reconsider his decision or grant me a further hearing because:

_____ I did not receive the notice of the hearing.

_____ I think the hearing officer made an error and I believe the hearing officer will correct the error once I have had a chance to explain it. The error relates to _____

_____ (b) Motion to Vacate. (Will be heard by Circuit Judge). I am filing this motion within 10 days of the date the order I am questioning was entered and I want the circuit judge to vacate the order because:

_____ The order is not legally correct.

_____ The evidence presented at the hearing does not support the findings made by the hearing officer.

I have arranged to have the recording of the hearing transcribed at my expense.

_____ (c) Motion to Set Aside Support Order. I request relief from the support order based on:

_____ Mistake, inadvertence, surprise or excusable neglect. (*Please be specific*) _____

_____ Newly discovered evidence. (*Please be specific*) _____

_____ Fraud, misrepresentation, or other misconduct by an adverse party. (*Please be specific*) _____

_____ I am not the biological father of the child(ren) and I request genetic testing of myself, the child(ren), and the mother.

_____ The order is void.

_____ The order has been satisfied, relieved or discharged.

_____ (d) Motion to Change Arrearage Payment. I am not challenging the child support payment, but the arrearage payment along with the child support payment is more than I can presently afford to pay.

_____ (e) Motion for Credit for Direct Payments. I have made payments of child support directly to the custodian, and I can prove these payments with receipts or cancelled checks. (*You will need to bring this proof with you to the hearing*).

_____ (f) Motion for Relief from a Lien. The custodian or the Department of Revenue has a lien on money or property belonging to me and I want the hearing officer to determine how much I should have to pay to be relieved of the lien.

_____ (g) Motion to Contest Suspension of Driver's License. The Department of Revenue has notified me by mail that it intends to suspend my driver's license and vehicle registration privileges because of a child support or arrearage delinquency and one or more of the following situations applies to me:

_____ I am unable to pay my child support or arrearage because I am disabled and I have little or no income

_____ I am unable to pay my child support or arrearage for another reason (*give the reason*): _____

_____ I have met with a representative of the Department of Revenue and I have not been able to agree to a payment plan that I can afford to pay.

_____ I am not the person who is liable for the child support obligation in this case.

_____ I am not in arrears in my child support or arrearage payments.

_____ (h) Other Motion for Relief. *(Please be specific)* _____

NOTE: If you are only requesting reinstatement of your suspended driver's license, ask the clerk for a different form for that purpose.

WHEREFORE I request a hearing before the support enforcement hearing officer (or before the circuit judge on a motion to vacate) on my motion for relief.

Dated: _____
Signature of Petitioner _____
Printed Name _____
Address _____
City, State, ZIP _____
Telephone No. _____
Fax No. _____

I CERTIFY that I have forwarded a copy of this motion to the Juvenile Division to be deposited in the drop box of the Department of Revenue, Child Support Enforcement Office and the Legal Service Provider, located in the Office of the Clerk of the Court on the date indicated below.

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

Dated: _____ By: _____
Deputy Clerk

This is a local form developed by the Support Enforcement Hearing Officer, First Judicial Circuit, for use only in Title IV-D child support proceedings in the First Judicial Circuit.