Nebraska State Court Form DC 6:15.6 Rev. 06/19	**ANSWER AND COUNTERCLAIM TO COMPLAINT FOR MODIFICATION**	☑ Printing the form and handwriting the answers. ☐ Completing the form electronically.

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
Choose the county (county where the original action was filed)

_____
(name of plaintiff in original action)
Plaintiff

vs.

_____
(name of defendant in original action)
Defendant

Case No. CI_____
(case number in original action)

ANSWER AND COUNTERCLAIM TO COMPLAINT FOR MODIFICATION

ANSWER

COMES NOW, _____, the ☐ plaintiff
(your full name)

☐ defendant in the above-captioned matter, and for the Answer to the other party's Complaint for Modification, hereby admits, denies, and alleges as follows:

1. Admits Paragraph(s) _____ of
(paragraph number(s) with which you agree)
the Complaint for Modification.

2. Denies Paragraph(s) _____ of
(paragraph number(s) with which you disagree)
the Complaint for Modification.

COUNTERCLAIM

I _____, the ☐ plaintiff ☐ defendant in
(your full name)
the above entitled action, without assistance of an attorney, hereby state and allege as follows:

1. I live at _____,
(your street address: if confidential under Nebraska or Federal law, enter county and state only and provide an alternative address for mailing of notice)
in _____.
(city, county, and state where you live)

2. The other party's address is: _____,
(street address)
in _____.
(city, county and state where the other party lives)

3. The minor child(ren) has/have lived in the state of Nebraska for at least 6 months or since birth prior to the filing of the Complaint for Modification.

4. Neither I nor the other party is a member of the Armed Forces of the United States or its allies.

5. I am the biological parent of the following child(ren) whose custody and welfare will be affected by this proceeding. Their name(s) and year(s) of birth are:

_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)

6. ☐ I am a, ☐ Both parents are fit and proper person(s) to have the care, custody, and control of our minor child(ren) subject to the other party's right of parenting time.

7. The following information is provided because of the requirements of the Uniform Child Custody Jurisdiction and Enforcement Act:

(a) For the last five years, the child(ren)'s addresses and the persons they have lived with are:

DATES:	ADDRESS:	NAME and *CURRENT* ADDRESS OF PERSON(S) WITH WHOM THE CHILD(REN) HAVE LIVED:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) Check the box that applies:

☐ I have not been a party or a witness in any other proceeding concerning the custody of or parenting time with the child(ren).

OR

☐ I have been a party or a witness in another proceeding concerning the custody of or parenting time with the child(ren), as follows:

_____
(name of court)

_____
(case number)

_____
(date of child custody determination, if any)

(c) Check the box that applies:

☐ I know of no other actions or proceedings that could affect this action. This includes actions or proceedings about domestic violence, protection orders, termination of parental rights, and adoptions.

OR

☐ There is currently a proceeding which could affect this action.

_____
(name of court)

_____
(case number)

_____
(date determination, if any)

(d) Check the box that applies:

☐ I do not know the names and addresses of any persons other than the other party and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren).

OR

☐ The following is a list of the names and addresses of persons other than the other party and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren):

NAME: ADDRESS:

_____ _____

_____ _____

8. _____ able to provide support for the child(ren).
("**I am**" or "**The other party is**")

9. Check the box that applies:

☐ There are no existing restraining orders, protection orders, or criminal no-contact orders regarding either party.

OR

☐ There are one or more existing restraining orders, protection orders, or criminal no-contact orders regarding one or more of the parties. Details are as follows:

(a) Type(s) of order(s): ☐ restraining; ☐ protection; ☐ criminal no-contact.

(b) Name of court, case number, and date of order for each order:

_____
(name of court, case number and date of each order)

_____

_____

10. A modified parenting plan ☐ has ☐ has not been developed.

11. Child custody ☐ is ☐ is not contested.
Parenting time ☐ is ☐ is not contested.
Child support ☐ is ☐ is not contested.

12. On _____ this court entered a ☐ decree of dissolution, (date of the most recent decree or order that included a parenting plan) ☐ order of modification OR ☐ order establishing paternity, a parenting plan, and child support. As part of that decree or order, the court ordered a parenting plan.

13. This court has jurisdiction over the parties to this proceeding and over the issue pending before it as part of its ongoing jurisdiction in family law matters.

14. There has been a material change in circumstances since the date the decree or order was entered. Specifically, the following change(s) has (have) occurred:

_____
_____
_____
_____
_____

15. It is in the best interests of the minor child(ren) that the parenting plan previously entered by this court be modified.

WHEREFORE, I request the court:

A. If the party that filed the Complaint for Modification is requesting a modification of custody, check the box that applies:

☐ Award _____ sole legal and sole physical custody of the child(ren).
(name of party)

☐ Award plaintiff and defendant joint legal custody of the child(ren) and award sole physical custody of the child(ren) to _____.
(name of party)

☐ Award plaintiff and defendant joint legal and joint physical custody of the child(ren).

B. Order a modified parenting plan that sets forth parenting time with each parent.

C. Award child support in a manner consistent with the Nebraska Child Support Guidelines; and

D. Grant any further relief that may be just.

_____ Date _____
Signature (DO NOT SIGN UNTIL YOU ARE IN THE PRESENCE OF A NOTARY.)

_____ _____
Name Street Address/P.O. Box

_____
City/State/ZIP Code

_____ _____
Phone Email Address

VERIFICATION

STATE OF NEBRASKA)
) ss
COUNTY OF _____)
(county where signed)

I, _____, first being sworn upon oath, depose
(your full name)
and say that I am the ☐ plaintiff ☐ defendant in the above-entitled matter and have read the foregoing Complaint for the Modification of Custody or Parenting Plan and state that the facts contained therein are true.

_____
(Your Signature. **DO NOT SIGN UNTIL YOU ARE IN FRONT OF THE NOTARY**)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

_____
Notary Public

CERTIFICATE OF SERVICE

I hereby certify that on _____, a true copy of the
(date)
foregoing Answer and Counterclaim for Modification of Parenting Plan was sent by first-class mail, postage prepaid, to the other party at _____
_____.
(spouse's address, including street address, city, state, and ZIP code)

_____
(your name)