

## PETITION TO STOP THE "INCOME WITHHOLDING ORDER WITHOUT AGREEMENT"

### (CHECKLIST)

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- An Income Withholding Order (formally known as "Order of Assignment") has been issued by a court in Mohave County against one of the parties to pay child support and/or spousal maintenance, **AND**
- **BOTH** of the following conditions apply:
  1. The person making payments does not owe any more money under this Order or the obligation to pay will end within 90 days of filing this "**Petition,**"
  2. There is no money owed for back child support or spousal maintenance ("arrear"), **AND**
- Current payments should stop because: all children named in this Order are 18 and not attending high school, and/or all spousal maintenance / support is paid or other condition for stopping child support and/or spousal maintenance has occurred, such as:
  - Child custody has been changed by Order of the Court (if **Order** is not from this county, copy of **Custody Order** is attached);
  - Child adopted by someone else, and all past-due amounts have been paid, (copy of **Adoption Order** attached);
  - Child deceased, and all past-due amounts have been paid;
  - The (support) case has been dismissed (if Order is not from this county, copy of **Order Dismissing Case** is attached);
  - Person receiving payments is deceased (death certificate or other proof such as obituary attached), **AND**
- The parties are not willing to sign an **AGREEMENT TO STOP** the Order(s) (for which there is no filing fee).

**DO NOT USE FORMS and instructions in this packet if any money is still owed for current or past due child support or spousal maintenance (alimony).** (Note: If money is still owed but the amount should be changed, refer to Child Support - Petition to Modify (Standard Procedure) to determine if they apply to your situation.

**NOTE:** If your "Income Withholding Order" (formally known as "Order of Assignment") was issued after January 1, 2005, there may be an automatic stop date on the Order. If there is and that date is correct, you do not need to file anything to stop the Order, though you may want to make sure the payroll department of whomever has been making payments is aware of the termination date.

**PLEASE READ:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. Go to [www.az.bar.org](http://www.az.bar.org) for a list of lawyers who can give you legal advice. You may also go to our Law Library at 401 E. Spring St, Kingman, AZ 86401 for information on available lawyers.