

INSTRUCTIONS FOR RESPONDING TO A MOTION FROM THE OTHER PARENT
FOR A CHILD'S HEALTH CARE EXPENSES

You have been served with a motion asking the court to order you to pay your share of your child(ren)'s health care expenses. If you want to oppose the motion, you must deliver a response to the court **within 10 days** after the motion was hand-delivered to you (or 13 days if it was mailed to you).

Step 1. Find Your Child Support Order

Read the section of your child support order that explains how the parents must divide the cost of the children's health care expenses that are not paid by insurance. (In current Alaska orders, this is paragraph 10, "Uncovered Health Care Expenses.")

This paragraph will tell you what percent each parent must pay if insurance does not pay a child's health care bill. You need to know this in order to determine whether the statements about it in the motion are correct.

Step 2. Fill Out Forms

Fill out the forms listed below and attach the required additional documents.

Fill in the top of the front page of your response and any proposed order the same way your child support order is filled in (the same court location, case number and parties' names). You can also fill out the forms online on the court website, although you will have to print them to file them.

- a. ***Response to Motion For Payment of Children's Health Care Expenses*** (form DR-358)

In section 1, check the box indicating whether you agree or do not agree with the motion. If you do not agree, explain why.

Complete section 2 (on page 2) if you have additional child health care expense claims against the other parent.

In section 3, check the boxes indicating the documents you are attaching to your response.

You must sign the response in front of a notary public. A court clerk can provide this notary service for you (at no charge) when you bring the documents to court. You must bring a photo ID with you for the notarization.

Be sure to fill out the "Certificate of Service" on page 4 of the form, describing how you will give a copy of everything to the person who signed the motion. (See Step 3 on the next page about sending copies to the other parent or the parent's attorney.)

- b. ***Statement of Health Care Expenses*** (form DR-353). You must fill out this form if you want to claim additional child health care expenses for which the other parent has not yet paid you. See the instructions on the form, including the list of documents you must attach.

One of the documents you must attach is a copy of each Explanation of Benefits statement (EOB) from an insurance company. If you did not receive an EOB from the insurance company (because you are not the owner of the policy), ask the parent who owns the policy for a copy of the EOB. If you are not able to attach a copy of the EOB, you must explain why in the space for this in paragraph 3 of the DR-358 response form.

- c. ***Order for Reimbursement of Health Care Expenses*** (form DR-355)

Prepare this proposed order for the judge's signature. In the first paragraph, fill in the date you plan to file your response with the court.

In paragraph #1, fill in the name of the parent who owes money, then the name of the other parent (to whom the money is owed), and the amount you believe is owed. **Do not** fill in the last line (the deadline for making the payment).

Paragraph #3 allows the court to order the parent who has the insurance policy to sign a release form allowing the insurance company to give copies of EOBs (Explanations of Benefits) concerning the children to the other parent. If you want this, fill in the name of the parent who has the insurance on the first line and the name of the other parent on the second blank line.

Step 3. Send Copy of Response and Other Documents to Person Who Signed the Motion

Mail (by first class mail) or hand-deliver a copy of each of the following to the person who signed the motion:

- a. your *Response* (form DR-358) and any attached documents that support the reasons you disagree with the motion,
- b. your DR-353 *Statement of Expenses* (if you prepare one) with all its attachments. (Be sure to attach to the DR-353 all the documents listed in it in the order listed.)
- c. your most recent child support order (unless you check the box in paragraph 3 of the *Response* form stating that the copy of the child support order attached to the motion is correct), and
- c. your proposed order (DR-355).

Put your *Response* on top.

Step 4. Keep a Copy.

Keep a copy of all documents and attachments for yourself.

Step 5. File Response With the Court

Mail or hand-deliver **the originals** of all the documents to the court where the motion was filed. (See page 4 for a list of court mailing addresses.) There is no fee for filing a response.

REPLY

The person who filed the motion has the right to file a “reply” to your response. The time limit for filing a reply depends on how the response was delivered to the person filing the motion.

- a. If delivered in person: 5 days from the date of delivery (not counting weekends or holidays)
- b. If delivered by first class mail: 8 days from the date it was postmarked (not counting weekends or holidays).

The person who filed the motion must send you a copy of any reply sent to the court.

HEARING

The judge may order a hearing if one is needed to decide any disputes about the evidence in your case. You will be notified if a hearing is scheduled. If you are not able to attend the hearing in person, contact the court to ask if you can participate by telephone. You can use form SC-31 (available on the court system’s website) to ask to participate by telephone.

At the hearing, the person who signed the motion will have the burden of proving the reasons to grant the motion. He or she must present evidence, which may include his or her own testimony or other persons’ testimony. You may present similar evidence (testimony) in opposition.

JUDGE’S ORDER

If the judge signs an order requiring either parent to pay money, the court will send a copy of the order to both you and the other parent.

**ALASKA COURT SYSTEM
MAILING ADDRESSES**

825 WEST 4TH AVENUE
ANCHORAGE AK 99501

P.O. BOX 250
ANGOON AK 99820

P.O. BOX 147
ANIAK AK 99557

P.O. BOX 270
BARROW AK 99723

P.O. BOX 130
BETHEL AK 99559

P.O. BOX 238
CHEVAK AK 99563

P.O. BOX 898
CORDOVA AK 99574

P.O. BOX 646
CRAIG AK 99921

P.O. BOX 401
DELTA JCT AK 99737

P.O. BOX 909
DILLINGHAM AK 99576

P.O. BOX 176
EMMONAK AK 99581

101 LACEY STREET
FAIRBANKS AK 99701

P.O. BOX 211
FORT YUKON AK 99740

P.O. BOX 167
GALENA AK 99741

P.O. BOX 86
GLENNALLEN AK 99588

P.O. BOX 169
HAINES AK 99827

3670 LAKE ST, BLDG. A
HOMER AK 99603

P.O. BOX 430
HOONAH AK 99829

PO BOX 89
HOOPER BAY, AK 99604

P.O. BOX 114100
JUNEAU AK 99811

P.O. BOX 100
KAKE AK 99830

125 TRADING BAY DR STE
100
KENAI AK 99611

415 MAIN STREET, RM
400
KETCHIKAN AK 99901

204 MISSION ROAD, RM
124
KODIAK AK 99615

P.O. BOX 317
KOTZEBUE AK 99752

P.O. BOX 229
NAKNEK AK 99633

P.O. BOX 449
NENANA AK 99760

P.O. BOX 1110
NOME AK 99762

435 S. DENALI
PALMER AK 99645

P.O. BOX 1009
PETERSBURG AK 99833

P.O. BOX 1929
SEWARD AK 99664

304 LAKE STREET, RM
203
SITKA AK 99835

P.O. BOX 495
SKAGWAY AK 99840

P.O. BOX 269
ST. MARY'S AK 99658

P.O. BOX 187
TOK AK 99780

P.O. BOX 250
UNALAKLEET AK 99684

P.O. BOX 245
UNALASKA AK 99685

P.O. BOX 127
VALDEZ AK 99686

P.O. BOX 869
WRANGELL AK 99929

P.O. BOX 426
YAKUTAT AK 99689