**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**FAMILY COURT**

**DOMESTIC RELATIONS BRANCH**

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 )

[PLAINTIFF], )

 )

 Plaintiff ) Case No. [YEAR] DRB [####]

 v. )

 ) Judge [NAME]

[DEFENDANT 1] ) ) Next hearing: [DATE]

 and )

 )

[DEFENDANT 2] )

 )

 Defendants. )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

# **[PLAINTIFF] complaint for custody of [CHILD]**

[PLAINTIFF], [MATERNAL/PATERNAL] [GRAND(MOTHER/FATHER)] of [CHILD] (“[CHILD]”), through undersigned counsel, [PLAINTIFF ATTY] of [FIRM NAME], hereby requests that the Court grant [HIS/HER] request for sole physical and legal custody of [CHILD].

 In support of [HIS/HER] complaint, [PLAINTIFF] states:

1. The Court has jurisdiction of this matter pursuant to D.C. Code §§ 11-1101, 16-4602.01, *et seq*., and 16-831.13.
2. [PLAINTIFF] seeks custody of [CHILD], born [DOB] in [CITY, STATE].
3. [PLAINTIFF] is [CHILD]’s [MATERNAL/PATERNAL] [GRAND(MOTHER/FATHER)].
4. Defendant [DEFENDANT 1] is [CHILD]’s biological mother. [DEFENDANT] has consented orally to [PLAINTIFF]’s complaint for custody of [CHILD], and her written consent is anticipated.
5. Defendant [DEFENDANT 2] is [CHILD]’s biological father. [DEFENDANT 2] consents to [PLAINTIFF]’s complaint for custody of [CHILD]. After consultation with his lawyer, he executed a notarized consent on [DATE].
6. Because both biological parents consent to [PLAINTIFF]’s complaint for custody of [CHILD], § 16-831.06 (d)(3) requires that custody be with [PLAINTIFF] “unless clear and convincing evidence indicates that the arrangement is not in the best interests of the child.”
7. As a result of § 16-831.06 (d)(3)’s requirements, the Court has the authority to adjudicate this matter pursuant to its equitable jurisdiction articulated in § 16-831.13, and [PLAINTIFF] has standing to file this complaint for custody.
8. [CHILD] is currently committed to the custody of the [STATE] Child and Family Services Agency (“CFSA”). This Court has jurisdiction to decide child custody because [STATE] is [CHILD]’s home state, where [HE/SHE] currently lives and has lived for more than six months.
9. The child is a Respondent in neglect case [YEAR]-NEG-[####], The Honorable [JUDGE NAME] presiding.
10. On [DATE], the Court ordered that [CHILD]’s Permanency Goal be changed to Custody with [PLAINTIFF].
11. [PLAINTIFF] does not know of anyone else who is seeking custody of [CHILD].
12. [PLAINTIFF] does not know of anyone, other than [CHILD]’s biological parents, who claims to have rights to visitation with [CHILD].
13. [PLAINTIFF] is a fit and proper person to have legal custody of [CHILD] and to make decisions regarding his wellbeing. [PLAINTIFF] believes it is in [CHILD]’s best interests to award him sole legal custody of [CHILD].
14. [PLAINTIFF] is a fit and proper person to have physical custody of [CHILD] and to have parental responsibility and control of [CHILD]. [PLAINTIFF] believes it is in [CHILD]’s best interests to award [HIM/HER] sole physical custody of [CHILD].
15. Both of [CHILD]’s biological parents consent to [PLAINTIFF]’s complaint for guardianship, thus there is no need to rebut the parental presumption. *See* D.C. Code § 16-831.05.
16. [PLAINTIFF] does not have information about any previous or pending action regarding this claim or subject matter. [HE/SHE] has not participated as a party, witness, or in any other capacity, in any litigation other than the above-referenced neglect case concerning the custody of this child in the District or in any other state.

WHEREFORE, in light of the foregoing, the Plaintiff [PLAINTIFF] asks this Court to:

1. Award [PLAINTIFF] sole physical and legal custody of [HIS/HER] grandchild, [CHILD]; and
2. Set forth a reasonable visitation schedule with the defendants that is agreed to by the parties and is in [CHILD]’s best interest; and
3. Provide such other and further relief as the Court finds just and proper.

Respectfully submitted,

[ATTORNEY NAME] (DC Bar No. [######])

[FIRM NAME]

*Counsel for [PLAINTIFF]*

[ADDRESS]
Phone: [###-###-####], ext. [###]

Fax: [###-###-####]

# **Verification**

 I solemnly swear or affirm under criminal penalties for the making of a false statement that I have read the foregoing Complaint for Custody, and that the factual statements I made in it are true to the best of my personal knowledge, information, and belief.

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[PLAINTIFF] (signature) Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[PLAINTIFF] (printed name)

[ATTORNEY NAME] (DC Bar No. [######])

[FIRM NAME]

*Counsel for [PLAINTIFF]*

[ADDRESS]
Phone: [###-###-####], ext. [###]

Fax: [###-###-####]