

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
Domestic Relations Branch**

PRINT PLAINTIFF'S NAME

PLAINTIFF,

_____ DRB _____

v.

PRINT DEFENDANT'S NAME

DEFENDANT.

JUDGE: _____

MOTION FOR TEMPORARY CUSTODY and/or ACCESS TO CHILDREN

Does the Other Party Consent to this Motion? ☐ yes ☐ no

I, _____, am the ☐ PLAINTIFF in this case.
PRINT YOUR NAME ☐ DEFENDANT

1. I believe it is in the best interests of the child(ren) for temporary custody to be as follows: [CHECK ONE]

- ☐ According to our written agreement.
- ☐ Joint legal custody & joint physical custody to me and the other party.
- ☐ Joint legal custody & sole physical custody.
[Sole *physical* custody ☐ TO ME
 ☐ TO THE OTHER PARTY]
- ☐ Sole legal custody & joint physical custody.
[Sole *legal* custody ☐ TO ME
 ☐ TO THE OTHER PARTY]
- ☐ Sole legal custody & sole physical custody.
[Sole *legal and physical* custody ☐ TO ME
 ☐ TO THE OTHER PARTY]

The presumption in favor of joint custody does not apply because there has been:

- ☐ an Intrafamily offense.
- ☐ child abuse.
- ☐ child neglect.
- ☐ parental kidnapping.

OR

- ☐ because joint custody is not in the best interest of the child(ren).

2. I believe it is in the best interests of the child(ren) for the other party to be with the child(ren) in this way:

- ☐ The other party and I will agree to a reasonable schedule.
- ☐ A specific schedule needs to be set.
- ☐ The other party's access to the children needs to be supervised.
- ☐ The other party should have no access to the children at all.

3. My reasons for asking this Court to do this are:

Request for Relief

I RESPECTFULLY REQUEST that the Court award temporary custody of the child(ren) as requested above until the Court issues a final custody order in this case.

I ALSO REQUEST that the Court award any other relief it considers fair and proper.

I ☐ Do ☐ Do NOT request an oral hearing in front of the judge on this motion.

I declare under penalty of perjury that the foregoing is true and correct.

If this document is to be signed outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States, additional requirements must be met prior to signing. See Super. Ct. Dom. Rel. R. 2(c)(1)(B).

SIGN YOUR NAME

DATE

PRINT YOUR NAME

PHONE NUMBER

HOME ADDRESS 1

EMAIL ADDRESS

HOME ADDRESS 2

☐ SUBSTITUTE ADDRESS: CHECK BOX IF YOU
HAVE WRITTEN SOMEONE ELSE'S ADDRESS
BECAUSE YOU FEAR HARASSMENT OR HARM.

**POINTS AND AUTHORITIES IN SUPPORT OF
MOTION FOR TEMPORARY CUSTODY and/or ACCESS TO CHILDREN**

In support of this Motion, I refer to:

1. Super. Ct. Dom. Rel. R. 7(b).
2. D.C. Code §§ 16-911(a)(5) and 16-914.
3. The record in this case.
4. The attached supporting document(s), if any.

[LIST ANY DOCUMENTS THAT YOU ARE ATTACHING]

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_____ DRB _____

PLAINTIFF,

JUDGE: _____

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**RULE 5
PROOF OF SERVICE FORM**

IF YOU HAVE ALREADY SERVED THE OTHER PARTY WITH A COPY OF YOUR PAPERS, YOU CAN FILL OUT AND FILE THIS PROOF OF SERVICE FORM AT THE SAME TIME THAT YOU FILE YOUR PAPERS.

IF YOU HAVE NOT ALREADY SERVED THE OTHER PARTY WITH A COPY OF YOUR PAPERS, YOU MUST FILL OUT AND FILE THIS PROOF OF SERVICE FORM AFTER YOU SERVE THE OTHER PARTY.

IF THE OTHER PARTY HAS A LAWYER IN THIS CASE, YOU MUST SERVE A COPY OF THE PAPERS TO THE LAWYER. IF THE OTHER PARTY DOES NOT HAVE A LAWYER, A COPY OF THE PAPERS SHOULD BE SERVED DIRECTLY TO THE OTHER PARTY.

1. I certify that on _____ I served copies of _____ to:

DATE OF SERVICE

NAME(S) OF PLEADING(S)

☐ the other party, _____ **or**
NAME OF OTHER PARTY

☐ the other party's attorney, _____, who represents _____.
NAME OF ATTORNEY NAME OF OTHER PARTY

2. I delivered copies of the papers by: [CHECK ONE]

☐ **handing them to the other party.**

☐ **sending them to the other party by first class mail** to the other party's last known address:

ADDRESS WHERE THE PAPERS WERE SENT

☐ **leaving them with a person of suitable age and discretion** who lived with the other party at:

ADDRESS OR DESCRIPTION OF PLACE WHERE PAPERS WERE SERVED

This place is the other party's ☐ TEMPORARY RESIDENCE.

☐ PERMANENT RESIDENCE.

☐ OTHER: _____.

SPECIFY OTHER TYPE OF RESIDENCE

I state the following about the person I gave the papers to (PROVIDE AS MANY DETAILS AS POSSIBLE):

Their name: _____.

Their approximate age: _____.

Their relationship to the other party is:

☐ Spouse/partner

☐ Family member (specify): _____

☐ Roommate

☐ Other: _____

☐ **leaving them at the other party's attorney's office** with the attorney, a clerk or other person in charge:

PRINT NAME OF PERSON SERVED WITH PAPERS

TITLE OF PERSON SERVED

STREET ADDRESS

CITY, STATE AND ZIP CODE

☐ **sending them electronically** through CaseFileXpress or some other electronic way agreed to by the other party in writing:

EMAIL ADDRESS OF OTHER PARTY (IF USED)

ELECTRONIC MEANS USED (FOR EXAMPLE: EMAIL, CASEFILEXPRESS)

☐ **some other way** agreed to by the other party in writing:

SPECIFY HOW SERVICE WAS COMPLETED

I declare under penalty of perjury that the foregoing is true and correct.

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