

State of North Dakota

County of _____

In District Court

_____ Judicial District

Plaintiff,

vs

Defendant.

)

)

)

)

)

)

Case No. _____

Brief in Support of Motion to Modify

Primary Residential Responsibility

(Parties Agree to all Modifications)

Statement of Facts

1. The facts are stated in the Declaration in Support of Motion to Modify Primary Residential Responsibility, which is filed with the Motion to Modify Primary Residential Responsibility and incorporated by reference.

Law and Argument

2. Section 14-09-06.6 of the North Dakota Century Code governs post-judgment modifications of primary residential responsibility awarded in the current judgment. Although Section 14-09-06.6 imposes time limitations on post-judgment modifications, the limitations do not apply when the parties agree in writing to post-judgment modification of primary residential responsibility.

3. The current judgment awards primary residential responsibility to *(choose one)*

☐ Plaintiff/☐ Defendant.

4. The Plaintiff and Defendant have entered into a written stipulated agreement to modify primary residential responsibility in the above-captioned civil case.

5. The reasons modifying primary residential responsibility is in the best interests of the child(ren) are stated in the Declaration in Support of Motion to Modify Primary Residential Responsibility which is incorporated by reference.

Conclusion

6. (Choose one) ☐ Plaintiff/☐ Defendant respectfully requests the Court enter an order amending the Judgment, specifically awarding (choose one):

☐ primary residential responsibility of the child(ren) (list each child's **initials** and **year of birth**): _____
_____ to (choose one) ☐ Plaintiff/
☐ Defendant, subject to reasonable parenting time.

☐ equal residential responsibility of the child(ren) (list each child's **initials** and **year of birth**): _____
_____ to Plaintiff and Defendant, subject to reasonable parenting time.

Dated _____.

(Signature)

(Printed Name)

(Address)

(City, State, Zip Code)

Phone Number: _____

Email Address: _____