**State of Minnesota District Court**

County of: Court File Number:

Judicial District: Case Type:

Petitioner(s)

AND

Respondent

# Agreement and Order to Waive (or Partially Waive) Cost-of-Living Adjustment (CSX1105)

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).
	1. The Obligor’s name is:
	2. The Obligor is the [ ]  Petitioner / [ ]  Respondent in this case.
	3. The Obligor’s address is:

Street Address:

City/State/Zip:

* 1. The Obligor’s date of birth is:
1. **Information about the Obligee** (person who receives).
	1. The Obligee’s name is:
	2. The Obligee is the [ ]  Petitioner / [ ]  Respondent in this case.
	3. The Obligee’s address is:

Street Address:

City/State/Zip:

* 1. The Obligee’s date of birth is:
1. **Current Obligation**. The amount of the Obligor’s current monthly support obligation is:
	1. $ for basic support; and/or
	2. $ for spousal maintenance.
2. **Notice of the Cost-of-Living Adjustment (COLA).** 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:
	1. $ for basic support; and/or
	2. $ for spousal maintenance.
3. **Parties’ Agreement.** The parties agree to the following (*check only 1 of the boxes*):

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

OR

[ ]  OPTION 2 – There will be a *partial* Cost-of-Living Adjustment effective
May 1, 20 (the current year). The obligation will be as follows:

* 1. $ for basic support; and/or
	2. $ for spousal maintenance.
1. **Basis for the Parties’ Agreement.** The parties believe that 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:
	1. [ ]  **Basic support** of $ per month.

This amount is the [ ]  current amount/[ ]  partially increased amount.

* 1. [ ]  **Spousal maintenance** of $ per month.

This amount is the [ ]  current amount/[ ]  partially increased amount.

1. 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

(when the county child support agency is involved in the case)

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 Judicial Officer