|  |  |
| --- | --- |
| {%tr if interim\_motion == 'ask' %} |  |
|  | Ask for an interim Child Support order while your case is going on |
| {%tr else %} |  |
|  | Ask for a Child Support order in Alaska |
| {%tr endif %} |  |
|  | Your Personal Action Plan in 0 0 Steps |

|  |  |
| --- | --- |
| {%tr if wrong\_path\_tf %} |  |
| Step 1: Try another Guided Assistant | **Enforcing Your Child Support Order** Docassembledev.AKCourts.gov/start/ EnforcingChildSupport  **Changing Your Child Support Order** Docassembledev.AKCourts.gov/start/ ChangingChildSupport  **Starting A Case to End Your Marriage** [LegalNav.org/guided\_assistant/starting-a-case-to-end-your-marriage/?location=alaska](https://www.legalnav.org/guided_assistant/starting-a-case-to-end-your-marriage/?location=alaska)  [**Responding if Your Spouse Starts a Custody Case**](https://www.legalnav.org/guided_assistant/responding-if-your-spouse-wants-to-or-starts-a-custody-case/?location=alaska) LegalNav.org/guided\_assistant/responding-if-your-spouse-wants-to-or-starts-a-custody-case/?location=Alaska\  [**Enforcing a Custody Order**](https://legalnav.org/guided_assistant/enforcing-a-custody-order/?location=alaska) LegalNav.org/guided\_assistant/enforcing-a-custody-order/?location=alaska  [**Changing a Custody Order**](https://www.legalnav.org/guided_assistant/changing-a-custody-order/?location=alaska) LegalNav.org/guided\_assistant/changing-a-custody-order/?location=alaska |
| Step 2: Look at the court's Family Law Self-Help Center web pages | **Forms and Information about Child Support** courts.alaska.gov/shc/family/support.htm  [**Asking for an Order / filing a motion**](https://courts.alaska.gov/shc/family/motions.htm)courts.alaska.gov/shc/family/motions.htm  [**Getting Ready for a Hearing or Trial**](https://courts.alaska.gov/shc/family/shctrial.htm)akcourts.gov/family/trial  **Changing a Custody / Support Order** courts.alaska.gov/shc/family/shcmodify.htm  [**Enforcing a Custody Order**](https://courts.alaska.gov/shc/family/shcenforce.htm) akcourts.gov/family/enforce-custody |
| {%tr endif %} |  |
| {%tr if (existing\_case == 'open' and user\_role\_in\_case != 'closed') or (existing\_case == 'closed') or (existing\_case == 'unknown' and after\_courtview == 'open' and user\_role\_in\_case != 'closed') or (existing\_case == 'unknown' and after\_courtview == 'closed') %} |  |
| Step 3: Learn about child support | The Alaska Court System and the Child Support Services Division (CSSD) use the same formula to calculate child support. The formula is in Alaska Civil Rule 90.3.  The formula uses:   * the number of nights your children spend with each parent in a year, and * each parent’s income.   If the children spend fewer than 110 nights with 1 of you, the formula only looks at the income of the parent who has fewer overnights.  If you live far away from your child’s other parent, it can be hard for the children to go back and forth. Sometimes this means the children do not spend 110 nights with one of the parents. Child Support applies in every case. Parents cannot agree they do not want to exchange child support. All children are entitled to child support under Alaska law.  If your children spend the same number of nights with each of you, and you make about the same amount of money, the amount of child support may be very low.  If your children spend the same number of nights with each of you, but one of you makes more money than the other, the parent who makes more, usually must pay child support to the other parent.  If your children do not spend at least 110 nights with one of you, the parent who gets fewer nights must pay the other parent at least $50/week. This is the minimum amount of child support, even if the formula calculates a lower amount. Child support is usually more than $50. Health Insurance If one or both of you can get health insurance at a reasonable cost, you must provide health insurance for your children.  Parents usually share the cost of the monthly insurance premium.  Parents usually share the cost of their children’s medical expenses that insurance does not cover, up to $5,000. After $5,000, the parent who earns more may need to pay more than half. |
| {%tr endif %} |  |
| {%tr if interim\_motion == 'ask' %} |  |
| Step : Fill out the forms to ask the judge for an "interim" child support order during your case | * + - 1. Motion and Affidavit for Interim Orders - With Children, SHC-1100, Word | [PDF](https://courts.alaska.gov/shc/family/docs/shc-1100n.pdf)          1. At the top of the form, write the same names and case number that are on the other documents in your case.          2. Check the box in question 2 to ask for interim child support.          3. On the last page, at the bottom of form, fill out the Certificate of Service. Check the boxes that tell the court how you plan to serve the other parent.       2. Child Support Guidelines Affidavit, [DR-305](https://public.courts.alaska.gov/web/forms/docs/dr-305.pdf) [Fill-In PDF]          1. Use [How to Fill out the Child Support Guidelines Affidavit](https://courts.alaska.gov/shc/family/docs/shc-dr305f-sample.pdf) to help.       3. Order on Child Support, [DR 300](https://public.courts.alaska.gov/web/forms/docs/dr-300.pdf) [Fill-In PDF] |
