

## COMPLAINT FOR CHILD SUPPORT INSTRUCTIONS FOR COMPLETING DR 1

If there is no court order for support of a child in your care, you may initiate a case to obtain support of that child from the parent(s)/other parent, filing either through an attorney, through your local child support enforcement office, or by yourself. DR forms were developed to assist persons deciding to proceed alone, but you are urged to consider carefully the importance of getting an attorney to help you. Do not use this form unless you can locate the other parent. If you do not know their whereabouts, it is recommended you file with the assistance of an attorney or through the local child support enforcement office.

**There are 7 steps you must follow in order to proceed with the case yourself:**

### > STEP 1 — Completion of Form DR 1.

#### **Page 1 of DR 1:**

*Court:* Fill in the name of the County (or Baltimore City) where you intend to file your case. See ***General Instructions***.

*Case No.:* **DO NOT** write anything where it says “Case No.” The Clerk of Court will fill in this blank and, at that time, you should make note of the number for future reference.

*Plaintiff:* Fill in your name, as “Plaintiff”, and your current address and telephone number.

*Defendant:* Fill in the name of the parent you want to pay support, as “Defendant”. You can only get support from a parent.

List the **current** address and telephone number for the defendant.

*Item 1:* Print your name in the space provided and state your relationship to the child(ren) by circling “mother” or “father” or naming your relationship in the blank.

List the child(ren)’s full name(s) and date(s) of birth.

*Item 2:* Enter the full address at which, and the name of the person with whom, the child(ren) is(are) living at this time.

*Item 3:* Fill in the name of the parent you want to pay child support and state his/her relationship to the child(ren) by circling “mother” or “father”.

Check each box that applies to you. Check the third box if you believe the amount the parent is paying is not the amount that would be required by the Maryland Child Support Guidelines.

**FOR THESE REASONS:** Check each box that applies to you but **remember that the court need not give you what you asked for**. Fill in the name of the other side if you check the first or third box.

Check the second box if you want the support payments to come directly from the other side's paycheck. Also indicate whether you want the payments to come directly to you or through your local child support enforcement office.

Check the third box if you want to request that the parent include the child(ren) on the parent's health insurance.

*Date and sign form DR 1.*

**> STEP 2 — Completion of a Financial Statement.**

Use Form DR 30.

**> STEP 3 — Filing Forms and Paying Filing Fee.**

Take your completed forms to the Clerk of Court. Payment of a filing fee generally is required at this time. See ***General Instructions***. Make sure to note the case number assigned by the Clerk, as you will need the number as the case progresses.

**> STEP 4 — Service.**

You will need to have the other parent properly served with a copy of all the papers you are filing and with a Writ of Summons which is provided by the Court. See ***General Instructions***.

**> STEP 5 — Request for Default if No Answer Filed.**

If a defendant is served:            The defendant should answer within:

in Maryland	30 days after service
in another state	60 days after service
in another country	90 days after service

If a defendant does not file an answer by the required time, file a Request for Order of Default (CC-DR 54).

**> STEP 6 — Request for Hearing or Proceeding.**

The Complaint alone will not get you into court. You **MUST** file a Request for Hearing or Proceeding (CC-DR 59), so that a court date will be set. See ***General Instructions***.

**> STEP 7 — Hearing or Trial.**

See page 5 of ***General Instructions - What Happens in Court?***

You must bring a completed CHILD SUPPORT GUIDELINES WORKSHEET to the hearing or trial. You will have to show your income and expenses and those of the defendant. If you are unable to do this, you may want to see an attorney or go to your local child support enforcement office.