

CAO FL 5-1 Instructions

Petitioner's/Respondent's Mandatory Child Support Disclosures

If your case involves child support, you must provide the other party with proof of monthly income, costs, and expenses within 35 days from the day a response was filed. The other party must do the same. If the Department of Health and Welfare is a party, they are not required to provide the same disclosures. To provide these mandatory disclosures you should:

Step 1. Talk to a Lawyer, if Possible.

WARNING: When you represent yourself in a court case you are held to the same standard as a lawyer. This applies to your preparation of paperwork and your conduct at all hearings and/or trial. Your lack of legal knowledge may cause you to make serious errors in handling your case. These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee that your rights are protected or that you will be satisfied with the result. You should always talk to a lawyer about your legal problems before filing any legal paperwork. Even if you do not hire a lawyer to appear in your case, you may be able to find a lawyer to review your paperwork or give you more information about your rights. Call the Idaho State Bar (208-334-4500) to provide you with the name of a lawyer who handles this type of case. Contact the Court Assistance Office for information about resources for low-income people, or visit the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Step 2. Get the proper forms. Get the forms you need either from the Supreme Court's Self-Help Center Website at <http://www.courtselfhelp.idaho.gov/> or from your local court assistance office at the county courthouse. You will need the following forms:

CAO FL Pi 5-1 Petitioner's/Respondent's Mandatory Child Support Disclosures
CAO Cv 4-5 Certificate of Service

Step 3. Complete the Petitioner's/Respondent's Mandatory Child Support Disclosures.

This form is the cover sheet showing the court which items you gave to the other party as required by the court rule. Fill in the form by typing or by printing neatly and legibly in **black ink**.

At the top left-hand corner of page 1, fill in your full legal name, mailing address and telephone number.

The Caption. Fill in the names of the petitioner and respondent and case number exactly as they appeared in the caption in the case. After the case number, check the appropriate box to indicate that you are either the petitioner or respondent.

The Form. In the first paragraph, check the correct box to indicate that you are either the petitioner or respondent. Then, check the box in front of each numbered paragraph to show that you are providing proof of that item. For each item that you provide, you will attach it to the end of the disclosure form, and write the exhibit number at the bottom of the page (for example: write "**Exhibit 1**" for the items in paragraph 1).

1. Paragraph 1. The Affidavit Verifying Income and Child Support Worksheet must be fully completed. The Affidavit Verifying Income must be signed in front of a notary.

2. Paragraph 2. To provide proof of all sources of income you must:

- Provide W-2, 1099 and K-1 forms for the past 2 years, and
- Provide year-to-date information for the current year for all sources of income, such as:

| | | | |
|-----------------------|---------------|-----------------|---------------------|
| Year-to-date pay stub | Salaries | Wages | Commissions |
| Dividends | Severance pay | Pensions | Interest |
| Annuities | Capital gains | Social Security | Worker's Comp. |
| Unemployment | Disability | Recurring gifts | Prizes |
| Bonuses | Trust Income | Benefits | Spousal Maintenance |

3. Paragraphs 3-6. You must provide proof of the expenses or costs paid for each item identified in those paragraphs.

4. Certification Under Penalty of Perjury. You must sign and date the disclosure and by doing so you are certifying to the court that all of the information that you provided is true and correct.

PLEASE NOTE: As the case progresses, you are also required to provide updated or corrected information to the other party if any of the information you provided to them changes.

Step 4. Complete CAO Cv 4-5 Certificate of Service You must let the court know that you have given the other party the child support disclosures by completing the Certificate of Service form and filing it with the court. Fill in the form by typing or by printing neatly and legibly in **black ink** and follow the instructions above for completing the court heading and caption.

- **The Form.** Fill in the date that you mailed the information to the other party(ies). Then fill in the name(s) of the documents that you mailed to the other party (i.e. Petitioner's Mandatory Child Support Disclosures). Next, fill in name, mailing address, city, state and zip code for the other party(ies) to the case. Last, sign and date the Certificate of Service, and print your name in the space to the right of your signature.

Step 5. Make copies. Make one copy of Petitioner's/Respondent's Mandatory Child Support Disclosures and Exhibits to keep for your own personal records; do not file it with the court. Make 2 copies of CAO Cv 4-5 Certificate of Service.

Step 6. Mail the copies. Mail the original Petitioner's/Respondent's Mandatory Child Support Disclosures and attached Exhibits to the other party(ies) or their attorney if they have one, and a copy of the Certificate of Service. Keep a copy of the Certificate of Service for your own personal records.

Step 7: File with the Court. Take and file the original CAO Cv 4-5 Certificate of Service with the court clerk in the county where the case is filed.

Do Not file a copy of the child support disclosures with the court.