

(Name, Address and Phone Number)

Petitioner Pro Se

IN THE FAMILY COURT OF THE SECOND CIRCUIT

STATE OF HAWAI'I

)	FC-____ NO. _____
)	
Petitioner(s),)	ORDER RE: CUSTODY
vs.)	VISITATION, SUPPORT AFTER
)	VOLUNTARY ESTABLISHMENT
)	OF PATERNITY
)	
and)	Hearing Date:
CHILD SUPPORT ENFORCEMENT)	Hearing Time:
AGENCY, STATE OF HAWAI'I,)	Judge:
Respondents.)	

ORDER RE: CUSTODY, VISITATION, SUPPORT
AFTER VOLUNTARY ESTABLISHMENT OF PATERNITY

The parties appeared at court at the date and time listed above and stipulated to an order without a court hearing.

The case came on for hearing, and the following parties were present:

- Petitioner
 - Mother
 - Father
 - Caretaker
- Respondent
 - Mother
 - Father
 - Caretaker
- Respondent
 - Mother
 - Father
 - Caretaker
- Child Support Enforcement Agency (hereafter CSEA) by Deputy Attorney General: _____

- _____, Attorney for Mother
- _____, Attorney for Father
- Other:

ALTHOUGH DULY NOTIFIED, THE FOLLOWING PARTIES FAILED TO APPEAR AND THE HEARING PROCEEDED BY DEFAULT:

Although notified, _____ did not appear but s/he was excused from attending the hearing.

The subject child(ren) of this action is/are:

Name:

Sex: Male Female

Date of Birth:

Place of Birth:

Resident of:

Name:

Sex: Male Female

Date of Birth:

Place of Birth:

Resident of:

(If additional children, attach separate sheet.)

BASED UPON A PREPONDERANCE OF THE EVIDENCE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

PATERNITY: Father is the legal and natural father of the above named child(ren).

BIRTH CERTIFICATE. Pursuant to H.R.S. Sections 338-21 and 584-23, the Court recommends that the Department of Health prepare a new Certificate of Life Birth for the child(ren) reflecting the natural father as the legal and natural father.

_____'s name shall be changed to:
 (first)
 (middle)
 (last)

_____'s name shall be changed to:
 (first)
 (middle)
 (last)

(If additional children, attach separate sheet.)

The natural Father's birth date is _____.

His place of birth was _____ (city), _____ (state).

His ethnic background: _____

CUSTODY AND VISITATION: Custody and visitation rights established in Child Protective Act (HRS Ch. 587) proceedings and in future Domestic Abuse Protective Orders (HRS Ch. 586) shall supersede the custody and visitation rights established in this order.

- Legal Custody** of the child(ren) is granted to:
- Mother. Father. Mother and Father, jointly. Caretaker.
- The issue of legal custody should be reserved for a court of competent jurisdiction.

- Physical Custody** of the child(ren) is granted to:
- Mother. Father. Mother and Father, jointly. Caretaker.
- The issue of physical custody should be reserved for a court of competent jurisdiction.

The Non-custodial parent is awarded visitation as follows:

- Visitation/Time Sharing schedule shall be as follows (*attach separate sheet if necessary*):

Reasonable visitation as mutually agreed upon by the parties.

Supervised visitation at _____.
The Non-custodial parent shall have supervised visitation at _____
_____ subject to availability.

The telephone number is _____.

It is the visiting parent's responsibility to contact and arrange the visitation with _____.

Mother Father Caretaker shall be responsible for the costs of the visitation services.

Supervised visitation with third party. The Non-custodial parent shall have supervised visitation in the presence of the following adult(s) only:

_____.

There shall be no visitation until further order of the Family Court.

The issue of visitation is reserved for a court of competent jurisdiction.

CHILD SUPPORT:

- Beginning _____ (month), 20____, the Non-custodial parent shall pay for the support of the parties' child(ren) \$_____ per child, for a total of \$_____ per month.
- Child support is reserved for a court of competent jurisdiction.
- Payments of child support shall continue for each child until the child attains the age of eighteen years, or graduates from high school, or discontinues high school, whichever occurs last. Child support shall further continue uninterrupted (including during regular school vacation periods) until the age of 23 as long as the child continues his or her education post-high school on a full-time basis at an accredited college or university or in a vocational or trade school.
- The CSEA is made a party for the limited issue of child support.

