

STATE OF SOUTH DAKOTA)
)ss:
COUNTY OF _____)

IN CIRCUIT COURT

_____ JUDICIAL CIRCUIT

_____)
_____)
Obligee,)
vs.)
_____)
Obligor.)

File No. _____

NOTICE OF FILING

NOTICE IS HEREBY GIVEN that a Petition for Order and Judgment Awarding Late Fees Per SDCL 25-7-38 has been filed by Obligee the object and prayer of which is that:

1. Obligor be found to be chronically delinquent in child support payments payable as required under the parties' order for support;
2. Obligor be ordered to pay a late fee equal to ten percent of the ordered child support or fifty dollars, whichever is greater, for each month in the preceding twelve months that the payment was ten or more days delinquent or the payment was less than the ninety percent of the ordered child support, per SDCL 25-7-38; and
3. Any other relief as deemed appropriate by the Court.

As the Obligor, you have ten days from the date of service to object to the imposition of a late fee. In order to object, you must, within the ten days from the date of service of the Petition, file a written objection with the Clerk of Court office in the County set forth above. Upon receipt of the objection, the Clerk will schedule a hearing as soon as practical. At the hearing, the Obligor has the burden of showing an inability to timely pay child support payments or installments as required under an order of support.

If an objection is not timely received, the Court may consider the Petition without the necessity of a hearing.

DATED this _____ day of _____, 20_____.

Obligee (Your Signature)

Print your name

Your Street address

City, State, ZIP code

Your Telephone number