

**APPLICATION FOR EMERGENCY
EX PARTE ORDER OF CUSTODY**

JD-FM-222 Rev. 12-21
C.G.S. § 46b-56f; P.A. 21-15

***This form is available
in other language(s).***

For information on ADA
accommodations,
contact a court clerk or go to:
www.jud.ct.gov/ADA.

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Instructions

1. Complete this form, including the affidavit on page 2.
2. Attach an Affidavit Concerning Children, form JD-FM-164.
3. If there is not yet a court case, or post-judgment motion to modify custody, you must file it with this application (e.g., the divorce, legal separation, annulment, custody action, or post-judgment motion to modify custody must be filed with this application).
4. Bring the original and a copy of this form to the court clerk's office.
5. After your application is processed, the clerk will give you the proper papers to have served on the respondent.
6. Make sure the originals are returned to court after service.

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| Court Use Only |
| EXPCUS |
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|----------------------|-----------|-----------------------------|---------------|
| Judicial District of | At (Town) | Return date (If applicable) | Docket number |
|----------------------|-----------|-----------------------------|---------------|

Name of case (Plaintiff v. Defendant) _____

1. I, (Name and address) _____,

am the Applicant for this emergency ex parte order of custody, and I am the Parent Legal Guardian of the following child or children for whom I am seeking this order (attach additional sheets if necessary):

| Child's Name (First, Middle Initial, Last) | Date of birth (Month, day, year) |
|--|----------------------------------|
| | |
| | |
| | |

2. The Respondent (Name and address) _____

is the Parent Legal Guardian of the child or children named above.

3. I am filing or there is already a pending matter in which I am a party for:

- divorce (dissolution of marriage).
- annulment.
- post-judgment modification of custody.
- legal separation.
- custody of the child or children named above.

4. I believe there is an immediate and present risk of physical danger or psychological harm to the child or children listed above as further explained in the attached affidavit.

I ask the Court to enter the following ex parte orders:

- Temporary legal and physical custody to _____.
- Visitation as follows: _____.
- No visitation.
- Respondent may not remove the child or children from the State of Connecticut.
- Respondent may not interfere with Applicant's custody of the child or children.
- Respondent may not interfere with the educational program of the child or children.
- Other (specify): _____

| | | |
|---|--------------------------------|-------------|
| Signed (Attorney or self-represented party) | Printed name of person signing | Date signed |
|---|--------------------------------|-------------|

| | |
|---|---------------------------|
| Address (Number, street, town or city, state, zip code) | Telephone number () - |
|---|---------------------------|

Affidavit

I, (Name) _____, am the Applicant in this matter and swear to the following
(explain the events that have occurred, when they occurred, and why you believe that there is an immediate and present risk of physical danger or psychological harm to the child or children):

1. An emergency ex parte order is required because (attach additional sheets if necessary):

2. An emergency ex parte order is in the best interests of the child or children because there is an immediate and present risk of physical danger or psychological harm to the child or children named in this application.

3. (Select one) I have have not been a party or a witness or participated in any other capacity in cases in Connecticut or in any other state concerning custody or any child listed in this application. *If you have, identify the name of any court(s), the court case number(s) and the date(s) of any order(s):*

4. (Select one)

I have or another person has taken the following actions to inform the respondent of this application (if it was another person, state who it is):

No actions have been taken to inform the respondent of this application, but the court should consider this application on an ex parte basis for the following reasons:

I certify that the statements above are true to the best of my knowledge and belief

Signed (Affiant)

Print name of person signing

Subscribed and sworn to before me (Assistant Clerk, Commissioner of Superior Court, Notary Public)

Date signed

Order (To be completed by the court)

The Court has reviewed this application and finds that an immediate and present risk of physical danger or psychological harm to the child or children exists, and in the best interests of the child or children the Court enters the below ex parte order and orders that a hearing be held no later than 14 days from the date of this order.

Temporary legal and physical custody to _____

Visitation as follows: _____

No visitation.

Respondent may not remove the child or children named in the application from the State of Connecticut.

Respondent may not interfere with Applicant's custody of the child or children named in the application.

Respondent may not interfere with the educational program of the child or children named in the application.

Other:

This application for ex parte orders is denied. A hearing shall be ordered on the application, pursuant to General Statutes § 46b-56f (c).

By the Court (Judge)

Date ordered

Order for Notice and Summons (To be completed by clerk)

The court orders that a hearing on this Application be held on (date) _____ at (time) _____.

This hearing will be held in person at:

| | | |
|--|------------------------|--------------------------------|
| Superior Court, Judicial District of: | Room number (if known) | Phone number (Area code first) |
| Court location (Number, street and town) | | |

remotely (online by video). You are ordered to:

- File an Appearance form with a current, valid e-mail address at least 5 days before this hearing, unless you have already done so;
- Attend this hearing by following the instructions that are sent to your e-mail address by the court; and
- Contact the court clerk's office before the scheduled time of this hearing if you are unable to follow the instructions.

You must contact the court clerk's office at least 5 days before this hearing if you do not have or cannot get an e-mail address, or if you do not have access to an electronic device that you can use to participate in this remote hearing.

The court further orders the Applicant to give the Respondent notice of this Application, the Affidavit, any ex parte order, and this order, by having a true and attested copy served on the Respondent by any proper officer at least 5 days before the date of the hearing. Proof of service must be made to this Court.

To any proper officer: By the Authority of the State of Connecticut, you must serve a true and attested copy of the Application, Affidavit, Ex Parte Order (if any), and this order on the person named below in one of the ways required by law at least **5 days** before the date of the hearing, and file proof of service with this Court.

Person to be served

Address

By the Court

Assistant Clerk

Date signed