



**FACTS**

2. The above-named parties have \_\_\_\_\_ children as follows (*checkmark (✓) the boxes needed, enter only child's initials and year of birth*):

\_\_\_\_\_ (*initials only*) born \_\_\_\_\_ (*birth year only*);

\_\_\_\_\_ (*initials only*) born \_\_\_\_\_ (*birth year only*);

\_\_\_\_\_ (*initials only*) born \_\_\_\_\_ (*birth year only*);

\_\_\_\_\_ (*initials only*) born \_\_\_\_\_ (*birth year only*);

\_\_\_\_\_ (*initials only*) born \_\_\_\_\_ (*birth year only*);

A confidential information form with the full name and birthdate for each child is on file in this case.

3. (*Choose one.*)

The opposing party was served with a copy of the current judgment on (*date you were served with the current judgment*) \_\_\_\_\_.

The opposing party knows about the current judgment because (*explain how you are aware of the current judgment*):

4. The moving party claims there are relevant facts as to why this motion was brought.

The opposing party's relevant facts are as follows *(briefly describe the relevant facts that apply to your answer to the Motion to Amend Parenting Time. Number each paragraph of your facts as 4(a), 4(b), 4(c), and so on. If you refer to facts from your supporting affidavit, other supporting affidavits, or documents, include the title of the affidavit or document in parentheses following the reference. Include all of the facts you plan to use in paragraphs 7 through 9 of the Law and Argument section.)*

*(Paragraph 4, continued.)*

**LAW AND ARGUMENT**

5. North Dakota Century Code § 14-05-22(2) states as follows:

After making an award of primary residential responsibility, the court, upon request of the other parent, shall grant such rights of parenting time as will enable the child to maintain a parent-child relationship that will be beneficial to the child, unless the court finds, after a hearing, that such rights of parenting time are likely to endanger the child's physical or emotional health.

See also Helfenstein v. Schutt, 2007 ND 106.

6. The requested amendment(s) must be in the best interest of the child(ren) for reasons that were unknown to the Court, or that have arisen since the last order. The best interest factors are defined in N.D.C.C. § 14-09-06.2.

7. *(For 7a through 7j, indicate if you agree or disagree with the moving party's requests to amend the parenting time paragraphs in the current judgment. If the moving party did NOT make a request, checkmark (✓) the box for "The Moving Party did not make this request."*

**a. The moving party is requesting the court amend paragraph \_\_\_\_\_ of the current judgment from "reasonable parenting time" to a specific parenting time schedule as stated on Page \_\_\_\_\_, Paragraph \_\_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

**b. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment to amend the specific parenting time schedule as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

**c. The moving party is requesting the court to amend paragraph \_\_\_\_ of the current judgment related to drop offs and pick-ups of the child(ren) as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

**d. The moving party is requesting the court to amend paragraph \_\_\_\_ of the current judgment to provide for the transportation of the child(ren) for parenting time as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

**e. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment to require supervised visitation as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

f. The moving party is requesting the Court amend paragraph \_\_\_\_ of the current judgment to allow unsupervised visitation as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.

(Choose one.)

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because (briefly explain): \_\_\_\_\_

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The Moving Party did not make this request.

g. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment regarding legal residence for school attendance as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.

(Choose one.)

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because (briefly explain): \_\_\_\_\_

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The Moving Party did not make this request.



**h. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

**i. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment as as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.**

*(Choose one.)*

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because *(briefly explain)*: \_\_\_\_\_

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The Moving Party did not make this request.

j. The moving party is requesting the court amend paragraph \_\_\_\_ of the current judgment as stated on Page \_\_\_\_, Paragraph \_\_\_\_ of the moving party's Brief to Amend Parenting Time.

(Choose one.)

The opposing party agrees with the moving party's request.

The opposing party does not agree with the moving party's request because (briefly explain): \_\_\_\_\_

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The Moving Party did not make this request.

8. The moving party claims that their requested amendments are in the best interest of the child(ren). My response is as follows (for each amendment listed in paragraph 7 where you **agree**, describe your relevant facts and explain how your facts clearly show the moving party's proposed amendments are in the child(ren)'s best interest. For each amendment listed in paragraph 7 where you **disagree**, describe your relevant facts and explain how your facts clearly show the moving party's proposed amendments are NOT in the child(ren)'s best interest. These facts should also be listed in paragraph 4):

*(Paragraph 8, continued.)*

9. The moving party claims that the reasons for the proposed amendments were unknown to the Court at the time the current judgment was entered, or have arisen since the current judgment was entered. My response is as follows (*describe your relevant facts and explain how the facts support your answer to whether the reasons for the proposed amendments were unknown or arose after the current judgment. These facts should also be listed in paragraph 4*):

(Paragraph 9, continued.)

**CONCLUSION**

10. Based on all of the above and the affidavit(s) filed in support of this motion, the opposing party respectfully requests the Court issue (*choose one*):

- An order to amend parenting time as requested by the moving party.
- An order denying the moving party's Motion to Amend Parenting Time as requested.
- An order to amend Parenting Time as requested by the opposing party in paragraph(s) \_\_\_\_\_ of the Answer Brief (*indicate the EXACT paragraphs in your answer brief where you stated your requested amendments*).
- Other: \_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(*Opposing Party's Signature*)

\_\_\_\_\_  
(*Printed Name*)

\_\_\_\_\_  
(*Address*) (City, State, Zip Code)

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_