

State of Minnesota

County _____

District Court

Judicial District: _____
Court File Number: _____
Case Type: _____

Petitioner(s)

vs

Respondent

**Agreement and Order to Waive
(or Partially Waive)
Cost-of-Living Adjustment**

The parties have each received and reviewed the most recent *Notice of Cost-of-Living Adjustment* (COLA) for basic child support and/or spousal maintenance. Each party is giving up their right to be represented by an attorney. Each party freely and voluntarily signs this agreement.

The parties agree on the following:

1. They want to settle this issue without a court hearing; and
2. If and when the court approves this *Agreement and Order*, it immediately will become an enforceable court order without any further notice to, or court appearance by, any party; and
3. Each has received and reviewed all documents used to prepare and enter into this agreement; and
4. The Court may enter its Order as follows:

FINDINGS OF FACT

1. Information about the Obligor (person who pays).

- a. The Obligor's name is _____.
- b. The Obligor is the Petitioner / Respondent in this case.
- c. The Obligor's address is: _____

- d. The Obligor's date of birth is: _____.

2. **Information about the Obligee (person who receives).**

- a. The Obligee's name is _____.
- b. The Obligee is the Petitioner / Respondent in this case.
- c. The Obligee's address is: _____

- d. The Obligee's date of birth is: _____.

3. **Current Obligation.** The amount of the Obligor's currently monthly support obligation is:

- a. \$_____ for basic support; and/or
- b. \$_____ for spousal maintenance.

4. **Notice of the Cost-of-Living Adjustment.** The Obligee was notified that the Obligor's court-ordered obligation would increase by _____% on May 1, 20____. According to the *Notice*, the obligation would increase to the following amounts:

- a. \$_____ for basic support; and/or
- b. \$_____ for spousal maintenance.

5. **Parties' Agreement.** The parties agree to the following (*check only 1 of the boxes*):

There will NOT be a Cost-of-Living Adjustment effective May 1, 20____ (the current year).

OR

There will be a *partial* Cost-of-Living Adjustment effective May 1, 20____ (the current year). The obligation will be as follows:

- a. \$_____ for basic support; and/or
- b. \$_____ for spousal maintenance.

6. **Basis for the Parties' Agreement.** The parties believe this agreement is in the best interests of the joint children. The agreement is based on the following facts:

The obligor's income has not sufficiently increased in the past two years to enable the Obligor to pay the increased amount of support listed on the *Notice of Cost-of-Living Adjustment*.

Other: _____

ORDER

1. **Effective May 1, 20**_____, Obligor’s court-ordered support obligation shall be as follows:

a. **Basic support of \$**_____ per month. This amount is the current amount / partially increased amount.

b. **Spousal maintenance of \$**_____ per month. This amount is the current amount / partially increased amount.

2. This Order applies to the current year only. The application of the Cost-of-Living Adjustment for any future year is not affected by this Order.

Signature of the Parties

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Signature (Petitioner) _____ Date
 Obligor Obligee

Printed Name: _____

County and State where signed:

Signature (Respondent) _____ Date
 Obligor Obligee

Printed Name: _____

County and State where signed:

Waiver of Counsel

I know I have the right to be represented by an attorney of my choice. I expressly waive that right, and I freely and voluntarily sign this *Agreement*.

Signature (Petitioner) _____ Date

Signature (Respondent) _____ Date

Signature of County Attorney or Assistant County Attorney

Approved as to content on behalf of the Public Authority:

Date

County Attorney/Assistant County Attorney

The *Agreement and Order to Waive (or Partially Waive) Cost-of-Living Adjustment* was presented to, and considered and approved by, the Court.

IT IS SO ORDERED

Date

Child Support Magistrate, Referee, or
District Court Judge