| Step : “Serve” the other parent copies and file your originals with the court. | * + - 1. Make 2 copies of your motion, affidavit, and order.       2. Keep 1 copy for your own records.       3. You must give the other parent 1 copy of everything you file with the court. This is called “service.”          1. You can mail or hand-deliver your motion.          2. If the other parent files anything in court that says they agree to service by email, you can email the copies you made for them.          3. If the other parent has a lawyer, you can serve the other parent by giving their lawyer the copy by email, mail or hand-delivery.       4. Mail, email or hand-deliver your motion to the court.       5. Learn more about filing Motions and Interim orders on the court's web page, [Motions](https://courts.alaska.gov/shc/family/motions.htm#practice).   **The other parent has 10 days to respond** to the court in writing. Their in a document called a “response” or an “opposition” (13 days if you mailed it).  **You have 5 days to reply** to anything the other parent talked about that you didn’t address in your motion (8 days if they mailed it to you). Links in this step [Motions](https://court.alaska.gov/shc/family/motions.htm#practice):  court.alaska.gov/shc/family/motions.htm#practice |
| {%tr endif %} |  |
| {%tr if general\_information\_about\_forms %} |  |
| Step : Fill out the Child Support Guidelines Affidavit | To calculate child support, the court needs to know both parents’ income. The [Child Support Guidelines Affidavit](https://courts.alaska.gov/shc/family/docs/shc-dr305f-sample.pdf), and the documents filed with it, give the court each parent’s income information. Use [How to Fill out the Child Support Guidelines Affidavit PDF](https://courts.alaska.gov/shc/family/docs/shc-dr305f-sample.pdf)  627 KB to help you fill out this form. |
| {%tr endif %} |  |
| {%tr if number\_of\_children == "one" %} |  |
| Step : Figure out if you need a Shared Custody Calculation Form | The child support formula is based on the number of nights your child spends with each parent.   * If your child spends fewer than 110 nights with you, the other parent has “primary custody” for child support calculations. * If your child spends fewer than 110 nights with the other parent, you have “primary custody” for child support calculations. * If your child spends more than 110 nights with both parents, you both have “shared custody” for child support calculations.   Sometimes you won’t know if your schedule will be “shared” or “primary” until after the judge decides the parenting plan schedule. |
| Step : Fill out the Shared Custody Support Calculation | Fill out the Shared Custody Support Calculation, DR-306 [Fill-In PDF] unless you know your child’s parenting plan schedule is primary custody with you or the other parent. |
| {%tr endif %} |  |
| {%tr if number\_of\_children == "more than one" %} |  |
| Step : Figure out which Custody Calculation Form you need | The child support formula is based on the number of nights each child spends with each parent.  If the children have the same schedule   * If they spend fewer than 110 nights **with you**, the other parent has “primary custody” for child support calculations. * If they spend fewer than 110 nights **with the other parent**, you have “primary custody” for child support calculations. * If your children spend more than 110 nights **with both parents**, you both have “shared custody” for child support calculations.  If the children have different schedules  * Read about the difference between “primary” and “shared” custody for child support above. * If one parent has “primary custody” of at least 1 child, but the parents have “shared custody” of at least 1 child, you and the other parent have “hybrid” custody. For example, 1 child stays almost all the time with 1 parent, and the other child spends 1 week with one parent and the other parents. * If you and the other parent have “primary custody” of at least 1 child, and neither of you have “shared custody” of any child, you and the other parent have “divided custody.” For example, 1 child spends almost all their nights with the other parent, and the other children spend almost all their nights with you. |
