

PETITION/MOTION TO MODIFY CUSTODY/VISITATION INSTRUCTIONS FOR COMPLETING DOM REL 7

If you already have a court order for custody or visitation, you can request the court to change custody or visitation. To do this you may: (1) obtain the services of an attorney to handle your case; or (2) file the case yourself by using the DOM REL forms.

Use this form **only** if there is already a court order for custody or visitation AND you were named as a Plaintiff or Defendant in that court case. To complete this form, ***you will need a copy of that order***. If you do not have a copy, ask the Clerk of the Court how to get one.

There are 6 steps you must follow in order to proceed with the case yourself:

> STEP 1 — Completion of Form DOM REL 7.

Follow these instructions carefully.

Use this form **only** if there is already a court order for custody or visitation AND you were named as a Plaintiff or Defendant in that court case. To complete this form, ***you will need a copy of that order***. If you do not have a copy, ask the Clerk of the Court how to get one.

After you have a copy of the original court order, fill in:

- the case number ***exactly*** as it appears on the order;
- the name(s) of the Plaintiff and the Defendant(s) ***exactly*** as they appear on the order;
- the ***current*** addresses and telephone numbers for the Plaintiff and each Defendant. If you do not have an address for a defendant and you have done everything you can to find the address, call the Legal Forms Helpline (1-800-818-9888) to see if resources are available in your county to help you.

Line 1: After printing your name in the space provided, circle if you are the mother or father of the child(ren) or fill in your relationship to the child(ren). List the child(ren)'s full name(s) and date(s) of birth.

Line 2: Looking at the order, fill in the date, city or county where the order was granted, the case number, the name of the person with custody, and the name of the person(s) granted visitation.

Line 3: For the court to grant your petition to modify custody/visitation, there must have been a change in circumstances that makes it in the best interests of the child(ren) to

change the custody/visitation. Explain what has happened to make this change in custody/visitation necessary.

Line 4: Indicate any other cases that have involved the children.

FOR THESE REASONS:

- Explain how you would like the custody/visitation to be changed.
- If you are also seeking a change in the current child support order, check off the box indicating you are seeking such a change.

The court will not necessarily give you what you asked for.

Date and sign this form.

> STEP 2 — Filing Fee.

Payment of a filing fee is generally required. See *General Instructions*.

> STEP 3 — Filing Your Forms.

Take the completed documents to the Clerk of the Court.

> STEP 4 — Service.

You will need to have the other party properly served with a copy of all the papers you are filing **AND** with a Writ of Summons which is provided by the Civil Clerk of this Court. See *General Instructions*.

> STEP 5 — Request for Hearing or Proceeding.

The Petition/Motion for Modification of Custody/Visitation alone will not get you into court. You may need to file a Request for Hearing or Proceeding, DOM REL 59 so that a court date will be set. See *General Instructions*.

> STEP 6 — Hearing.

See page 5 of the *General Instructions - What Happens in Court?*

Custody is one of the most difficult types of cases. **IF A CHANGE IN CUSTODY IS CONTESTED, YOU SHOULD SEE AN ATTORNEY.**

Circuit Court for _____

City or County

CIVIL-DOMESTIC CASE INFORMATION REPORT

Directions:

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111. A copy must be included for each defendant to be served.

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS AN ANSWER OR RESPONSE.

FORM FILED BY: PLAINTIFF DEFENDANT CASE NUMBER: _____ (Clerk to insert)

CASE NAME: _____ v _____
Plaintiff Defendant

PARTY'S NAME: _____ PHONE: () _____
(Daytime phone)

ADDRESS: _____

PARTY'S ATTORNEY'S NAME: _____ PHONE: () _____

ATTORNEY'S ADDRESS: _____

I am not represented by an attorney

RELATED CASE PENDING? Yes No If yes, Court and Case #(s), if known: _____

Special Requirements? Interpreter/communication impairment Which language _____
(Attach Form 1-332 if Accommodation or Interpreter Needed) Which dialect _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

- A. Mediation Yes No
- B. Arbitration Yes No
- C. Settlement Conference Yes No
- D. Neutral Evaluation Yes No

IS THIS CASE CONTESTED? Yes No If yes, which issues appear to be contested?

- Ground for divorce
- Child Custody Visitation
- Child Support
- Alimony Permanent Rehabilitative
- Use and possession of family home and property
- Marital property issues involving:
 - Valuation of business Pensions Bank accounts/IRA's Real Property
 - Other: _____
- Paternity
- Adoption/termination of parental rights
- Other: _____

Request is made for: Initial order Modification Contempt Absolute Divorce Limited Divorce

For non-custody/visitation issues, do you intend to request:
 Court-appointed expert (name field) _____ Mediation by a Court-sponsored settlement program
 Initial conference with the Court Other: _____

For custody/visitation issues, do you intend to request:
 Mediation by a private mediator Appointment of counsel to represent child (not just to waive psychiatric privilege)
 Evaluation by mental health professional A conference with the Court
 Other Evaluation _____

Is there an allegation of physical or sexual abuse of party or child? Yes No

CASE NAME: _____ V _____		CASE NUMBER: _____
Plaintiff	Defendant	(Click to insert)
TIME ESTIMATE FOR A MERITS HEARING: _____ hours _____ days		
TIME ESTIMATE FOR HEARING OTHER THAN A MERITS HEARING: _____ hours _____ days		

Signature of Counsd/Party

Print Name

Street Address

City/State/ZIP

Date

Circuit Court for _____ Case No. _____
City or County

 Name

 Street Address Apt. #

 City State Zip Code () Telephone
Area Code
Plaintiff

VS.

 Name

 Street Address Apt. #

 City State Zip Code () Telephone
Area Code
Defendant No. 1

 Name

 Street Address Apt. #

 City State Zip Code () Telephone
Area Code
Defendant No. 2

PETITION/MOTION TO MODIFY CUSTODY VISITATION
 (DOM REL 7)

I, _____, representing myself, state that:

My name

1. I am the mother/ father or _____ of :
Relationship (for example, aunt, grandfather, guardian, etc)

_____	_____	_____	_____
<small>name of child</small>	<small>date of birth</small>	<small>name of child</small>	<small>date of birth</small>
_____	_____	_____	_____
<small>name of child</small>	<small>date of birth</small>	<small>name of child</small>	<small>date of birth</small>
_____	_____	_____	_____
<small>name of child</small>	<small>date of birth</small>	<small>name of child</small>	<small>date of birth</small>
_____	_____	_____	_____
<small>name of child</small>	<small>date of birth</small>	<small>name of child</small>	<small>date of birth</small>

2. On _____ the Circuit Court for _____ issued
City or County
 an order in case number _____, granting custody of the child(ren) to
 _____ and visitation to _____.

3. Since the order, circumstances have changed and the Order is no longer in the best interest of the child(ren) because:

4. I know of the following additional cases concerning the child(ren) (such as domestic violence (protective order), paternity, divorce of the child(ren)'s parents, custody, visitation, or juvenile court cases):

<u>Court</u>	<u>Case No.</u>	<u>Kind of Case</u>	<u>Year Filed</u>	<u>Results or Status (if you know)</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

FOR THESE REASONS, I request the Court change custody and/or visitation as follows:

State the changes that you are requesting _____ and order any other appropriate relief.

I am also requesting a change in the current child support order.

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

Date

Signature