

GENERAL INSTRUCTIONS: MODIFY CUSTODY WITH AN AGREEMENT

1. This packet includes the following documents for you to complete:
 - Appearance
 - Not For Public Access/Confidential Appearance
 - Verified Petition To Modify Custody With An Agreement
 - Verified Agreed Entry To Modify Custody
2. Complete a Child Support Worksheet. You will need to file the Child Support Worksheet with the court when you file the documents in this packet. You can find the calculator at: <https://www.in.gov/judiciary/2625.htm>
3. Review the Indiana Parenting Time Guidelines. You will need to state what parenting time you and the other parent agree to when you complete the *Verified Agreed Entry To Modify Custody*. You can find the guidelines here: <https://www.in.gov/judiciary/rules/parenting/>
4. Complete each form according to the instructions below. You and the other parent will have to sign the *Verified Agreed Entry To Modify Custody* in front of a notary public. Some libraries and banks have a notary public on staff. There is a small fee.
5. Check your county's local rules here: <https://www.in.gov/judiciary/2694.htm> to see if there are additional things you need to do.
6. File your documents with the court that last issued an order in your case. There are two ways that self-represented litigants can file their forms with the court in Indiana: (a) e-filing and (b) filing documents with the court in person.

A. OPTION ONE: E-FILING DOCUMENTS WITH THE COURT

1. Review and follow the instructions in the e-file user guide at: <https://www.in.gov/judiciary/4313.htm>.
2. Make sure you get the forms to the other parent using the method selected in the Certificate of Service (usually hand delivery or mail) *after you e-file them with the court*. **The e-filing system will not send them to the other parent unless the other parent (or their attorney) has registered with the e-filing system—this is not common if the other parent does not have an attorney.**

B. OPTION TWO: FILING DOCUMENTS WITH THE COURT IN PERSON

1. Take the original, signed forms and the completed Child Support Worksheet to the courthouse in the county in which the last order on custody was issued.
2. Give your completed documents to the court clerk and ask them to file your forms with the court.
3. Make sure you get the file stamped forms to the other parent using the method you selected in the Certificate of Service (usually hand delivery or mail).

Nothing is final (the current order is not changed) until the judge signs an order, which may be the *Verified Agreed Entry To Modify Custody*.

STATE OF INDIANA IN THE _____ COURT
COUNTY OF _____ CASE NO. _____

IN RE THE _____ OF:

Minor Child

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT YOUR COURT PAPERS IN THIS CASE (LIKE THE DIVORCE DECREE OR DECREE ESTABLISHING PATERNITY) AND COPY THE INFORMATION HERE

APPEARANCE BY UNREPRESENTED PERSON

1. My name is YOUR NAME and in this case I am not represented by a lawyer.
2. My contact information for receiving legal service of documents and case information as required by Court Rules is:

Address: YOUR ADDRESS

Email address: EMAIL

I will accept service at the above email address.

Phone: YOUR PHONE NUMBER

Fax: YOUR FAX NUMBER

OR, if in a related case, you have used the Attorney General confidential address, you may check the box below:

Attorney General confidential address

3. This is a _____ case type as defined in Administrative Rule 8(B)(3).

4. There are other cases related to this case: (If yes, please indicate below)

Yes
 No

IF YOU WANT THE COURT TO CONTACT YOU ONLY BY EMAIL, CHECK THIS BOX

IF YOU USE THE ATTORNEY GENERAL CONFIDENTIAL ADDRESS, CHECK THIS BOX

IF YOU AND THE OTHER PARTY ARE DIVORCED, SELECT 'DC'. IF YOU WERE NEVER MARRIED, SELECT 'JP'.

