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5 **IN THE CHEHALIS TRIBAL COURT**
6 **CHEHALIS INDIAN RESERVATION**
7 **OAKVILLE, WASHINGTON**

8 _____,) Case No.: CHE-CIV-____ / ____ - _____
9 Petitioner,)
10 vs.) PETITION TO MODIFY PARENTING
11 _____,) PLAN, VISITATION SCHEDULE AND
12 Respondent,) CHILD SUPPORT ORDER
13 _____,)
14) This Petition is to modify an order issued by the
15) Chehalis Tribal Court
16) This is an emergency Petition to modify an order
17) issued by a court other than the Chehalis Tribal
18) Court

19 COMES NOW (*enter your name*) _____ (Petitioner) and
20 requests the Court to modify the Parenting Plan, Visitation Schedule, and/or Child Support Order
21 entered on _____, 20____ in the above-entitled matter.

22 **I. Parties**

23 1.1 Petitioner is the child(ren)'s: mother; father; other: _____

24 Petitioner's Name: _____

25 Birth date and Birthplace: _____

26 Current Address: _____

27 Tribal Affiliation and Status: _____

28 1.2 Respondent is the child(ren)'s: mother; father; other: _____

Respondent Name: _____

Birth date and Birthplace: _____

Current Address: _____

Tribal Affiliation and Status: _____

1 1.3 Dependent Children:

2 1.3.1 Child's Name: _____

3 Birth date and Birthplace: _____

4 Current Address: _____

5 Tribal Affiliation and Status: _____

6 1.3.2 Child's Name: _____

7 Birth date and Birthplace: _____

8 Current Address: _____

9 Tribal Affiliation and Status: _____

10 1.3.3 Child's Name: _____

11 Birth date and Birthplace: _____

12 Current Address: _____

13 Tribal Affiliation and Status: _____

14 1.3.4 Child's Name: _____

15 Birth date and Birthplace: _____

16 Current Address: _____

17 Tribal Affiliation and Status: _____

18 1.3.5 Child's Name: _____

19 Birth date and Birthplace: _____

20 Current Address: _____

21 Tribal Affiliation and Status: _____

22 **II. Jurisdiction**

23 *(Check the one box that applies)*

24 2.1 This Court has exclusive continuing jurisdiction because the Court has previously
25 issued a parenting plan, residential/visitation schedule, and/or child support order in this
26 matter and retains jurisdiction over this matter.

1 2.2 The order to be modified was issued by the following State or Tribe: _____

2 Petitioner alleges that there is an emergency which requires this Court to enter an order
3 modifying that order on a temporary basis.

4 2.3 Other: _____

5 _____
6 _____

7 **III. Argument and Request for Modification**

8 *(Check the box for each part of the Order you would like the Court to modify and provide*
9 *supporting arguments and information as needed)*

10 I request that the Court modify the existing Parenting Plan, Visitation Schedule, and/or Child
11 Support Order for the reasons stated herein, and as described in the attached proposed Parenting
12 Plan, Visitation Schedule, and/or Child Support Order. *(Complete all sections that apply).*

12 **3.1 Child Custody**

13 No modification of child custody is requested. *(Go to Section 3.2)*

14 3.1.1 Under the existing Parenting Plan, Visitation Schedule, and/or Child Support
15 Order, the following person(s) have custody of the children named herein: _____

16 _____
17 _____

18 3.1.2 The following person(s) also have physical custody of or claim to have custody or
19 visitation rights to the children: _____

20 _____
21 _____

22 3.1.3 I know of no person(s) other than those named herein who have physical custody
23 of or claim to have custody or visitation rights to the child(ren).

24 3.1.4 I request the Court to modify the existing order regarding child custody as
25 described below because *(check all that apply)*:

26 A substantial change has occurred in the circumstances of the child(ren) or the
27 other party, and modification is necessary to serve the best interests of the
28 child(ren);

The parties to this Petition agree to the modification;

The child(ren) have been integrated into my family with the consent of the
other party in substantial deviation from the current Parenting Plan;

1 The child(ren)'s environment under the existing Parenting Plan is detrimental
2 to their physical, mental, or emotional health, and the harm likely to be caused
3 by a change in environment is outweighed by the advantage of such a change.