| Step : Fill out the form that matches your situation | * Sometimes you won’t know your children’s schedule until after the judge decides the parenting plan schedule. If you do not know what the final schedule will be, or if you know it will be shared custody, fill out the Shared Custody Support Calculation, DR-306 [Fill-In PDF] * If you know the schedule will be hybrid custody, fill out DR-308 Hybrid Custody Child Support Calculation * If you know the schedule will be divided custody, fill out DR-307 Divided Custody Child Support Calculation. |
| {%tr endif %} |  |
| {%tr if general\_information\_about\_forms %} |  |
| Step : Fill out a Proposed Child Support Order | Use the proposed order to show the judge and the other parent the new order you need the judge to make.  The motion asks for the order.  The proposed order shows the court and the other parent the order you need. |
| {%tr endif %} |  |
| {%tr if paternity %} |  |
| Step : Find out who counts as your child's legal parents | Paternity refers to a child’s **legal** father. Only a child’s legal father has the rights and responsibilities of a father.  If you and the other parent disagree, you may have to prove the identity of your child’s biological father.   * Proving the biological father of a child is called “establishing paternity.” * Proving someone is not the biological father is called “disestablishing paternity.”   The benefits your child gets from knowing who their legal father is are:   * child support, * an inheritance It can be very hard to prove your child’s biological father if the father is dead., * being included on their father’s health insurance, * knowing their father’s medical history, * benefits from programs like Social Security and Veterans’ Benefits, and * a relationship with their father.   When a married couple has a child:   * The husband is the child’s legal father, even if he is not the biological father. * If the husband is not the biological father, you need to disestablish his paternity and establish the biological father’s paternity.   Ways to establish paternity:   * If your child’s mother and biological father are married to each other when your child is born, you are both legal parents. You do not need to anything.. asl long as you do not split up and … * If parents are not married to each other when their child is born, usually both parents sign the Health Analytics & Vital Records [Affidavit of Paternity](https://courts.alaska.gov/shc/family/glossary.htm#aff-pat), VS-06-5376 form at the hospital This affidavit is a declaration that says both parents agree that they are parents to their child. You can only get the form at the hospital or from [Health Analytics & Vital Records](http://dhss.alaska.gov/dph/VitalStats/Pages/birth/default.aspx) or your local court. After you complete the form, give it to Health Analytics & Vital Records. Do not try to file it at court. * Start a case with Child Support Services Division (CSSD) and ask them to do a DNA test to determine your child’s biological father. * Start a court case to establish paternity.  Start a Case with CSSD  * If you apply for CSSD services, you can ask CSSD for help to establish paternity . * CSSD can order [DNA testing](https://courts.alaska.gov/shc/family/glossary.htm#dna) to discover if the person you think is your child’s bio father actually is. If he is the father, CSSD can establish paternity. * If CSSD establishes paternity, they will order child support. Either parent can open a custody case and ask the court for a Parenting Plan so both parents can spend time with their child.  Start a court case to establish **or** disestablish paternity  * If you are **not married** to the other biological parent when the child is born, you can start a paternity case and ask the judge to find that your child’s biological father is their legal father. If the judge establishes x, they can order child support . You can ask the court to open a custody case at the same time and make decisions about a Parenting Plan. * If you **are married** when a child is born, and the husband is not the biological father, you can start a divorce case and ask the judge to disestablish paternity as part of the divorce case.  Start a court case to disestablish the legal father’s paternity and establish another man as biological father  * This is a complicated situation. Try to talk to a lawyer. [How do I find a lawyer](https://courts.alaska.gov/shc/shclawyer.htm) * If you are **not married** and you want to disestablish one man’s paternity and establish another man’s paternity, you can open a paternity case with 3 people in the case:   + - * 1. – mother,         2. the man already established as biological father who may not be the biological father, and         3. the man you think is the biological father.   After the judge establishes paternity, you can open a custody case with just yourself and the biological father to ask for Child Support and a Parenting Plan.   * If you are married and the husband is not the biological father, you can ask the judge to disestablish the husband’s paternity and establish another man’s paternity. as part of a divorce case. This is complicated try to talk to a lawyer (Family self help center?)   For more information about Paternity see the Court's [Paternity](https://courts.alaska.gov/shc/family/shcpaternity.htm) webpage.  When a child is born, the mother who gave birth to the child is usually the child’s legal mother.  Info about same sex, transgender, in vitro birth and surrogate parents added here – see a lawyer. |
