

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____,)
(Print name of person filing))
)
vs.)
)
Respondent: _____.)
(Print name of other party)

Civil Action Case No. _____

RESPONSE AND COUNTERCLAIM

The Respondent sets forth the following as the answers and responses to the *Petition to Modify Custody and Support* (“Petition”):

1. Respondent admits the allegations in Paragraphs _____
(list paragraphs that are accurate statements)
of the *Petition*.
2. Respondent denies the allegations in Paragraphs _____
(list paragraphs that you believe are not accurate)
of the *Petition*.
3. Respondent does not have information sufficient to either admit or deny the allegations in Paragraphs _____ of the *Petition*.
(list paragraphs that are accurate statements)

WHEREFORE, Respondent respectfully requests that the court find generally in her/his favor and against the Petitioner, that Petitioner take nothing by way of his/her *Petition to Modify Custody and support*, and for such other and further relief as the court deems just and proper.

COUNTERCLAIM

RESPONDENT sets forth the following as the counterclaim to the *Petition to Modify Custody and Support*:

1. Petitioner is the [Check the appropriate box]
 custodial parent; or

non-custodial parent
and is a resident of _____ County, State of _____.

2. **[Check the appropriate box]**

A child support order was entered on _____ [date] by this Court;

OR

A child support order was entered on _____ [date] by the _____
_____ Court, _____ County, State of _____.

3. **CHILD CUSTODY JURISDICTION:** This court made the original child custody determination and has exclusive, continuing jurisdiction to modify the order concerning the care, custody and visitation of the children. The child, the child's parents or any person acting as a parent presently reside in this state. (If this court did not enter the original order or if neither party or the child(ren) continues to reside in this state, seek the advice of an attorney.)

4. **REQUIRED INFORMATION FOR CHILDREN:** The following information is required for each child, unless you have a court order or are operating under another law allowing you to maintain confidentiality of addresses or other identifying information. If the information in paragraphs 5 through 8 is not furnished, the court, upon motion of a party or its own motion, may stay the proceeding until the information is furnished. (Attach a separate sheet, if necessary.)

Child's initials: _____

Child's year of birth: _____

Place of birth: _____

Present address: _____

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: _____

Child's year of birth: _____

Place of birth: _____

Present address: _____

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: _____

Child's year of birth: _____

Place of birth: _____

Present address: _____

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: _____

Child's year of birth: _____

Place of birth: _____

Present address: _____

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

5. **OTHER CASES INVOLVING CHILD(REN):** State whether you have participated as a party or witness or *in any capacity* in any other proceeding (court cases) concerning the custody, allocation of decision-making, or visitation/parenting time of any of the children listed in this *Petition* in this *or any other state*: (If yes, please be specific regarding case number, court, state and nature of case, date of child-custody determination, if any, and child(ren)'s initials: _____

_____.

6. **OTHER PROCEEDINGS, INCLUDING PROTECTION ORDERS:** State whether you have any information of any custody proceeding that could affect the current proceeding, including proceedings for enforcement and civil and criminal proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions, and if so, identify the court, the state, the case number and the nature of the proceeding and child(ren)'s initials: _____

_____.

7. **CUSTODY AND VISITATION RIGHTS OF OTHERS:** The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren) (names and addresses of those persons): _____

_____.

8. The Order listed in Paragraph 2: **[Check the appropriate box]**

The Order has not been modified or changed in this state or any other state with respect to the child support and medical insurance obligations; OR

The Order was last modified with respect to the child support and/or medical insurance obligations by order of this Court on _____
[date]; OR

The Order was last modified with respect to the child support and/or medical insurance obligations by Order of the _____ Court,
_____ County, State of _____, on _____
_____ **[date].**

9. Attached is a certified copy of the custody order to be modified as required by Wyo. Stat. §20-2-203(c). According to the terms of the most recent court order, custody and visitation was ordered as follows: _____

_____.

10. *If child support was also ordered*, according to the terms of the most recent court order: **[Check the appropriate boxes for each section]**

A. The non-custodial parent is required to pay \$_____ per month in child support for the parties' minor child(ren) named in paragraph 4. The non-custodial parent is **[Check one box]**

in arrears (owes back child support). (A copy of the record of child support payments certified as a true copy of the original by the custodian of the

record [Clerk of District Court or Child Support Enforcement] may be attached and/or forwarded to the court. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made. Wyo. Stat. §20-4-166(c)). If applicable, the amount of arrears is \$_____ through the date of the filing of this Petition. A judgment should be entered against the non-custodial parent for this amount and any additional amounts which may accrue prior to entry of an order in this action; OR

current (not in arrears) for the child support obligation.

B. The custodial non-custodial parent is required to provide medical insurance for the child(ren). Such insurance has has not been provided as ordered.

C. The non-custodial parent was required not required to pay for a percentage of medical expenses not covered by insurance. Such medical expenses have have not been paid as ordered. If the non-custodial parent has not paid medical expenses as ordered, the total amount owed is \$_____ through the date of the filing of this Petition (attach copies of bills/receipts, if available). A judgment should be entered against the non-custodial parent for this amount and any additional amounts that are owed prior to entry of an order in this action.

D. Neither party has been ordered to provide medical insurance. Petitioner is requesting this Court order _____ [Name] to provide medical insurance and that all medical expenses not covered by insurance be divided in the following manner: _____% to be paid by Mother and _____% to be paid by Father.

12. Reason for seeking modification of child custody. Since the date of the last order, a material change in circumstances has occurred which warrants modifying the child custody and/or child support obligations. The change in circumstances is: [Please describe] _____

_____.

13. That because of the substantial and material change in circumstances, it is in the best interests of the child(ren) to have the following custody/visitation arrangements: _____

_____.

WHEREFORE, Petitioner respectfully requests:

1. The Court set a hearing on the *Petition to Modify Custody and Support*;

2. The parties be ordered to complete and file *Confidential Financial Affidavits* as provided by Wyo. Stat. § 20-2-308;
3. The Court review and modify the child custody to an arrangement in the best interests of the child(ren);
4. The Court review and modify the child support order to an amount consistent with the Wyoming Child Support Guidelines;
5. The Court review and modify the medical insurance obligation and the allocation of costs not covered by medical insurance, if requested.
6. If applicable, the Court enter a judgment for child support arrears and for unpaid medical expenses not covered by medical insurance.
7. Other: _____

8. For such other and further relief as the Court deems necessary and just.

DATED this ____ day of _____, 20_____.

 Signature
 Printed Name: _____
 Address: _____

 Phone Number: _____

STATE OF _____)
) ss.
 COUNTY OF _____)

Subscribed and sworn to before me by _____, this _____
 day of _____, 20__.

Witness my hand and official seal.

 Notarial Officer

My commission expires: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by Hand Delivery OR Faxed to this number _____ OR by placing it in the United States mail, postage pre-paid, and addressed to the following:

TO: _____

Your signature

Print name

-----Fill in, if applicable-----
Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

Attorney's Name

Attorney's Address/Telephone:

