

_____, Case No. _____
Plaintiff,

vs.

_____,
Defendant.

**ANSWER AND
COUNTERCLAIM
TO COMPLAINT FOR
MODIFICATION**

ANSWER

COMES NOW, _____, the plaintiff
(your full name)
defendant in the above-captioned matter, and for the Answer to the other
party's Complaint for Modification, hereby admits, denies, and alleges as follows:

1. Admits Paragraph(s) _____
of the Complaint. (paragraph number(s) with which you agree)
2. Denies Paragraph(s) _____
of the Complaint. (paragraph number(s) with which you disagree)

COUNTERCLAIM

I, _____, the plaintiff defendant in the
(your full name)
above-captioned action, without assistance of an attorney, hereby state and allege
as follows:

1. I live at _____,
(your street address: if confidential under Nebraska or Federal law, enter
county and state only and provide an alternative address for mailing of notice)
in _____.
(city, county, and state where you live)
2. The other party's address is _____,
(other party's street address)
in _____.
(city, county and state where other party lives)

3. The minor child(ren) has/have lived in the state of Nebraska for at least 6 months or since birth prior to the filing of the Complaint for Modification.
4. Neither I nor the other party is a member of the Armed Forces of the United States or its allies.
5. I am the biological parent of the following child(ren) whose custody and welfare will be affected by this proceeding. Their name(s) and year(s) of birth are:

_____ (name of child) _____ (child's year of birth)

_____ (name of child) _____ (child's year of birth)

_____ (name of child) _____ (child's year of birth)

_____ (name of child) _____ (child's year of birth)

6. I am _____ Both parents are fit and proper person(s) to have the care, custody, and control of our minor child(ren) subject to the other party's right of parenting time.
7. The following information is provided because of the requirements of the Uniform Child Custody Jurisdiction and Enforcement Act:
 - (a) For the last five years, the child(ren)'s addresses and the persons they have lived with are:

First line: DATES: ADDRESS:
 Second line: NAME and CURRENT ADDRESS OF PERSON(S)
 WITH WHOM THE CHILDREN HAVE LIVED:

(b) Check the box that applies:

I have not been a party or a witness in any other proceeding concerning the custody of or parenting time with the child(ren).

OR

I have been a party or a witness in another proceeding concerning the custody of or parenting time with the child(ren), as follows:

(name of court)

(case number)

(date of determination, if any)

(c) Check the box that applies:

I know of no other actions or proceedings that could affect this action. This includes actions or proceedings about domestic violence, protection orders, termination of parental rights, and adoptions.

OR

There is currently a proceeding which could affect this action.

(name of court)

(case number)

(date of determination, if any)

(d) Check the box that applies:

I do not know the names and addresses of any person(s) other than the other party and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren).

OR

The following is a list of the names and addresses of persons other than the other party and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren).

NAME:

ADDRESS:

8. _____ able to provide support for the child(ren).
("I am" or "The other party is")

9. Check the box that applies:

There are no existing restraining orders, protection orders, or criminal no-contact orders regarding either party.

OR

There are one or more existing restraining orders, protection orders, or criminal no-contact orders regarding one or more of the parties. Details are as follows:

(a) Type of order: restraining; protection;
 criminal no-contact.

(b) Name of court, case number, and date of order for each order:

(name of court, case number and date of each order)

10. A modified Parenting Plan has has not been developed.

11. Child custody is is not contested.

Parenting time is is not contested.

Child support is is not contested.

12. On _____ this court entered a decree of dissolution,
(date of the most recent decree or order that included a parenting plan)

order of modification OR order establishing paternity, a parenting plan, and child support. As part of that decree or order, the court ordered a parenting plan.

13. This court has jurisdiction over the parties to this proceeding and over the issue pending before it as part of its ongoing jurisdiction in family law matters.

14. There has been a material change in circumstances since the date the decree or order was entered. Specifically, the following change(s) has (have) occurred:

15. It is in the best interests of the minor child(ren) that the parenting plan previously entered by this court be modified.

WHEREFORE, I request the court:

A. If the party that filed the Complaint for Modification is requesting a modification of custody, check the box that applies:

Award _____ sole legal and sole physical custody of the child(ren).
(name of party)

Award plaintiff and defendant joint legal custody of the child(ren) and award sole physical custody of the child(ren) to _____.
(name of party)

Award plaintiff and defendant joint legal and joint physical custody of the child(ren).

- B. Order a modified parenting plan that sets forth parenting time with each parent.
- C. Award child support in a manner consistent with the Nebraska Child Support Guidelines; and
- D. Grant any further relief that may be just.

SIGN IN FRONT OF NOTARY PUBLIC

I hereby swear, or affirm, under penalty of perjury, that the above information is true.

Signature: _____ Date: _____
Printed Name: _____
Street Address/P.O. Box: _____
City/State/ZIP Code: _____
Telephone Number: _____
*Email address: _____

*[Nebraska Supreme Court Rule § 2-208](#) requires individuals who are not attorneys and representing themselves to provide their email address. The court will use the email address to send notices from the court about this case **except** for items that require another type of service as directed by statute or Nebraska Supreme Court Rule.

If you no longer have email capability or if your email or other contact information changes, you must complete a [Change of Contact Information Form](#).

By checking this box, I am letting the court know that I do not have the ability to receive emails. The reason I cannot receive email is: _____

VERIFICATION

State of _____)
) ss.
County of _____)

This document was acknowledged before me by _____,
this _____ day of _____, 20_____.

Signature of Judge/Clerk of the Court/Notary Public

Title: _____ Serial Number (if any): _____

CERTIFICATE OF SERVICE

I hereby certify that on _____, a true copy of the
(date)
foregoing Answer and Counterclaim to Modification of Parenting Plan was sent
by first-class mail, postage prepaid, to the other party at _____

(other party's address, including street address, city, state, and ZIP code)

(your name)