

Simplified Modification of Support

(Child, Spousal and/or Family)

<p>Step 1</p>	<p>Complete the following forms in blue or black ink:</p> <p><input checked="" type="checkbox"/> FL-390 Notice of Motion and Motion for Simplified Modification of Order</p> <p><input type="checkbox"/> FL-150 Income and Expense Declaration</p> <p>Note: If the Department of Child Support Services (DCSS) is involved in your case, write the CSE number on form FL-390 next to your name in the name and address box at the top of the page.</p>
<p>Step 2</p>	<p>Copies: Make 3 copies of your forms, in addition to the original.</p>
<p>Step 3</p> <p>There is a filing fee, unless the fee is waived.</p> <p>It is free to file if it is about child support and DCSS is involved.</p>	<p>File: File the original and copies in the Clerk's Office of the courthouse located at: 201 North First Street, San Jose, CA 95113</p> <p>The Clerk's Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-534-5600 for current office hours.</p> <p>If the Department of Child Support Services (DCSS) is involved in your case, ask the court clerk to keep 1 filed copy to give to DCSS for you.</p> <p><input type="checkbox"/> If you are not asking for a fee waiver, you will pay the filing fee and get copies back with a file-stamp. <i>Note: There is no fee for child support hearings if DCSS is involved but you may have to pay fees previously not paid before you can file again.</i></p> <p><input type="checkbox"/> If you are asking for a fee waiver, your file-stamped copies may be returned immediately, OR you may be asked to return in up to 24 hours, OR your file stamped forms may be mailed to you. Please check with the clerk who takes your forms.</p>
<p>Step 4</p>	<p>Service: After the filed copies are returned to you:</p> <ul style="list-style-type: none"> • Keep a filed copy for your records • Serve the other party: <ul style="list-style-type: none"> ○ Personal Service: At least 16 court days (do not count weekends or holidays) before the hearing, have an adult, <i>not you</i>, hand-deliver a filed copy and blank FL-392 <i>Responsive Declaration to Motion for Simplified Modification</i> and FL-150 <i>Income and Expense Declaration</i> on the other party. <p>The server must complete the <i>Proof of Personal Service</i> form (FL-330) and give it back to you.</p> • Serve the Department of Child Support Services: <ul style="list-style-type: none"> ○ Mail Service: At least 16 court days plus 5 calendar days before the hearing, have an adult, <i>not you</i>, mail a filed copy to DCSS at 333 W Julian Street, San Jose, CA 95110. The server must complete a Proof of Service by Mail form (FL-335). • File the original and a copy of both proof of service forms at the Clerk's Office, the clerk will stamp the copies and give them back to you. Keep them copy for your records.
<p>Step 5</p>	<p>Go to your court date.</p>

WHEN CAN I USE THESE FORMS?

You may use these forms if you want to request that the Judge modify (change) the amount of support you pay. These “simplified” forms are easy to use but **cannot be used** to establish support orders for the first time or to ask for other orders such as release of driver’s license, custody and/or visitation orders, etc.

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on “Lawyer Referral services” to hire or consult with a private attorney.
- For free legal advice and information, see our “Do-It-Yourself Resources” flyer. Go to www.scscourt.org, click on “Self-Help” then “Self-Help Flyers”.
- The Self-Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click “**Contact the Self-Help Center**”. Walk-in assistance is limited to emergencies so contact us remotely first.
 - Obtain Forms: Go to www.scscourt.org then click “**Complete Forms at Home**”
 - Form Review: Email your forms as a PDF file to SHCDocReview@scscourt.org.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self-Help Center/Family Law Facilitator’s Office
201 N. First Street, San Jose, CA 95113
408-882-2926