

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
FAMILY COURT  
Domestic Relations Branch**

\_\_\_\_\_  
PRINT PLAINTIFF'S NAME

\_\_\_\_\_ DRB \_\_\_\_\_

PLAINTIFF,

JUDGE: \_\_\_\_\_

v.

\_\_\_\_\_  
PRINT DEFENDANT'S NAME

\_\_\_\_\_  
PRINT DEFENDANT/INTERVENOR'S NAME

DEFENDANT,

DEFENDANT/INTERVENOR.

**MOTION TO MODIFY  ACCESS TO CHILDREN  CUSTODY**  
(For Use in Custody Cases Involving a Third Party)

**This Motion is being filed with the consent of the**  PLAINTIFF  
 DEFENDANT  
 INTERVENOR.

I, \_\_\_\_\_, am the  PLAINTIFF  DEFENDANT  INTERVENOR in this case.  
PRINT YOUR NAME

**1. A custody order and/or visitation order was previously entered in this case on**

\_\_\_\_\_  
DATE OF ORDER

**2. This Court is the proper place to decide this Motion because this Court entered the original custody and/or visitation order, AND: [CHECK ALL THAT APPLY]**

- The child(ren) still live(s) in the District of Columbia.
- At least one parent or person acting as a parent still lives in the District of Columbia.
- The child(ren) has/have a significant connection to the District of Columbia and there is sufficient information about the child(ren) available in the District.

**3. There has been a substantial and material change in circumstances since the time the existing order was established. The change in circumstances is:** [CHECK ONE]

- The child(ren) now live(s) with me.
- The child(ren) no longer live(s) with me.
- Other: [DESCRIBE THE CHANGE]

**4. Because of the substantial and material change in circumstances, the existing order should be changed. The new order should say:** [DESCRIBE THE CHANGE YOU ARE REQUESTING]

**5. The modification I am requesting is in the child(ren)'s best interests because:** [EXPLAIN WHY THE CHANGE YOU ARE REQUESTING IS BEST FOR THE CHILD(REN)]

## Request for Relief

**I RESPECTFULLY REQUEST that the Court:** [CHECK ALL THAT APPLY]

- Grant my request to modify visitation and/or custody.
- Enter an Order setting forth a revised visitation schedule and/or custodial arrangement that is in the best interests of the minor child(ren).

**I ALSO REQUEST that the Court award any other relief it considers fair and proper.**

I  Do  Do NOT request an oral hearing in front of the judge on this motion.

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I declare under penalty of perjury that the foregoing is true and correct.

*If this document is to be signed outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States, additional requirements must be met prior to signing. See Super. Ct. Dom. Rel. R. 2(c)(1)(B).*

\_\_\_\_\_  
SIGN YOUR NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT YOUR NAME

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
HOME ADDRESS 1

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
HOME ADDRESS 2

SUBSTITUTE ADDRESS: CHECK BOX IF YOU HAVE WRITTEN SOMEONE ELSE'S ADDRESS BECAUSE YOU FEAR HARASSMENT OR HARM.

**POINTS AND AUTHORITIES IN SUPPORT OF MOTION  
TO MODIFY CUSTODY OR VISTATION**

In support of this Motion, I refer to:

1. D.C. SCR-Dom. Rel.R. 7(b) (2009).
2. D.C. Code §§16-914, 16-914.01 and 16-4602.02 (2009).
3. D.C. Code §§ 16–831.02, 16–831.04 and 16–831.11 (2007).
4. The record in this case.
5. The attached supporting document(s), *if any*.

[LIST ANY DOCUMENTS THAT YOU ARE ATTACHING]

# Serving Domestic Relations Pleadings Filed During COVID-19

## What is “service”?

**Service** means giving a copy of court papers to the other party or parties in your case. You must serve the other party or parties with any motions, answers, or other papers (“pleadings”) you file in your Domestic Relations case.

This document tells you:

- How to figure out what type of service you have to do
- How to tell the Court that you served your papers to the other party
- How to find more information about service

## Are there different rules for service in different cases?

Yes. There are different rules for service depending on whether your case is **open** or **closed**.

If:	Then your case is <i>probably</i> :
The Court has not yet issued a final order	Open
The Court issued its final order <b>less than 60 days ago</b>	Open
The Court issued its final order <b>more than 60 days ago</b>	Closed

**Not sure if your case is open or closed?** Call the Family Court Self-Help Center at **202-879-0096**.

## My case is open. How do I serve somebody?

If your case is **open**, you must follow [Rule 5](#) of the Domestic Relations rules. Rule 5 says that you must serve the papers in one of these ways:



**Hand** the papers to the other party



Leave the papers at the other party’s home **with a person who lives there** and is at least 18 years old



Leave the papers at their **lawyer’s office**



Send it by **first-class mail** to party (or lawyer’s) last known address



Through the Court’s e-filing software, **CaseFileXpress**



Any other way, as long as the other party **agrees** in writing

***If the other party has a lawyer, you must serve their lawyer.***

## I served the papers in my open case. Now what?

Once you serve the papers on the other party, you must tell the court by completing two steps:

1. **Fill out a Rule 5 Proof of Service form.** You can find this form [here](#).
2. **File the form with the Court.** During the COVID-19 public health crisis, you can file the form by emailing it to [FamilyCourtCIC@dcsc.gov](mailto:FamilyCourtCIC@dcsc.gov).

## My case is closed. How do I serve somebody?

If your case is **closed** when you file your motion, the Court will send you a **summons** to serve on the other party or parties. You must follow [Rule 4](#) of the Domestic Relations rules. Rule 4 says that you must serve **both** the **summons** and your **motion** in one of the following ways:



Ask someone else (18 or older) to **hand** the papers to the other party (*you cannot do this yourself*)



Ask someone else (18 or older) to leave the papers at the other party's home **with a person who lives there** and is at least 18 years old (*you cannot do this yourself*)



Send the documents by **certified or registered mail** to the other party's last known address



During the COVID-19 pandemic, you can send these documents by **email** or **text**

You can find a more detailed version of these instructions [here](#).

## I served the papers in my new or closed case. Now what?

Once you serve the papers on the other party, you must tell the court by completing two steps:

1. **Fill out a Rule 4 affidavit.** The affidavit is different depending on **how** you served the papers.
  - a. If you served the other party by **text or email**, use the affidavit [here](#).
  - b. If you served the other party by **certified mail**, use the affidavit [here](#).
  - c. If someone else **handed** the papers to the other party or someone who lives with them, use the affidavit [here](#).
2. **File the affidavit with the Court.** During the COVID-19 public health crisis, you can file the affidavit form by emailing it to [FamilyCourtCIC@dcsc.gov](mailto:FamilyCourtCIC@dcsc.gov).

## How can I get help figuring out how to serve my papers?



If you need help, call the Family Court Self-Help Center at **202-879-0096**. The Family Court Self-Help Center can explain the process to you, help you complete the proper legal papers, and direct you to other free legal resources.

Visit [www.lawhelp.org/dc](http://www.lawhelp.org/dc) for more information, including how to contact free legal assistance organizations, or call the D.C. Bar Legal Information Helpline at 202-626-3499 to listen to recorded messages about this issue.