

If you are incarcerated or going to be put in prison you should use these forms

Family Forms

Filing a Motion for Modification

Disclaimer: The information on this web page is provided as a service and a convenience by the Connecticut Judicial Branch. It is not intended as legal advice to any person.

If you have questions about the use of these forms, your legal rights, or particular issues in your case, it is strongly recommended that you talk to an attorney.

Due to the changing nature of the law, the forms and information found on this web site will change from time to time. It is up to you to follow the current procedures and to file the correct, up-to-date forms.

Each court location has a Clerk's Office and many locations also have a [Court Service Center](#) that can give you help and information about court procedures. Please note, however, that Clerk's Office and Court Service Center personnel cannot provide you with legal advice.

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Instructions

These instructions are to help you file a motion for modification. Legal words and court documents can be confusing. The more you know, the more comfortable you will be when you fill out the necessary court forms and come to court. These instructions will give you some useful information and instructions on filling out the necessary forms.

Every case is different and this instruction sheet is to be used as a guide only; if you think you need more help you may want to get an attorney. You can also go to a [Court Service Center](#) or contact the [Connecticut Network for Legal Aid](#) or find additional information at the [Law Libraries](#). Court staff can answer procedural questions and help you understand the legal process, but cannot give you legal advice.

To file a motion for Modification you have to fill out the following 2 forms:

- [Motion for Modification \(JD-FM-174\)](#)
- [Appearance \(JD-CL-12\)](#) *if you have not already filed one with the court - (How-To Slidcast)*

If you want to modify child support, custody or visitation, you will also need an:

- [Affidavit Concerning Children \(JD-FM-164\)](#)

Once you finish your paperwork, you must take it to the Superior Court Clerk's office along with any required filing fee (a filing fee is required if the case has already had a judgment entered before you file your Motion for Modification).

There is a form you can fill out to ask the court to waive the filing fee if you prove that you cannot afford to pay the fee to file your Motion for Modification. It is the [Application For Waiver Of Fees/ Appointment Of Counsel Family \(JD-FM-75\)](#). Do not sign this form until you are in front of a court clerk or a notary public. You can also use this form to ask the court to pay the State Marshal fee if you prove that you

cannot afford to pay.

The Clerk will sign the “order for hearing and summons” part of the Motion for Modification and return the original form(s) to you. On the back/page 2 of the form the Clerk will also write in the date, time and place of your hearing. You must have copies of the paperwork delivered to the other party by a State Marshal. The Clerk’s office or the Court Service Center can give you a [list of State Marshals](#). A State Marshal will charge a fee for delivering the paperwork which you must pay, unless the court has decided that you do not have to pay.

Once copies of the paperwork have been delivered to the other party, the original paperwork must be returned to the Clerk’s office along with proof that the papers were delivered to the other party. If the court has decided that you do not have to pay the fees, you must return the Application For Waiver of Fees/Appointment of Counsel with your other papers.

The next form you will have to fill out and bring to court with you is the:

- [Financial Affidavit \(JD-FM-6-long\)](#)
- [Financial Affidavit \(JD-FM-6-short\)](#)

When filling out your Financial Affidavit it is important to remember that it is a detailed breakdown of your income, expenses, debts and assets. You should bring proof of your income and any other documents you feel may be important to your case with you on your court date. Do not sign the Financial Affidavit form until you are in front of a court clerk or a notary public.

On the day of the hearing on your Motion for Modification be sure to come to court early because it can take 10 to 20 minutes to get into the courthouse since everyone must go through a metal detector. Be sure to bring your filled out court forms and copies of any other forms you may have filed. Go to your assigned courtroom and wait for instructions. If you are not sure where to go, check with the Clerk’s office or Court Service Center.

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