

INSTRUCTIONS FOR DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

IMPORTANT! READ BEFORE USING THESE FORMS AND INSTRUCTIONS

ND Legal Self Help Center staff and court employees can't help you fill out forms.

If you're unsure how to proceed, or need legal advice or legal representation, consult a lawyer licensed to practice in North Dakota.

To protect your rights, carefully read this information and any instructions to which you are referred.

When you represent yourself, you're expected to know and follow the law, including:

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
 - North Dakota Rules of Civil Procedure;
 - North Dakota Rules of Court;
 - North Dakota Rules of Evidence;
 - North Dakota Administrative Rules and Orders; and
 - Any local court rules.

Links to the state laws, case law, and court rules can be found at ndcourts.gov.

When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures. If you're unsure if these forms and instructions suit your circumstances, consult a lawyer.

- For more information about finding a lawyer, ndcourts.gov/legal-self-help/finding-a-lawyer.

A glossary with definitions of legal terms is available at ndcourts.gov/legal-self-help.

***These instructions and forms aren't a complete statement of the law.** They cover the basic procedure for asking a North Dakota District Court to establish parenting rights and responsibilities of minor child(ren) of parents who have never been married to each other and the parents agree in writing on all issues. There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. The Center isn't responsible for any consequences that may result from the forms or information provided.*

Use at your own risk.

You may only use these forms if ALL of the following statements are true.

1. Both parents agree on all issues and there are no issues on which they disagree.
2. The parents of the minor child(ren) have **never** been married to each other.
3. All of the minor children have lived in North Dakota with a parent for at least the past 6 months (or since birth); ***OR*** Within the past 6 months, North Dakota was the home state of all of the children and one parent still lives in North Dakota.
4. There is no other custody, visitation, divorce or paternity order from a North Dakota court or court of another state or tribe.
5. This is the only legal action pending between the parents regarding the minor children.
6. The father of the child or children is recognized as the father by a signed acknowledgement of paternity, a court order, or an adoption order.
7. Neither parent is currently in the military; ***OR*** one or both parents are currently in the military but not deploying or deployed.
8. There is no domestic violence protection order or disorderly conduct restraining order in effect regarding either parent.

BEFORE YOU BEGIN – REVIEW FORM 3

Before you begin the steps for this packet of forms, review the Settlement Agreement (Form 3).

Form 3 makes up the full written agreement to establish parenting rights and responsibilities of the minor child(ren). If you believe that you and the other parent can reach an agreement on every paragraph of Form 3, continue.

If you **don't** believe that you and the other parent can reach an agreement on every paragraph of Form 3, this set of forms may not be suitable.

FORMS IN THE PACKET

See the individual form for instructions to complete the form.

8 FORMS YOU **MUST** COMPLETE **BEFORE** FILING WITH THE COURT:

Form Title	Description
Form 1: Summons <i>(Plaintiff completes)</i>	Notifies the Defendant that the Plaintiff started the process for an order to determine parenting rights and responsibilities. <u>The summons must be signed and dated by the clerk of court to be valid.</u>
Form 2: Complaint <i>(Plaintiff completes)</i>	Gives the court information about the Plaintiff and Defendant, and their children. Tells the court what the Plaintiff is asking for from the court.
Form 3: Settlement Agreement <i>(Plaintiff & Defendant complete)</i>	A written, signed and notarized agreement of the Plaintiff and Defendant determining all the parenting rights and responsibilities to the minor child(ren). *MUST include child support calculations, UNLESS child support has already been ordered by a court. Both Plaintiff and Defendant must sign in the presence of a notary public or clerk of court.
Form 4: Confidential Information Form <i>(Plaintiff & Defendant complete)</i>	Lists the full confidential information that isn't allowed to appear in other documents filed with the court. This form is a part of the court record that is not seen by the public.
Form 5: Admission of Service <i>(Defendant completes)</i>	Proof that copies of the completed Form 1: Summons, and Form 2: Complaint were delivered to and accepted by the Defendant.
Form 6: Affidavit of Proof for Stipulated Judgment	The Plaintiff's written, signed and notarized statement of the facts and the court's authority (jurisdiction) to decide the action. Plaintiff must sign in the presence of a notary public or clerk of court.

Form Title	Description
Form 7: Findings of Fact, Conclusions of Law and Order for Judgment (Proposed) <i>(Complete using Form 3)</i>	Findings of Fact are 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 <u>proposed</u> findings of fact and conclusions of law, which are based on the Settlement Agreement.
Form 8: Judgment (Proposed) <i>(Complete using Form 3)</i>	A written order of the judge’s decision. Parenting rights and responsibilities aren’t determined until the judgment is signed and filed. This is your <u>proposed</u> judgment, which is based on the Settlement Agreement
Form 9: Notice of Entry of Judgment	A required notice from the Plaintiff to the Defendant. Served on the Defendant within 14 days after the judgment is entered.

1 FORM YOU MUST COMPLETE AFTER THE COURT GRANTS PARENTING RIGHTS & RESPONSIBILITIES:

Form Title	Description
Form 9: Notice of Entry of Judgment <i>(Plaintiff completes)</i>	A required notice from the Plaintiff to the Defendant. Served on the Defendant within 14 days after the judgment is entered.

ALL OF THE FORMS MUST BE FILLED OUT COMPLETELY BEFORE FILING WITH THE COURT!

Don’t leave any of the paragraphs within the forms unanswered.

If a section of the form doesn’t apply to you, type or write “0.00” for the dollar amount, or “N/A” for not applicable.

If a form isn’t completely filled out, it could result in the clerk not accepting the forms for filing, or the court may send the form back to you to complete. It could also mean the judge will require you to appear in person in court to answer why there are blanks in the form.

FOLLOW AND CAREFULLY READ ALL INSTRUCTIONS!

IF YOU DON'T MEET THE REQUIREMENTS OF WHO MAY USE THIS PACKET OF FORMS

If your situation doesn't meet the requirements of who may use this packet of forms, you may still bring a contested parenting rights and responsibilities action to a North Dakota state district court.

