

Motion for Default Parenting Responsibility Judgment

Instructions for Form 7: (Proposed) Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment

(Form MP7: (Proposed) Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment is 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 (proposed) Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment is one of a set of required documents that make up a written Motion for Default Parenting Responsibility Judgment.

The MP7: (Proposed) Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment form is the Court's written determination of the facts made from the evidence presented. Conclusions of Law are the rulings of law made by the Court based on, or in connection with, the Findings of Fact.

These are your, the Plaintiff's, proposed Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.

If the judge or judicial referee grants your motion for Default Parenting Responsibility Judgment **and** uses your proposed Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment, the judge or judicial referee assigned to your case dates and signs your proposed Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.

You, the Plaintiff, arrange to serve the proposed Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment with all of the other documents listed on Page 9.

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Important!! The final Findings of Fact, Conclusions of Law, and Order for Default Parenting Responsibility Judgment in a Parenting Responsibility case depend on your unique circumstances. It's impossible for a form to reflect every possible finding or order that may occur in a Parenting Responsibility case.

This (Proposed) Findings of Fact, Conclusions of law and Order for Default Parenting Responsibility Judgment form is designed for common, uncomplicated Parenting Responsibility cases. This form won't work as is for every Parenting Responsibility case.

If this form doesn't work for your situation, you may use this form as a template to create your own document.

If the section of the form asks for a dollar amount and there is none, type or write \$0.00 in the space.

Don't leave blank spaces. Put "Unknown" or "N/A" (not applicable) in those spaces.

Follow and Carefully Read All Instructions! There are boxes () before each step. Check () each box as you finish the step. Don't go on to the next step **until** you complete the previous step.

You, the Plaintiff, Complete this Form.

- Top of Form (Caption):** Fill in the caption exactly as you filled in the caption on the *Summons*.
- Paragraph 1:** Fill in the county where this Parenting Responsibility case is filed.
- Paragraphs 2 through 3:** Read carefully. **If** this information isn't true, you **can't** use this form.

Findings of Fact:

- Paragraph 4:** Read carefully. This paragraph finds the Summons and Complaint were correctly served on the Defendant. **If** this isn't true, you **can't** use this form.
- Paragraph 5:** Fill in **your** information. This must match Paragraph 5 and Paragraph 7 of your completed Form MP5: Declaration of Proof.
- Paragraph 6:** Fill in the **Defendant's** information. This must match Paragraph 6 and Paragraph 7 of your completed Form MP5: Declaration of Proof.
- Paragraph 7:** Read carefully. **If** this isn't true, you **can't** use this form.

- Paragraph 8:** Read carefully. If this isn't true, you **can't** use this form.
- Paragraph 9:** Put a checkmark (✓) in the box next to the statement that is true. If none of the statements are true, you **can't** use this form. If you put a checkmark (✓) in the second box, check (✓) all that apply in that statement.

“Deploying or deployed parent” – a deploying or deployed parent is a uniformed service member who has been notified of orders of movement or mobilization for more than ninety days but less than eighteen months **and** the orders are designated as unaccompanied, not authorized for dependent travel, or don't permit family members to move to the deployment location.

- Paragraph 10:** For each minor child of you and Defendant fill in their initials, year of birth, last 4 digits of their social security number, and state of residence. This must match Paragraph 8 of your completed Form MP5: Declaration of Proof.

Note: If you have more than three minor children together, you can check (✓) the box indicating additional sheets are attached. Attach the sheet to the back of the form and indicate the page is for Paragraph 10.

- Paragraph 11:** Put a checkmark (✓) in the box next to the statement that is true. Within the statement you checked, put a checkmark (✓) next to all that apply to this statement.

This must match Paragraph 9 of your completed Form MP5: Declaration of Proof.

- Paragraph 12:** Put a checkmark (✓) in the box next to the statement that is true. Within that statement, put a checkmark (✓) next to Plaintiff or Defendant.