4 Other reasons as described below.

5 *(Inform the Court of the changed circumstances on which the request is based,
6 and explain to the Court why a custody modification is necessary, any laws that
7 you believe require or allow a modification, and how you would like the existing
8 Order to be modified)*

9 _____
10 _____
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12 **3.2 Visitation/Residential Schedule**

13 No modification of the visitation/residential schedule is requested (*Go to Section 3.3*)

14 3.2.1 I request the Court to modify the existing Visitation/Residential Schedule
15 because (*check all that apply*):

16 The residential time of the: Petitioner; Respondent; is subject to
17 limitations. This parent wishes to demonstrate to the Court that there has been
18 a substantial change in circumstances specifically related to the basis for these
19 limitation as described below.

20 The: Petitioner; Respondent; is required by the existing
21 Visitation/Residential Schedule to complete evaluations, treatment, or
22 parenting or other classes. This parent has fully complied with such
23 requirements as described below.

24 Other reasons as described below

25 *(Inform the Court of the changed circumstances on which the request is based,
26 and explain to the Court why a modified order is necessary, any laws that you
27 believe require or allow a modification, and how you would like the existing
28 Visitation/Residential Schedule to be modified):*

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3.3 Non-residential Provisions

No modification of non-residential provisions is requested. (*Go to Section 3.4*)

3.3.1 I request that the following non-residential provisions of the Parenting Plan should be modified because there is a substantial change of circumstances of either party or of the child(ren) and because the modification is in the best interests of the child(ren) (*check all that apply*):

- Dispute resolution
- Decision making
- Transportation arrangements
- Other: _____

(Inform the Court of the changed circumstances on which the request is based, and explain to the Court why a modified order is necessary, any laws that you believe require or allow a modification, and how you would like the existing Non-residential Provisions to be modified):

3.4 Child Support

No modification of child support is requested (*Go to Section 4*)

I request the Court to modify the existing Child Support Order as follows because there has been a substantial change of circumstances and for the following other reason(s), as provided herein (*Inform the Court of the changed circumstances on which the requested is based, and explain to the Court why a modified order is necessary, any laws that you believe require or allow a modification, and how you would like the existing Child Support to be modified*):

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IV. Protection Order

(Check the box that applies)

- There is no protection order between the parties, and I am not requesting a protection order *(Go to Section 5)*.
- There is a protection order between the parties filed under Case Number _____ in the following court: This protection order expires on *(date)*:
- I request the Court to grant my request for a new protection order. This request is:
 - Attached to this Petition
 - Filed separately under the following case number: _____

If you need immediate protection, ask the Court Clerk for Domestic Violence forms.

V. Other Modifications

I request other modifications to the Parenting Plan, Visitation Schedule, and Custody Order as described below, for the reasons described below:
(Inform the Court of the facts on which the request is based, and explain to the Court why a modification is necessary, any laws that you believe require or allow a modification, and the modification(s) you are requesting):

VI. Relief Requested

I request that the Court find that there is adequate cause for hearing this Petition and to enter an order modifying the Parenting Plan, Visitation Schedule, and Child Support Order in this matter and approving the proposed Parenting Plan which is filed with this Petition.

- I also request that the Court:

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- I waive notice of entry of the decree
- I demand notice of all further proceedings in this matter. Further notice should be sent to the address listed below.

Signature of the Respondent: _____

Print Name: _____

Date: _____

Full Address: _____

STATE OF _____)
COUNTY OF _____) ss

SIGNED AND SWORN to before me by RESPONDENT (*name*) _____
on _____, 20_____.

NOTARY PUBLIC in and for the State of _____,
residing at _____
My Commission expires _____

OR

CHEHALIS TRIBAL COURT CLERK