

Instructions for Using General-Use Template And to Create a Proposed Amended Judgment (Family Law) Based on a Stipulated Agreement

This General-Use template may be used to create your proposed Amended Judgment when making a Motion to Modify a Judgment in a Family Law case. The modifications must be based on a written Stipulated Agreement between all parties.

To complete this form, you must recreate your Judgment by doing three things:

- 1) If you **aren't** requesting the Court to amend the contents of a paragraph of the Judgment or most recently Amended Judgment, you **must** copy that paragraph **exactly** as it is.
- 2) When you come to the paragraphs you want the Court to amend, copy and **underline** the **exact** wording of the amended paragraph from your Stipulated Agreement and proposed Order to Amend Judgment. **Don't include** any words you're asking Court to delete.
- 3) If you're asking the court to add new paragraphs, copy and **underline the exact** wording of each **new** paragraph from your proposed order.

ND Legal Self Help Center Staff and Court employees can't help you fill out forms, or create documents for you. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Forms aren't official forms. Judges and courts aren't required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include these instruction sheets when you serve or file the completed form.

A **Stipulated Agreement** is a document both parties sign stating they agree, or stipulate, there is no dispute concerning the specific matters involved. The stipulated agreement spells out the terms of the issue at hand, as well as stating the agreement of both parties.

A **proposed Judgment** is a written order of the judge's or judicial referee's decision and the remedies, if any, that are ordered.

If you're making a motion to modify a North Dakota state district court family law Judgment, you'll probably be required to file a proposed Order to Amend Judgment and proposed Amended Judgment. This general-use form may assist you in creating your own Amended Judgment.

For information about how to make a motion, go to ndcourts.gov/legal-self-help/making-a-motion.

You have two options to create your proposed Amended Judgment:

Option One: Use this fillable form as is. This form includes 9 blank pages in which you may type the words and formatting of your proposed Amended Judgment, including paragraph numbers. If your proposed Amended Judgment is more than 9 pages in length, use Option Two.

Option Two: Use a word processing program. Use a word processing program, such as Microsoft Word, WordPerfect, Google Docs, or OpenOffice, to type the words and formatting of your proposed Amended Judgment, including paragraph numbers.

Copy and paste the **entire** first page of this form, **except** the *italicized* paragraphs in (parentheses), into the first page of your document. Then, copy and paste all of the words on the second page of the form into your document.

Then, type the words and formatting of your proposed Amended Judgment, including paragraph numbers. Include the Clerk of Court date and signature block at the end.

Important: Make sure the formatting of the words you copied and pasted are the **same** as the formatting in the Amended Judgment general-use template.

Caption:

- Fill in the name of the County in North Dakota where the family law action, or case, is filed.
- Fill in the name of the Judicial District in North Dakota where the family law case is filed. (The County is within the Judicial District.) County and Judicial District information and maps are available at ndcourts.gov/court-locations.
- Fill in the full, legal name of the Plaintiff in the original family law case on the Plaintiff line.
- Fill in the full, legal name of the Defendant in the original family law case on the Defendant line.
- If the State of North Dakota or Child Support is listed as a party in interest on your family law case, add them to the caption as “A party in interest”.
- Fill in the case number. The case number is on the document you want to amend.

- Check if you're amending the Judgment **or** write in the number of the Amended Judgment (*i.e., First, Second*) you want to amend.

Opening Paragraphs:

- Check if you're the Plaintiff or Defendant.
- Check if you're amending the Judgment **or** write in the number of the Amended Judgment (*i.e., First, Second*) you want to amend.

Body of Amended Judgment:

To complete the rest of this proposed amended judgment, you need to refer to your stipulated agreement, the final judgment in your case if it hasn't been amended, or the most recently Amended Judgment in your case, and your proposed Order to Amend Judgment

If you **aren't** requesting the Court to amend the contents of a paragraph of the Judgment or most recently Amended Judgment, you **must** copy that paragraph **exactly** as it is.

