

Instructions For Caption And Signature Juvenile Court Verified Petition Form

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ND Legal Self Help forms **aren't** official 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.

Note: Petitions filed in Juvenile Court that **aren't** filed by a state's attorney **must** be reviewed and approved by the Juvenile Court Director, the Juvenile Court, or other person authorized by the Juvenile Court. The Petition **must** be in the best interest of the child **and** the public.

Petition to Start a Juvenile Court Action, or Case

Petitions that are filed to start a North Dakota Juvenile Court action, or case, must meet certain formatting and signature requirements.

If you decide to start a case in Juvenile Court, you may find this General-Use caption and signature verified petition template of interest as a starting point for creating your own legal document to start a Juvenile Court case.

Laws and Rules Related to Juvenile Court Actions, or Cases

Following are legal research starting points related to starting a Juvenile Court case. You need to conduct additional legal research into your legal issue.

Chapters [27-20.1](#), [27-20.2](#), [27-20.3](#), and [27-20.4](#) of the North Dakota Century Code contain laws that apply in Juvenile Court cases.

The [North Dakota Rules of Juvenile Procedure](#) apply in all juvenile court cases.

- [Rule 3 of the North Dakota Rules of Juvenile Procedure](#) applies to the content of Petitions, including parties.

The [North Dakota Rules of Evidence](#) apply in juvenile court cases, unless an exception applies from [Rule 1101](#) of the North Dakota Rules of Evidence.

See also, the [North Dakota Rules of Civil Procedure](#) and the [North Dakota Rules of Court](#). These rules may be used to fill in gaps in Juvenile Court process that Chapters 27-20.1, 27-20.2, 27-20.3, and 27-20.4 and the North Dakota Rules of Juvenile Procedure don't cover.

Definition of a "Child" for Juvenile Court Actions, or Cases

The child who is the focus of the Juvenile Court case must be **either**:

1. Unmarried and under the age of 18; **or**
2. Under the age of 20 and committed the delinquent act while under the age of 18 and unmarried.

Only Certain Types of Actions, or Cases, can be Brought in Juvenile Court

Child in need of protection: A child in need of protection is a child who is "without proper parental care or control necessary for the child's physical, mental or emotional health, or morals, and the need for protection isn't due primarily to the lack of financial means of the child's parents, guardian or other custodian."

Child in need of services (unruly): A child in need of services is a child who has committed an offense that only applies to a child, such as truancy, consuming or possessing alcohol, disobedience of parental commands, or using tobacco, and is in need of treatment or rehabilitation.

Delinquent child: A delinquent child is a child who has committed an act that's considered a crime and is in need of treatment or rehabilitation.

Guardianship: A guardianship of a minor child is a juvenile court process where a judge or judicial referee appoints a guardian to act in the place of a parent of the minor child. A legal relationship is created between the guardian and the minor child, allowing the guardian to care for and make decisions on behalf of the minor child.

Termination of Parental Rights: An order terminating parental rights of a parent terminates all the parent's rights and obligations with respect to the child and of the child to or through the parent arising from the parental relationship.

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This form isn't a fillable form. To create your legal document using this form, you have at least two options:

Option One: Print this form on 8 ½" x 11" paper and hand-write your legal document. Your hand-writing must be easily readable. Black ink is preferred.

Option Two: Copy and paste the Caption and Signature sections into a word processing program, for example, Microsoft Word, WordPerfect, Google Docs, or OpenOffice. Use this form and these instructions as your guide to format your legal document.

Caption (top of form):

- If you copied and pasted the Caption section into a word processing program, format your caption as close as you can to the Caption section of the form.
- Fill in the name of the County in North Dakota where the Juvenile Court case will be filed.
- Fill in the name of the Judicial District in North Dakota where the Juvenile Court will be filed. (The County is within the Judicial District.) County and Judicial District information and maps are available at ndcourts.gov/court-locations.
- Fill in the full, legal name of the minor child and the minor child's **full** date of birth.
- Fill in the full, legal name of the Parties. The Parties that must be listed include the following:
 - The Petitioner;
 - The child;
 - The child's parents;
 - The child's guardian(s) (*if any*);
 - The child's custodian(s) (*if any*); and
 - Any person the Juvenile Court allowed to intervene in the case (if any).
- Leave the case number blank. Before a case number is assigned, the Petition will require review and approval for filing.
- Fill in the title of the document. For example, Petition for Child in Need of Protection.

