

Representing Yourself: The Three Most Common Family Law Legal Issues in Emergencies



Enforcement of Established Orders

I have a court order that outlines custody and parenting time for each parent, but the other parent is not following the order. What can be done?

Read your order carefully: Be sure to understand what is in the order. If you don't understand something, seek out legal advice from a local lawyer or legal aid.

Document the violation: Keep detailed records of how the other parent is not following the order. For example: Is the other parent missing scheduled visits? Is the other parent not complying with the ordered communication method? Is the other parent not paying child support?

File a motion for enforcement or contempt: Check with the court clerk for the paperwork needed to file a motion and request a hearing date. Complete and file the motion for enforcement or contempt. Follow your jurisdiction's rule on notifying the other parent of the court action.

Connect with a domestic violence advocate: Connect with an advocate to assist in safety planning for yourself and your child(ren).

Attend court hearing: A judge may order a hearing prior to issuing an order. Be ready to present your argument including any documentation. For information on how best to prepare for court, visit WomensLaw.org "[At the Hearing](#)".

Motion to Relocate

I have a court order that outlines custody and parenting time for each parent, but I want/need to relocate. What can be done?

Read your order carefully: What does the court order say with regards to relocation rules? Some orders may include relocation rules such as how far can you move, notice requirements to the other parent, or any restrictions on relocation.

File a motion to relocate: Check with the court clerk for the paperwork needed to file a motion and request a hearing date. Complete and file the paperwork. Many motions to modify will ask you to write out the reason for the move and proposed changes to custody and parenting time. Follow your jurisdiction's rule on notifying the other parent of the court action.

Attend court hearing: A judge may order a hearing, either before and/or after issuing an order. Be ready to present your argument including any documentation. For information on how best to prepare for court, visit WomensLaw.org "[At the Hearing](#)".

Custody/Parenting Time Modifications to Established Orders

I have a court order that outlines custody and parenting time for each parent, but I want to change the order. What can be done?

Read your order carefully: What does the court order say with regards to custody labels and parenting time? What changes do you want to make and why?

Check the legal standard in your state: Most states require a party to show a substantial change in circumstances to change an existing custody/parenting time court order. What is the substantial change and how is it in the child(ren)'s best interests?

Collect documentation: What types of documentation do you have to support a modification? Gather any pictures, communication (e-mails, text messages, social media), records, or other documents that support a change to the existing order.

File a petition or motion to modify custody/parenting time: Check with the court clerk for the paperwork needed to file a petition or motion and request a hearing date. Complete and file the paperwork to modify. Follow your jurisdiction's rule on notifying the other parent of the court action.

Prior to court: You may be required to attend mediation before a judge will hear your case in court. [Link to mediation guide.](#)

Attend court hearing: A judge may order a hearing, either before and/or after issuing an order. Be ready to present your argument including any documentation. For information on how best to prepare for court, visit WomensLaw.org "[At the Hearing](#)".



Utilize Community Resources

For further assistance with court forms, contact your local court, law library, advocacy center, and/or legal aid.

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