Caption and case number of related cases:

PUT RELATED CASE INFORMATION HERE

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

OTHER INFORMATION REQUIRED BY LOCAL RULE

SIGN HERE

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on _____ by _____ **HANDWRITE IN THE DATE**
YOU SEND THIS TO THE
OTHER PARTY

**SELECT HOW YOU
WILL SEND THIS
TO THE OTHER
PARTY**

- e-service using the e-filing system
- first-class U.S. mail, postage prepaid
- hand delivery

to NAME OF THE OTHER PARTY at the following address:

THE ADDRESS YOU WILL
SEND THIS DOCUMENT
TO

SIGN HERE

Signature

STATE OF INDIANA IN THE _____ COURT

COUNTY OF _____ CASE NO. _____

IN RE THE _____ OF:

Minor Child

FOR THE SECTION ABOVE THE DOTTED LINE,
LOOK AT THE COURT PAPERS YOU HAVE IN YOUR
CASE AND COPY THE INFORMATION HERE.

Petitioner,

v.

Respondent.

NOT FOR PUBLIC ACCESS

**IN ACCORDANCE WITH INDIANA RULES ON
ACCESS TO COURT RECORDS**

**ATTENTION CLERK: FOR SELF REPRESENTED LITIGANTS TREAT THIS FORM AS
IF IT IS PRINTED ON LIGHT GREEN PAPER**

CIVIL APPEARANCE FORM

Social security numbers of parents and minor child

Name: YOUR NAME SS# YOUR SOCIAL SECURITY NUMBER

Name: CHILD'S NAME SS# SOCIAL SECURITY NUMBER

Name: OTHER PARENT'S NAME SS# SOCIAL SECURITY NUMBER

Name: OTHER CHILDRENS' NAMES AND SOCIAL SECURITY NUMBERS SS# _____

Name: _____ SS# _____

Name: _____ SS# _____

NOT FOR PUBLIC ACCESS

STATE OF INDIANA

IN THE _____ COURT

COUNTY OF _____

CASE NO. _____

IN RE THE _____ OF:

Minor Child (*Paternity Only*)

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE COURT PAPERS YOU HAVE IN YOUR CASE AND COPY THE INFORMATION HERE.

VERIFIED PETITION TO MODIFY CUSTODY WITH AGREEMENT

YOUR NAME, self represented, files a Verified Petition to Modify Child Custody and states as follows:

1. The parties have _____ ^{NUMBER OF CHILDREN YOU AND THE OTHER PARTY HAVE TOGETHER} minor child(ren), whose names and dates of birth are as follows:

Name	Date of Birth
<u>NAMES OF MINOR CHILDREN YOU AND THE OTHER PARTY HAVE TOGETHER</u>	<u>BIRTH DATE OF EACH CHILD</u>
↓	↓
_____	_____
_____	_____
_____	_____

2. By prior court order dated _____ ^{DATE OF LAST COURT ORDER ON CUSTODY}, PARENT WHO HAS CUSTODY has custody of the parties' minor child(ren).

3. Since that time, there has been a substantial change in circumstances as described here:

DESCRIBE WHAT HAS CHANGED THAT HAS CAUSED YOU TO ASK FOR A CHANGE IN CUSTODY

4. It is in the minor child(ren)'s best interest(s), in consideration of the above, that the Court change custody of the minor child(ren) from PARENT WITH CUSTODY to YOUR NAME (THE PERSON ASKING FOR CUSTODY).

5. An Agreed Entry To Modify Custody is filed with this Petition.

6. If the Court grants the petition, the Court should also modify the existing child support order and parenting time orders to reflect the change in the custody order.

WHEREFORE, YOUR NAME requests that the Court grant this petition, modify custody of the minor child(ren), modify the existing child support and parenting time orders as is appropriate, and order all other relief that is just and proper in the premises.

I affirm under penalties for perjury that the foregoing representations and statements are true.

Date: DATE YOU SIGN

SIGN HERE

Signature

YOUR NAME

Printed name

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on HANDWRITE IN THE DATE YOU SEND THIS TO THE OTHER PARTY by

SELECT HOW YOU
WILL SEND THIS
TO THE OTHER
PARTY

- e-service using the e-filing system
 first-class U.S. mail, postage prepaid
 hand delivery

to NAME OF THE OTHER PARTY at the following address:

THE ADDRESS YOU WILL
SEND THIS DOCUMENT
TO

SIGN HERE

Signature

STATE OF INDIANA

IN THE _____ COURT

COUNTY OF _____

CASE NO. _____

IN RE THE _____ OF:

Minor Child (*Paternity Only*)

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE COURT PAPERS YOU HAVE IN YOUR CASE AND COPY THE INFORMATION HERE.

