



GENERAL INSTRUCTIONS FOR PREPARING YOUR OWN PETITION

YOU MUST READ ALL THE GUIDELINES BEFORE COMPLETING PETITION

In order to start a proceeding in Peacemakers Court, you must file a petition with the Court. To obtain a blank petition to be completed by yourself, you should come to the Court office located at 2 Thomas Indian School Drive, Irving, New York 14081 between the hours of 8:30 – 4:30.

You may attempt to complete the paperwork in the waiting room; however it is strongly advised that you take it with you, to be completed, notarized and copied at your own convenience. The inter office staff cannot assist you in completing this petition. You **must** submit the forms in person. **THE COURT WILL NOT ACCEPT PETITIONS THAT ARE MAILED TO THE COURT, UNLESS YOU RESIDE IN ANOTHER COUNTY OR STATE.** The clerks will review the completed petition and return the documents if the required items are not completed or completed improperly. If the petitions are completed correctly, and the necessary copies attached, the Office will docket & schedule the case for a future date. You will not receive a court date immediately; all parties will be notified of their scheduled date by SNI Marshals or certified mail, for out of area Petitioners/Respondents. If you prefer not to complete your own petition, you may want to consider seeking the services of an attorney or lay-advocate. A list of lay-advocates is available at the Court.

**PLEASE NOTE THAT THE COURT'S ACCEPTANCE OF THE PETITION YOU PREPARED DOES NOT PRECLUDE THE PETITION FROM BEING DISMISSED IN COURT AT A LATER DATE FOR INACCURATE INFORMATION.**

1. A pre-court questionnaire must be completely filled out. **DO NOT COPY.** Petitions require the caption to be filled out in, the complete name and address, including zip codes, of both parties/attorneys. (Please use BLUE ink to fill out forms)
  2. An original (signed and notarized when required) and one (1) copy must be submitted for **any** petition to be filed with the Court. All copies must be made and stapled on the same size paper as the original petition. Make one (1) extra copy to keep for your own records.
  3. A separate petition must be filed for each Respondent.
  4. Paternity petitions filed by the mother must include a copy of the birth certificate; you need to obtain a certified copy for us before you file your Petition. Copies can be obtained through the city/town hall where your child was born. If filed by the father or another party, a copy of the birth certificate should be provided if the party has a copy of same.
- Support and custody/visitation petitions must state whether parties were married, an order of filiation has been entered, or an acknowledgment of paternity has been entered. If an acknowledgment of paternity was signed, a certified copy of it must be attached to the petition; copies can be obtained through the city/town hall where the child was born. If parties were not married, paternity must be established before the issue of support or custody/visitation can be determined.
5. If you seek to modify or enforce a divorce decree, one (1) complete copy of the signed decree, property settlement, and oral stipulation/referees report must be provided.
  6. If you seek to file both a **modification** and **enforcement** petition, you must file separate petitions for each.
  7. If you seek to modify/enforce a Peacemakers' Court order you must state the **date** and **amount/terms** of that order.
  8. If you seek to modify or enforce an order pertaining to an order of another Court other than peacemakers' Court, you must provide a copy of that order.
  9. All violation and enforcement of support petitions filed must state a **specific dollar amount** of alleged arrears or a **specific time frame** of alleged non-payment.
  10. Petitions for modification must include a description of the "change of circumstances".
  11. Custody/Visitation petitions must state why custody/visitation should be awarded to petitioner.

**ONCE YOUR PETITION HAS BEEN PROCESSED, ALL FEE'S ARE "NOT" REFUNDABLE!**