This must match Paragraph 10 of your completed Form MP5: Declaration of Proof.

- Paragraph 13:** A parenting plan is required for **all** Parenting Responsibility cases.

Parenting plan – a written plan describing each parent's rights and responsibilities. A parenting plan is required for every Parenting Responsibility case involving minor children.

You **must** complete Exhibit A after you complete this form and the proposed Default Parenting Responsibility Judgment.

- Paragraph 14:** Put a check (✓) in the box next to the statement that is true. If you select the first statement option, fill in the case number of the child support case.

This must match Paragraph 13 of your completed Form MP5: Declaration of Proof.

Conclusions of Law:

- Paragraph 15. Jurisdiction:** This paragraph says the North Dakota State District Court has jurisdiction and venue over the parties and subject matter of the Parenting Responsibility case.
- Paragraph 16. Parental Rights and Responsibilities.** Read carefully.

Parental rights and responsibilities – all the rights and responsibilities a parent has concerning the parent's child.

- Paragraph 17. Parenting Plan:** You **must** complete Exhibit A after you complete this form and the proposed Default Parenting Responsibility Judgment.

Paragraph 18 through Paragraph 27 is for child support.

If you **don't** already have a child support order, you must calculate child support. Calculate child support **before** completing Paragraph 18 through Paragraph 27.

The link to the Child Support Calculator is childsupport.dhs.nd.gov/resources-lawyers/child-support-guidelines/current-child-support-guidelines. The Calculator is maintained and supported by the Child Support Division of the North Dakota Department of Health and Human Services. The ND Legal Self Help Center **can't** help you calculate your child support.

If you don't want to establish child support at this time, Stop! You can't use this set of forms.

If you attempt to file this set of forms without completing and filing the child support calculations, the judge or judicial referee will either require you to complete the calculations before making a decision on your Parenting Responsibility case, or dismiss your Parenting Responsibility case entirely.

You may be able to apply for services with [North Dakota Child Support](#).

If your application for full services is approved by [North Dakota Child Support](#) they can help to establish an order for child support and medical support in a separate child support case.

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Child Support – payments for the support of a child, including payments for health insurance coverage or other medical support, and payments for the support of spouses or former spouses with whom the child is living as long as the spousal support payment is owed to the spouse or former spouse under the same order as the payments for the child, if the payment is required by the order of a court or other governmental agency having authority to issue such orders, and includes past-due support.

Obligor – the person ordered by the judge or judicial referee to pay child support or spousal support.

Obligee – the person receiving child support or spousal support ordered by the judge or judicial referee.

Paragraph 18. Child Support: This paragraph is the child support you want the judge or judicial referee to order. Put a checkmark (✓) in the box by the statement that is true for you. Fill in all information for the checkbox you choose. Read each paragraph carefully.

If you check (✓) the second, third, or fourth box, you **must** file a copy of the completed child support calculation forms you used to calculate child support.

- Check (✓) the first box if you already have a child support order. If you chose the first box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the first box.
- Check (✓) the second box if you want the judge or judicial referee to order the Defendant to pay child support because you want primary residential responsibility (custody). Explain how you determined the Defendant's income.
- Check (✓) the third box if you want the judge or judicial referee to order you to pay child support because you want the Defendant to have primary residential responsibility (custody). Explain how you determined your income.
- Check (✓) the fourth box if you want the judge or judicial referee to order either you or the Defendant to pay child support because you want equal residential responsibility (custody) shared between you and the Defendant. Explain how you determined your income and the Defendant's income.

Paragraph 19. Deviation from child support calculator: The Child Support Calculator amount is presumed to be the correct amount of child support. If you ask for a different amount than the Calculator amount, called a deviation, you must prove you meet one of the limited exceptions for deviation. You must also prove the deviation is in the best interests of your child(ren).

