
Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

Petitioner,

vs.

Respondent.

Case No. _____

PETITION TO ENFORCE
PARENTING TIME
I.R.F.L.P. 816

I, (your name) _____, ask the court to enforce its
parenting time order, judgment, or decree (Decree) against (other party) _____
_____ as permitted by Rule 816 of the Idaho Rules of
Family Law Procedure, and state:

1. The parenting time of the following child/ren is/are at issue:

Name

Date of Birth

2. I reside at (city, county, state) _____.

The other party resides at (city, county, state) _____.

3. UCCJEA Jurisdiction. This court has jurisdiction to enforce custody of our child/ren under the Uniform Child Custody Jurisdiction and Enforcement Act, Idaho Code § 32-11-101, et seq.

a. I have not participated as a party or witness, in any other case involving our child/ren. **or**

I have participated as a party or witness in the following case(s) involving our children (provide all specifics including the names of the parties, the state, the court, the case number and the date of the child custody order, if any): _____

b. I do not know of any other case that could affect our child/ren. **or**

I know of the following court case(s) that could affect our child/ren (provide all specifics including the names of the parties, the state, the court, the case number and the nature of the proceeding): _____

c. Other than the parties, no one claims custody or visitation rights with our child/ren. **or**

In addition to the parties, the following person/s claim custody or visitation with our child/ren (list names and addresses): _____

d. Our child/ren live(s) only with both parents. **or**

If our child/ren lives(s) with someone other than a parent, the name(s) and address(es) of the person(s) with whom our child/ren live(s) is/are: _____

4. Order, judgment, or decree to be enforced. This court entered the (name of order, judgment, or decree) _____ regarding custody, visitation, or parenting time for the child/ren named above in this case on (date) _____. I ask the court to enforce it. A copy is attached as Exhibit A.

5. Service of order, judgment, or decree on responding party and/or their attorney. The other party and/or their attorney was/were served with a copy of the Decree on (date) _____, or I believe the other party and/or their attorney had knowledge of the Decree because (state facts that explain why you believe this): _____

6. Specific section(s) to be enforced. The specific section(s) of the Decree that the other party has denied or interfered with and that I ask the court to enforce is/are (list specific section(s) along with page or paragraph number(s)):

7. Facts that show the other party denied or interfered with the order, judgment, or decree. I seek to enforce my court ordered parenting time based on the following facts:
Describe events or acts when the other party denied or interfered with your parenting time.
When? (dates and times)

Where did this occur?

Who was present? (minor children, friends, family, etc.)

What happened? Describe in detail the events or actions when the other party denied or interfered with the Decree regarding your parenting time. If you have any attachments you would like to include, please explain how they are related to the denial or interference.

If you need more room, use the Continued Explanation Sheet – Exhibit B.

8. Efforts to Resolve. I have communicated with or tried to resolve this with the other party before filing this Petition by doing the following: (describe attempts to communicate and/or resolve including dates and method, such as phone, email, text, social media):

When? (dates and times)

How?

9. Relief sought. I ask the court to order the following: (check all that apply)

- a. Enter a temporary order making the following changes to the parenting time Decree:
 A. Compensatory (make up) parenting time as follows:

- B.** Change the transportation and exchange arrangements as follows:

- C.** Clarify the previous Decree as follows:

D. Other: _____

The changes are in the best interests of our child(ren) because:

- b.** Enter a judgment awarding money in my favor against the other party for expenses I had to pay as a result of the other party's failure to appear for scheduled parenting time as provided in the Decree.

A. Those expenses were for (e.g., travel expenses, childcare, lost wages, etc.): _____

B. The date(s) expenses were incurred:

C. The total amount of expenses to be reimbursed are:

- c.** Enter an order suspending the other parent's license(s), identified below, consistent with applicable law, including: (check all that apply)

driving privileges,

business licenses, **and/or**

hunting/fishing/trapping license.

- d.** Appoint a parenting coordinator as permitted by Rule 1002 of the Idaho Rules of Family Law Procedure.

- e.** Impose a sanction against the other party for bad faith conduct, including an order for attorney fees and costs as permitted by Rules 901(a)(2), 902, and 816(h)(5) of the Idaho

Rules of Family Law Procedure, and any other applicable law.

f. Other orders and relief requested (please explain):

I ask the Court to enforce, clarify, or temporarily modify its Decree concerning parenting time as requested above.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/Printed Name

Signature

Remove this page and in its place include the documents listed below.

Your Petition and **Exhibits B** and **C** cannot be more than 20 pages in total.

1. EXHIBIT A. Copy of the Order, Judgment, or Decree

Attach a copy of the complete Order, Judgment, or Decree that you are seeking to enforce and write **EXHIBIT A** at the bottom of its first page. This Exhibit does not count towards your 20-page limit.

2. EXHIBIT B. Continued Explanation Sheets

3. EXHIBIT C. Receipts or other Documents

Attach any receipts or other documents for reimbursements or expenses you are requesting and write **EXHIBIT C** at the bottom of its first page.

If your receipts and documents will go over the 20-page limit, please use the summary page below instead and take the originals plus a copy to court with you on the date of your hearing.

