

## INSTRUCTIONS FOR YOUR HEARING ON THE COMPLAINT FOR MODIFICATION OF THE PARENTING PLAN

Arrive at your hearing at least 15 minutes before it is scheduled to begin. Once you arrive at the courthouse, ask the clerk of the district court how to let the judge know that you are there for the final hearing

Be sure to bring two copies of each of the following completed forms to your hearing:

- Parenting Plan
- Child Support Worksheet
- The Order for Modification
- This script.

When the court calls your case, you will be asked if you are ready to proceed. You must tell the court that you are ready and would like to testify. Before you begin testifying, hand the judge the original and copies of the documents you have brought with you.

Ask the court for permission to have the court reporter mark the Child Support Worksheet as an exhibit. The judge will have you take that item to the court reporter, who will then put a sticker with a number on it. When the court reporter has finished, take the document to the judge and say, “Your Honor, I offer exhibit number \_\_\_\_\_ (the number given to the exhibit by the court reporter) into evidence.”

You may be asked to take the witness stand. The court will have you swear that you will tell the truth. You are ready to go forward.

You must testify to the following:

1. *My name is \_\_\_\_\_ and I am the plaintiff/ defendant in the original case.*
2. *I live at \_\_\_\_\_ in \_\_\_\_\_.*
3. *On \_\_\_\_\_ this court entered a decree. As part of the decree, the court found that it was in the child(ren)’s best interests that*

\_\_\_\_\_ have \_\_\_\_\_ custody of the  
minor child(ren).

4. *There has been a material change in circumstances since the date the original decree was filed.*

5. *The change in circumstances is as follows:*

6. *The \_\_\_\_\_ and I have agreed on a new parenting plan.*

7. *As part of the parenting plan we are asking the court to: (CHOOSE ONE)*

*Award \_\_\_\_\_ sole custody of the minor child(ren),  
subject to \_\_\_\_\_'s rights of visitation.*

*Award the parties joint legal custody of the minor child(ren), with  
\_\_\_\_\_ 's home as the child's primary residence.*

*Award the parties joint custody of the minor child(ren).*

8. *It is in the child(ren)'s best interests that the decree be changed.*

9. *It is in the child(ren)'s best interests that the court adopt and order the parenting plan I have submitted to the court.*

NOTE: Only use numbers 10 through 12 if you are also asking for the child support obligation to be modified.

10. *I also am asking the court to enter a new order of child support.*

**11. Child support**

*I earn \$ \_\_\_\_\_ per month gross income.*

*Choose one*

*The defendant earns \$ \_\_\_\_\_ per month gross income.*

*These figures were used to calculate defendant's obligation for support. I submitted a child support worksheet to the court. I am asking the court to order the defendant to pay \$ \_\_\_\_\_ per month in child support.*

*I do not know how much money the defendant earns per month. The child support worksheet I submitted to the court assumes that the defendant can earn minimum wage. I am asking the court to order the defendant to pay \$ \_\_\_\_\_ per month in child support.*

*I am not asking the court for child support at this time.*

*The Defendant was not served personally with a copy of the complaint.*

## **12. Health Insurance**

### ***Choose one***

*We are not asking the court to change the order regarding health insurance.*

*I have health insurance available to me through my employer. I can get the child health care coverage under that plan.*

*I do not have health insurance available to me through my employer*

### ***Choose one if you chose ii or iii in a.***

*The defendant has health insurance through his employer. He can get the child health care coverage under that plan.*

*The defendant does not have health insurance available to him/her at a reasonable cost through his/her employer.*

*I have no idea whether the defendant has access to health insurance through his employer.*

### ***Choose one if you chose ii or iii in a and b.***

*The defendant is capable of paying cash medical support. The defendant is not able to pay cash medical support.*

*13. I have nothing further your honor. Thank you*