

State of North Dakota

County of \_\_\_\_\_

In District Court

\_\_\_\_\_ Judicial District

\_\_\_\_\_  
Plaintiff,  
vs  
\_\_\_\_\_  
Defendant.

)  
)  
)  
)  
)  
)

Case No. \_\_\_\_\_

**Declaration in Support of Motion to  
Modify Primary Residential Responsibility**  
(Parties Agree to all Modifications)

I, (name) \_\_\_\_\_, the  
undersigned, state as follows:

1. I am the (choose one) ☐ Plaintiff/☐ Defendant in the above-captioned civil case, which  
was an action for (choose one):

☐ divorce.

☐ legal separation.

☐ establishing parenting rights and responsibilities.

☐ establishing paternity.

☐ other \_\_\_\_\_.

2. This motion to modify primary residential responsibility applies to the following  
child(ren) for whom primary residential responsibility was awarded in the above-captioned civil  
case (list each child's **initials** and **year of birth**): \_\_\_\_\_

\_\_\_\_\_

3. The final judgment in the above-captioned civil case was entered on *(date)*

\_\_\_\_\_, and *(choose one)*:

☐ I was awarded primary residential responsibility.

☐ *(name)* \_\_\_\_\_ was awarded primary residential responsibility.

4. The residential responsibility in the final judgment *(choose one)* ☐ has/ ☐ has not been modified. *(If the final judgment has been modified, complete the following.)*

The judgment was amended \_\_\_\_\_  
\_\_\_\_\_ *(date(s) of amended judgment(s))*. Currently, primary residential responsibility is awarded to \_\_\_\_\_ *(name or neither parent)*.

5. The reasons for modifying primary residential responsibility are *(explain in detail)*:

(Paragraph 5, Continued)

**6.** Modifying primary residential responsibility is in the best interests of the child(ren) because (*explain in detail*):

(Paragraph 6, *continued*)

7. The (*choose one*) ☐ Plaintiff/☐ Defendant and I have reached an agreement on modifying primary residential responsibility of the child(ren) (*list each child's **initials** and **year** of birth*): \_\_\_\_\_

\_\_\_\_\_ and the stipulated agreement is filed with the motion.

8. The (*select all that apply*) ☐ Plaintiff/☐ Defendant completed the child support calculations consistent with our agreed upon modification to primary residential responsibility and proof of income to verify the child support calculations is filed with the Court. The amendments to child support are in Paragraph(s) \_\_\_\_\_ of the stipulated agreement filed with the Court.

9. Considering the reasons for modifying primary residential responsibility, the (*choose one*) ☐ Plaintiff/☐ Defendant and I believe it is a material change in circumstances and is in the best interests of the children for primary residential responsibility to be modified.

10. It is the desire and intent of ☐ Plaintiff/☐ Defendant (*choose one*) and I that the terms of our stipulated agreement to modify primary residential responsibility be incorporated into the Court's Order for Amended Judgment, and Amended Judgment entered in this action.

11. I declare, under penalty of perjury under the law of North Dakota, that the foregoing Declaration is true and correct.

Signed on \_\_\_\_\_ (*date*) in \_\_\_\_\_ (*city*),  
\_\_\_\_\_ (*county*), \_\_\_\_\_ (*state*), \_\_\_\_\_ (*country*).

\_\_\_\_\_  
(*Signature*)

\_\_\_\_\_  
(*Printed Name*)

\_\_\_\_\_  
(*Address*)

\_\_\_\_\_  
(*City, State, Zip Code*)

\_\_\_\_\_  
(*Telephone Number*)

\_\_\_\_\_  
(*Email Address*)