

**DO NOT ATTACH** anything to this Petition, **except** for the following:  
 - continuation pages for explanations to questions  
 - items specifically required by the petition  
 - items the Judge has directed you to provide

**FAMILY COURT  
 OF THE STATE OF NEW YORK  
 COUNTY OF**

**In the Matter of**

\_\_\_\_\_, **PETITIONER**

FIRST M.I. LAST

Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Phone # H: ( ) - W: ( ) -

**Docket #:** \_\_\_\_\_

**Family File #:** \_\_\_\_\_

**PETITION FOR MODIFICATION  
 OF AN ORDER OF:**

- CUSTODY**
- VISITATION**

**-AGAINST-**

\_\_\_\_\_, **RESPONDENT 1\***

FIRST M.I. LAST

Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Phone # H: ( ) -

W: ( ) -

\_\_\_\_\_, **RESPONDENT 2**

FIRST M.I. LAST

Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Phone # H: ( ) -

W: ( ) -

**THE PETITIONER, BEING DULY SWORN, STATES THAT:**

1. Respondent #1 is:  my spouse  my former spouse  my parent  
 we have a child in common  other \_\_\_\_\_
2. Respondent #2 is:  my spouse  my former spouse  my parent  
 we have a child in common  other \_\_\_\_\_
3. The relationship of each party to the child(ren) named below is:

	<u>Mother</u>	<u>Father</u>	<u>Other</u>
Petitioner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Respondent #1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Respondent #2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

**\* Both parents must be parties to this proceeding. If Petitioner is not a parent, then both parents must be named as Respondents. If Petitioner is a parent, then the other parent must be named as a Respondent, in addition to any other person named.**

4. The children who are the subjects of this proceeding are:

<u>NAME</u>	<u>LIVES WITH</u>	<u>DOB</u>
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____

**If any of these children currently live outside New York State, or have lived outside New York State at any time, you must fill out the "UCCJEA Affidavit".**

5. By an order dated \_\_\_\_\_, this Court (or, if another court, specify \_\_\_\_\_) gave  Petitioner  Respondent  custody  visitation as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If custody or visitation was ordered by another court, you must attach a copy of that order or your petition may be dismissed.**

6. If custody and visitation were established by an order of the Supreme Court, **attach a copy of the Separation Agreement or Stipulation and Divorce Judgment.**

**If you do not attach a copy of your Separation Agreement or Stipulation and Divorce Judgment, your petition may be dismissed.**

7. Since the entry of the order, there has been a change of circumstances consisting of: **(Attach additional sheets if needed)**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Because of the change of circumstances, the order should be modified as follows: **(Attach additional sheets if needed.)**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. There has not been any other petition for custody/visitation of the child(ren) named above, except:

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

10.  Petitioner  Respondent  Neither Party is on active duty in the military.

11. To my knowledge, there  is  is not a Neglect or Abuse concerning the child(ren) pending in  this court  another court. (Identify other court: \_\_\_\_\_)

12. Is any child named here a Native American child covered by the Indian Child Welfare Act of 1978 (25 U.S.C. §1901-1963)?  Yes  No

WHEREFORE, I ask that the current order be modified as requested in this petition and for any other relief that the Court finds to be just and proper.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Attorney's Signature (if applicable)

\_\_\_\_\_  
Print Attorney's Name (if applicable)

**VERIFICATION**

STATE OF NEW YORK )  
COUNTY OF )

The Petitioner herein, being duly sworn, states: I have read this petition and its contents are true to my own knowledge, except to matters alleged to be on information and belief and, as to those matters, I believe them to be true.

\_\_\_\_\_  
Petitioner's Signature

Subscribed and Sworn to before me  
on \_\_\_\_\_.

\_\_\_\_\_  
(Deputy) Clerk of the Court,  
Notary Public or Comm. of Deeds