1 At the *Matrimonial/IAS* Part _____ of New York State Supreme Court at
2 the Courthouse, _____
3 County, on _____.

Present:
4 Hon. *Justice/Referee*
----------X
5
6 Index No.:
Plaintiff, Calendar No.:
-against- Social Security No.:

JUDGMENT OF DIVORCE
7
Defendant.
----------X

EACH PARTY HAS A RIGHT TO SEEK A MODIFICATION OF THE CHILD SUPPORT ORDER UPON A SHOWING OF: (I) A SUBSTANTIAL CHANGE IN CIRCUMSTANCES; OR (II) THAT THREE YEARS HAVE PASSED SINCE THE ORDER WAS ENTERED, LAST MODIFIED OR ADJUSTED; OR (III) THERE HAS BEEN A CHANGE IN EITHER PARTY'S GROSS INCOME BY FIFTEEN PERCENT OR MORE SINCE THE ORDER WAS ENTERED, LAST MODIFIED, OR ADJUSTED; HOWEVER, IF THE PARTIES HAVE SPECIFICALLY OPTED OUT OF SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH IN A VALIDLY EXECUTED AGREEMENT OR STIPULATION, THEN THAT BASIS TO SEEK MODIFICATION DOES NOT APPLY.

8 **THE FOLLOWING NOTICE IS ❑ *APPLICABLE* OR ❑ *NOT APPLICABLE***

NOTICE REQUIRED WHERE PAYMENTS THROUGH SUPPORT COLLECTION UNIT

NOTE:

(1) THIS ORDER OF CHILD SUPPORT SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER THIS ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. UPON APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT, AN ADJUSTED ORDER SHALL BE SENT TO THE PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THIRTY-FIVE (35) DAYS FROM THE DATE OF MAILING TO SUBMIT A WRITTEN OBJECTION TO THE COURT INDICATED ON SUCH ADJUSTED ORDER. UPON RECEIPT OF SUCH WRITTEN OBJECTION, THE

COURT SHALL SCHEDULE A HEARING AT WHICH THE PARTIES MAY BE PRESENT TO OFFER EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH THE CHILD SUPPORT STANDARDS ACT.

(2) A RECIPIENT OF FAMILY ASSISTANCE SHALL HAVE THE CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION TWO HUNDRED FORTY-B OF THE DOMESTIC RELATIONS LAW, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

9 This action was submitted to ❑ *the referee* **OR** ❑ *this court* for ❑ *consideration* this ____ day of _____ **OR** for ❑ *inquest* on this _____ day of _____.

10 The Defendant was served ❑ *personally* **OR** ❑ pursuant *to court order dated* _____ ❑ *within* **OR** ❑ *outside* the State of New York.

11 Plaintiff presented a ❑ *Verified Complaint and Affidavit of Plaintiff constituting the facts of the matter* **OR** ❑ *Summons With Notice and Affidavit of Plaintiff constituting the facts of the matter.*

12 The Defendant has ❑ *not appeared and is in default* **OR** ❑ *appeared and waived his or her right to answer* **OR** ❑ *filed an answer or amended answer withdrawing any prior pleadings and neither admitting nor denying the allegations in the complaint and consenting to the entry of judgment* **OR** ❑ *the parties settled the ancillary issues by* ❑ *written stipulation* **OR** ❑ *oral stipulation on the record dated* _____.

13 The Court accepted ❑ *written* **OR** ❑ *oral* proof of non-military status.

14 The Plaintiff's address is _____, and social security number is _ _____. The Defendant's address is _____, and social security number is _____.

15 Now on motion of _____, the ❑ *attorney for Plaintiff* **OR** ❑ *Plaintiff*, it is:

16 **ORDERED AND ADJUDGED** that the Referee's Report, if any, is hereby confirmed; and it further

17 **ORDERED, ADJUDGED AND DECREED** that the application of plaintiff is hereby granted to dissolve the marriage between_____, plaintiff, and _____, defendant, by reason of:

❑ (a) the cruel and inhuman treatment of ❑ *Plaintiff by Defendant* **OR** ❑ *Defendant by Plaintiff* pursuant to D.R.L. §170(1); and/or

❑ (b) the abandonment of ❑ *Plaintiff* **OR** ❑ *Defendant* by ❑ *Plaintiff* **OR** ❑ *Defendant,* for a period of one or more years, pursuant to D.R.L. §170(2); and/or

❑ (c) the confinement of ❑ *Plaintiff* **OR** ❑ *Defendant* in prison for a period of three or more consecutive years after the marriage of Plaintiff and Defendant, pursuant to D.R.L. §170(3); and/or

❑ (d) the commission of an act of adultery by ❑ *Plaintiff* **OR** ❑ *Defendant,* pursuant to D.R.L. §170(4); and/or

❑ (e) the parties having lived separate and apart pursuant to a decree or judgment of separation dated _____ for a period of one or more years after the granting of such decree or judgment, pursuant to D.R.L. §170(5); and/or

❑ (f) the parties having lived separate and apart pursuant to a Separation Agreement dated _____ in compliance with the provisions of D.R.L. §170(6); and/or

❑ (g) the relationship between Plaintiff and Defendant has broken down irretrievably for a period of at least six months pursuant to D.R.L. §170(7); and

18 **The requirements of D.R.L. §240 1(a-1) have been met and the Court having considered the results of said inquiries, it is**

ORDERED AND ADJUDGED that ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:* _____shall have custody of the minor child(ren) of the marriage, i.e.:

19

Name	Date of Birth	Social Security No.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

OR ❑ *There are no minor children of the marriage*; and

20 **The requirements of D.R.L. §240 1 (a-1) have been met and the Court having considered the results of said inquires, it is**

ORDERED AND ADJUDGED that ❑ *Plaintiff* **OR** ❑ *Defendant* shall have visitation with the minor child(ren) of the marriage ❑ *in accordance with the parties' settlement agreement* **OR** ❑ *according to the following schedule*: _____

_____

_____

OR ❑ *Visitation is not applicable*; and it is further

21 **ORDERED AND ADJUDGED** that the existing _____ County, _____ Court order(s) under ❑ *Index No..*_____ **OR** ❑ *Docket No.*_____ as to ❑ *custody* **OR** ❑ *visitation* shall continue; **OR** ❑ *There are no court orders with regard to custody or visitation to be continued*; and it is further

22 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:*_____, as and for the support of the parties' unemancipated children of the marriage, the sum of $_____ ___ per_____, pursuant to an existing order issued by the _____ County, _____ Court, under ❑ *Index* **OR** ❑ *Docket* Number _____, the terms of which are hereby continued.

OR ❑ *There are no orders from other courts to be continued*; and it is further

23 **ORDERED AND ADJUDGED** that:

A) ❑ Pursuant to the ❑ *agreement of the parties* ❑ *Court's decision*

the ❑ *Plaintiff* ❑ *Defendant* shall pay to ❑ *Plaintiff* ❑ *Defendant*

the sum of $_____ as ❑ *per week* ❑ *bi-weekly* ❑ *semi-monthly* ❑ monthly and for maintenance:

❑ *payments to be made as set forth in the agreement;*

❑ *commencing on the ____ day of _____,____, and continuing until the ____ day of _____,____;*
month year *month year*

Payment shall be ❑ *a direct payment,*
❑ *by an Income Deduction Order issued simultaneously herewith;*

==========**OR**==========

B) ❑ *that there is no award of maintenance per the court's decision;*
❑ *that there is no request for maintenance;*
❑ *that the guideline award of maintenance under the Maintenance Guidelines Law (L.2015 c. 269), if applicable, was zero.*
and it is further;

==========**OR**==========

C) Pursuant to the court's decision for cases commenced before 1/25/16
the ❑ *Plaintiff* ❑ *Defendant* shall pay to ❑ *Plaintiff* ❑ *Defendant*

the sum of ❑ *$ _____ per week;* ❑ *$ _____bi-weekly;* ❑ *$_____semi-monthly* ❑ *$_____per month*

as and for maintenance

commencing on the ____ day of _____,____, and continuing until the ____ day of _____,____; month year

Payment shall be ❑ *a direct payment,* ❑ *by an Income Deduction Order issued simultaneously herewith;*

==========**OR**==========

D) Pursuant to the court's decision for cases commenced on or after 1/25/16
the ❑ *Plaintiff* ❑ *Defendant* shall pay to
❑ *Plaintiff* ❑ *Defendant*
the sum of ❑ *$ _____ per week;* ❑ *$ _____bi-weekly;* ❑ *$_____semi-monthly* ❑ *$_____per month*

as and for maintenance (the "Award") *commencing on the ____ day of _____,____, and continuing until the ____ day of _____,____; month year*

Payment shall be ❑ a direct payment,
❑ by an Income Deduction Order issued simultaneously herewith;

The guideline award of maintenance under the Maintenance Guidelines Law is $_____

For the reasons stated in the Findings of Fact and Conclusions of Law, which are incorporated here in by
reference: (Check the applicable boxes:)

❑ *The Award includes an award on income of maintenance payor up to $203,000 per year. In computing said award, the Court applied the Maintenance Guidelines Law (L.2015, c.269) ;* **OR** ❑ *the court adjusted the guideline award of maintenance due under the Maintenance Guidelines Law because it is unjust and inappropriate.*

❑ *The Award includes maintenance on income of maintenance payor in excess of $203,000 per year* **OR** ❑ *The Award does not include maintenance on income of maintenance payor in excess of $203,000 per year.*

24 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:* _____, **OR** ❑ *because a party is already receiving child support services or an application has been made for such services, through the NYS Child Support Processing Center, PO Box 15363, Albany, NY 12212-5363;* as and for the support of the parties' unemancipated child(Ren) of the marriage, namely:

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

the sum of $_____ ❑ *per week* **OR** ❑ *bi-weekly* **OR** ❑ *semi-monthly* ❑ *per month,* commencing on _____, and to be paid ❑ *directly to* ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:*_____, **OR** ❑ *through the NYS Child Support Processing Center, PO Box 15363, Albany, NY 12212-5363,* together with such dollar amounts or percentages for ❑ *child care* **OR** ❑ *education* **OR** ❑ *health care* as set forth below in accordance with ❑ *the Court's decision* **OR** ❑ *the parties' Settlement Agreement.*
OR ❑ *This section is not applicable because there are no unemancipated children of the marriage;*

Such Settlement Agreement, if applicable, is in compliance with D.R.L. §240(1-b)(h) because:

The parties have been advised of the provisions of D.R.L. Sec. 240(1-b); the unrepresented party, if any, has received a copy of the Child Support Standards Chart promulgated by the Commissioner of Social Services pursuant to Social Services Law Sec. 111-I;

the basic child support obligation, as defined in D.R.L. Sec. 240(1-b), presumptively results in the correct amount of child support to be awarded, and the agreed upon amount substantially conforms to the basic support obligation attributable to the non-custodial parent;

the amount awarded is neither unjust nor inappropriate, and the Court has approved such award through the Findings of Fact and Conclusions of Law;

OR

The basic support obligation, as defined in DRL Sec. 240 (1-b), presumptively results in the correct amount of child support to be awarded, and the amount attributable to the non-custodial parent is $_____ per _____;

the amount of child support agreed to in this action deviates from the amount attributable to the non-custodial parent, and the Court has approved of such agreed-upon amount based upon the reasons set forth in the Findings of Fact and Conclusions of Law, which are incorporated herein by reference;

OR ❑ *This provision is not applicable*; and it is further

ORDERED AND ADJUDGED that,
if maintenance is to be paid pursuant to this Judgment of Divorce, then, subject to the terms of DRL 240(1-b), upon termination of the maintenance award, the amount of child support payable shall be adjusted, without prejudice to either party's right to seek a modification pursuant to DRL 236 (B)(9)(2); and it is further

25 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:*_____and for reasonable child care expenses pursuant to ❑ *written agreement of the parties* ***OR*** ❑ *the court's decision*, the amount of $_____ per year or _____ ❑ *per week* ❑ *bi-weekly* ❑*semi-monthly* ❑ *per month*.

OR ❑ *Not applicable*; and it is further

26 **ORDERED AND ADJUDGED**

1- that ❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:* _____,**OR** ❑ *through the Support Collection Unit (because a party is currently receiving child support services or an application has been made for such services)* as and for non-custodial parent's pro rata share of future health care expenses not

covered by insurance,_____% of such expenses pursuant to ❑ written agreement of the parties **OR** ❑ the court's decision

OR ❑ *Not applicable*;

2- Check which box or boxes apply:

a) ❑ ***if the custodial parent provides the health insurance for the children:***

❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑ *Plaintiff* **OR** *Defendant* **OR** ❑*third party, namely:* _____,**OR** ❑ *through the Support Collection Unit (because a party is currently receiving child support services or an application has been made for such services)*as and for ❑ *The non-custodial parent's pro rata share of health insurance premiums for the children , $_____ per year* or _____ ❑ *per week* ❑ *bi-weekly* ❑*semi-monthly* ❑ *per month* ***OR***

b) ❑ ***if the non-custodial parent provides the health insurance for the children:*** *The custodial parent's pro rata share of health insurance premiums for the children, $_____ per year* or _____ ❑ *per week* ❑ *bi-weekly* ❑*semi-monthly* ❑ *per month will be deducted from the child support obligation.*

3- ❑ *Plaintiff* **OR** ❑ *Defendant* shall apply to the state sponsored health insurance plan for coverage for the unemancipated children of the marriage. The costs shall be allocated pursuant to ❑ written agreement of the parties **OR** ❑ the court's decision **OR** ❑ *Not applicable*; and it is further

27 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* shall pay to ❑*Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *third party, namely:* _____**OR** ❑ *through the Support Collection Unit (because a party is currently receiving child support services or an application has been made for such services)* ❑For education or extraordinary expenses of the children *$_____ per year* or _____ ❑ *per week* ❑ *bi-weekly* ❑*semi-monthly* ❑ *per month or _____% of such expenses* pursuant to ❑ written agreement of the parties **OR** ❑ the court's decision ***OR*** ❑ *Not applicable*; and it is further

28 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* is hereby awarded exclusive occupancy of the marital residence located at_____ _____, together with its contents until further order of the court, **OR** ❑ as follows: _____ _____ _____; **OR** ❑ *Not applicable*; and it is further

29 **Fill in Box A or Box B, whichever, applies:**

A. ❑ **ORDERED AND ADJUDGED** that the Settlement Agreement entered into between the parties on the day of , ❑ *an original* **OR** ❑ *a transcript* of which is on file with this Court and incorporated herein by reference, shall survive and shall not be merged into this judgment, and the parties are hereby directed to comply with all legally enforceable terms and conditions of said agreement as if such terms and conditions were set forth in their entirety herein;

OR

B. ❑ There is no Settlement Agreement entered into between the parties;

and it is further

ORDERED AND ADJUDGED, that the Supreme Court shall retain jurisdiction to hear any applications to enforce the provisions of said Settlement Agreement, if any, or to enforce or modify the provisions of this judgment, provided the court retains jurisdiction of the matter concurrently with the Family Court for the purpose of specifically enforcing, such of the provisions of that (separation agreement)(stipulation agreement, if any), as are capable of specific enforcement, to the extent permitted by law, and of modifying such judgment with respect to maintenance, support, custody or visitation to the extent permitted by law , or both; and it is further

ORDERED AND ADJUDGED, that any applications brought in Supreme Court to enforce the provisions of said Settlement Agreement, if any, or to enforce or modify the provisions of this Judgment shall be brought in a County wherein one of the parties reside; provided that if there are minor children of the marriage, such applications shall be brought in a County wherein one of the parties or the child or children reside, except, in the discretion of the judge, for good cause. Good cause applications shall be made by motion or order to show cause. Where the address of either party and any child or children is unknown and not a matter of public record, or is subject to an existing confidentiality order pursuant to DRL § 254 or FCA § 154-b, such applications may be brought in the County where the Judgment was entered; and it is further

30 **ORDERED AND ADJUDGED** that pursuant to the ☐ *parties' Settlement Agreement dated*_____ **OR** ☐ *the court's decision after trial,* all parties shall duly execute all documents necessary to formally transfer title to real estate or co-op shares to the ☐ *Plaintiff* **OR** ☐ *Defendant* as set forth in the ☐ *parties' Settlement Agreement* **OR** ☐ *the court's decision after trial*, including, without limitation, an appropriate deed or other conveyance of title, and all other forms necessary to record such deed or other title documents (including the satisfaction or refinance of any mortgage if necessary) to convey ownership of the marital residence located at _____, no later than _____; **OR** ☐ *Not applicable;* and it is further

31 **ORDERED AND ADJUDGED** that a separate Qualified Medical Child Support Order shall be issued simultaneously herewith **OR** ❑ Not applicable; and it is further

32 **ORDERED AND ADJUDGED** that, pursuant to the ❑ *parties' Settlement Agreement* **OR** ❑ *the court's decision*, a separate Qualified Domestic Relations Order shall be issued simultaneously herewith or as soon as practicable **OR** ❑ *Not applicable*; and it is further

33 **ORDERED AND ADJUDGED** that, ❑ *pursuant to the Court's decision* **OR** ❑ *pursuant to the parties' agreement,* the Court Court or the Support Collection Unit (where a party is currently receiving child support services or an application has been made for such services) shall issue an income deduction order simultaneously herewith **OR** ❑ Not applicable because the Court has made a finding in the Findings of Fact and Conclusions of Law that alternative arrangements have been made between the parties, or that good cause exists not to require such an order; and it is further

34 **ORDERED AND ADJUDGED** that both parties are authorized to resume the use of any prior surname, and it is further

35 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* is authorized to resume use of the prior surname _____; and it is further

36 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* is hereby awarded counsel and/or expert's fees as follows:

_____

_____**OR** ❑ *Not applicable*; and it is further

37 **ORDERED AND ADJUDGED** that ❑ *Plaintiff* **OR** ❑ *Defendant* shall be served with a copy of this judgment, with notice of entry, by the ❑ *Plaintiff* **OR** ❑ *Defendant*, within _____ days of such entry; and it is further

38 **ORDERED AND ADJUDGED** that if either Plaintiff or Defendant requests or is receiving child support services, then ❑ *Plaintiff* **OR** ❑ *Defendant* **OR** ❑ *both Plaintiff and Defendant* (*if both are requesting or receiving child suppport services),* shall send a copy of their own Application for Child Support Services together with a copy of the completed Support Collection Information Sheet (Form UD-8a) and a copy of this signed Judgment of Divorce (UD-11) to the local Support Collection Unit in the county where he or she resides within twenty (20) days after this judgment of divorce is entered.

39 Dated:

ENTER:

_____

J.S.C./Ref