**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**FAMILY COURT**

**DOMESTIC RELATIONS BRANCH**

**[PLAINTIFF NAME] )**

**Plaintiff, )**

**)**

**v. ) Case no. [CASE NUMBER]**

**)**

**[DEFENDANT NAME] ) Judge [JUDGE NAME]**

**Defendant )**

**And )**

**) Next hearing: [DATE]**

**[INTERVENOR NAME] ) Trial: [DATE] @ [TIME]**

**[INTERVENOR NAME] ) [DATE] @ [TIME]**

**Intervenors. )**

**MOTION FOR MODIFIED TEMPORARY CUSTODY AND VISITATION ORDER[[1]](#footnote-1)**

[ATTORNEY] of [ORGANIZATION], guardian *ad litem* (GAL) for the minor child, [CHILD], born [DATE OF BIRTH], respectfully files this Motion for Modified Temporary Custody and Visitation Order. A Memorandum of Points and Authorities in support of this Motion is attached.

Respectfully submitted,

/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ATTORNEY]

[ORGANIZATION]

[ADDRESS]

[PHONE NUMBER]

Fax: [FAX NUMBER]

[EMAIL]

\* [DC BAR NUMBER, INFORMATION]

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**[PLAINTIFF] )**

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**And )**

**) Next hearing: [DATE]**

**[INTERVENOR] ) Trial: [DATE] @ [TIME]**

**[INTERVENOR] ) [DATE] @ [TIME]**

**Intervenors. )**

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF**

**MOTION FOR MODIFIED TEMPORARY CUSTODY AND VISITATION ORDER**

[ATTORNEY] of [ORGANIZATION], guardian *ad litem* (GAL) for the minor child, [CHILD], born [DATE OF BIRTH], respectfully files this Motion for Modified Temporary Custody and Visitation Order.

1. **Facts & Procedural History**

This contested custody case was initiated on [DATE], by [CHILD’S] mother, [MOTHER] against [CHILD’S] father, [FATHER]. On [DATE] [CHILD’S] great-aunt, [INTERVENOR], and great-uncle, [INTERVENOR] intervened and were granted sole legal and sole physical custody of [CHILD].

This matter was last before the Court on [DATE] for a status and motions hearing on the GAL’s Motion for Modified Temporary Custody and Visitation filed [DATE] and the intervenors’ motion in opposition filed on [DATE].

At the hearing, the Court heard extensive testimony from all parties, *pro se*, and argument from the GAL who submitted that it was in [CHILD’S] best interests to have increased visitation with both of her parents. The undersigned orally requested that [MOTHER’S] visitation be modified to unsupervised visits on alternating weekends, so long as [CHILD] had no contact with [NAME]. Based on the testimony of the witnesses, the Court’s assessment of the credibility of the witnesses, and the record the Court granted undersigned’s motion and concluded that it was in [CHILD’S] best interests to have increased visitation with both her parents and that both parents have been denied the visitation with [CHILD] that they were entitled to by previous orders. *See* Order dated [DATE].

Since the last hearing in this matter, significant changes have occurred raising concerns that the current temporary custodial arrangement is not in the child’s best interest. [INSERT ADDITIONAL FACTS TO ESTABLISH THAT A CHANGE IN CIRCUMSTANCES IS IN THE CHILD’S BEST INTEREST]

**Argument**

**I. MODIFYING VISITATION IS IN THE BEST INTEREST OF THE CHILD**

This motion to modify custody should be granted because the modification requested is in the child’s best interests*.* *See* D.C. Code § 16-831.11 and D.C. Code § 16-914(a)(3). Indeed, the court has broad discretion to fashion a custody or visitation schedule that is in the best interests of the children. *See* D.C. Code §§ 16-831.06 *et seq*.; D.C. Code § 16-911(a)(5).

Modification of the existing custody and visitation orders is in the children’s best interest for several reasons….

[OMITTED FACTS]

In conclusion, the GAL submits that a temporary modification to the current custody arrangement is necessary. This arrangement serves the child’s best interest and is supported by D.C. Code §§ 16-831.05(a) and 16-831.06(e) and or D.C. Code §16-914. For the above stated reasons, the GAL respectfully requests the Court grant this Motion for a Modified Temporary Visitation Order.

Respectfully submitted,

/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ATTORNEY NAME]

[ORGANIZATION]

[ADDRESS]

[PHONE NUMBER]

Fax: [FAX NUMBER]

[EMAIL]

\* [DC BAR NUMBER, INFORMATION]

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

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**[PLAINTIFF] )**

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**[DEFENDANT] ) Judge [JUDGE]**

**Defendant )**

**And )**

**) Next hearing: [DATE]**

**[INTERVENOR] ) Trial: [DATE] @ [TIME]**

**[INTERVENOR] ) [DATE] @ [TIME]**

**Intervenors. )**

**ORDER**

Upon consideration of the GAL’s Motion for Modified Temporary Custody and Visitation Order and the entire record in this matter, it is this \_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_, 2015, hereby **ORDERED** that the Guardian *ad Litem’s* Motion for Modified Temporary Custody and Visitation Order is **GRANTED**; and it is further

**ORDERED** that Plaintiff [MOTHER] is granted visitation with [CHILD] on alternate weekends from Friday to Monday pursuant to the following provisions:

1. [MOTHER] shall pick up [CHILD] from school on [DAY] at [TIME] and drop [CHILD] off to school on [DAY] morning.
2. On days when school is not in session, the same visitation schedule shall remain, but [MOTHER] shall pick up [CHILD] from Intervenors’ home. If Monday is a holiday, [MOTHER] will take [CHILD] to school on Tuesday morning.
3. Plaintiff [MOTHER], Defendant [FATHER], and Intervenors [INTERVENORS] shall share joint legal custody of [CHILD].
4. The parties are permitted to modify this schedule upon mutual agreement in writing, if it is in the best interests of the minor child. The parties shall notify the guardian *ad litem* of any proposed modifications to the schedule.

**IT IS SO ORDERED.**

Date:\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge [NAME]

**Copies to:**

[NAME] [ADDRESS] *Pro se Plaintiff*

[NAME] [ADDRESS]

*Pro se Defendant*

[NAME] [ADDRESS] *Pro se Intervenor*

[NAME] [ADDRESS] *Pro se Intervenor*

[NAME] [ADDRESS]

*Guardian ad litem*

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_ day of \_\_\_\_\_\_\_\_\_ [YEAR], a copy of the foregoing was served via U.S. mail, first class postage pre-paid, on the following:

[NAME] [ADDRESS]

*Pro se Plaintiff*

[NAME] [ADDRESS]

*Pro se Defendant*

[NAME] [ADDRESS] *Pro se Intervenor*

[NAME] [ADDRESS] *Pro se Intervenor*

/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ATTORNEY NAME]

*Guardian ad litem*

1. Should the Court wish to hold an evidentiary hearing on this motion, the undersigned will be prepared to do so at the next hearing scheduled for [DATE]. [↑](#footnote-ref-1)