

A. **FILLING OUT THE FORMS:**

1. You should fill out these forms **before** you go to the Courthouse to file them. **THE COURT STAFF WILL NOT HELP YOU IN COMPLETING THESE FORMS.** They can only provide you with general information concerning your case number, and the date and time of your hearing. **PLEASE PRINT ALL INFORMATION CLEARLY.**
2. **MOTION TO ESTABLISH/MODIFY VISITATION** - In the #1 blank, fill in the county that previously ordered visitation or established paternity. In the #1A blank, fill in the Case Number. In the #2 blank, fill in the Plaintiff's name. In the #3 blank, fill in the Defendant's name. In the #4 blank, fill in your name. In the #5 blank, fill in the reason for the request. In the #6 blank, fill in the requested visitation schedule. In the #7 blank fill in the reason this will be in the child(ren)s best interest and the reason that you think the Motion should be granted. In the #8 blank, you should sign your name and fill in your address.
3. You will also need a **DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**, which is enclosed.
4. The UCCJEA **MUST** be filled out completely and notarized. If this document is not filed, the Court has no jurisdiction over this matter and the Court cannot hear your case. **THE COURT STAFF WILL NOT NOTARIZE THESE DOCUMENTS FOR YOU.** *A Notary Public can be found by looking into the yellow pages or can often be found at your local bank.*
5. Leave the **MAGISTRATE'S ORDER/NOTICE OF HEARING** blank until you are at the Courthouse and ready to file the Motion. The Clerk's office may give you the date and time of the hearing. If they do, fill in the blank while at the Clerk's office.
6. You will also need to file a **REQUEST FOR SERVICE**. Fill in the names of the children and case number on the Request for Service just as you did on the Motion. You should probably check the box for certified mail service, though you have other options. In the spaces provided, write in the names and address of the people you want served with these papers. In general, the natural parents and the caretaker of the child(ren) will need to be served.
7. You must have a valid address of the other party for the Clerk's office to mail the Motion. ***IF YOU DO NOT HAVE A VALID ADDRESS FOR THE OTHER PARTY, DO NOT FILE THE MOTION.*** The Judge/Magistrate has no authority to grant your Motion unless the other person has been served with a copy of the papers and has been given an opportunity to be heard on the Motion.

B. FILING THE MOTION:

1. After you have filled all the forms out, go to the Clerk of Juvenile Court's office at the County Courthouse in the county where the last order for custody was made. This is the only place you can file the Motion.
2. All cases require the payment of Court costs. **When you file your case, you should be prepared to pay a deposit of ~~\$100.00~~ \$100.00** This is an initial deposit. If your costs exceed this amount, you will be billed for the balance. (FOR ALL NEW CASES)
3. If you are unable to prepay these Court costs, you must fill out the enclosed **AFFIDAVIT OF INABILITY TO PREPAY OR GIVE SECURITY FOR COSTS**. ***DO NOT*** sign this Affidavit unless you are in front of a Notary Public. **THIS MUST BE DONE BEFORE YOU TAKE THE PAPERS TO THE COURT FOR FILING.** The Judge/Magistrate will review this Affidavit and decide whether or not you are permitted to file your documents without prepaying the Court costs. *Remember, this does not mean that you will never have to pay Court costs.* It means that you will not have to **prepay** the costs. It is up to the Court to decide who pays Court costs. As a general rule, **ANYONE WHO IS EMPLOYED MUST PAY THEIR COSTS AT THE TIME OF FILING.**
4. To re-open an old case, there is a \$60.00 filing fee.