Write/Type Your Juvenile Court Petition:

- Fill in your full, legal name as the Petitioner on line 1.

- Review [Rule 3 of the North Dakota Rules of Juvenile Procedure](#) regarding the information you must include in your Petition.
- Write or type your Juvenile Court Petition in your own words.
- If you need to add additional pages, write or type on one side of the additional page **only**. Add the additional page or pages between the Caption page and the Signature page.

Paragraph Numbering:

- Each paragraph of your written or typed Juvenile Court Petition must be numbered.

Signature:

- The date and signature are at the end of your Juvenile Court Petition.
- If you copied and pasted the Signature section into a word processing program, format the signature section as close as you can to the Signature section of the form.
- You, the self-represented Petitioner, date and sign the document.

Warning: By signing your name you're telling the Juvenile 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 Juvenile Court, or if you're serving or filing this document for an improper purpose, the Juvenile Court could find you in contempt or you may be prosecuted for perjury.

- Fill in your printed name, address, telephone number, and email address.

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.

Verification:

Petitions to start a Juvenile Court case **must** be verified.

- Fill in the full legal name of the Petitioner.
- Fill in the title of the Petition.
- You, the self-represented Petitioner, sign and date the verification.

Approval of Petition

Don't date or sign. If your Petition is approved, the Juvenile Director or their Designee dates and signs this section.

Order

Don't fill in this section or date and sign. If your Petition is approved, the Juvenile Court Judge or Judicial Referee sets the hearing for a date and the date is filled in. The Juvenile Court Judge also dates and signs the Order.

Page Numbering:

The pages of documents prepared for the Juvenile Court Petition must be numbered.

- Number each page of the document. Page 1 is the Caption page.
- The last page of the document is the approval of petition page.

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****The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in North Dakota state courts. Information provided by the Center isn't intended for legal advice but only a general guide to the civil court process. The Center can't guarantee that all judges and courts will accept forms available through the Center. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice of a lawyer licensed to practice in North Dakota. **Use at your own risk.******

State Of North Dakota

In Juvenile Court

County Of _____

_____ Judicial District

In The Interest Of _____, DOB _____, A Child.

_____)
_____)
_____)
_____)
_____)

Case No. _____

1. I, _____ (Petitioner's name), am the
Petitioner in this Juvenile Court case.

2.

Dated _____.

(Signature of Petitioner)

(Printed Name of Petitioner)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)

Verification

I, _____ (Petitioner's name),
verify that I am the Petitioner in the above-entitled action; and I declare, under penalty of
perjury under the law of North Dakota, that I have read the Petition for
_____ and know the contents and that everything I stated in the
Petition is true and correct.

Signed on _____ (Date), in _____ (City),
_____ (County), _____ (State), _____ (Country).

(Signature of Petitioner)

(Printed Name of Petitioner)

Approval Of Petition

Under NDCC §§ 27-20.1-07, 27-20.2-05, 27-20.3-12, or 27-20.4-12, I hereby certify that I have received and examined the Petition and determined that the filing of the Petition is in the best interests of the public and the child.

Dated _____

Juvenile Director/Designee

Order

Upon reading the Petition, it is hereby Ordered, that the Petition be filed and a Summons issue directing the Parties to appear before this Court on _____, or as soon thereafter as the parties can be heard, for hearing on the Petition, and if personal service of the Summons on any Party is impractical or impossible, the Summons may be served by registered or certified mail with return receipt requested to the last reasonably ascertainable address of that Party, or by publication, as may be convenient.

Dated _____

Juvenile Court Judge/Judicial Referee