

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

PRINT PLAINTIFF'S NAME

_____ DRB _____

PLAINTIFF,

JUDGE: _____

V.

PRINT DEFENDANT'S NAME

PRINT DEFENDANT/INTERVENOR'S NAME

DEFENDANT,

DEFENDANT/INTERVENOR.

MOTION TO MODIFY ☐ ACCESS TO CHILDREN ☐ CUSTODY
(For Use in Custody Cases Involving a Third Party)

This Motion is being filed with the consent of the ☐ PLAINTIFF
☐ DEFENDANT
☐ INTERVENOR.

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

1. A custody order and/or visitation order was previously entered in this case on

DATE OF ORDER

2. This Court is the proper place to decide this Motion because this Court entered the original custody and/or visitation order, AND: [CHECK ALL THAT APPLY]

- ☐ The child(ren) still live(s) in the District of Columbia.
- ☐ At least one parent or person acting as a parent still lives in the District of Columbia.
- ☐ The child(ren) has/have a significant connection to the District of Columbia and there is sufficient information about the child(ren) available in the District.

3. There has been a substantial and material change in circumstances since the time the existing order was established. The change in circumstances is: [CHECK ONE]

- ☐ The child(ren) now live(s) with me.
- ☐ The child(ren) no longer live(s) with me.
- ☐ Other: [DESCRIBE THE CHANGE]

4. Because of the substantial and material change in circumstances, the existing order should be changed. The new order should say: [DESCRIBE THE CHANGE YOU ARE REQUESTING]

5. The modification I am requesting is in the child(ren)'s best interests because: [EXPLAIN WHY THE CHANGE YOU ARE REQUESTING IS BEST FOR THE CHILD(REN)]

Request for Relief

I RESPECTFULLY REQUEST that the Court: [CHECK ALL THAT APPLY]

- ☐ Grant my request to modify visitation and/or custody.
- ☐ Enter an Order setting forth a revised visitation schedule and/or custodial arrangement that is in the best interests of the minor child(ren).

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
TO MODIFY CUSTODY OR VISTATION**

In support of this Motion, I refer to:

1. D.C. SCR-Dom. Rel.R. 7(b) (2009).
2. D.C. Code §§16-914, 16-914.01 and 16-4602.02 (2009).
3. D.C. Code §§ 16–831.02, 16–831.04 and 16–831.11 (2007).
4. The record in this case.
5. The attached supporting document(s), *if any*.

[LIST ANY DOCUMENTS THAT YOU ARE ATTACHING]

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DEFENDANT.

**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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