To see if you meet the requirements for bringing a contested parenting rights and responsibilities action, review the Contested Parenting Rights and Responsibilities Informational Guide ndcourts.gov/legal-self-help/establishing-custody-and-visitation. Examples of many of the legal documents are included at the end of the Informational Guide.

If father of the child or children ISN'T recognized as the father by a signed acknowledgement of paternity, a court order, or an adoption order, review the Paternity webpage at ndcourts.gov/legal-self-help/paternity.

If you decide to represent yourself in a contested parenting rights and responsibilities action, or in a paternity action, you'll need to create your own legal documents, or retain an attorney to create the legal documents for you.

CAUTION REGARDING DOMESTIC VIOLENCE

Domestic violence protection orders and disorderly conduct restraining orders generally don't allow communication between the person protected by the order and the person the order is against.

This packet of forms is designed to be used by unmarried parents who represent themselves and agree on all issues. The parents must be in communication with each other to share information, make decisions and complete the forms before filing with the Clerk of Court. If there is a domestic violence protection order or disorderly conduct restraining order in effect against either parent, you can't use these forms.

If there is no domestic violence protection order or disorderly conduct restraining order in effect, but you're concerned about the impact of domestic violence on you or your child(ren), this packet of forms may not be suitable. Before using this packet of forms, you're strongly urged to consult a lawyer and to contact a domestic violence intervention center in your area to help you navigate your situation. CAWS North Dakota can help you find a domestic violence intervention center in your area. The phone number is (888) 255-6240; the website is cawsnorthdakota.org.

NORTH DAKOTA LAWS RELATED TO PARENTING RIGHTS AND RESPONSIBILITIES

[Chapter 14-09 of the North Dakota Century Code](#) governs parenting rights and responsibilities, such as custody, visitation, and child support.

[Chapter 14-14.1 of the North Dakota Century Code](#) is the Uniform Child Custody Jurisdiction and Enforcement Act. This Chapter governs when a North Dakota district court has the authority to make binding decisions on determining parenting rights and responsibilities.

Chapter 14-09 and 14-14.1 are Chapters within [Title 14 of the North Dakota Century Code](#). There are many other laws related to families in Title 14. You may find them of interest.

Laws constantly change through legislation, administrative rulings and court decisions. To determine how a law applies to your situation, review the applicable law or laws, administrative rulings and court decisions.

Interpreting what the law means for a specific set of circumstances is a fundamental part of legal representation. ND Legal Self Help Center staff can't provide legal representation of any kind under any circumstances. Legal representation can only be provided to you by an attorney who has agreed to represent you.

As a self-represented individual, you perform all of the functions of a lawyer for yourself, which includes interpreting what the law means as it applies to your circumstances.

To see how the North Dakota Supreme Court has interpreted the laws or rules related to parenting rights and responsibilities, research North Dakota Supreme Court opinions at ndcourts.gov/supremecourt/opinions. The opinions are case law and are followed by North Dakota courts deciding later cases with similar facts and issues.

You can also find notes of North Dakota Supreme Court opinions related to North Dakota law in the print editions of the North Dakota Century Code. Print editions of the North Dakota Century Code are found in many North Dakota public and academic libraries.

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DEFINITIONS

*****The following definitions are intended to be helpful, BUT they aren't intended to constitute legal advice OR address every possible meaning of the terms in this section.*****

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.

Custody – See residential responsibility.

Decision making responsibility – the responsibility to make decisions concerning the child. The term may refer to decisions on all issues or on specific issues, but not child support issues.

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 do not permit family members to move to the deployment location.

Home state – the state in which a child lived with a parent for at least six consecutive months immediately before the start of a child custody proceeding. In the case of a child less than six months of age, home state means the state in which the child lived from birth with a parent. A period of temporary absence of any of the mentioned persons is part of the period.

Judicial Referee – A judicial officer, appointed by the presiding District Court Judge, who has the authority to preside in many Chapter 14-09 proceedings. The findings and order of the Judicial Referee have the effect of the findings and order of a District Court Judge until superseded by a written order of a District Court Judge. (See [Rule 13 of the North Dakota Supreme Court Administrative Rules](#).)

Obligor – the person ordered by the court to pay child support.

Obligee – the person receiving child support ordered by the court.

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

Parenting plan – a written plan describing each parent's rights and responsibilities.

Parenting schedule – the schedule of when the child is in the care of each parent.

Parenting time – the time when the child is to be in the care of a parent. (Also known as visitation.)

Primary residential responsibility – a parent with more than fifty percent of the residential responsibility.

Residency requirement – the amount of time a child and a parent must live in North Dakota before they can ask a North Dakota state district court to establish parenting rights and responsibilities. In general, the child and a parent must have lived in North Dakota for at least the past six months. Although, there are exceptions to this residency requirement, this packet of forms cannot be used unless the child and parent meet this requirement. (See Home State.)

Residential responsibility – a parent's responsibility to provide a home for the child. (Also known as custody.)

Visitation – See parenting time.

THE PARTIES

Plaintiff – The parent starting the action to determine parenting rights and responsibilities between unmarried parents.

Defendant – the other parent.

The parent who will be listed as Plaintiff to this action should be a parent who can answer “Yes” to Statement #3 on page 2 of these instructions. If neither parent can answer “Yes” to Statement #3, you may not use this packet of forms.

THE STEPS FOR COMPLETING THE PACKET ARE ON PAGES 8 THROUGH 18.

REVIEW ALL OF THE STEPS BEFORE USING THE PACKET.

Step One:

Review the Forms and Instructions; Gather Information and Make Decisions

Review the forms and instructions:

Read these instructions carefully.

Review the individual forms and their instructions carefully.

Determine if the forms apply to your situation. If you don't know if you should use this packet of forms, consult a lawyer who is licensed to practice in North Dakota AND can agree to represent you.

Gather information and Make Decisions:

Both parents should gather information to help make decisions about the following:

- Residential responsibility of the minor child(ren). (Also known as custody.)
- Parenting time, including scheduling. (Also known as visitation.)
- Decision making responsibility.
- Child support, including wages and other earnings information.
- Medical coverage, including health insurance premiums, copays, deductibles, etc.

