



**Need Help Now?
Call Family Legal Care's
Helpline!**

**NYC: (212) 343-1122
Outside NYC: (800) 696-8629**

Filling Out and Submitting an Order to Show Cause

Follow the instructions on this page and use the sample forms to fill out and submit an Order to Show Cause.

You must fill out the Order to Show Cause along with an Affidavit in Support.

If there is not already a pending or active case in court, you most likely will have to include a separate petition to start a case.

Once you are done, you can **submit** these forms through the court's Electronic Document Delivery System ("**EDDS**"). For instructions on using EDDS, visit: <https://familylegalcare.org/guide/edds-instructions/>.

How to fill out an Order to Show Cause

1. Write the county name. The county name is where you will be filing the case or the case is already filed.
2. Write the Article for your case type:
 - a. **Child support** cases, write article **4**.
 - b. **Paternity** cases, write article **5**.
 - c. **Custody, visitation or guardianship** cases, write article **6**.
 - d. **Family offense** cases (Order of Protection), write article **8**.
 - e. If what you are filing includes more than one of these case types, write all that apply.
3. Write the name(s) of the petitioner(s). If you filed the petition or are submitting a petition with the Order to Show Cause, write your name. If the other party filed the petition, write their name(s).

This document should not take the place of a consultation with a lawyer. Family Legal Care encourages all individuals involved with the Criminal and Family Court systems to consult with a lawyer.

4. Write the name(s) of the respondent(s). The respondent is the one who did not file the petition, the person who is *responding* to the petition. If you did not file the petition, write your name here.
5. Write the docket number, if it exists. A case will have a docket number if the case is pending or active and the court has provided one. If you have a file number, write it below the docket number.
6. Write your name.
7. Write the date you signed the affidavit. For example, “23rd”.
8. Write the month you signed the affidavit.
9. Write the year you signed the affidavit.
10. Write the name(s) of the other party(ies) in the case. The other party is the person or people on the other side of the case.
11. Write **what you want the Court to do** to address your immediate or emergency concerns. This is most likely different than what you want the overall outcome of your case to be.

For example, you may use an Order to Show Cause to request something temporary while your case is pending. You can also ask the court to do something before the hearing is held. Remember, the Order to Show Cause is different than the Affidavit in Support. The Affidavit in Support is where you explain why you want the Court to do what you are asking.

Leave the rest of the document blank. The Court will fill the rest out.

How to fill out an Affidavit in Support

1. Write “Family”
2. Write “State”
3. Write the county name. The county name is where you will be filing the case or the case is already filed.
4. Write the name(s) of the petitioner(s). If you filed the petition or are submitting a petition with the Order to Show Cause, write your name. If the other party filed the petition, write their name(s).
5. Write the name(s) of the respondent(s). The respondent is the one who did not file the petition, the person who is *responding* to the petition. If you did not file the petition, write your name here.

6. Write the docket number, if it exists. A case will have a docket number if the case is pending or active and the court has provided one. If you have a file number, write it below the docket number.
7. Write your name.
8. Write an explanation of your situation or the facts of your case, what efforts you have taken to try to address the situation, and **why you need the Court to order** what you requested in your Order to Show Cause.

Organize your information and number each sentence. Be specific about names, relationships, and dates. Explain any prior court orders or judgments relevant to your situation and include a copy. You can also **include documents as evidence** that support your request.

9. Sign this document in the presence of a notary. The notary will confirm your identity (be sure to have a photo ID), have you sign the document, and then the notary will sign and stamp the document.

General Form 1
(Order to Show Cause)

9/2009

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF 1. County Name

.....
In the Matter of a Proceeding under
Article 2. of the Family Court Act
3. Petitioner(s) Name(s)

Petitioner

Docket No. 5. Docket Number

ORDER TO SHOW CAUSE

against

4. Respondent(s) Name(s)

Respondent

.....
Upon the petition of 6. Your Name verified the 7. Day day of 8. Month, 9. Year, annexed
hereto, it is

ORDERED that 10. Name of the other party(ies) show cause before this Court at
New York, on the day of , at o'clock in the ☐ morning
☐ afternoon of that day, or as soon thereafter as the parties can be heard, why an order should not be
made as follows: 11. Summary of what you want the court to do.

and why such other and further relief should not be granted as the Court may determine, and it is further

ORDERED that [delete if inapplicable]:

[Required if Court makes a temporary order of custody or visitation; check applicable box(es)]:

☐ And the Court having searched the statewide registry of orders of protection, the sex
offender registry and the Family Court's warrant and child protective records, and having notified the
attorneys for the parties and for the child [check if applicable]; Q and the following self-represented
party or parties [specify]: of the results of these searches;

☐ And the Court having considered and relied upon the following results of these searches in
making this decision [specify; if no results found, so indicate]:

☐ And the Court, having dispensed with the search of the statewide registry of orders of
protection, the sex offender registry and the Family Court's warrant and child protective records because
these databases had been reviewed within the past 90 days;

AND IT IS FURTHER ORDERED that service by of a copy
of this order together with the papers upon which it is granted upon on or before the
day of , be deemed sufficient service.

Dated: , .

ENTER

Family Court Judge

1. FAMILY COURT OF THE 2. STATE OF NEW YORK
COUNTY OF 3. County Name

4. Petitioner(s) Name(s)

Plaintiff/Petitioner,

AFFIDAVIT IN SUPPORT

-against-

5. Respondent(s) Name(s)

Index No. 6. Docket Number

Defendant.

STATE OF NEW YORK)
COUNTY OF) ss.:

7. Your name, being duly sworn, hereby deposes and says:

8. Write an explanation of your situation or the facts of your case, what efforts you have taken to try to address the situation, and why you need the Court to order what you requested in your Order to Show Cause.

WHEREFORE, THE UNDERSIGNED RESPECTFULLY REQUESTS THE WITHIN
MOTION/ORDER TO SHOW CAUSE BE GRANTED.
(CIRCLE ONE)

Signature

Sworn to before me this ____ day of _____, 20__.

Notary Public