- Check (✓) the first box if you already have a child support order by a court. If you chose the first box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the first box.
- Check (✓) the second box if this child support amount you listed in Paragraph 18 doesn't deviate from the Child Support Calculator.
- Check (✓) the third box if you want to ask for a deviation from the Calculator amount. Fill in the amount, explain how you meet one of the exceptions, and explain why deviation is in the best interests of your children.

Paragraph 20: Child support shall begin:

- Check (✓) the first box if you already have a child support order. Fill in the case number. If you chose the first box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the first box.
- Check (✓) the second box if no child support order exists. If you chose the second box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the second box.

Paragraph 21: Check (✓) the box that reflects who is ordered to pay child support.

- Check (✓) the first box if you already have a child support order. Fill in the case number. If you chose the first box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the first box.
- Check (✓) the second box if no child support order exists. If you chose the second box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the second box.

Paragraph 22. Step-down child support obligation: This paragraph allows parents with more than one minor child to have child support amounts automatically update when the child support obligation ends for an older child. For example, for parents with three children, when the oldest child turns 18 or graduates high school, the child support payment automatically “steps-down” to the amount ordered for two children, rather than three.

- Check (✓) the first box if you already have a child support order. Fill in the case number. If you chose the first box in Paragraph 13 of your completed Form MP5: Declaration of Proof, you must check the first box.
- Check (✓) the second box if you and the Defendant have one minor child only.

- Check (✓) the third box if you and the Defendant have more than one minor child, but you don't want to include step-down amounts at this time. Reserving the step-down child support issue means either you or the Defendant can make a written motion to ask the judge or judicial referee to order step-down amounts at a later date.
- Check (✓) and complete the fourth box if you and the Defendant have more than one minor child and you want to include step-down amounts.
 - Enter the number of minor children.
 - Fill out the remaining two paragraphs by checking the box indicating who will pay child support and the amount to be paid for a second and third child.

Note: If you have more than three minor children together, you can check (✓) the box indicating additional sheets are attached. Attach the sheet to the back of the form and indicate the page is for Paragraph 22.

- Paragraphs 23 through 27:** Read carefully. You don't need to fill anything in for these paragraphs.
- Paragraph 28. Health Insurance:** Review carefully to make sure this statement is true. If it isn't true, you **can't** use this form.
- Paragraph 28d, "Date Insurance Coverage Started,"**: Check (✓) the box **only** if there's existing coverage and it will continue. Check (✓) the box of the parent who currently provides health insurance.
- Paragraph 29. Uninsured and Unreimbursed Medical Expenses: Read carefully**
 - Indicate what percentage you want the judge or judicial referee to order you and the Defendant to pay for uninsured or unreimbursed medical expenses.
 - Check (✓) the box indicating whether there will be monthly, quarterly or annual payments for respective out-of-pocket costs to the other parent. Fill in the blank indicating within how many days payment must be made.
- Paragraph 30. Childcare Costs:** Explain how you want the judge or judicial referee to order childcare costs to be divided. If you don't want the judge or judicial referee to order childcare costs to be divided, state that childcare costs won't be divided.
- Paragraph 31. Child Tax Exemptions:** This paragraph says who claims each child for income tax exemptions and how that will be done.

- Put a check (✓) in the first box if you want the judge or judicial referee to order the tax exemption must be claimed by the schedule. Fill in who will claim the deduction in odd, even, or every year.
- Put a check (✓) in the second box if you want the judge or judicial referee to order the tax exemption is decided by which parent provides health insurance coverage and fill in the percentage.
- Put a check (✓) in the third box you want the judge or judicial referee to order something different than the first and second boxes. Describe how the tax exemption will be claimed and how it will be done.

Paragraph 32. Income Tax Returns: Read carefully. This paragraph contains the judge's or judicial referee's order regarding sharing income tax return.

Paragraph 33. Execution of Required Documents: This paragraph contains the judge's or judicial referee's order regarding when required documents must be executed.

Order for Default Parenting Responsibility Judgment:

Stop! Don't sign or put the case number in this section. This section is for the judge's or judicial referee's use.