Complete your child support calculations:

If you already have a Child Support Order from a North Dakota state court, the court of another state, or a tribal court, get a copy of the Order to include with the completed packet of forms. You don't need new child support calculations.

If you don't already have a Child Support Order, child support calculations **MUST** be completed before either parent signs the Settlement Agreement. **If you don't want to establish child support at this time, you CAN'T use this packet of forms. Consult a lawyer.**

WARNING: If you attempt to file this packet of forms without completing the child support calculations, the court will either require you to complete the calculations before making a decision on your case, or the court will dismiss your case entirely.

The Child Support Division of the North Dakota Department of Human Services created and provides support for the Child Support Guidelines Calculator. You'll find the Calculator at childsupport.dhs.nd.gov/lawyers/child-support-guidelines.

You can complete your child support calculations in Excel or on paper. Read and follow the instructions carefully!

If the parents will have equal residential responsibility, you must calculate child support amounts for both parents.

If one parent will have primary residential responsibility (more than 50% of the residential responsibility), you must calculate the child support amount for the parent with less than 50% of the residential responsibility.

WARNING: If you plan to ask the court to allow a parent to pay a different amount of child support than the Child Support Guidelines Calculator amount, you're strongly urged to consult a lawyer for assistance. The Calculator amount is presumed to be the correct amount of child support. The parent asking for a deviation from the Calculator amount must prove they meet one of the limited exceptions for deviation, and the deviation is in the best interests of the child(ren). See [North Dakota Century Code Section 14-09-09.7](#) and [North Dakota Administrative Code Section 75-02-04.1-09](#).

The Child Support Division may be able to provide some assistance with your child support calculations. (701-328-5440; 800-231-4255) Court personnel and staff of the ND Legal Self Help Center can't assist with child support calculations.

Step Two: **Fill out the "Settlement Agreement" (Form 3)**

Both parents work together to complete the Settlement Agreement (Form 3).

Fill out the Settlement Agreement (Form 3) ONLY if both parents agree on all issues. If agreement hasn't been reached on every issue, you CAN'T use this packet of forms.

The Settlement Agreement (Form 3) tells the Court that the parents have reached an agreement settling all of the issues involved in this action to determine parenting rights and responsibilities between unmarried parents. It also tells the Court exactly what the terms of the agreement are.

Instructions for completing the Settlement Agreement are attached to Form 3.

STOP! YOU CAN'T USE THIS SET OF FORMS if both parents haven't signed the Settlement Agreement (Form 3) in the presence of a Notary Public or Clerk of Court.

Step Three:

Fill out the “Summons” (Form 1)

The parent listed as Plaintiff completes the Summons (Form 1).

The Summons (Form 1) tells the Defendant that the Plaintiff has filed a lawsuit against him or her asking the North Dakota District Court to determine parenting rights and responsibilities between unmarried parents. The Summons also tells the Defendant that if they don’t file a written Answer to your lawsuit, the Court may give the Plaintiff everything they ask for in the lawsuit.

Filling out this form is required even though you and the other parent agree on all issues in the action to determine parenting rights and responsibilities between unmarried parents.

Instructions for completing the Summons are attached to the form.

Both parties are required to obey the Summons. **Read it carefully!**

Take the completed summons form to the clerk of district court of the North Dakota county where you intend to file the completed packet of forms. The clerk of district court must sign the summons before you complete Step Eight.

Step Four:

Fill out the “Complaint” (Form 2)

The parent listed as Plaintiff completes the Complaint (Form 2).

Fill out the Complaint (Form 2).

The Complaint is divided into two parts. The first part gives the Court information about both parents and your minor child(ren). The second part tells the Court and the Defendant what the Plaintiff is asking for from the Court. **Filling out this form is required even though you and the other parent agree.**

Instructions for completing the Complaint are attached to the form.

WARNING: By signing your name you’re telling the Court that you’re telling the truth and that you have a good faith reason for your requests. If you aren’t telling the truth or if you’re misleading the Court, or if you are serving or filing this document for an improper purpose, the Court could find you in contempt or you may be prosecuted for perjury.

Step Five:

Fill out the “Confidential Information Form” (Form 4)

Both parents work together to complete the Confidential Information Form (Form 4).

Court records are generally available to the public, and anyone can request to look in almost any court file. However, certain information is required to remain confidential, even if it's part of a public court record.

A Note About Confidential Information in Documents Filed with the Court:

Each parent is solely responsible for making sure confidential information doesn't appear in the documents they prepare.

Confidential information includes:

- Social security numbers
- Birthdates
- Full names of minor children (less than 18 years old)
- Taxpayer identification numbers
- Financial account numbers

Documents filed with the Court with references to confidential information must include ONLY:

- The last four (4) digits of the social security number
- The year of birth
- Initials of minor children (less than 18 years old)
- The last four (4) digits of taxpayer identification numbers and financial account numbers

Since the forms in this packet include references to confidential information, you MUST prepare a Confidential Information Form (Form 4). This form must contain the full confidential information that is referenced in the completed packet of forms.

Instructions for completing the Confidential Information Form (Form 4) are attached to the form.

Step Six:

Fill out the “Affidavit of Proof for Stipulated Judgment” (Form 6)

The parent listed as Plaintiff completes the Affidavit of Proof for Stipulated Judgment (Form 6)

This form packet is designed to be presented to a North Dakota State District Court without requiring an in-person hearing. Evidence is presented by affidavit, which is a sworn statement of the facts of the action.

Please be aware that the Court may still request an in-person hearing before making a final decision.

The Affidavit of Proof for Stipulated Judgment (Form 6) is the Plaintiff’s notarized (sworn) statement of the facts of the action.

Instructions for completing the Affidavit of Proof for Stipulated Judgment are attached to the form.

DON’T sign and date the Affidavit of Proof for Stipulated Judgment until you’re in the presence of a Notary Public or Clerk of Court.

Step Seven:

Fill out the “Findings of Fact, Conclusions of Law and Order for Judgment” (Form 7) AND the “Judgment” (Form 8)

Both parents work together to complete Form 7 and Form 8.

Findings of fact are the Court’s written determination of the facts made from the evidence presented in the parenting rights and responsibilities case. This explains what facts the Court found to be true.

