

Motion for Default Parenting Responsibility Judgment

Instructions for Form MP11: Notice of Entry of Default Parenting Responsibility Judgment; and Form MP12: Declaration of Service by Mail

(Form MP11: Notice of Entry of Default Parenting Responsibility Judgment and Form MP12: Declaration of Service by Mail are part of the Motion for Default Parenting Responsibility Judgment. [Review the instructions for the packet of forms.](#))

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

ND Legal Self Help Center forms **aren't** official court 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 Notice of Entry of Default Parenting Responsibility Judgment document is one of a set of required documents that make up a written Motion for Default Parenting Responsibility Judgment.

The **MP11: Notice of Entry of Default Parenting Responsibility Judgment** tells the Defendant that the Default Parenting Responsibility Judgment and Exhibit A: Parenting Plan have been entered by the Clerk of Court.

After the judge or judicial referee signs their Findings of Fact, Conclusions of Law, and Order for Default Parenting Responsibility Judgment, the clerk of court enters a Default Parenting Responsibility Judgment which officially ends the Parenting Responsibility case.

Complete the Notice of Entry of Default Parenting Responsibility Judgment

A copy of the signed and dated Default Parenting Responsibility Judgment, and Exhibit A: Parenting Plan **must** be served with the Notice of Entry of Default Parenting Responsibility Judgment.

You, the Plaintiff, Complete and Sign The Notice of Entry of Default Parenting Responsibility Judgment Within 14-17 days after Default Parenting Responsibility Judgment is entered.

- Top of Form (Caption):** Fill in the caption exactly as you filled in the caption on the *Summons*.
- To Defendant:** Fill in the full, legal name of the Defendant. This should match the Defendant's name in the Caption.
- Please Take Notice:** Fill in the date the Clerk of Court signed the Default Parenting Responsibility Judgment. Fill in the County and City of the North Dakota District Court where the Default Parenting Responsibility Judgment was signed. Fill in the Index Number of the Default Parenting Responsibility Judgment.

To find the Index Number of the Default Parenting Responsibility Judgment:

- Click on "Search Records & Pay Fines" at ndcourts.gov.
- Read the information, then click on the "Click here to Proceed" link.
- Select the county where your civil action was decided, or select State of North Dakota from the drop down menu.
- Click on the "Civil, Family & Probate Case Records" link.
- Select "Case" in the "Search By:" field.
- Enter your case number in the "Case Number" field.
- Click on the "Search" box.
- Click on the link for your case number.
- Scroll through the list of documents until you find the judgment. (The date on the Default Parenting Responsibility Judgment should match the date of the Default Parenting Responsibility Judgment in the list of documents.
- The Index Number is shown as "Index # ___".

- Date and Signature:** Sign and date the Notice of Entry of Default Parenting Responsibility Judgment.

Make 2 Copies of the Notice of Entry of Default Parenting Responsibility Judgment, Signed and Dated Parenting Responsibility Judgment, and Exhibit A: Parenting Plan

- Make 2 copies of the Notice of Entry of Default Parenting Responsibility Judgment: one for you and one the Defendant. The original is filed with the court.

- Make 2 copies of the signed and dated Default Parenting Responsibility Judgment, which is signed by the Clerk of Court.
- Make 2 copies of the signed and dated Exhibit A: Parenting Plan.

Serve the Notice of Entry of Default Parenting Responsibility Judgment, Default Parenting Responsibility Judgment, and Exhibit A: Parenting Plan

Serve the Notice of Entry of Default Parenting Responsibility Judgment, Default Parenting Responsibility Judgment, and Exhibit A: Parenting Plan upon the Defendant.

Caution Regarding Domestic Violence

If there is a domestic violence protection order or disorderly conduct restraining order in effect, review the order to see if you're allowed to contact or serve the other parent! **Be careful not to violate the order!** Violating the order could have legal consequences for you and/or the other parent.

Before serving the Defendant, consult a lawyer or a domestic violence intervention center in your area to help you navigate your situation. **Only follow the steps below once you know you can serve the other parent.**

- Serve Defendant the Notice of Entry of Default Parenting Responsibility Judgment, Default Parenting Responsibility Judgment, and Exhibit A: Parenting Plan.**
 - The person serving by mail must be at least 18 years old.
 - Put the copies in an envelope.
 - Address the envelope with Defendant's last known address.
 - If you know Defendant is currently represented by a lawyer, use the lawyer's address, not Defendant's.
 - List your address as the return address on the envelope.
 - Put the correct first class postage on the envelope.
 - Postage must be prepaid.
 - **It's very important to put the correct postage on the envelope.** If you don't, the envelope may be returned to you causing you to miss the service deadline.
 - Put the envelope in the U.S. mail.
 - Service by mail is complete upon mailing.

The person who mailed the envelope completes the following form:

- Declaration of Service by Mail.

The person who mailed the envelope **must** complete the Declaration of Service by Mail form. (If the envelope is mailed at a United States Post Office, the United States Post Office employee **doesn't** complete Declaration of Service by Mail form.)

Service by mail is a common way to serve motion documents. However, there are other ways to serve your documents. To review other service options, go to ndcourts.gov/legal-self-help/service-in-a-civil-action. Scroll to the "Service After a District Court Civil Action Has Started" section of the webpage.

Prepare the Declaration of Service by Mail form

Remember: The person who served the forms is the person who must fill out and sign this form!

- Top of the Form (Caption):** Fill in the caption exactly as you filled in the caption on the *Summons*.
- Paragraph 1:** Fill in your name.
- Paragraph 2:** Review to make sure you have listed all forms that were served.
- Paragraph 3:** Review.
- Paragraph 4:** Fill in the date you served the documents by mail.
- Paragraph 5:** List the name of the person served (the Defendant) and where you mailed the copies of the Notice of Default Parenting Responsibility, Default Parenting Responsibility Judgment, and Exhibit A: Parenting Plan.
- Paragraph 6:** Review carefully
- Date and Signature (by the person who served the documents):**
 - Fill in the date, city, county, state, and country where you signed this document.
 - Sign the signature line.
 - Type or print your name.
 - Fill in the address lines. (*If you have a physical address **and** a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.*)
 - Fill in your phone number.
 - Fill in your email address.

File the Notice of Entry of Default Parenting Responsibility Judgment and Declaration of Service by Mail

- File the originals of the following with the Clerk of Court:
 - Notice of Entry of Default Parenting Responsibility Judgment; and
 - Declaration of Service by Mail.

What do I do next?

Review your Default Parenting Responsibility Judgment **carefully**. If the judge or judicial referee ordered you to do certain things, you must do that now. **Failure to do so could result in a contempt of court order.**

State of North Dakota

In District Court

County of _____

_____ Judicial District

Plaintiff,)

Case No. _____

vs)

Declaration of Service By Mail

Defendant.)

The person serving court documents by mail states:

1. My name is _____ (*name of person who mailed documents in Paragraph 2*) and I am at least 18 years of age.

2. List of Court Documents Served:

- Notice of Entry of Default Parenting Responsibility Judgment;
- Default Parenting Responsibility Judgment; and
- Exhibit A: Parenting Plan.

3. Service by Mail:

As required by Rule 5(b)(3) of the North Dakota Rules of Civil Procedure, I served a true and correct copy of each of the court document(s) listed in Paragraph 2 by mailing them, enclosed in an envelope, by First-Class mail, postage prepaid, and by depositing them in the United States Mail, directed to the person listed in Paragraph 5.

4. Date of Service by Mail:

Date Court Documents Were Served by Mail: _____

5. Person Served by Mail:

Name of Person Served: _____

Mailing Address: _____

City, State, Zip Code: _____

6. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration of Service by Mail is true and correct.

Signed on _____ (date) in _____ (city),
_____ County, _____ (state), _____ (country).

Signature of Person Who Mailed Documents

Printed Name of Person Who Mailed Documents

Address

City, State, Zip Code

Telephone Number

Email Address