What do I do next?

- Set aside the completed proposed Findings of Fact, Conclusions of Law, and Order for Default Parenting Responsibility Judgment form. (You make copies later.)
- Complete the next form in the set. (The proposed Default Parenting Responsibility Judgment is the next form.)
- Once you've completed all of the forms listed on **Page 9**, you serve the proposed Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.
- The originals are filed with the court in **Step 7**. Make sure to also file the Declaration of Service by Mail.

For Default Parenting Responsibility Judgment the following forms are required:

- MP1: Notice of Motion for Default Parenting Responsibility Judgment;
- MP2: Motion for Default Parenting Responsibility Judgment;
- MP3: Brief in Support of Default Parenting Responsibility Judgment;
- MP4: Declaration of Default, Identification and Active Military Status;
- MP5: Declaration of Proof for Default Parenting Responsibility Judgment;
- **MP7: Proposed Findings of Fact, Conclusions of Law, and Order for Default Parenting Responsibility Judgment;**
- MP8: Proposed Default Parenting Responsibility Judgment;
- MP9: Exhibit A: Parenting Plan; and
- MP10: Declaration of Service by Mail.

For Default Parenting Responsibility Judgment the following form is optional and isn't served:

- MP6: Confidential Information Form.

State of North Dakota

In District Court

County of _____

_____ Judicial District

_____)
 Plaintiff,)
 vs)
 _____)
 Defendant.)

Case No. _____

**Findings of Fact, Conclusions of Law
 and Order for Default
 Parenting Responsibility Judgment**

1. The above-entitled Parenting Responsibility case came on duly for review before the undersigned at the District Court, _____ County, North Dakota as a default matter.
2. The Plaintiff is self-represented. It appears to the Court that the Summons has been served upon the Defendant in accordance with the laws of the State of North Dakota. The Defendant failed to answer the Summons in writing. Therefore, Judgment by default may be entered.
3. The Court having been fully advised in this matter now makes the following Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.

Findings of Fact

4. The Summons and Complaint were served upon Defendant as indicated by the proof of service on file, and as required by Rule 4 of the North Dakota Rules of Civil Procedure.
5. Plaintiff, _____ (*full name*), is the (*choose one*)
 mother **or** father of the minor child(ren). Plaintiff’s demographic information is as follows:

Plaintiff's Address: _____

Plaintiff's Birth Year: _____

Last 4 Digits of Plaintiff's Social Security Number: XXX-XX-_____

Plaintiff's Employer's Name and Address: _____

6. Defendant, _____ (*full name*), is the (*choose one*)

mother **or** father of the minor child(ren). Defendant's demographic information is as

follows:

Defendant's Address: _____

Defendant's Birth Year: _____

Last 4 Digits of Defendant's Social Security Number: XXX-XX-_____

Defendant's Employer's Name and Address: _____

7. Plaintiff and Defendant have never been married to each other.

8. No decree, judgment or order of parenting responsibility has been granted to either party against the other in any North Dakota Court, or a Court of any other state, tribe, territory or country, and no other action is pending for parenting responsibility by either party against the other in any Court.

9. (*Choose one; Continued on next page*):

Neither Plaintiff nor Defendant is currently in the Armed Services of the United States of America or its allies.

(Select all that apply) Plaintiff/ Defendant is currently in the Armed Services of the United States of America or its allies but is **not** currently deployed **or** notified of deployment.

10. The minor child(ren) of the Plaintiff and Defendant are as follows:

a. Minor Child's Initials: _____ Year of Birth: _____
Last 4 Digits of Social Security Number: XXX-XX-_____
State of Residence for Last 6 Months: _____

b. Minor Child's Initials: _____ Year of Birth: _____
Last 4 Digits of Social Security Number: XXX-XX-_____
State of Residence for Last 6 Months: _____

c. Minor Child's Initials: _____ Year of Birth: _____
Last 4 Digits of Social Security Number: XXX-XX-_____
State of Residence for Last 6 Months: _____

Additional sheets are attached. (Choose if applicable)

11. (Choose one):

The child(ren) has/have lived in North Dakota with a (select all that apply) Plaintiff/
 Defendant for at least six consecutive months immediately before the start of this Parenting
Responsibility case. If a child is less than six months old, the child has lived in North Dakota with
(select all that apply) Plaintiff/ Defendant since their birth.