Conclusions of law are the rulings of law made by the Court based on, or in connection with, the findings of fact. These are the legal consequences of the facts the Court found to be true.

The Findings of Fact, Conclusions of Law and Order for Judgment (Form 7) are your **PROPOSED** findings of fact, conclusions of law and order for judgment for determining parenting rights and responsibilities.

Instructions for filling out the Findings of Fact, Conclusions of Law and Order for Judgment is attached to the form.

The Judge or Referee assigned to your action will ultimately decide whether or not to grant your requested parenting rights and responsibilities. The Judge or Referee will also decide whether or not to use your proposed findings of fact, conclusions of law and order for judgment.

The Judgment (Form 8) is your **PROPOSED** judgment for determining parenting rights and responsibilities.

Instructions for filling out the Judgment is attached to the form.

If the Judge or Referee assigned to your action grants parenting rights and responsibilities and uses your proposed findings of fact, conclusions of law and order for judgment, the Clerk of Court will sign and date your proposed judgment.

Step Eight: Get Signatures; Make Copies of Completed Forms

ALL OF THE FORMS MUST BE FILLED OUT COMPLETELY BEFORE FILING WITH THE COURT!

If a section of the form doesn't apply to you, type or write "0.00" for the dollar amount, or "N/A" for not applicable.

If a form isn't completely filled out, it could result in the clerk not accepting the forms for filing, or the court may send the form back to you to complete. It could also mean the judge will require you to appear in person in court to answer why there are blanks in the form.

SIGNING DOCUMENTS

The parent listed as Plaintiff must make sure the Summons (Form 1) is signed by the clerk of court.

The Plaintiff also signs and fills in their information.

The parent listed as Plaintiff must complete and sign the following forms:

1. Complaint (Form 2); and
2. Affidavit of Proof for Stipulated Judgment (Form 6), which must be signed in front of a notary public or clerk of court.

Both parents must complete the following form and sign it in the presence of a notary public or clerk of court:

1. Settlement Agreement (Form 3).

Both parents must complete and sign the following form:

1. Confidential Information Form (Form 4).

MAKING COPIES

After obtaining all signatures as indicated above, make 2 copies of the following:

1. Summons (Form 1);
2. Complaint (Form 2);
3. Settlement Agreement (Form 3);
 - Including child support calculations and any additional sheets
4. Confidential Information Form (Form 4);
5. Affidavit of Proof for Stipulated Judgment (Form 6);
6. Findings of Fact, Conclusions of Law and Order for Judgment (Form 7) – **NOT Signed**;
and
7. Judgment (Form 8) – **NOT Signed**.

Keep one copy for your records.

You'll give one copy to the Defendant in Step 9. You'll file the originals with the Court in Step 10.

Step Nine:

Give Copies of Completed Forms to Defendant; Defendant Completes the Admission of Service (Form 5)

The parent listed as Plaintiff mails or gives one copy of each form to the Defendant as follows

1. Summons (Form 1);
 - Must be signed by the Plaintiff and Clerk of Court
2. Complaint (Form 2);
 - Must be signed by the Plaintiff
3. Settlement Agreement (Form 3);
 - Including child support calculations and any additional sheets

- Must be signed by both the Plaintiff and Defendant in front of a notary public or clerk of court
- 4. Confidential Information Form (Form 4);
 - Must be signed by both the Plaintiff and Defendant
- 5. Blank Admission of Service Form (Form 5);
- 6. Affidavit of Proof for Stipulated Judgment (Form 6);
 - Must be signed by the Plaintiff in front of a notary public or clerk of court
- 7. Findings of Fact, Conclusions of Law and Order for Judgment (Form 7); and
 - **NOT Signed**
- 8. Judgment (Form 8).
 - **NOT Signed**

Ask the Defendant to do the following:

- Complete the Admission of Service (Form 6);
- Date and sign the Admission of Service (Form 6);
- Make a copy of the Admission of Service (Form 6) for the Defendant's records; and
- Return the original, completed and signed Admission of Service (Form 6) to you.

Make a copy of the original, completed and signed Admission of Service (Form 6) for your records.

WARNING: Once the Defendant receives copies of the completed Summons and Complaint, and the Defendant dates and signs the Admission of Service, neither parent can take your minor child(ren) from North Dakota without the written permission of the other parent or an order of the Court. (This doesn't include taking your minor child(ren) from North Dakota for temporary periods.) If a parent disobeys this temporary restraining provision, that parent may be in contempt of court.

Step Ten:

File All of the Completed Forms with the Clerk of Court

Take or mail the completed ORIGINAL of each of the following documents to the Clerk of Court's Office in the County where you plan to file your forms:

- Summons (Form 1);
- Complaint (Form 2);
- Settlement Agreement (Form 3);

- Include child support calculations and any additional sheets
- Confidential Information Form (Form 4);
- Admission of Service (Form 5);
- Affidavit of Proof for Stipulated Judgment (Form 6);
- Findings of Fact, Conclusions of Law and Order for Judgment (Proposed) (Form 7); and
- Judgment (Proposed) (Form 8).

Pay the filing fee. The filing fee for an action to determine parenting rights and responsibilities is currently \$80.

If you cannot afford to pay the filing fee, the judge may waive it under certain circumstances.

Forms and instructions to request an order to waive filing fees are available at ndcourts.gov/legal-self-help/fee-waiver. File the completed forms when you file your action.

A judge reviews the request to determine whether you must pay the filing fee. Be prepared to pay the filing fee if your request isn't granted or the Clerk of Court cannot accept your documents.

The original documents will be kept in the court file. If your documents are accepted for filing by the Clerk of Court, a case number will be assigned to your case.

Step Eleven: Parenting Rights & Responsibilities Judgment

After the Court reviews all of the paperwork, the Court might require a hearing. If the Court requires a hearing, you'll be notified of the date, time and location of the hearing. If you fail to attend the hearing the Court may not grant parenting rights and responsibilities.

If the Court approves the Settlement Agreement, the Clerk of Court will send you and the Defendant a copy of the Judgment telling you the judge signed the Findings of Fact, Conclusions of Law, and Order for Judgment and the Judgment has been filed which means parenting rights and responsibilities are granted and are final.

