

GENERAL INSTRUCTIONS: ASK TO MODIFY PARENTING TIME WITHOUT AGREEMENT

Attached you will find the following forms:

- Appearance
- Not For Public Access/Confidential Appearance
- Verified Petition To Modify Parenting Time Without Agreement
- Order Setting Hearing
- Order Modifying Parenting Time

STEP 1: FINISH, READ AND SIGN THE FORMS

1. 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.
2. Read the forms and make sure the information is correct.
3. 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>
4. 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 Establish Parenting Time*. You can find the guidelines here: <https://www.in.gov/judiciary/rules/parenting/>
5. Complete and sign the *Appearance, Not For Public Access*, and the *Verified Petition To Modify Parenting Time Without Agreement*.
6. Complete the top part (the caption) of the *Order Setting Hearing* and the *Order Modifying Parenting Time*. Fill in the blanks as instructed, note that several areas will be left blank.

STEP 2: FILE THE FORMS WITH THE COURT

People who are self-represented (do not have a lawyer) can choose to e-file forms, or to file them at the courthouse. Read the information below and then choose how to file the forms with the court.

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. The Form Helper asked how you will get the forms to the other parent. **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.**

OPTION TWO: FILING DOCUMENTS WITH THE COURT IN PERSON

1. Take the original, signed forms and the completed Child Support Worksheet to the courthouse.
2. Give your completed forms to the court clerk and ask them to file your forms with the court.
3. The Form Helper asked how you will get the forms to the other parent. **Make sure you get the file stamped forms to the other parent using the method you selected (usually hand delivery or mail).**

STEP 3: THE HEARING

After you file the forms, the court will send an *Order Setting Hearing* that has been completed by the court.

- Review the information and videos on going to court without a lawyer:
<https://www.in.gov/judiciary/selfservice/2361.htm>
- Go to the hearing at the date and time on the *Order*.
- Dress nicely.
- Do not bring your children.
- Bring a completed Child Support Worksheet and anything you believe shows that parenting time should start.
- Note that nothing is final until after the hearing when you have an *Order* signed by the judge.

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 YOUR COURT PAPERS IN THIS CASE (LIKE THE LAST ORDER ON PARENTING TIME) AND COPY THE INFORMATION HERE.

Petitioner,

v.

Respondent.

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

IF YOU WANT THE COURT TO CONTACT YOU ONLY BY EMAIL, CHECK THIS BOX → *I will accept service at the above email address.*

Phone: YOUR PHONE NUMBER
Fax: YOUR FAX NUMBER

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

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

Attorney General confidential address *LOOK AT THE CASE NUMBER. SELECT THE LETTERS THAT APPEAR IN YOUR CASE NUMBER (EITHER DC, DN OR JP)..*

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)*

IF THERE ARE RELATED CASES, CHECK YES AND FILL IN THE BLANKS BELOW. IF NOT, CHECK NO. Yes No

Caption and case number of related cases:

Caption: RELATED CASE INFORMATION Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

OTHER INFORMATION REQUIRED BY LOCAL RULE

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on _____ by _____

DATE YOU WILL SEND THIS DOCUMENT TO THE OTHER PARTY

HOW YOU WILL GET THIS DOCUMENT 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 THIS 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: <u>YOUR NAME</u>	SS# <u>YOUR SOCIAL SECURITY NUMBER</u>
Name: <u>CHILD'S NAME</u>	SS# <u>CHILD'S SOCIAL SECURITY NUMBER</u>
Name: <u>OTHER PARENT'S NAME</u>	SS# <u>OTHER PARENT SOCIAL SECURITY NUMBER</u>
Name: <u>OTHER CHILDRENS' NAMES AND SOCIAL SECURITY NUMBERS</u>	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*)

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

Petitioner,

v.