| {%tr endif %} |  |
| {%tr if (existing\_case == 'open' and user\_role\_in\_case == 'closed') or (existing\_case == 'unknown' and after\_courtview == 'open' and user\_role\_in\_case == 'closed') %} |  |
| Step : Take the Guided Assistant interview for detailed steps on how to change your child support order | If you already have a child support order, and you want to change it, see our Guided Assistant, Changing your Child Support Order. |
| {%tr endif %} |  |
| {% if existing\_case == 'unknown' and after\_courtview == 'unknown' %} |  |
| Step : Find out if you have a case | If you do not know if you have an open divorce, dissolution, or custody case, look for your name in [Courtview](https://records.courts.alaska.gov/eaccess/home.page.2), the Alaska Court System’s list of public court cases.  If you find a case with your name you can see the kind of case it is.  If you need more help call the call the [Family Law Self-Help Center](https://courts.alaska.gov/shc/family/selfhelp.htm): (907) 264-0851 or (866) 279-0851 from an Alaska-based phone outside of Anchorage. |
| {%tr endif %} |  |
| {%tr if ask\_court\_or\_cssd in('cssd', 'both') %} |  |
| Step : Learn about the Alaska Child Support Services Division (CSSD) | The Child Support Services Division (CSSD) is the state agency that makes child support orders.  They also help collect and send child support payments to parents.   * If you do not already have a court order for child support, CSSD can make a child support order. * If your children already get public assistance or they are in state custody, CSSD makes a child support order automatically and opens a case. If they make an order they will also try to collect the child support. * If a parent or guardian applies for CSSD services, CSSD can collect child support . * Either parent can ask CSSD to look at your child support order again to see if they should raise or lower the amount of child support. You can ask CSSD to review your child support order once a year.   + If CSSD ordered the child support, and their review shows the order should be changed, CSSD will change it.   + If the court ordered the child support, CSSD will advise clients to ask the court to change the order. * If parents do not agree about the identity of the father, CSSD can order genetic marker (DNA) tests. * If you do not know where your child’s other parent is or how to get in touch with them, CSSD can look for them. CSSD finds missing parents. * If the parent who pays child support gets health care coverage through their job or their union, CSSD can make sure the plan covers your child. * When CSSD calculates your child support payment, they use the schedule you already have in place. They do not order any kind of Parenting Plan or schedule.   You can ask Child Support Services Division (CSSD) for a Child Support Order if:   * You and your child's other parent agree about:   + a schedule,   + all the decisions you need to make about your child, and   + you do not want to go to court.  Apply for CSSD Services  * Submit an online application by logging into myAlaska.   + Go to [CSSD’s home page](https://childsupport.alaska.gov/), and   + click “Online Application for Services” in the bottom right corner. * For help, watch CS.SD’s Tutorial - [How to Apply for Services Online](https://childsupport.alaska.gov/Static/ApplyForServicesTutorial/index.html)  To get an idea of the amount CSSD may order Use the CSSD Child Support Calculator but remember this amount is based on children spending fewer than 110 nights with one parent. If the children spend more than 110 nights with each of you, the number you get from the calculator will change.   * [CSSD Child Support Calculator](https://webapp.state.ak.us/cssd/guidelinecalc/form)  Ask CSSD to help find your child’s other parent  * If you know who the other parent is, but you do not know where they are, you can ask CSSD to help find them. * If you are not sure about the man you think is your child’s father, CSSD can order genetic marker (DNA) tests. can help determine a child’s biological father with a DNA test. This is called establishing paternity.  