When you come to the paragraphs you want the Court to amend, copy and **underline** the **exact** wording of the amended paragraph from your Stipulated Agreement and proposed Order to Amend Judgment. **Don't include** any words you're asking Court to delete.

Add and **underline the exact** wording of each **new** paragraph from your Stipulated Agreement and proposed Order to Amend Judgment. Be sure to include the paragraph numbering.

Clerk's Signature Block:

- Fill in the number of the Order for _____ Amended Judgment (*i.e., First, Second*).
- Fill in the number of the Order for (Let the _____ Amended Judgment) (*i.e., First, Second*).
- **Don't** sign and date the (proposed) Amended Judgment. If your proposed Amended Judgment is accepted by the court, the clerk of court will sign and date the Amended Judgment. The proposed amended Judgment isn't effective until it's signed and dated by the clerk of court.

Page Numbering:

The pages of documents prepared for a civil case must be numbered.

Using the page numbering at the bottom of each page, number the pages of your (proposed) amended judgment.

- Count the total number of pages.
- Fill in the total number of pages in the **second** blank space of the page number on each page.
 - For example, if you have 4 total pages, the second blank space of the page number will look like this: “Page ___ of 4.”
- Now fill in the **first** blank space of the page number on each page.
 - Fill in “1” in the first blank space of the page number on the first page.
 - Fill in “2” in the first blank space of the page number on the second page.
 - And so on for each page of your proposed Amended Judgment.
 - For example, if you have 4 total pages, the page number on each consecutive

Service:

In general, copies of documents filed, or intended to file, with the court must be provided to the other parties in the civil case. This is called service. **This includes serving the proposed Amended Judgment.**

There are specific requirements for serving documents. [Rule 4](#) and [Rule 5](#) of the North Dakota Rules of Civil Procedure give the requirements for service in a civil case.

Proof of service is an important step in the legal process. The court won't act on papers filed with the court until proof of service is filed.

For information about service and proof of service in a civil case, go to the [Service](#) link on the ND Legal Self Help Center webpage.

****Disclaimer: The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota state courts. The information provided by the Center isn't intended for legal advice but only a general guide to the civil court process. The Center can't guarantee that all judges and courts will accept forms available through the Legal Self Help Center. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice of competent legal counsel licensed in the state. Use at your own risk.****

State Of North Dakota
County Of _____

In District Court
_____ Judicial District

Plaintiff,
vs

Defendant.

Case No. _____
_____ Amended Judgment

This matter came before the Court on the Plaintiff's/ Defendant's (choose one)
Motion to Amend Judgment.

The motion was submitted to the Honorable _____

Judicial Referee/ Judge. The court issued its Order to Amend the Judgment
 _____ Amended Judgment (choose one – if an Amended Judgment, fill in the number;
i.e. First, Second) on _____.

The Court having read and reviewed the file and the Stipulated Agreement, and the
Court being fully advised in the matter, and having made its Order to Amend the Judgment
 _____ Amended Judgment herein:

*(To complete the rest of this proposed Amended Judgment, you need to refer to your completed Stipulated Agreement, and your proposed Order to Amend Judgment that contains the exact wording from your Stipulated Agreement.
If you aren't requesting the Court to amend the contents of a paragraph of the Judgment or most recently Amended Judgment, you must copy that paragraph exactly as is.
When you come to the paragraphs you want to modify, copy and underline the exact wording of the amended paragraph from your stipulated agreement and proposed Order to Amend Judgment.
Add and underline the exact wording of each new paragraph from your Stipulated Agreement and proposed Order to Amend Judgment. Be sure to include the paragraph numbering.)*

It is Hereby Ordered, Adjudged, and Decreed as Follows:

That the Judgment _____ Amended Judgment entered herein on

_____ be, and hereby amended to read as follows:

Dated this _____.

(Clerk of District Court)