

INSTRUCTIONS FOR YOUR HEARING ON THE COMPLAINT FOR PATERNITY CUSTODY, PARENTING TIME, AND CHILD SUPPORT

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

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

- Parenting Plan
- Child Support Worksheet
- Financial Affidavit for Child Support
- The Decree for Paternity, Custody, Parenting Time, and Child Support
- The genetic test results, with the chain of custody attached, and
- 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 Decree and Parenting Plan.

Ask the court for permission to have the court reporter mark the Financial Affidavit for Child Support, the Child Support Worksheet, and the genetic test results, with the chain of custody attached, as exhibits. The judge will have you take those items to the court reporter, who will then put a sticker with a number on them. When the court reporter has finished, take the documents to the judge and say, “*Your Honor, I offer exhibit(s) _____, _____, and _____ (the numbers given to the exhibits by the court reporter) into evidence.*”

You may be asked to take the witness stand. You may be able to testify from where you are sitting in the courtroom. The court will have you swear that you will tell the truth. You are then ready to go forward with your case.

You must testify to the following:

1. *My name is _____, and I live at _____,*
(your full name) (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 _____, and I am the plaintiff in this case.
(city, county, and state where you live)
2. *The defendant's address is _____*

3. *On _____ I filed a Complaint for Paternity, Custody, Parenting Time, and Child Support.*

4. Choose one:
 - a. *The defendant was served personally with a copy of the Complaint.*
 - b. *The defendant received a copy of the Complaint and signed a Voluntary Appearance. The Voluntary Appearance form was filed with the court on _____.*
5. *The defendant _____ did _____ did not file an Answer to the Complaint.*
6. _____ was/were
(child(ren)'s name(s))
born in _____.
(child(ren)'s year(s) of birth)
7. *The defendant and I participated in an intimate relationship. As a direct result of the relationship, I **OR** the defendant became pregnant with _____.*
(child(rens)'s name(s))
8. *At the time this complaint was filed, the minor child(ren) had lived in Nebraska for at least 6 months or since birth.*
9. *I am **OR** The defendant is the biological mother of the minor child(ren).*
10. *I am **OR** The defendant is the biological father of the minor child(ren).*
11. *Genetic testing shows there is a 99.99% probability that I am **OR** the defendant is the biological father of the minor child(ren). I offer the court Exhibit Number _____, which is a certified copy of the genetic test results.*
12. *I am **OR** Both parents are fit and proper persons to have the care, custody and control of the minor child(ren).*
13. You must say one of the following:

The Defendant and I have agreed that: (select one of the following options)

 ("I" or "The defendant") *will have sole legal and sole physical custody of the child(ren).*

The defendant and I will have joint legal custody of the child(ren), and will have sole physical custody of the child(ren).

 ("I" or "the defendant")

The defendant and I will have joint legal and joint physical custody of the child(ren).

14. You must say one of the following (either A., B., or C.):
- A. *The defendant and I have developed a Parenting Plan that I have attached to the Decree. I ask the court to approve it.*
- OR**
- B. *Defendant and I have not developed a Parenting Plan. I request that the court create a Parenting Plan.*
- OR**
- C. *Defendant has not cooperated in developing a Parenting Plan. I ask the court to approve the Parenting Plan that I have developed and attached to the Decree. I ask the court to approve it.*
15. *It is in the best interests of the minor child(ren) that the Court adopt the parenting plan I have submitted to the court. (Only if "A" or "C" above is checked)*
16. A. *I am asking the court to order child support in the amount that appears on the child support calculation I already have offered to the court.*
- B. *I am asking the court to calculate child support based on the Financial Affidavit for Child Support I have submitted.*
17. **(Optional)** In cases where the parent who is responsible to pay child support has the child(ren) for parenting time for periods of 28 days or more in any 90 day period, support payments may be reduced by up to 80%. This is called an abatement. For this type of situation you may say one of the following:
- A. *I am requesting an abatement of child support of _____ % for the month(s) of: _____.*
- OR**
- B. *The defendant and I have agreed that _____ will have an abatement*
(“I” or “the defendant”)
of child support of _____ % for the month(s) of: _____.

18. Health insurance

a. Choose one

- i.** *I have health insurance available through my employer. I can get the minor child(ren) health care coverage under that plan.*
- ii.** *I do not have health insurance available to me through my employer.*

b. Choose one if you chose “ii” in a.

- i.** *The defendant has health insurance through his/her employer. The defendant can get the minor child(ren) health care coverage under that plan at a reasonable cost.*
- ii.** *The defendant does not have health insurance available to him/her through their employer.*

19. *I have nothing further, your honor. Thank you.*