

[CAPTION]

**PETITION TO COMPEL INDIANA CHILD-SUPPORT GUIDELINE CALCULATION
AND TO MODIFY SUPPORT**

_____ who affirms under the penalties and pains of perjury petition to the court and says:

1. Petitioner is the respondent in the above styled cause of action and is under an order of this court case to pay support for his minor child in this cause of action.

2. Since the order of support was entered there have been substantial and continuing changes in circumstances which dictate that the present order of support should be modified.

3. The changes in circumstances include but are not limited to the following:

A. On (insert date) (insert name) was arrested and incarcerated in the (insert facility) County Jail. He is unable to make bond for his release and therefore unable to work to pay his child support obligation.

4. Defendant states to the Court that he is unable to pay the support as currently ordered.

5. In Lambert v.Lambert, 861 N.E.2d 1176 (Ind. 2007), The court held that although incarceration did not relieve parents of their child support obligations, courts were not to impute potential income to an imprisoned parent based on pre-incarceration wages or other employment-related income, but were to calculate support based on the actual income and assets available to the parent.

WHEREFORE, _____ asks the court to issue a notice of hearing to petitioner in the above styled cause of action, _____, mother of the child, and upon hearing, the order of support in this cause of action be modified.

(signature, pro se)