Learn what to do if things change If your parenting schedule changes, or your income or the other parent’s income changes and the new child support calculation is 15% more or less than your current order, it is important to tell CSSD **right away**. Tell the court right away if the court ordered your child support.  CSSD and the court cannot go back and change child support that was due in the past. They can only change child support starting when you ask to change it.  If your order is from CSSD, they can change your order if:   * The cost of our child’s health insurance premium changes, or * Your income or the other parent’s income changes so that a new Child Support payment calculation would be at least 15% more or 15% less than the payment you have now.   If your order is from the court, CSSD cannot change the child support calculation. But, CSSD can change the credit for paying your child’s health insurance premium if:   * CSSD is collecting the child support, and * the amount of your child’s health insurance premium changes.  Get more help  * Read [Information about CSSD, DR-316](https://public.courts.alaska.gov/web/forms/docs/dr-316.pdf). * [CSSD FAQ Page](https://childsupport.alaska.gov/child-support-services/information/faqs). * The differences between a Child Support order from CSSD and a Child Support order from the Court are not easy to understand. Call the [Family Law Self Help Center Helpline](http://courts.alaska.gov/shc/family/shcabout.htm#1b) if you need help to decide between asking CSSD and going to court. * [CSSD Brochures](https://childsupport.alaska.gov/child-support-services/information/brochures)  Links in this section https://childsupport.alaska.gov/Static/ApplyForServicesTutorial/index.html  Answers to Frequently Asked [Questions](https://childsupport.alaska.gov/child-support-services/information/faqs) (FAQs) ChildSupport.alaska.gov/child-support-services/information/faqs  [CSSD Home page](https://Childsupport.alaska.gov): Childsupport.alaska.gov  Forms Page: Childsupport.alaska.gov/child-support-services/forms/all-forms  Log into MyAlaska.gov to ask CSSD to start a Child Support order |
| {%tr endif %} |  |
| {%tr if existing\_case == 'open' and user\_role\_in\_case== 'defendant' and need\_to\_respond %} |  |
| Step16:Take the Guided Assistant Interview for detailed steps on how to respond to your {{ case\_type }} case | {%p if case\_type in ('divorce', 'legal separation') %} **Respond in your case to end your marriage**  {% elif case\_type == 'custody' %} **Respond in your custody case**  {%p endif %} |
| {%tr endif %} |  |
| {%tr if (existing\_case == 'none') or (existing\_case == 'unknown' and after\_courtview == 'none') %} |  |
| Step 17: Take the Guided Assistant Interview for detailed steps on how to start a court case | {%p if parents\_married %}  **Start a divorce, dissolution or legal separation case**  {%p else %}  **Start a custody case**  {%p endif %} |
| {%tr endif %} |  |
| Step 18: Get more information or help | For help with forms or understanding the process, call the [Family Law Self-Help Center](https://courts.alaska.gov/shc/family/selfhelp.htm) (907) 264-0851 or (866) 279-0851 from an Alaska-based phone outside of Anchorage.  Many lawyers offer free or flat fee consultations without having to hire them for the whole case. [Find a Lawyer](https://courts.alaska.gov/shc/shclawyer.htm).  Depending on your income, you may qualify for [Alaska Free Legal Answers](https://legalnav.org/resource/alaska-free-legal-answers/).  Depending on your income and circumstances, you may qualify for a free lawyer from [Alaska Legal Services](https://alsc-law.org/apply-for-services/). Links in this step [Family Law Self-Help Center](https://courts.alaska.gov/shc/family/selfhelp.htm) courts.alaska.gov/shc/family/selfhelp.htm  [Find a Lawyer](https://courts.alaska.gov/shc/shclawyer.htm) courts.alaska.gov/shc/shclawyer.htm  [Alaska Free Legal Answers](https://legalnav.org/resource/alaska-free-legal-answers/) LegalNav.org/resource/alaska-free-legal-answers  [Alaska Legal Services](https://alsc-law.org/apply-for-services/) alsc-law.org/apply-for-services |
|  | JS to CR 2022-10-31  This is a note you had in questions:  Note to us for template.  {%p if user\_role == ‘user plaintiff’ %}  If you asked for child support in your complaint when you started the case, you do not have to file those forms again.  {%p endif %}  But I’m not sure it’s exactly correct/helpful. You need to add child support information to complaint and answer but that’s not “asking” for child support, so I think it would make people confused.  CR to JS 2022-11-10  This came from a phone conversation you and I had and you asked me to add into template. Since we did not have a template I just dumped it into the questions docx with a note to add to template. |