

Please read directions completely

\$62.00 filing fee:
Cash, certified check, money order, debit or
credit cards (add: \$4.95 for cards), personal
checks payable to the Clerk of the District Court

Pro Se Motion to Modify Parenting Plan

Do not use this form for change of custody. Return forms to the Help Center to File.

1. Fill out completely: Typed or printed legibly.

- A. Motion
- B. Proposed Parenting Plan
- C. Notice of Hearing (If applicable)
- D. Certificate of Service and Mailing, one for each party to be served (opposing party and attorney of record)

2. Mediation or Conciliation Required: Unless waived by the court or on a motion to modify an ex parte temporary order (which is required by K.S.A. 23-2707(b) or 23-3219(b) to be heard within 14 days), any disputes concerning the legal custody of a child, parenting time, or visitation arising from a motion to modify a pre-existing parenting plan, mediation or conciliation must be attended before a hearing date will be provided. A fee will be assessed for mediation. Please contact the clerk for a court Order for Mediation. There is not one provided in this packet.

3. Hearing date and time: After completing the forms, please contact the Johnson County Courthouse, 1st floor, "Help Center" to obtain a hearing date and time. If there is an attorney of record on either side, a hearing date may not be able to be obtain. It will be your responsibility to email the attorneys and the court's Administrative Assistant for a hearing date after filing.

4. Mail a copy of the documents to the other party: The preferred method of service is to mail the documents to the opposing party and or their attorney, at their last known address whether they reside in this state or another. Service must be completed at least five (5) days prior to hearing date (excluding weekends and holidays), so documents must be mailed no later than eight (8) days prior to the hearing.

Clerk of the District Court is open Monday-Friday, 8:00-5:00

Last completed filing taken at 4:30

Mailing:

Johnson County Courthouse, Attn: Self-Help Center

150 W Santa Fe Street, Olathe KS 66061

Phone:913-715-3385

Fax:913-715-3401

Email:DCC-Helpcenter@jocogov.org

Service Methods:

1. **Service by US Mail**-Postage pre-paid, to opposing parties at last known address by the undersigned pro se litigant.

2. **Certified mail service by the undersigned Pro Se Litigant** - Return of service for Certified Mail Form, must be filed with the Clerk of the Court after green card is returned and before court date.

3. **Hand Delivery** – A) At the person's office with a clerk or other person in charge, or, if no one is in charge, in a conspicuous place in the office; or
(B) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there

4. **Fax** - sending it by tele facsimile communication, in which event service is complete upon receipt of a confirmation generated by the transmitting machine

In the Matter of

And

Case No.

Court No.

VERIFIED MOTION TO MODIFY PARENTING TIME

I request that the Court modify parenting time in this case because:

1. The last parenting time order was filed on _____ . Our current parenting schedule is:

2. I ask that the court adopt the proposed parenting plan I am filing with this motion.

3. The parenting plan should change because:

4. My proposed parenting plan is in the best interests of the child(ren) because:

5. To the best of my knowledge the name, current address and telephone number of the other parent is: _____.

(If you do not know the current address and telephone number, leave this blank.)

6. The other parent _____ on active duty with the United States Military.

I ask the Court to modify parenting time and any other relief appropriate. I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Signed on .

Filing Party Signature

Name:

Address:

City, State, Zip:

Telephone Number:

Email:

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

In the Matter of:

and

Case No. _____
Division _____
Chapter _____

PROPOSED PARENTING PLAN

_____ proposes the following Parenting Plan for the minor child(ren).

Section I. General Information

This parenting plan applies to the following children:

<u>Full Name of Child</u>	<u>Gender</u>	<u>Birth Date (Mo/Yr) and Age</u>
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____

Section II. Legal Custody (Decision-Making)

A. **Joint Legal Custody.** Mother and Father shall have joint legal custody of their minor child(ren).

“Joint legal custody” means that both parents have equal rights to participate in, contribute to, and have responsibility for the major life decisions concerning the child(ren) including matters of health and education. Neither parent’s rights are superior to the other parent’s rights, and they should cooperate to determine what is in their child(ren)’s best interests.

B. **Sole Legal Custody.** Joint legal custody is not in the child(ren)’s best interests. “Sole legal custody” means that the parent granted sole legal custody has the primary right to decide matters of health and education in the child(ren)'s best interests. The parent not granted sole legal custody may make emergency decisions affecting the child(ren)’s health or safety when the child(ren) are in that parent's physical care and control. The grant of sole legal custody to one

parent does not deprive the other parent of access to information, including school and medical records, regarding the child(ren) unless the court specifically orders otherwise.

