

See Instructions (DIV2001) for help in filling out this form.

State of Minnesota

District Court

County of: _____

Court File Number: _____

Judicial District: _____

Case Type: _____

Petitioner

AND

Respondent

Affidavit in Support of Motion to Modify Spousal Maintenance (DIV2003)

Minn. Stat. § 518.552

The following information is true and correct, and I provide it in support of my *Motion to Modify Spousal Maintenance*.

Grounds (Reasons) for Modification



Note about #1 through #4:

- See Minn. Stat. § 518.552, and the *Instructions* (DIV2001), to learn what kind of details and information a person needs to prove when they ask the court to modify spousal maintenance. If your answers below do not contain enough of the required detail, the judicial officer may not be able to grant your motion.
- Check any that apply to your situation.
- If you need more space for your answers, add more paper.

1. I ask the Court to modify spousal maintenance pursuant to Minn. Stat. § 518.552, subd. 5b, because the terms of the existing spousal maintenance order are **unreasonable and unfair** based on the following circumstances: (check all that apply)

- There has been a substantial change in the **gross income** (before taxes and deductions) of one or both parties: (describe) _____

There has been a substantial change in one or both parties' **needs**: (describe) _____

There have been substantial changes in the federal or state tax laws that affect spousal maintenance: (explain) _____

2. I ask the Court to modify spousal maintenance pursuant to Minn. Stat. § 518.552, subd. 5a, because:

Remarriage: The obligee (the party receiving spousal maintenance) remarried on _____ (date).

Death of Either Party: _____ (name) died on _____ (date).

3. I ask the Court to modify spousal maintenance pursuant to Minn. Stat. § 518.552, subd. 6, because the **obligee** (the party receiving spousal maintenance) **is cohabitating** (living with) another adult. Spousal maintenance should be modified due to cohabitation because: _____

4. I ask the Court to modify spousal maintenance pursuant to Minn. Stat. § 518.552, subd. 7, because of **retirement**.

a. Name of party who retired or is retiring: _____

b. Date of retirement: _____

c. Party's age at time of retirement: _____.

d. Spousal maintenance should be modified due to a party's retirement because: _____

Private Agreement

5. The other party and I **do**/ **do not** have a **private agreement** between us regarding spousal maintenance.
- **Note:** Include a copy of any private agreement between the parties that limits or prohibits a modification of spousal maintenance.

Information from the Existing Order

6. The existing order for spousal maintenance was issued by the court in _____ County and is dated _____.
7. In the existing order, I am the:
 Obligor (making payments) Obligee (receiving payments)
8. At the time of the existing order, I was:
 Unemployed.
 Employed. I had _____ (number) jobs as follows:
(list the employers) _____

9. At the time of the existing order, my occupation was: _____.
10. At the time of the existing order, my gross income (before taxes and deductions) was:
a. Total from **employment**: \$_____ per month
b. Total from **all other sources** (list the amount and the sources) \$_____ per month from:

11. At the time of the existing order, to the best of my knowledge, the other party was:
 Unemployed.
 Employed. The other party had _____ (number) jobs as follows:
(list the employers) _____

12 . At the time of the existing order, the other party's occupation was: _____.

13 . At the time of the existing order, the other party's gross income (before taxes and deductions) was:

a. Total from **employment**: \$_____ per month

b. Total from **all other sources** (list the amount and the sources) \$_____ per month from:

Current Information about Me

14 . **Financial Affidavit.** I will file a *Financial Affidavit* with this *Affidavit in Support Motion to Modify Spousal Maintenance*. The *Financial Affidavit* includes information about my financial situation (including details about my income).

15 . **Monthly Household Expenses.** Since the spousal maintenance order was issued:

My monthly household expenses **have not substantially changed**. (If no substantial changes to your monthly household expenses, skip to #16.)

or

My monthly household expenses **have substantially changed**. My *current* expenses are as follows:

a. House payment or Rent \$ _____

b. Real estate taxes (if not included in "a") \$ _____

c. Association dues or lot rent (for property)..... \$ _____

d. Insurance:

Homeowners (if not included in "a")..... \$ _____

Car \$ _____

Life..... \$ _____

Other \$ _____

e. Utilities (gas, electric, water, garbage, etc.)
(average monthly amount) \$ _____

f. Phone, Internet, and TV or streaming services

- (average monthly amount) \$ _____
- g. Car payment..... \$ _____
- h. Food \$ _____
- i. Clothing..... \$ _____
- j. Personal care and household needs..... \$ _____
- k. Out-of-pocket medical expenses \$ _____
- l. Out-of-pocket dental expenses \$ _____
- m. Child-care expenses \$ _____
- n. Transportation expenses:
- Gas..... \$ _____
- Bus..... \$ _____
- Ride Share \$ _____
- Other \$ _____
- o. Recreation and entertainment \$ _____
- p. Children’s needs (allowances, sports, school, hobbies) \$ _____
- q. Other:
- _____ \$ _____
- _____ \$ _____
- r. Monthly debt payments (for example: credit cards and loans)
 (Do not use account numbers. Include the minimum payment
and the amount you actually pay.)

Description of Debt	Minimum Payment (monthly)	Amount Paid (monthly)
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$

The **total** of all my *current* household expenses listed above is \$ _____ per month. This is the sum (total) lines #15a through #15r.

16 . **Help with Monthly Expenses.** I get help from the following to pay my monthly expenses listed in #15:

- Spouse or significant other
- Roommate
- Relatives
- No one (I do not get any help with my monthly expenses.)
- Other: _____

17 . **Property.** The value of the property I currently own by myself or with someone else is:

Home: Current value: \$ _____
Purchase price: \$ _____
Balance owed: \$ _____

Household goods: \$ _____

Other real estate: \$ _____

Checking/savings: \$ _____

Automobiles: \$ _____

Year, make, and model: _____

Recreational vehicles: \$ _____

Year, make, and model: _____

Personal property: \$ _____

Stocks/bonds/etc.: \$ _____

18 . **Other Facts.** The following other facts support my request to modify spousal maintenance:

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

Date: _____

Signature: _____

County and state where signed:

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____