North Dakota was the home state of the child(ren) within six months of the start of this
Parenting Responsibility case, and (select all that apply) Plaintiff/ Defendant continues to
reside in North Dakota.

12. (Choose one):

(choose one) Plaintiff/ Defendant is not pregnant.

(choose one) Plaintiff/ Defendant is pregnant. However, (choose one) Plaintiff/

Defendant is not the father, and the child is not at issue in this proceeding.

13. The Parenting Plan, which is in the best interest of the minor child(ren), is set forth in Exhibit A: Parenting Plan. Exhibit A is incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.

14. Child support (choose one):

There is a child support order already in existence. The case number is:

_____. (In order to choose this option, child support must already be ordered by a North Dakota state district court, another state's court, or a tribal court and you must write or type the case number.)

There is no child support order already in existence.

From the Above and Foregoing, the Court now makes and enters the following:

Conclusions of Law

15. **Jurisdiction.** The District Court has jurisdiction over the subject matter and parties of the present action and this Court is the proper venue of this action.

16. **Parental Rights and Responsibilities** (Paragraph 16 continues on next page): The parties shall have the parental rights and responsibilities as set forth in North Dakota Century Code Section 14-09-32, which are as follows:

- a. The right to access and obtain copies of the child's educational, medical, dental, religious, insurance, and other records or information.

- b. The right to attend educational conferences concerning the child. This right does not require any school to hold a separate conference with each parent.
- c. The right to reasonable access to the child by written, telephonic, and electronic means.
- d. The duty to inform the other parent as soon as reasonably possible of a serious accident or serious illness for which the child receives health care treatment. The parent shall provide to the other parent a description of the serious accident or serious illness, the time of the serious accident or serious illness, and the name and location of the treating health care provider.
- e. The duty to immediately inform the other parent of residential telephone numbers and address, and any changes to the same.
- f. The duty to keep the other parent informed of the name and address of the school the child attends.

17. Parenting Plan: As required by North Dakota Century Code § 14-09-30, the Parenting Plan is set forth in Exhibit A: Parenting Plan. Exhibit A is incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Default Parenting Responsibility Judgment.

18. Child Support: In accordance with the North Dakota Child Support Guidelines and N.D.C.C. § 14-09-09.7 (*choose one; Paragraph 18 continues on Pages 6-7*):

A child support order already exists for the child(ren). The child support case number is _____ . The existing child support payment amounts shall be incorporated into the judgment in this case.

Since primary residential responsibility shall be with Plaintiff, Defendant shall pay

\$_____ per month as and for child support based on net monthly income of _____ . Defendant's income was determined by (*explain*):

_____.

A copy of the completed child support calculation forms that were used to calculate the child support obligation are on file in this case.

Since primary residential responsibility shall be with Defendant, Plaintiff shall pay

\$_____ per month as and for child support based on net monthly income of _____ . Plaintiff's income was determined by (*explain*):

_____.

A copy of the completed child support calculation forms that were used to calculate the child support obligation are on file in this case.

Plaintiff and Defendant shall have equal residential responsibility. Based on Plaintiff's net

monthly income of \$_____ and child support obligation of \$_____, and

Defendant's net monthly income of \$_____ and child support obligation of

\$_____, child support amounts will be offset for payment purposes. The lesser

obligation of \$_____ owed by (*choose one*) Plaintiff/ Defendant will be

subtracted from the greater obligation of \$_____ owed by (*choose one*) Plaintiff/

Defendant. (*Choose one*) Plaintiff/ Defendant must pay the difference of

\$_____ per month.

