

STATE OF INDIANA)

IN THE ELKHART SUPERIOR COURT 6

COUNTY OF ELKHART)

CASE NO: _____

IN RE THE _____ OF: _____

(Child's Name if Required)

Name of Person Filing

Mother Father Other: _____

And

Name of Person Responding

Mother Father Other: _____

ORDER MODIFYING PARENTING TIME

The Court, having reviewed the Motion to Modify Parenting Time and having carefully considered the statutory factors enumerated in I.C. 31-17-4-2 & I.C. 31-17-2-8, any testimony or evidence presented, and the best interests of the child(ren) now enters the following Order:

1. The unemancipated minor(s) are:

2. The Court previously established custody and parenting time in this matter on _____(date).

3. _____ filed a Motion for Modification of Parenting Time on _____.

4. The current parenting time arrangement is

5. _____ seeks to modify parenting time because

6. I.C. 37-17-2-8 governs the factors for custody determinations. Specifically, "the court shall determine custody and in accordance with the best interests of the child(ren). In determining the best interests of the child(ren), there is not a presumption favoring either parent. The court shall consider all relevant factors, including the following:

- I. The age and sex of the child(ren).
- II. The wishes of the child's parent or parents.

- III. The wishes of the child, with more consideration given to the child's wishes if the child is at least fourteen (14) years of age.
- IV. The interaction and interrelationship of the child with the child's parent or parents; the child's sibling; and any other person who may significantly affect the child's best interests.
- V. The child's adjustment to the child's home; school; and community.
- VI. The mental and physical health of all individuals involved.
- VII. Evidence of a pattern of domestic or family violence by either parent
- VIII. Evidence that the child has been cared for by a de facto custodian (*not a parent*), and if the evidence is sufficient, the Court shall consider the factors described in section 8.5(b) of this chapter.

- 7. The Court has considered the evidence presented, the statutory requirements, and the best interest of the child(ren), and finds that a substantial change in circumstances has occurred since the time of the last Parenting Time Order.
- 8. The new parenting time schedule shall be:

SO ORDERED _____

 Judicial Officer
 Elkhart Superior Court 6

Distribution:
 Filing Party _____

Responding Party _____

Address:

Address: