

COMPLETING THE ANSWER AND COUNTERCLAIM TO COMPLAINT FOR MODIFICATION

Use this form to tell the court which items you agree with, and which items you do not agree with in the Complaint that you were served with.

Much of the information needed to complete this form can be found on the Complaint.

The plaintiff, defendant, county, and case number are the same as they are on the original Complaint.

Page 1 of 7

If you are printing the Complaint and handwriting the answers, check the first box. If you are typing in your answers, check the second box.

Enter the case number.

List the paragraph numbers you agree with, and the paragraph numbers you do not agree with, separated by commas.

Enter your current address. **If you cannot give your address** because it is confidential under Nebraska or Federal law, only enter the county and state.

Choose the county from the drop-down list.

Enter the name of the plaintiff.

Enter the name of the defendant.

Enter your name and check the box for your title in the original case.

Enter the other party's address.

Nebraska State Court Form
DC 6:15.6 Rev. 03/2022

☒ Printing the form and handwriting the answers.
☐ Completing the form electronically.

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
Choose the court

Case No. _____

Plaintiff, _____

vs. Defendant, _____

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 the Complaint. (paragraph number(s) with which you agree)

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

COUNTERCLAIM

I, _____, the ☐ plaintiff ☐ defendant in the
(your full name)
above-captioned 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 _____
(other party's street address)

in _____
(city, county and state where other party lives)

List the children you and the other party have whose custody or welfare may be affected by this divorce, their names, and their years of birth.

Check the correct box to complete the statement.

If the children lived with anyone else in the last 5 years, use these lines to provide the information requested.

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 ☐ 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:

First line: DATES: ADDRESS:
Second line: NAME and CURRENT ADDRESS OF PERSON(S)
WITH WHOM THE CHILDREN 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 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 of determination, if any)

Check the box that applies. If you check the second box, complete the case information.

Check the box that applies. If you check the second box, complete the case information.

Enter either "I am"
or "My spouse is"
to complete
the statement.

(d) Check the box that applies:

☐ I do not know the names and addresses of any person(s) 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 of order: ☐ 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)

Check the box that applies. If you check the second box, list the name and address of anyone **other** than you or the other party that has physical custody or parenting time rights with the children.

Check the box that applies. If you check the second box, also check the box in front of each type of current restraining, protection, or criminal no-contact order, and enter the case information.

Check the box that completes the statement.

Check the box that completes each statement.

List the date of the most recent order for custody and parenting time and check the box for the type of order.

Describe the reason the change is being requested.

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).

If you are asking to change the custody, check the box that reflects what you and the other parent have agreed to. If you check the first or second box, enter the name of the person who will have custody.

- 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.

SIGN IN FRONT OF NOTARY PUBLIC

I hereby swear, or affirm, under penalty of perjury, that the above information is true.

Signature: _____ Date: _____
Printed Name: _____
Street Address/P.O. Box: _____
City/State/ZIP Code: _____
Telephone Number: _____
*Email address: _____

*Nebraska Supreme Court Rule § 2-208 requires individuals who are not attorneys and representing themselves to provide their email address. The court will use the email address to send notices from the court about this case **except** for items that require another type of service as directed by statute or Nebraska Supreme Court Rule.

If you no longer have email capability or if your email or other contact information changes, you must complete a [Change of Contact Information Form](#).

☐ By checking this box, I am letting the court know that I do not have the ability to receive emails. The reason I cannot receive email is: _____

Read this statement carefully.

If you **CANNOT** receive emails, check the box, and use the lines to explain why you can't.

DO NOT sign and date the form until a notary is there to witness. Enter your printed name, your address, telephone number, and your email address.

Page 7 of 7

VERIFICATION	
State of _____	} ss.
County of _____	
This document was acknowledged before me by _____	
this _____ day of _____, 20_____.	
_____. Notary commission expires: _____	
Signature of Judge/Clerk of the Court/Notary Public: _____	
Title: _____ Serial Number (if any): _____	
CERTIFICATE OF SERVICE	
I hereby certify that on _____, a true copy of the	
(date)	
foregoing Answer and Counterclaim to Modification of Parenting Plan was sent	
by first-class mail, postage prepaid, to the other party at _____	
(other party's address, including street address, city, state, and ZIP code)	

(your name)	

The notary will complete this section WHEN they witness you signing the form.

Enter the date you mailed a copy of the Answer and Counterclaim to the other party and the address you mailed it to.