

STATE OF WISCONSIN

CIRCUIT COURT  
FAMILY COURT BRANCH

\_\_\_\_\_ COUNTY

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In re the Marriage of:

XXX,

Petitioner,

Case No.

v.

YYY

Respondent.

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**NOTICE OF AND MOTION TO MODIFY AN EXISTING ORDER AND FOR  
MISCELLANEOUS RELIEF**

(Before completing this motion, contact the clerk of the court that heard your case the last time and get a date for the hearing)( last updated 1/25/03)

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Please take notice that the petitioner, XXX, will appear before the Honorable (Name of Judge or Court commissioner) in (Name of county) County as follows:

Date:

Time:

Place:

The petitioner/respondent (delete one that does not apply), (your name), and moves the Court, the honorable (name of judge or court commissioner) for an order to:

1. Modify the existing child placement order to equal periods of placement of the children as

defined in the attached parenting plan.

2. Modify the existing child support order, based on this placement order, so that each parent has sufficient funds to care for the children during their respective placement periods, and each parent is obligated to share the same portion of their income on behalf of the children
3. Require YYY to pay for my attorney fees and costs to bring this action, including the full cost of the fees for my attorney, the guardian ad litem, and psychological evaluations, if YYY fails to support my equal fundamental and statutory right and responsibility to participate in the raising of our children, and attempts to obstruct my equal right and responsibility without a compelling reason.
4. Find that the application of Wisconsin Statutes 767.045(1)(A)2, 767.045(4), 767.11(10), 767.11(14), second sentence of 767.24(4)(a), 767.24(5), and 767.325 (1) in cases where there is no credible evidence that equal placement would be harmful to the children (as required by 767.24(4)(b)) and placement is merely contested, to be unconstitutional.

This motion is brought pursuant to the requirements of 1999 Wisconsin Act 9, rulings of the United States Supreme Court, the Due Process and Equal Protection Clauses of the 14<sup>th</sup> amendment of the United States Constitution as supported by the attached brief, affidavit and parenting plan.

Respectfully submitted

this day of , 2003 .

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Name  
Address

Tel#