The completed child support calculation forms that were used to calculate the child support obligation are on file in this case. If child support rights become assigned because the child(ren) receive/s public assistance, the offset is no longer allowed. Each parent will be responsible for paying the full amount of the parent's obligation as long as the assignment is in effect.

19. Deviation from child support calculator (choose one):

Does not apply. A child support order already exists for the child(ren).

The child support amount listed in Paragraph 18 does not deviate from the child support calculator.

The child support amount listed in Paragraph 18 deviates from the child support calculator.

\$ _____ is the presumptively correct child support amount. Under N.D.C.C. § 14-09-09.7, the presumption is rebutted because (*explain*):

and is in the best interests of the child(ren) because (*explain*):

Additional sheets are attached. (*Choose if applicable*)

20. **Child support shall begin** (*choose one*):

As required by the existing child support order. The child support case number is

_____.

Before the 10th day of each month starting with the month after the judgment is entered.

21. The support obligation of (*choose one*) Plaintiff/ Defendant for the minor children must continue (*choose one*):

As required by the existing child support order. The child support case number is

_____.

Until the last day of the month in which the child reaches age eighteen (18), unless the child is still in high school and still living at that time with the parent receiving support. If support is to continue or resume after the month in which the child reaches age eighteen (18), the parent receiving support must file the Affidavit of Custodial Parent with the court. If the affidavit is filed, child support will continue or resume until the last day of the month in which the child graduates or reaches age nineteen (19), whichever comes first. Unless the step-down child support obligation is specified in Paragraph 22, a child support obligation for more than one child will **not** automatically be reduced when the support obligation expires for the oldest child.

22. **Step-down child support obligation** (*choose one; Paragraph 22 continues on next page*):

Does not apply. A child support order already exists for the child(ren).

Does not apply. This Findings of Fact, Conclusions of Law, and Order for Default Parenting Responsibility Judgment applies to one minor child of Plaintiff and Defendant.

Plaintiff and Defendant reserve the step-down child support obligation issue.

Plaintiff and Defendant have (number of children) _____ minor children together, to

which this Findings of Fact, Conclusions of Law, and Order for Default Parenting

Responsibility Judgment applies. The step-down child support obligation is:

After child support terminates for **one** child, (choose one) Plaintiff/ Defendant must pay \$_____ child support per month. The first payment is due on the day indicated in Paragraph 20 on the first month after child support terminates for one child. Subsequent payments are due on each successive month on the day indicated in Paragraph 20 **until** child support terminates for a **second** child.

After child support terminates for **two** children, (choose one) Plaintiff/ Defendant shall pay \$_____ child support per month. The first payment is due on the day indicated in Paragraph 20 on the first month after child support terminates for two children. Subsequent payments are due on each successive month on the day indicated in Paragraph 20 **until** child support terminates for a **third** child.

Additional sheets are attached. (Choose if applicable)

23. Child support orders are subject to income withholding in accordance with N.D.C.C. § 14-09-09.24. The obligation will accrue interest if not paid timely in accordance with N.D.C.C. §§ 14-09-08.19, and 14-09-25(6).

24. All child support payments must be made through the North Dakota State Disbursement Unit (SDU), P.O. Box 7280, Bismarck, ND 58507-7280 in a form acceptable to the SDU for forwarding to the parent receiving support. Any child support payment made directly by the parent paying support to the parent receiving support, rather than through the SDU, will be treated as a gift unless Child Support agrees to give credit for the payment.

25. This order subjects the income of the parent paying support to immediate income withholding, regardless of whether their support payment is delinquent.

26. Child support orders are subject to periodic review under N.D.C.C. § 14-09-08.4. Either party may request a review of an order by applying to the child support agency as provided in N.D.C.C. § 14-09-08.9.

