

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_)  
(Plaintiff) )  
PLAINTIFF, )  
Vs )  
\_\_\_\_\_)  
(Defendant) )  
DEFENDANT. )

Case No. \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF MOTION TO  
MODIFY PRIMARY RESIDENTIAL  
RESPONSIBILITY  
(Parties Agree to All Modifications)

STATE OF \_\_\_\_\_)  
COUNTY OF \_\_\_\_\_)SS  
(State and County where Affidavit is signed)

My name is, \_\_\_\_\_, and,

first being sworn, on my oath I state that:

1. I am the Plaintiff/Defendant (*choose one*) in the above-captioned civil case, which was an action for (*choose one*)

divorce.

legal separation.

establishing parenting rights and responsibilities.

establishing paternity.

other \_\_\_\_\_.

2. This motion to modify primary residential responsibility applies to the following child(ren) for whom residential responsibility was established in the above-captioned civil case (*list each child's initials and year of birth*): \_\_\_\_\_

\_\_\_\_\_

3. The final judgment in the above-captioned civil case was entered \_\_\_\_\_,  
\_\_\_\_\_ (date) and (choose one)

I was awarded primary residential responsibility.

\_\_\_\_\_ (name) was awarded primary residential responsibility.

Neither I, nor the other parent, was awarded primary residential responsibility.

4. The residential responsibility in the final judgment has/ has not (choose one) been modified. (If the final judgment has been modified, complete the following.)

The judgment was amended \_\_\_\_\_  
\_\_\_\_\_ (date(s) of amended judgment(s)). Currently, primary residential responsibility is awarded to \_\_\_\_\_ (name or neither parent).

5. The reasons for modifying primary residential responsibility are (explain in detail):

(Paragraph 5, Continued)

6. The Plaintiff/Defendant (*choose one*) and I have reached an agreement on modifying primary residential responsibility of the minor child(ren) (*list each child's initials and year of birth*): \_\_\_\_\_

and the stipulated agreement is filed with the Court.

7. The Plaintiff/Defendant (*choose one*) completed the child support calculations consistent with our agreed upon modification to primary residential responsibility and proof of income to verify the child support calculations is filed with the Court. The amendments to child support are in Paragraph(s) \_\_\_\_\_ of the stipulated agreement filed with the Court.

8. Considering the reasons for modifying primary residential responsibility, the Plaintiff/Defendant (*choose one*) and I believe it is a material change in circumstances and is in the best interests of the children for primary residential responsibility to be modified.

9. It is the desire and intent of Plaintiff/Defendant (*choose one*) and I that the terms of our stipulated agreement to modify primary residential responsibility be incorporated into the Court's Order for Amended Judgment, and Amended Judgment entered in this action.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

Signed and sworn to before me on \_\_\_\_\_, 20\_\_\_\_ by

\_\_\_\_\_  
(Notary Public or Clerk of Court)

If Notary, my commission expires: \_\_\_\_\_