VERIFIED AGREED ENTRY TO MODIFY CUSTODY

YOUR NAME, self represented, files a Verified Petition to Modify Child Custody and states as follows:

1. The parties have _____ ^{NUMBER OF CHILDREN YOU AND THE OTHER PARTY HAVE TOGETHER} minor child(ren), whose names and dates of birth are as follows:

Name	Date of Birth
<u>NAMES OF MINOR CHILDREN YOU AND THE OTHER PARTY HAVE TOGETHER</u>	<u>BIRTH DATE OF EACH CHILD</u>
_____	_____
_____	_____
_____	_____

2. By prior court order dated _____ ^{DATE OF LAST COURT ORDER ON CUSTODY}, PARENT WHO HAS CUSTODY has custody of the parties' minor child(ren).

3. Since that time, there has been a substantial change in circumstances as described here: DESCRIBE WHAT HAS CHANGED THAT HAS CAUSED YOU TO ASK FOR A CHANGE IN CUSTODY

4. It is in the minor child(ren)'s best interest(s), in consideration of the above, that the Court change custody of the minor child(ren) from PARENT WITH CUSTODY to YOUR NAME (PERSON ASKING FOR CUSTODY).

5. In accordance with the attached Child Support Worksheet,

PERSON WHO WILL PAY CHILD SUPPORT shall pay child support to PERSON WHO WILL GET CHILD SUPPORT in the amount of \$ AMOUNT OF SUPPORT FROM CHILD SUPPORT WORKSHEET per week beginning the date this agreement is signed by the Court.

6. OTHER PARENT:

YOU CAN VIEW THE PARENTING TIME GUIDELINES AT <https://www.in.gov/judiciary/rules/parenting>

SELECT ONE

OR

shall have parenting time in accordance with the Indiana Parenting Time Guidelines

a deviation from the Indiana Parenting Time Guidelines is warranted and parenting time shall be as follows:

IF YOU AND THE OTHER PARENT HAVE AGREED TO PARENTING TIME THAT IS DIFFERENT FROM WHAT THE PARENTING TIME GUIDELINES SAY, YOU SHOULD WRITE OUT WHAT YOU HAVE AGREED TO HERE

Lined area for writing a deviation from the parenting time guidelines.

7. The parties waive their right to a hearing.

WHEREFORE, YOUR NAME and OTHER PARENT waive their right to a hearing, request that the Court grant this petition, modify custody of the minor child(ren), modify the existing child support and parenting time orders as is appropriate, and order all other relief that is just and proper in the premises.

I affirm under penalties for perjury that the foregoing representations and statements are true.

Date: DATE YOU SIGN

SIGN HERE ONLY WHEN YOU ARE IN FRONT OF A NOTARY

Signature

SOME LIBRARIES AND BANKS HAVE A NOTARY PUBLIC ON STAFF. THERE IS A SMALL FEE.

YOUR NAME

Printed Name

STATE OF INDIANA

COUNTY OF _____

Before me, _____, a notary public in and for _____ County, State of Indiana, personally appeared _____ and having been duly sworn upon their oath says that the facts all alleged in the foregoing instrument are true.

Date: _____

Notary Public

My Commission Expires _____

I affirm under penalties for perjury that the foregoing representations and statements are true.

Date: DATE OTHER PARENT SIGNS

OTHER PARENT SHOULD SIGN HERE IN FRONT OF A NOTARY

Signature

OTHER PARENT'S NAME

Printed Name

STATE OF INDIANA

COUNTY OF _____

Before me, _____, a notary public in and for _____ County, State of Indiana, personally appeared _____ and having been duly sworn upon their oath says that the facts all alleged in the foregoing instrument are true.

Date: _____

Notary Public

My Commission Expires _____

SO ORDERED LEAVE BLANK

Distribution:

YOUR NAME
ADDRESS

LEAVE BLANK

Judicial Officer

OTHER PARENT'S NAME

OTHER PARENT'S ADDRESS