If the Court doesn't require a hearing and the Court approves the Settlement Agreement, the Clerk of Court will send you and the Defendant a copy of the Judgment telling you the judge has signed the Findings of Fact, Conclusions of Law, and Order for Judgment and the Judgment, has been filed which means parenting rights and responsibilities are granted and are final.

If you need a certified copy of the judgment you may obtain one for a fee through the Clerk of Court's office.

WARNING: PARENTING RIGHTS AND RESPONSIBILITIES AREN'T GRANTED AND FINAL UNTIL THE JUDGMENT HAS BEEN FILED.

Step Twelve:

Serve the Notice of Entry of Judgment (Form 9) on the Defendant; File Proof of Service

The parent listed as Plaintiff completes the Notice of Entry of Judgment (Form 9).

Within 14 days after the judgment is entered, the Plaintiff must serve a Notice of Entry of Judgment (Form 9) on the Defendant.

You must include a copy of the Judgment when you serve the completed Notice of Entry of Judgment on the Defendant.

Fill out the form and follow the instructions for service on the Defendant.

After service is complete, file the original completed Notice of Entry of Judgment and the original proof of service on the Defendant with the Clerk of Court.

DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

INSTRUCTIONS FOR FORM 1: SUMMONS

(Form 1: Summons is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Summons.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

THE PLAINTIFF COMPLETES AND SIGNS THIS FORM. THE CLERK OF COURT MUST SIGN AND DATE THIS FORM.

Top of Form (Caption): Fill in the name of the County in North Dakota where you intend to file the action to determine parental rights and responsibilities.

- Fill in the name of the Judicial District in North Dakota where the County is located. (The County is within the Judicial District.) County and Judicial District information and maps are available at www.ndcourts.gov.
- Fill in the full, legal name of the parent who will be listed as the Plaintiff.
- Fill in the full, legal name of the parent who will be listed as the Defendant.
- Leave Case No blank. When all of the completed documents are accepted for filing, the Clerk of Court will assign a case number. (See Step Ten of the Instructions for the forms packet.)

Date and Signature: Sign and date the summons.

- Go to the clerk of court's office in the County in North Dakota where you will file the parenting responsibility case. The clerk of court must date and sign the summons.
- In actions to determine parental rights and responsibilities, when a Plaintiff is not represented by a lawyer, the summons must be issued by the Clerk of Court. **The Clerk of Court must sign and date the summons before it is served on the Defendant.**

Do not include this instruction sheet when you serve or file the completed form.

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DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

INSTRUCTIONS FOR FORM 2: COMPLAINT

(Form 2: Complaint is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Complaint.)

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.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

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

THE PLAINTIFF COMPLETES AND SIGNS THIS FORM.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Paragraph 1: Fill in your information.

- Be sure to use your full, legal name.
- Put a checkmark (✓) next to either "mother" or "father."

Paragraph 2: Fill in the information for the Defendant.

- Be sure to use the Defendant's full, legal name.
- Put a checkmark (✓) next to either "mother" or "father."

Paragraph 3: If this statement isn't true, you can't use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 4: Put a checkmark (✓) next to the statement that's true for your situation. If neither statement is true, you can't use the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- See the instructions for the packet of forms for the definitions of deployed or deploying parent.

Paragraph 5: Fill in the information for each minor child of you and Defendant.

- Be sure to use only the initials of each minor child.
- If the minor child doesn't have a social security number, type or write "N/A".

If you have more than three minor children together, attach a sheet that lists the information for each additional child.

- Put a checkmark (✓) in the box at the end of Paragraph 5.
- Type or write “Complaint Paragraph 5” on the top of the additional sheet(s).

Paragraph 6: Put a checkmark (✓) next to the residential responsibility option that you and the Defendant will request from the Court. DON’T put a checkmark in more than one box.

- See the instructions for the packet of forms for definitions of residential responsibility and parenting time.
- The option you select in this paragraph must match the option you select on *Form 3: Settlement Agreement*, Page 5, Paragraph 5(a).

Please note that this forms packet doesn’t include an option for split residential responsibility (dividing the minor children between the parents). If you want a court to establish split residential responsibility, you can’t use the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 7: Put a checkmark (✓) next to the statement that’s true for your situation. If neither statement is true, you can’t use the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 8: Put a checkmark (✓) next to the statement that’s true for your situation.

- Type or write the full, legal name of the parent.

If neither statement is true, you can’t use the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 9: Complete all 5 parts of Paragraph 9.

- Paragraph 9(a): Fill in the information for each minor child listed in Paragraph 5. (Initials only)
- Paragraph 9(b): Fill in the information for each minor child listed in Paragraph 5. (Initials only)
- Paragraph 9(c): Put a checkmark (✓) next to the statement that’s true for your situation. If you select the second option, fill in the additional information.
- Paragraph 9(d): Put a checkmark (✓) next to the statement that’s true for your situation. If you select the second option, fill in the additional information.
- Paragraph 9(e): Put a checkmark (✓) next to the statement that’s true for your situation. If you select the second option, fill in the additional information.
- If you need more space to answer any of Paragraph 9, attach a sheet or sheets with the additional information.
 - Put a checkmark (✓) in the box at the end of Paragraph 9.
 - Type or write “Complaint Paragraph 9” on top of the additional sheet(s).

Paragraph 10: Put a checkmark (✓) next to the statement that's true for your situation. If you select the second option, fill in the case number of the child support order.

- If you already have a child support order, make sure you have a copy. You'll file the copy of the child support order with the court. (See Step Ten of the Instructions for the forms packet.)
- **YOU MUST** calculate child support to use this packet of forms. If you don't calculate child support, the court will either require you to complete the calculations before making a decision, or will dismiss your case entirely.

Paragraph 11: If this statement isn't true, you can't use the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Date and Signature: Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- 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 the telephone number line.

WARNING: By signing your name you're telling the Court that you're telling the truth and that you have a good faith reason for your requests. If you're not telling the truth or if you're misleading the Court, or if you're serving or filing this document for an improper purpose, the Court could find you in contempt or you may be prosecuted for perjury.

