

FORM SUMMARY

Name of Form:	Declaration to Show Cause and to Change: Legal Custody, Physical Placement, Child Support, Maintenance, Arrears Payment, Other
Form Number	FA-4171VA
Statutory Reference:	§§765.105, 767.451, 767.59, Wisconsin Statutes
Benchbook Reference:	
Purpose of Form:	This form may be used to order another party to come to court to justify why the requested change contained within the order should not be granted. Requests to change generally include issues concerning legal custody, physical placement, or child support of a minor child, as well as to change maintenance or any other aspect of a court order.
Who Completes It:	The party seeking a modification to the custody, placement, child support, maintenance, or other orders; a judge or court commissioner signs the order itself.
Distribution of Form:	Clerk of court. Depending on the particular county involved, either the original order itself, a duplicate original of the order or an authenticated copy would be personally served on the other parties.
Accompanying Forms:	Generally the form may be the only document needed. However if the form's instructions indicate a supporting document is needed (such as placement schedules or additional documentation), those documents should be attached.
New Form/Modification:	Modification; last update 09/24.
Modifications:	Removed references to affidavit as part of 23 Wis Act 245 (unsworn declaration).
Comments:	<p>The party seeking the change could alternatively use Form FA-4170V, Notice of Motion and Motion to Change, to accomplish the same end. The basic difference between the two is one of service. An order to show cause must be personally served on the other party; a notice can be served by other means. The reason there are two forms is that the statutes provide that the request can be brought either by "motion" or "order to show cause."</p> <p>If the parties can stipulate or agree to a change in the type of matters covered by this motion, the parties may use Form FA-604, Stipulation to Change, to do so without the need for a hearing.</p>
About this Form:	This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

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As a *pro se* form, its use is NOT mandatory but it is required to be accepted and distributed by the circuit courts of the State of Wisconsin.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.