PAST CHILD SUPPORT:

- Judgment shall enter against the Non-custodial parent for the sum of \$_____ for past child support owing to Department of Human Services (hereafter DHS) for the period(s) _____, _____ through _____, _____.
 - The Non-custodial parent shall pay the sum of \$_____ each and every month commencing _____, 20____, until the judgment is fully paid.
- Judgment shall enter against the Non-custodial parent for the sum of \$_____ for past child support owing to the Custodial parent for the period(s) _____, through _____, _____.
 - The Non-custodial parent shall pay the sum of \$_____ each and every month commencing _____, 20____, until the judgment is fully paid.
- The issue regarding past child support is reserved.

BIRTH RELATED MEDICAL AND HOSPITAL EXPENSES:

- Judgment shall enter against Father for the sum of \$_____ for reimbursement of said expenses owing to DHS Mother.
- Father shall pay the sum of \$_____ each and every month commencing _____, 20____ until said expenses have been fully reimbursed.
- The issue regarding reimbursement of birth related medical and hospital expenses is reserved.

PAYMENTS: (select one method only)

- Through CSEA. All payments shall be made payable to and through the Child Support Enforcement Agency (CSEA), P.O. Box 1860, Honolulu, Hawai'i 96805-1860, and pursuant to the Order for Income Withholding which shall be filed with this decree.

When the income withholding is not in effect, Non-custodial Parents shall make payments to CSEA as ordered above until the income withholding is effected, or at any time said withholding ends and support obligation continues. All payments made by the Non-custodial Parent not made by way of income withholdings shall be made by money order, cashier's check or certified check payable to Child Support Enforcement Agency and mailed to the address listed above.

COLLECTION OF SUPPORT, ARREARS OR DEBTS: CSEA can collect support and/or the full amount of any support arrears or support debt through State and Federal tax refund interception, seizure of property, withholding of income, unemployment insurance benefits, worker's compensation, and retirement benefits, or any other lawful means of collection.

NOTIFICATION TO CSEA: Parties shall notify CSEA in writing at the above address of any change in employment and/or residence address within 10 days of such change.

- Direct Payment of Child Support. *(This option is not available if the children have ever received any government assistance, if the children are on Quest, or if either parent has outstanding debts to the Department of Human Services or to any other public assistance agency).*

All payments shall be made directly from the Non-custodial Parent to the Custodial Parent. In all direct payment cases, either parent may void the direct payment arrangement at any time and apply for services from the CSEA to receive payments through the agency. If the child(ren) of the parties receive(s) public assistance from the Department of Human Services, foster care payments or Social Security or if either parent applies to the CSEA, CSEA may immediately void direct payment arrangement by sending notice by regular mail to both parents at their last known addresses as set forth in this Order.

All payments are deemed child support in accordance with the laws of the State of Hawai'i.

MEDICAL INSURANCE:

- Father Mother will provide medical health insurance coverage for subject child(ren) and will provide the other parent and CSEA proof of coverage within 30 days of the date of this hearing, if not already provided.
- Father Mother does not have the present financial capacity of providing medical health insurance coverage for subject child(ren) and is hereby ordered to provide such coverage for said child(ren) when it becomes available through his/her employer or union, as long as it does not reduce his/her ability to pay child support.
- Both parents are equally responsible for all unreimbursed extraordinary medical and dental expenses of said child (ren)

OTHER PROVISIONS:

- If applicable, parents shall provide the child(ren) with all available military dependent's benefits, and provide proof thereof to the other parent within 60 days.
- Except as amended herein, all existing orders of this Court shall remain in full force and effect.
- Mother Father Caretaker DHS shall appear before this Court for future hearing/trial on _____, at _____ .m. at which time Mother Father Caretaker shall submit the following:
 - Income and Expense Statement and Asset and Debt Statement.
 - Pay statements for the last three months worked.
 - Tax returns filed since the year of the subject child's birth.
 - _____.
- FURTHER ORDERS:**

DATED: Wailuku, Maui, Hawai'i, _____.

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM AND CONTENT:

Father Date

Mother Date

Attorney for Father Date

Attorney for Mother Date