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

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DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

INSTRUCTIONS FOR FORM 3: SETTLEMENT AGREEMENT

(Form 3: Settlement Agreement is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Settlement Agreement.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include these instruction sheets when you serve or file the completed form.

THE PLAINTIFF AND DEFENDANT WORK TOGETHER TO COMPLETE THIS FORM.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

AGREEMENT AS TO FACTS:

Paragraph 1: Fill in the date the Defendant signed *Form 5: Admission of Service*.

Paragraph 2: Fill in your information. Refer to Paragraph 1 of *Form 2: Complaint*.

Paragraph 3: Fill in the information for the Defendant. Refer to Paragraph 2 of *Form 2: Complaint*.

Paragraph 4: If this statement is not true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 5: Put a checkmark (✓) next to the statement that true for your situation. If neither statement is true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- See the instructions for the packet of forms for the definitions of deployed or deploying parent.

Paragraph 6: If this statement is not true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 7: Fill in the information for each minor child of you and Defendant. Refer to Paragraph 5 of *Form 2: Complaint*.

If you have more than three minor children together, attach a sheet that lists the information for each additional child.

- Put a checkmark (✓) in the box at the end of Paragraph 7.
- Type or write "Settlement Agreement Paragraph 7" on the top of the additional sheet(s).

Paragraph 8: Put a checkmark (✓) next to the statement that is true for the mother-child relationship. If none of the statements are true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- If you select the birth certificate option, make sure you have a copy. You will file the copy of the birth certificate with the court. (See Step Ten of the Instructions for the forms packet.)

Paragraph 9: Put a checkmark (✓) next to the statement that is true for the father-child relationship. If none of the statements are true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- If you select the birth certificate option, make sure you have a copy. You will file the copy of the birth certificate with the court. (See Step Ten of the Instructions for the forms packet.)

Paragraph 10: Put a checkmark (✓) next to the statement that is true for your situation. If neither statement is true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 11: Put a checkmark (✓) next to the statement that is true for your situation. If you select the first option, fill in the case number of the child support order.

- If you already have a child support order, make sure you have a copy. You will file the copy of the child support order with the court. (See Step Ten of the Instructions for the forms packet.)

Paragraph 12: Put a checkmark (✓) next to the statement that is true for your situation.

- Type or write the full, legal name of the parent.

If neither statement is true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

STIPULATED TERMS FOR JUDGMENT

Paragraph 1: Fill in the name of the County in North Dakota where you intend to file the action to determine parental rights and responsibilities.

Paragraph 2 and 3: Read carefully. You do not need to fill out anything for Paragraphs 2 and 3.

PARAGRAPHS 4 THROUGH 18 ARE THE PARENTING PLAN.

A Parenting Plan is required in every action involving residential responsibility and parenting time. The parents must develop and file a Parenting Plan with the Court.

Paragraph 4: Read carefully. You do not need to fill out anything for Paragraph 4.

Paragraph 5: Complete all 10 parts of Paragraph 5.

Please note that this forms packet does not include an option for split residential responsibility (dividing the minor children between the parents). If you want a court to establish split residential responsibility, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- Paragraph 5(a): Put a checkmark (✓) next to the residential responsibility option that you selected on *Form 2: Complaint*, Page 2, Paragraph 6.
- Paragraph 5(b): Put a checkmark (✓) next to the option to which both parents agree. DO NOT checkmark more than one option.
- Paragraph 5(c): Fill in the 4 week schedule with as many specifics as possible, including pick up times. This is your normal schedule for parenting time.
- Paragraph 5(d): Put a checkmark (✓) next to any options to which both parents agree. For every option you checkmark, you must fill in the details. This is your alternate schedule for parenting time.
 - Examples of definitions include (but are not limited to):
 - Summertime – “According to the public school calendar;” “From June 1-August 15;” etc.
 - School Release Days – “Days as defined by the public school calendar;” “non-holiday school breaks;” etc.
 - Vacation with Parents – “two consecutive weeks in the summer time;” “two non-consecutive weeks at any time;” “to be scheduled during normal parenting time;” “only upon 30 days written notice;” etc.
- Paragraph 5(e): Fill in the Holidays and Special Days schedule with as many specifics as possible. Include when each holiday and special day is scheduled for both the Plaintiff and Defendant.
 - In the space provided after the Holidays and Special Days schedule, type or write the beginning times and ending times for the holiday/special day. If you would like the holiday/special day to include the weekend if it falls during a weekend or on a Friday or a Monday, type or write that here. If there are any other special arrangements with regard to holidays/special days, type or write them here.
- Paragraph 5(f): Fill in the details of how the parents agree to inform each other of their minor child(ren)’s extracurricular activities.
- Paragraph 5(g): Fill in the details of your agreement on timeliness of visits.

- Paragraph 5(h): Fill in the details of your agreement on missed parenting time.
 - Examples include (but are not limited to) “missed parenting time is not made up;” “missed parenting time is made up the following week;” “a missed holiday is or is not made up;” etc.
- Paragraph 5(i): Fill in the details of your agreement on notifying each other in advance of missed parenting time.
 - Examples include (but are not limited to) “24 hours in advance;” “by phone;” “text;” etc.
- Paragraph 5(j): If you agree to restrictions on contact with the children, fill in the details of your agreement. If Paragraph 5(j) does not apply to your situation, type or write “Not applicable.”

Paragraph 6: Read carefully. You do not need to fill out anything for Paragraph 6.

Paragraph 7: Complete all 7 parts of Paragraph 7. The Parenting Plan must include decision making responsibility for routine or day-to-day decisions, and major decisions such as education, health care and spiritual development.

- Paragraph 7(a): Read carefully. You do not need to fill out anything for Paragraph 7(a).
- Paragraph 7(b): Read carefully. You do not need to fill out anything for Paragraph 7(b).
- Paragraph 7(c): Put a checkmark (✓) next to the option or options to which both parents agree.
- Paragraph 7(d): Put a checkmark (✓) next to the option to which both parents agree. DO NOT checkmark more than one option.
- Paragraph 7(e): Put a checkmark (✓) next to the option to which both parents agree. DO NOT checkmark more than one option.
- Paragraph 7(f): Put a checkmark (✓) next to the option to which both parents agree. DO NOT checkmark more than one option.
- Paragraph 7(g): Put a checkmark (✓) next to the option or options to which both parents agree.