Respondent

VERIFIED PETITION TO MODIFY PARENTING TIME WITHOUT AGREEMENT

YOUR NAME, self represented, files a Verified Petition To Modify Parenting Time Without Agreement and states in support as follows:

SELECT THE STATEMENT THAT IS TRUE

- 1. The parties':
 - Divorce Decree is dated DATE JUDGE SIGNED DIVORCE DECREE (IF APPLICABLE).
 - Decree Establishing Paternity is dated DATE JUDGE SIGNED PATERNITY DECREE (IF APPLICABLE).
 - parenting time rights were established without a divorce or paternity decree, and this court has previously ordered parenting time between the above named parties.

2. The minor child(ren) is/are named:
NAMES OF MINOR CHILDREN YOU HAVE WITH THE OTHER PARENT
 and PARENT ORDERED TO PAY CHILD SUPPORT has been ordered to pay child support in the amount of \$ AMOUNT OF CHILD SUPPORT ORDERED per week. TO PAY EACH WEEK

3. The last order on parenting time is dated DATE OF LAST PARENTING TIME ORDER and PARENT WITH PRIMARY PHYSICAL CUSTODY has primary physical custody of the minor child(ren).

4. The last order on parenting time states that parenting time shall be as follows:
DESCRIPTION OF LAST PARENTING TIME ORDERED

5. A change in parenting time is in the best interest of the child(ren).

6. I am asking the Court to hold a hearing and to enter a parenting time order:

IF YOU ARE ASKING THE COURT FOR PARENTING TIME AS OUTLINED IN THE PARENTING TIME GUIDELINES, CHECK THIS BOX

in accordance with the Indiana Parenting Time Guidelines **OR**

as follows:

IF YOU WANT PARENTING TIME DIFFERENT FROM THE INDIANA PARENTING TIME GUIDELINES, CHECK THIS BOX AND WRITE/TYPE OUT WHAT PARENTING TIME YOU WANT ON THE LINES BELOW

WHEREFORE the undersigned prays that the Court set this matter for hearing, that the Court modify the parenting time as requested, and for all other just and proper relief.

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 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 OTHER PARENT _____ at the following address:

WHERE YOU WILL SEND THIS DOCUMENT

SIGN HERE _____
Signature

STATE OF INDIANA IN THE _____ COURT

COUNTY OF _____ CASE NO. _____

IN RE THE _____ OF:

Minor Child (*Paternity Only*)

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

Petitioner,

v.

Respondent

ORDER SETTING HEARING

Comes now YOUR NAME, self represented, having filed a Verified Petition To Modify Parenting Time Without Agreement, and the Court finds that the matter should be set for hearing.

IT IS THEREFORE ORDERED that this matter shall be heard on

LEAVE BLANK

LEAVE BLANK

Judicial Officer

Distribution:
YOUR NAME AND ADDRESS

OTHER PARTY'S NAME AND ADDRESS

STATE OF INDIANA IN THE _____ COURT

COUNTY OF _____ CASE NO. _____

IN RE THE _____ OF:

Minor Child (*Paternity Only*)

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

Petitioner,

v.

Respondent

ORDER MODIFYING PARENTING TIME

The Court, having reviewed the Verified Petition to Modify Parenting Time Without Agreement, now enters the following order:

1. YOUR NAME filed a Verified Petition to Modify Parenting Time on LEAVE BLANK.

2. The Court set this matter for hearing, and YOUR NAME appeared in person and **self represented/with counsel** and OTHER PARTY'S NAME appeared **self represented/with counsel**. Evidence was heard and concluded.

3. NON-CUSTODIAL PARENT :

SELECT WHETHER YOU WOULD LIKE PARENTING TIME TO FOLLOW THE PARENTING TIME GUIDELINES, OR A DIFFERENT SCHEDULE

- shall have parenting time in accordance with the Indiana Parenting Time Guidelines **OR**
- a deviation from the Indiana Parenting Time Guidelines is warranted and parenting time shall be as follows:

IF ASKING FOR A SCHEDULE DIFFERENT FROM THE PARENTING TIME GUIDELINES, DESCRIBE IT HERE

SO ORDERED LEAVE BLANK.

LEAVE BLANK

Judicial Officer

Distribution to:
YOUR NAME AND ADDRESS

OTHER PARTY NAME AND ADDRESS