1. Sole legal custody is granted to Mother Father by Agreement of the parents.

2. Restriction of Information Regarding the Child(ren) to Non Legal Custodian.

The Mother Father shall have no access to the child(ren)'s health, educational and other personal information because of the following specific reasons:

Section III. Parenting Time Schedule.

This parenting schedule shall begin on:

The children will be with Mother (select one):

at all times not with Father

at the following times (describe the time the children usually spend with Mother stating the day and time each period of parenting tie begins and ends in the normal week):the days and times

Mother and Father will share time with the children on the following schedule:

The children will be with Father (select one):

at all times not with Mother

at the following times (describe the time the children usually spend with Father stating the day and time each period of parenting tie begins and ends in the normal week):the days and times

Mother and Father will share time with the children on the following schedule:

Holiday Parenting Schedule:

- Per attached schedule
- According to parents' regular parenting time schedule
- Other (specify holidays and times):

Parenting time/exchange restrictions (specifically list restriction, i.e. supervision, location, parties, etc.):

Section IV. Dispute Resolution Process

Disputes between the parents, other than about child support, shall be submitted to:

- Mediation by: Johnson County Court Services Other:
- The following dispute resolution method:

Section V. Other Provisions

Additional provisions which the proposing party asks the court to include:

Parenting Plan Proposed By:

Signature: _____

Name: _____

Address: _____

City, State, ZIP: _____

Telephone: _____

Email: _____

Date Signed: _____

Holiday Parenting Plan:

(A) Spring Break. Select One.

The child will be with each parent during one-half of the Spring Break. The parent normally having the child during the first weekend of Spring Break shall have the child the first half of Spring Break.

The parents will alternate the weeks of Spring Break with Mother in even-numbered years and with Father in odd-numbered years;

(B) Mother's Day. The child shall spend Mother's Day from 9:00 a.m. until 8:00 p.m. or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care) with the child's mother;

(C) Memorial Day. The child shall spend the Memorial Day weekend from Friday immediately after school, after daycare or 5:00 p.m. until Monday at 8:00 p.m. or until school, day care or 8:00 a.m. Tuesday (if the child is not in school or day care) with Mother in even numbered years and with Father during in odd-numbered years;

(D) Father's Day. The child shall spend Father's Day from 9:00 a.m. until 8:00 p.m. or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care) with the child's father;

(E) Fourth of July. The child shall spend the Fourth of July holiday from after school, after daycare or 5:00 p.m. on July 3 until 8:00 p.m. on July 5 with Mother in even-numbered years and with Father in odd-numbered years;

(F) Labor Day. The child shall spend Labor Day weekend from Friday immediately after school, after daycare or 5:00 p.m. until Monday at 8:00 p.m. or until school, day care or 8:00 a.m. Tuesday (if the child is not in school or day care) with Father in even-numbered years and with Mother in odd-numbered years;

(G) Halloween. Every effort should be made to share time between the parents every year. In the event the parents cannot agree, the child shall spend a minimum of three hours on Halloween evening with Mother during even-numbered years and with Father during odd numbered years;

(H) Thanksgiving. Select One:

From after school, after daycare or 5:00 p.m. until Friday evening at 5:00 p.m. with Father during even-numbered years and with Mother during odd-numbered years; The parent that does not have the holiday shall always have the weekend following Thanksgiving Day;

From after school, day care or 5:00 p.m. the day school is dismissed until 8:00 p.m. Sunday or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care);

(I) Winter Break. The child shall spend from after school, after daycare or 5:00 p.m. on the day that school is dismissed for vacation until 10:00 p.m. on December 24 with Father during even-numbered years and with Mother during odd-numbered years. The child shall spend from 10:00 p.m. on December 24 until 8:00 p.m. on December 30 with Mother during even-numbered years and with Father during odd-numbered years;

(J) New Year's Eve and New Year's Day. The child shall spend from December 30 at 8:00 p.m. until 8:00 p.m. on the evening before school resumes or until the beginning of school, day care or 8:00 a.m. on the day school commences with Father during even-numbered years and with Mother during odd-numbered years;

(K) Religious Holidays. Select one or none depending upon the appropriate circumstances for the family:

Christian Religious Holidays:

(I) **Easter Sunday.** The child shall spend Easter Sunday (from Saturday night at 5:00 p.m. until Sunday at 8:00 p.m. or until school, day care or 8:00 a.m. Monday

(if the child is not in school or day care)) with Father during even numbered years and with Mother during odd-numbered years.

