

Whether to File a Petition for Parental Rights and Responsibilities

If parents are getting divorced, a court will have to make orders allocating the parental rights and responsibilities. If the parents are not married, they may ask a court to make the same kinds of orders about their children as a court would make if they were getting divorced.

Some of the reasons unmarried parents ask for a court's help are:

- The parents cannot work together.
- One parent refuses to support the child.
- One parent is denied time with the child.
- There is a threat that the child will be removed from the state.
- There is a threat that the child will be injured.
- The parents want to resolve parenting issues BEFORE there is a dispute.

Asking a court to intervene in your relationship with the other parent can hurt that relationship. Sometimes parents work well together and do not need a court order. Deciding whether or not to file a petition is an important decision. There is no right or wrong; each case is different. Before filing anything that could have such long lasting effect on your family, you should get legal advice specifically tailored to your circumstances.

Whether you file a Petition for Divorce (see prior sections) or a Petition for Parental Rights and Responsibilities (see above) the actual process remains essentially the same. In any case involving children, the documents required are the same:

- [Parenting Plan;](#)
- [Financial Affidavit;](#)
- [Child Support Guidelines Worksheet;](#)
- [Uniform Support Order.](#)

The first time you appear in court (the First Appearance, Temporary Hearing, or Structuring Conference) you must present these documents to the court, and give copies to the opposing party or his/her attorney.

Each time you appear in court make sure you bring up-to-date copies of these documents with you. You have an obligation to make sure that you give the court up-to-date documents every time you appear.

Try Also Reading...

- [Parents' Rights - A Place to Start](#)
- [Parental Rights and Responsibilities](#)
- [Parenting Plans](#)
- [Child Support](#)
- [Medical Support](#)
- [Paternity and Child Support](#)
- [Enforcing an Order](#)
- [Residential Responsibility](#)
- [Modification of Parental Rights & Responsibilities](#)

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