

STATE OF WYOMING )  
 ) ss.  
COUNTY OF CROOK )

IN THE DISTRICT COURT  
SIXTH JUDICIAL DISTRICT

\_\_\_\_\_  
Plaintiff

vs.

CIVIL ACTION # \_\_\_\_\_  
POSSE # \_\_\_\_\_

\_\_\_\_\_  
Defendant.

**OBJECTION TO CLAIM FOR CHILD SUPPORT ABATEMENT**

The undersigned **custodial** parent objects to the legitimacy or accuracy of the CLAIM FOR CHILD SUPPORT ABATEMENT filed with the Court and in support of said objection shows to the Court as follows:

- 1. Dates Claim was filed: \_\_\_\_\_
- 2. Date Claim mailed by Clerk of Court: \_\_\_\_\_
- 3. Reasons for Objections (be specific):

\_\_\_\_\_ Court has ordered child support will not abate.

\_\_\_\_\_ Non-custodial parent did not have child(ren) for 15 consecutive days excluding weekend or overnight visitation with custodial parent during the period for child abatement is claimed (set out dates of visitation).

\_\_\_\_\_ Computation is incorrect (set out your computation below)

\_\_\_\_\_ Other (set out specific reasons):

- 4. Are there any arrearages?      Yes      No

As required by state statute, **Attached hereto is a fee of \$10.00.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Custodial Parent

The foregoing Objection to Claim for Child Support Abatement was mailed to the non-custodial parent above-named this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Christina R. Wood**, Clerk of District Court

By: \_\_\_\_\_  
(Deputy)Clerk of District Court

Mail to:  
Clerk of District Court  
PO Box 904  
Sundance, WY 82729

## **INSTRUCTIONS FOR FILING A CLAIM FOR CHILD SUPPORT ABATEMENT AND OBJECTIONS**

W.S. Section 20-2-305(c) provides, unless otherwise ordered by the Court, child support shall abate by one-half (1/2) of the daily support obligation for each day the non-custodial parent has the physical custody of the child for more than Fifteen (15) or more days consecutive days. Overnight and weekend visits with the custodial parent during the period for which abatement is claimed shall be disregarded.

1. Claims must be filed with the Clerk of Court within thirty (30) days after the period for which abatement is claimed and must be accompanied by a \$10.00 fee. **Effective July 1, 2003 the fee increased to \$10.00.**

2. The Clerk will mail a copy of the claim to the custodial parent at the address provided to the Clerk by the custodial parent.

3. The custodial parent shall have the right to object to any for abatement made by the non-custodial parent. The custodial parent's right to object shall be limited solely to issues related to the legitimacy or accuracy of the abatement claim. The custodial parent shall file any objection with the Clerk of Court within thirty (30) days of the date the Clerk mailed the notice of Claim for Abatement. A \$10.00 fee must accompany the Objection. **Effective July 1, 2003 the fee increased to \$10.00.** The Clerk shall mail a copy of objection to the non-custodial parent.

4. The custodial parent may approve the abatement claim prior to the expiration of the thirty (30) day time-period for objections by filing notice of immediate approval with the clerk of the court, and no filing fee shall be assessed for filing of such notice of immediate approval. The Clerk shall mail a copy of the notice of immediate approval to the non-custodial parent.

5. A copy of the Objection will be mailed to the non-custodial parent at the address provided on the Claim for Child Support Abatement.

6. **CLAIMS, OBJECTIONS OR RESPONSES NOT TIMELY FILED OR NOT ACCOMPANIED BY THE REQUISITE FEE ARE BARRED WITHOUT FURTHER ORDER OF THE COURT.**

7. The Clerk will notify the Court of claims and objections not barred and for any arrearage owed by the non-custodial parent, and the Court will resolve the differences with or without a hearing and prepare and file an appropriate order.

8. Abatement amounts shall be applied to any current child support due and then to any arrearage balance owed to the custodial parent for past-due child support. If there is no arrearage and no objection was filed within the thirty (30) day period for objections, or if there is no arrearage and a notice of immediate approval was filed prior to the expiration of the thirty (30) day period for objections, the abatement amount shall be reduced from the next scheduled payment of child support.

9. In all cases in which the custodial parent has filed an objection to a claim for abatement within the thirty (30) day time-period, the non-custodial parent shall have the right to respond to the objection. The non-custodial parent's right to respond to the objection shall be limited solely to issues raised in the objection. The non-custodial parent shall file any response with the clerk of the court within fifteen (15) days of the date the clerk mailed the objection to the non-custodial parent, and no filing fee shall be assessed. The clerk shall mail a copy of the response to the custodial parent at the address provided to the clerk by the custodial parent. The court shall fully consider the abatement claim of the non-custodial parent regardless of whether a response to the objection was filed. The custodial parent, when filing an objection, will obtain a hearing date if the Objection is filed in person, or will send a self-addressed, stamped envelope for the Clerk of Court to mail notice of the setting. Failure to provide the self-addressed, stamped envelope or obtain a hearing date in person may result in the matter being decided without your presence at the hearing.