27. Each party subject to this order must provide SDU with the following information within ten days of the order or within ten days of any change of information as provided in N.D.C.C. § 14-09-08.1:

- a. Social Security number;
- b. Home address, mailing address, and any change of address;
- c. Telephone number;
- d. Driver license number;
- e. Employer's name, address, and telephone number;
- f. Electronic mail address; and
- g. Change of any other condition that could affect paying or receiving support. Examples include getting or losing health insurance for the child(ren), being approved for disability payment, and becoming incarcerated.

28. Health Insurance (*Paragraph 28 continues on next page*): In accordance with the provisions of N.D.C.C. § 14-09-08.10, the parent with physical custody of the minor child(ren) must provide satisfactory health insurance for the minor child(ren) whenever that coverage is available at no or nominal cost, now or in the future.

In the event the parent with physical custody of the minor child(ren) does not have satisfactory health insurance at no or nominal cost, the parent without physical custody of the minor child(ren) must provide satisfactory health insurance for the minor child(ren) whenever

that coverage is available at reasonable cost or becomes available at reasonable cost, now or in the future. Reasonable cost is defined pursuant to N.D.C.C. § 14-09-08.15.

The parent providing health insurance for the child(ren) must notify Child Support when the health insurance is obtained and shall include:

- a. Name of insurance company;
- b. Name of policyholder;
- c. Policy number; and
- d. Date insurance coverage started.

(choose if applicable) Existing coverage:

(choose one) Plaintiff/ Defendant currently provides medical coverage of the minor child(ren) and must continue to provide coverage as long as it is available at a reasonable cost.

29. Uninsured and Unreimbursed Medical Expenses: Plaintiff and Defendant shall divide uninsured and unreimbursed medical expenses associated with the child(ren), including, but not limited to medical, dental, orthodontia, vision, counseling, co-pays, deductible and prescription drugs, as follows:

Plaintiff shall pay _____% and the Defendant shall pay _____%.

Plaintiff and Defendant shall exchange written verification of their respective out-of-pocket medical costs for the child(ren) on a (choose one) monthly quarterly annual basis. Reimbursement shall be made to the other party within _____ days.

If one party paid for a child's uninsured or unreimbursed medical expenses and the other party is reimbursed by the insurance company, the party who receives reimbursement must immediately pay the reimbursed amount to the party who paid the health care provider.

30. Childcare Costs: Plaintiff and Defendant must divide childcare costs in the following

way: _____

 _____.

31. Child Tax Exemption: Only one party may claim a deduction for each child on their income tax return. Each party must execute any IRS or similar forms to allow the other party to take the exemption, deduction and credit in the appropriate years.

For each minor child, the child tax exemption must be claimed according to the following schedule:

(P = Plaintiff, D = Defendant)

Child's Initials	Deduction claimed every year by:		Deduction claimed odd years by:		Deduction claimed even years by:	
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D

Additional sheets are attached. (Choose if applicable)

The parent who provided health insurance coverage for the minor child for _____% or more of the tax year shall claim the child tax exemption for that child.

Other: _____

 _____.

32. Income Tax Returns:

The parties agree to share historical accounting and tax information, documents and records with the other as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years. Each party must execute any IRS or similar forms as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years.

In accordance with the Affordable Care Act (ACA), the party providing, or who has provided health insurance coverage for a child being claimed as a dependent, must supply the other party proof of coverage (IRS Form 1095-A, IRS Form 1095-B, or IRS Form 1095-C) on or before January 31, or as soon thereafter as proof of coverage is received, of every applicable calendar year.

33. Execution of Required Documents: The parties must, within ten (10) days from the date of Entry of Default Parenting Responsibility Judgment, or upon presentation, whichever occurs first, execute any document, transfer papers, titles or other documents required to effect the terms and provisions of the Judgment and Decree.

In the event a party fails to sign transfer papers, as required, the Judgment shall operate to transfer title to property, as awarded.

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Order for Default Parenting Responsibility Judgment

Let the Judgment be Entered Accordingly.

(Judge/Judicial Referee of District Court)

Civil No. _____