

Oneida Family Court
P O Box 19
Oneida, WI 54155
(920) 496-7200

INSTRUCTIONS FOR FILING A MOTION TO CHANGE PLACEMENT

1. Complete and sign the Motion to Change Placement.
2. Have a copy of the completed and signed motion served on the other parties involved (e.g. parent(s), caregiver(s), Oneida Nation Indian Child Welfare Department, etc.).
 - a. Serving a person means delivering the court papers to them in person. Service may be made by any law enforcement officer or other person, not a party, who is at least 18 years of age. **You may not deliver the court papers yourself!**
 - b. The person serving the motion must complete an Affidavit of Service which is included in this packet. You should make a copy for each of the parties that you must serve (additional copies may be found in the Family Court forms section of the Judiciary's website - <https://oneida-nsn.gov/government/judiciary/judiciary-forms/#Family-Court>). The Affidavit(s) of Service must be filed with the Clerk's office along with your original motion.
3. If personal service is not possible, you may mail the motion to those entitled to notice via certified mail with return receipt requested. If you complete service by certified mail, you must file the certified return receipt (green card) showing the date of delivery with the Clerk along with your original motion.
4. If personal service and mail service are not possible, you may ask the Court to permit service by publication.
5. File the original motion form, your proof of service, and pay the \$25.00 filing fee with the Clerk (or request a fee waiver). **PLEASE NOTE: The Court will not accept your motion without the proof of service and the filing fee.**
6. Unless the parties have attached a stipulated agreement, the other parties have 14 days to respond to your motion in writing. The Court may also allow the parties to respond orally at the hearing.
7. Unless the parties have attached a stipulated agreement, a hearing will be scheduled after 14 days have passed from the date of your filing.

Any questions, call the Clerk of Court at (920) 496-7200.

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ONEIDA FAMILY COURT

IN THE INTEREST OF:

Name

Case No. _____

Date of Birth

Motion to Change Placement

I STATE ON INFORMATION AND BELIEF:

1. The petitioner is:
 - the Department.
 - the Nation's child welfare attorney.
 - the child, if age 12 or older.
 - the child's guardian ad litem.
 - the child's parent.

2. Child's Address and Telephone Number	
Parent 1's Name, Address, and Telephone Number	Date of Birth
Parent 2's Name, Address, and Telephone Number	Date of Birth
Guardian's Name, Address, and Telephone Number:	
Current Caregiver's Name, Address, and Telephone Number:	
Petitioner's Name (If Not Listed Above, Include Address and Telephone Number):	

3. I request the Court change the placement of the child.
 - a. Name and address of proposed placement: _____

 - b. Date of proposed change in placement: _____

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c. Give the reason for new placement, including new information that affects the advisability of the current placement: _____

See attached

4. The proposed change in placement would move the child from in the home to outside of his or her home.

a. Continued placement in the home at this time is contrary to the best interests of the child because: _____

See attached

b. If the request is being made by the Department or the Nation's child welfare attorney, reasonable efforts to prevent the removal were made by the Department as follows: _____

See attached

5. Other (e.g. date placed in or removed from trial reunification home, if applicable):

See attached

6. I request:

A hearing be scheduled on this motion.

The Court approve the attached stipulation which has been signed by all of the parties.

Signature

Date

Name Printed or Typed

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AFFIDAVIT OF SERVICE

Case No. _____

In the Interest of: _____
(Child's initials and date of birth)

I, _____, swear that I personally served the Motion to
(Name of person serving party)

Change Placement on the following person: _____.
(Name of party being served)

DATE: _____

TIME: _____

PLACE: _____

To the best of my knowledge, _____, is present in
(Name of party being served)
the community and is not a member of the armed forces.

I swear the foregoing is true and correct.

Dated this _____ day of _____, 20____.

(Signature of person serving party)

PLEASE NOTE: Only use this form if you are having the other person personally served. If you are serving the other person by certified mail, simply give the return receipt (green card) to the Clerk of Court.