Paragraph 8 and 9: Read carefully. You do not need to fill out anything for Paragraphs 8 and 9.

Paragraph 10: Put a checkmark (✓) next to the option or options to which both parents agree.

Paragraph 11: Fill in the details of your agreement.

- Examples include (but are not limited to) “alcohol;” “drugs;” “smoking environment;” “violence;” etc.

Paragraph 12: The Parenting Plan must include arrangements for transportation and exchange of the minor child(ren). Put a checkmark (✓) next to the option or options to which both parents agree. If an option requires additional information, fill in the information.

Paragraph 13: Read carefully. Fill in the agreed upon frequency of contact during long vacations.

- Examples include (but are not limited to) “daily;” “once every 3 days;” etc.

Paragraph 14: Read carefully. You do not need to fill out anything for Paragraph 14.

Paragraph 15: Read carefully. Put a checkmark (✓) next to the option or options to which both parents agree.

Paragraph 16: Read carefully. You do not need to fill out anything for Paragraph 16.

Paragraph 17: Complete all 4 parts of Paragraph 17. The Parenting Plan must include methods for resolving disputes.

- Paragraph 17(a): Put a checkmark (✓) next to the option to which both parents agree. If the option requires details, fill in the details. DO NOT checkmark more than one option.
- Paragraph 17(b): Put a checkmark (✓) next to the option to which both parents agree. If the option requires details, fill in the details. DO NOT checkmark more than one option.
- Paragraph 17(c): Put a checkmark (✓) next to the option or options to which both parents agree.
- Paragraph 17(d): Read carefully. You do not need to fill out anything for Paragraph 17(d).

Paragraph 18: Read carefully. You do not need to fill out anything for Paragraph 18.

PARAGRAPH 19 IS YOUR CHILD SUPPORT AGREEMENT

If you do not already have a child support order, calculate your child support amount before completing Paragraph 19. Review Step One of the Instructions for the forms packet for information about completing child support calculations.

Paragraph 19 must be complete before either parent signs this Settlement Agreement. The Child Support Division of the North Dakota Department of Human Services may be able to provide some assistance with child support calculations.

Paragraph 19: Complete all 8 parts of Paragraph 19.

- Paragraph 19(a): Put a checkmark (✓) next to the option that fits your circumstances. Fill in the details. DO NOT checkmark more than one option.

- Paragraph 19(b): Put a checkmark (✓) next to the option that fits your circumstances. If the option requires details, fill in the details. DO NOT checkmark more than one option.
 - **WARNING:** The Calculator amount is presumed to be the correct amount of child support. The parent asking for a deviation from the Calculator amount must prove they meet one of the limited exceptions for deviation, and the deviation is in the best interests of the child(ren). You are strongly urged to consult an attorney if you are asking for deviation from the Calculator amount.
 - If you are asking for a deviation and need additional space to prove you meet one of the limited exceptions for deviation and best interests of the children, you may attach an additional sheet or sheets.
 - Put a checkmark (✓) in the box at the end of Paragraph 19(b).
 - Type or write “Settlement Agreement Paragraph 19(b)” on the top of the additional sheet(s).
- Paragraph 19(c): Put a checkmark (✓) next to the option that fits your circumstances. If the option requires details, fill in the details. DO NOT checkmark more than one option.
- Paragraph 19(d): Put a checkmark (✓) next to the option that fits your circumstances. If the option requires details, fill in the details. DO NOT checkmark more than one option.
- Paragraph 19(e): Put a checkmark (✓) next to the option that fits your circumstances. If the option requires details, fill in the details. DO NOT checkmark more than one option.
 - This section allows parents with more than one minor child to calculate child support amounts 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, child support payment “steps-down” to the amount calculated for two children, rather than three.
 - Please note that you are not required to include step-down child support obligations. You may choose to reserve the issue for some time in the future.
 - If you choose to include a step-down, you will need to complete the Calculator for each step-down child support obligation.
 - If you have more than three minor children, you may use an additional sheet to complete Paragraph 19(e) for more than three children.
 - Put a checkmark (✓) in the box at the end of Paragraph 19(e).
 - Type or write “Settlement Agreement Paragraph 19(e)” on the top of the additional sheet(s).
- Paragraph 19(f): Read carefully. You do not need to fill out anything for Paragraph 19(f).
- Paragraph 19(g): Read carefully. You do not need to fill out anything for Paragraph 19(g).

- Paragraph 19(h): Read carefully. You do not need to fill out anything for Paragraph 19(h).

Paragraph 20: Complete all 2 parts of Paragraph 20.

- Paragraph 20(a): Read carefully. If existing coverage applies to your situation, put a checkmark (✓) next to “Existing Coverage” and a checkmark (✓) next to either Plaintiff or Defendant.
- Paragraph 19(h): Read carefully. Fill in the details.

Paragraph 21: Fill in the details of your agreement for childcare costs.

Paragraph 22: Put a checkmark (✓) next to the option to which both parents agree. If the option requires details, fill in the details. DO NOT checkmark more than one option.

Paragraph 23: Read carefully. You do not need to fill out anything for Paragraph 23.

Paragraph 24: Read carefully. You do not need to fill out anything for Paragraph 24.

Paragraph 25: Read carefully. You do not need to fill out anything for Paragraph 25.

Paragraph 26: Read carefully. You do not need to fill out anything for Paragraph 26.

Paragraph 27: Read carefully. You do not need to fill out anything for Paragraph 27.

Date and Signature: DO NOT SIGN AND DATE THIS DOCUMENT UNTIL YOU ARE IN THE PRESENCE OF A NOTARY PUBLIC OR CLERK OF COURT.

Do not include these instruction sheets when you serve or file the completed form.

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DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

INSTRUCTIONS FOR FORM 4: CONFIDENTIAL INFORMATION FORM

(Form 4: Confidential Information Form is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Confidential Information Form.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

THE PLAINTIFF AND DEFENDANT WORK TOGETHER TO COMPLETE FORM.

