

**MOTION and AFFIDAVIT TO TERMINATE INCOMING WITHHOLDING ORDER
FOR CHILD SUPPORT
CAO FLE Instruction 10-4**

These instructions are not legal advice. They do not take the place of legal advice. You should consult a lawyer first if at all possible.

1. Fill in the first section with your name, mailing address, phone number, and email address if you have one.
2. Write in the number of the judicial district where your divorce decree or child support order was entered. Example: If your order was issued in Ada County, it would be the, "FOURTH" judicial district.
3. Write in the name of the county where your divorce decree or child support order/judgment was entered.
4. Fill in the names of the Petitioner and Respondent exactly as they appeared in the caption in the original case. (The Petitioner may have been the Department of Health and Welfare, Child Support Enforcement.)
8. Check the box to indicate if you are the Petitioner or the Respondent.
9. Write in the date when your divorce decree or child support order/judgment was filed by the court.
10. Check Box A if your income has been attached or withheld for child support for 12 months or more.
11. Check Box B if A does not apply. You must write your reasons why you want the income withholding order stopped in the space given. If you need more lines to write on, attach an extra sheet of paper with that information to the Motion. **DO NOT WRITE ON THE BACK OF THE FORM.** You must tell the court why you think you will be harmed if your income is taken. You must also tell the court why your child will not be harmed.
12. Write in the date you sign this document.
13. Fill in the date and sign your name to the Motion, you will be certifying that all of the information is true and accurate, and subject to the penalty of perjury if it is not.
14. Make one copy for yourself. Make one copy for the other party.
15. Give the original and both copies to the court for filing. The Clerk will give both copies back to you. Keep one copy for yourself and serve the other copy on the other parent.
 - A. Have a copy of the motion served on the other party by either certified mail or by a sheriff or private process server.
 - B. If you send the copy of the motion to the other party by certified mail, you must send the signed post office return receipt card to the court to show that the other party has received their copy.
 - C. If you use a process server to have the copy of the motion served on the other party, you must file proof with the court to show the other party has been served. You can use the Affidavit of Service form CAO 2-4.