(ii) **Christmas**. The Christmas Eve and Christmas Day schedule is reflected in the Winter Break schedule set forth above.

□ **Jewish Religious Holidays**. The following holiday schedule may be followed for families of Jewish faith. Unless otherwise stated the holiday should be considered to begin the evening before the holiday and end the evening of the holiday:

(I) **Purim**. The child shall spend Purim with Mother during even-numbered years and with Father during odd-numbered years.

(ii) **Rosh Hashanah**. The child shall spend Rosh Hashanah with Father during even-numbered years and with Mother during odd-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(iii) **Yom Kippur**. The child shall spend Yom Kippur with Mother during even numbered years and with Father during odd-numbered years.

(iv) **Alternate Nights of Hanukkah**. The child shall spend alternate nights of Hanukkah beginning with the first night, with Father having the first night during even-numbered years and with Mother having the First Night during odd numbered years.

(v) **The First Night of Passover**. The child shall spend the first night of Passover with Father during odd-numbered years and with Mother during even numbered years. The holiday time shall end before the beginning of the second night.

(vi) **The Second Night of Passover**. The child shall spend the second night of Passover with Mother during odd-numbered years and with Father

during even numbered years. The holiday time shall end at the conclusion of the second day.

(vii) Simhat Torah. The child shall spend the first day(s) of Simhat Torah with Father during odd-numbered years and Mother during even-numbered years. The child shall spend the final day(s) of Simhat Torah with Mother during odd numbered years and Father during even-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(viii) Sukkot. The child shall spend the first day(s) of Sukkot with Father during even-numbered years and Mother during odd-numbered years. The child shall spend the final day(s) of Sukkot with Mother during even-numbered years and Father during odd-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(ix) Shavuot. The child shall spend the holiday with Father during odd numbered years and with Mother during even-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

Islamic Religious Holidays. The following holiday schedule may be followed for families of Muslim faith:

(i) Eid al-Fitr. The child shall spend this holiday celebration with Mother during even-numbered years and Father during odd-numbered years.

(ii) Eid al-Hadr. The child shall spend this holiday celebration with Mother during odd-numbered years and Father during even-numbered years.

Other Religious Holidays. Religious holidays or celebrations other than those referenced above will be shared as follows:

- (L) Parent's Birthday.** The child should spend part of the day with the respective parent on that parent's birthday;
- (M) Child's Birthday.** The child shall spend the child's birthday with Father during even numbered years and with Mother during odd-numbered years. During such years, the child shall spend the day before or the day after the child's birthday with the other paren. If there is more than one child the parties shall alternate the children's birthdays so that each parent has one or more of the children each year;
- (N) Conflict between Weekend and Holiday Parenting Time.** Whenever there is a conflict between weekend and holiday parenting time, the holiday parenting time shall apply. The parents are encouraged to compensate for missed weekends so that a parent will not go more than two weekends without having weekend parenting time;
- (O) Conflict between Holiday Parenting Time and Birthday Celebrations.** When there is a conflict between birthday and holiday time, the holiday schedule shall apply. However, the parents should be flexible in allowing the birthday to be celebrated either the weekend before or the weekend after the holiday period.

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

In the Matter of

And

Case No.

Court No.

NOTICE OF HEARING

The court will hold a hearing on the _____
on _____ at _____ in Division _____
at the Johnson County Courthouse, 150 W Santa Fe Street, Olathe KS 66061

Name:
Address:
City, State, Zip:
Telephone Number:
Email:

CERTIFICATE OF SERVICE AND MAILING

I certify that on _____, I sent a true copy of this notice to:

Name: _____

Address: _____

City, State, Zip Code: _____

Email: _____

Name: _____

Address: _____

City, State, Zip Code: _____

Email: _____

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

Petitioner
vs

Respondent

Case No.
Court No.

CERTIFICATE OF SERVICE AND MAILING

On _____ a true copy of: _____
was sent to the below listed parties by US prepaid postal mail and in addition to electronic
delivery of email to the following addresses:

Name: _____
Address: _____
City, State, Zip Code: _____
Email: _____

Name: _____
Address: _____
City, State, Zip Code: _____
Email: _____

Name: _____
Address: _____
City, State, Zip Code: _____
Email: _____

Filing Party's Signature or Digital Signature
Name: _____
Address: _____
City, State, Zip Code: _____
Email: _____