Form 4: Confidential Information Form gives the court the confidential information that cannot be included in any other forms filed in the case. This form remains confidential and is not a public record.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Plaintiff, Defendant and Minor Child(ren) Information:

- **Full Information Column**

Fill in the full, legal names, birth dates and social security numbers of the Plaintiff, Defendant and each minor child listed in Paragraph 5 of *Form 2: Complaint*.

If a minor child does not have a social security number, type or write "N/A."

If you have more than three minor children together, attach a sheet that lists the information for each additional child.

- **Redacted Information Column**

Fill in the information as it appears in the documents that will be seen by the public.

Date and Signature:

Sign and date the completed form.

Do not include this instruction sheet when you serve or file the completed form.

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**DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN
AGREEMENT ON ALL ISSUES**

INSTRUCTIONS FOR FORM 5: ADMISSION OF SERVICE

*(Form 5: Admission of Service is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Admission of Service.)*

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

THE PLAINTIFF COMPLETES THIS FORM. THE DEFENDANT SIGNS AND DATES THIS FORM.

Top of Form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Date and Signature: See Step Four of the Instructions for the forms packet.

Do not include this instruction sheet when you serve or file the completed form.

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DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN AGREEMENT ON ALL ISSUES

INSTRUCTIONS FOR FORM 6: AFFIDAVIT OF PROOF FOR STIPULATED JUDGMENT

(Form 6: Affidavit of Proof for Stipulated Judgment is part of the Determining Parenting Rights and Responsibilities With an Agreement on All Issues packet of forms. Review the instructions for the packet of forms before completing the Affidavit of Proof for Stipulated Judgment.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include these instruction sheets when you serve or file the completed form.

THE PLAINTIFF COMPLETES AND SIGNS THIS FORM.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

First Sentence: Fill in your (the Plaintiff's) full, legal name.

Paragraph 1: Read carefully. You, the Plaintiff, do not need to fill out anything for Paragraph 1.

Paragraph 2: Put a checkmark (✓) next to the option that is true for you, the Plaintiff.

Paragraph 3: Put a checkmark (✓) next to the option that is true for the Defendant.

Paragraph 4: Put a checkmark (✓) next to the statement that is true for your situation. If neither statement is true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- Complete the option you checkmarked.

Paragraph 5: Put a checkmark (✓) next to the statement that is true for your situation. If neither statement is true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

- See the instructions for the packet of forms for the definitions of deployed or deploying parent.

Paragraph 6: Read carefully. You do not need to fill out anything for Paragraph 6. If this statement is not true, you may not use this form or the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms.

Paragraph 7: Fill in the initials and year of birth each minor child of you and the Defendant.

- If you have more than three minor children together, type or write the initials and year of birth of each additional child in the blank space available in Paragraph 7.

Paragraph 8: Read carefully. You do not need to fill out anything for Paragraph 8.

Paragraph 9: Read carefully. You do not need to fill out anything for Paragraph 9.

Date and Signature: Do not date or sign until you, the Plaintiff, are in the presence of a Notary Public or a Clerk of Court. Make sure to bring identification to show to the Notary Public or Clerk of Court.

Do not include these instruction sheets when you serve or file the completed form.

**DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN
AGREEMENT ON ALL ISSUES**

**INSTRUCTIONS FOR FORM 7: FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER FOR JUDGMENT**

(Form 7: Findings of Fact, Conclusions of Law and Order for Judgment is part of the Determining Parenting Rights and Responsibilities With an Agreement on All Issues packet of forms. Review the instructions for the packet of forms before completing the Findings of Fact, Conclusions of Law and Order for Judgment.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

To complete this form you will need the original or a copy of your completed Form 3: Settlement Agreement.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Introductory Paragraph: **DO NOT** fill in any information. If the Court uses this form, the Judge or Referee assigned to your action will fill in the information in the introductory paragraph.

FINDINGS OF FACT: PARAGRAPHS 1 – 12

To complete this section of the form, you will need to refer to the completed “Agreement as to Facts” section of your completed *Form 3: Settlement Agreement*.

Copy the information **EXACTLY** from each paragraph of the “Agreement as to Facts” section of your completed *Form 3: Settlement Agreement* into the corresponding paragraphs of the “Findings of Fact.”

CONCLUSIONS OF LAW: PARAGRAPHS 1 – 22

To complete this section of the form, you will need to refer to the completed “Stipulated Terms For Judgment” section of your completed *Form 3: Settlement Agreement*.

Copy the information **EXACTLY** from each paragraph of the “Stipulated Terms For Judgment” section of your completed *Form 3: Settlement Agreement* into the corresponding paragraphs of the “Conclusions of Law.”

ORDER FOR JUDGMENT

Leave this section blank. If the Court uses this form, the Judge or Referee assigned to your action will fill in the information.

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**DETERMINING PARENTING RIGHTS AND RESPONSIBILITIES WITH AN
AGREEMENT ON ALL ISSUES**

INSTRUCTIONS FOR FORM 8: JUDGMENT

*(Form 8: Judgment is part of the *Determining Parenting Rights and Responsibilities With an Agreement on All Issues* packet of forms. Review the instructions for the packet of forms before completing the Judgment.)*

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

To complete this form you will need the original or a copy of your completed Form 3: Settlement Agreement.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Introductory Paragraph: **DO NOT** fill in any information. If the Court uses this form, the Clerk of Court will fill in the information in the introductory paragraph.

IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS FOLLOWS: PARAGRAPHS 1 – 22

To complete this section of the form, you will need to refer to the completed “Stipulated Terms For Judgment” section of your completed *Form 3: Settlement Agreement*.

Copy the information **EXACTLY** from each paragraph of the “Stipulated Terms For Judgment” section of your completed *Form 3: Settlement Agreement* into the corresponding paragraphs of *Form 8: Judgment*.

FINAL PARAGRAPH

Leave this section blank. If the Court uses this form, the Clerk of Court will fill in the information.

Do not include this instruction sheet when you serve or file the completed form.

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