

Instructions for Completing Notice of Motion and Motion to Intervene

Who May Ask to Intervene:

Any person, including the county attorney if not already a party, may be permitted to intervene as a party to a child protection matter if the court finds that such intervention is in the best interest of the child.

What You Must Do to Intervene:

Print the county, judicial district, court file number, and the case caption where indicated. This information is on the Notice you received (please print or type all information).

A. Complete the “Notice of Motion and Motion to Intervene” form:

1. On question 1, print your name and mailing address.

2. On question 2, explain your relationship to the child, such as foster parent, preadoptive parent, relative, school district, friend of the family, and etc. **You may be asked to repeat these statements under oath at the time of a court hearing.**

3. On question 3, explain why you want to intervene as a party in this matter and why your intervention is in the best interests of the child.

4. Contact the court administrator and ask the court for the next available hearing date and time. Fill in that information in the first paragraph, along with the name and address of where the hearing will take place.

B. Sign your name and print in your name, but only in the presence of a notary public or court administrator.

C. Make copies of the completed and signed “Notice of Motion and Motion to Intervene” form – enough copies for each party and one for you.

D. For each party, prepare an envelope with the party’s name and mailing address (or the name and address of the party’s attorney if represented) and put one **copy** of the completed and signed “Notice of Motion and Motion to Intervene” form in each envelope.

E. At least **5 days** before the date of the hearing, have someone else who is at least 18 years of age and who is not a party to the case **hand deliver** the envelopes to each of the parties.

Or

At least **8 days** before the date of the hearing, have someone else who is at least 18 years of age and who is not a party to the case place the envelopes in the **mail**.

F. Keep one copy of the completed “Notice of Motion and Motion to Intervene” form for your files and bring it with you to the hearing.

G. Have the person who mailed or hand delivered the envelopes to the parties fill out the “Affidavit of Service” form included with this packet. That person must sign the form, but can sign it only in front of a notary public (they can be found at banks) or the court administrator. Make one copy of the completed and signed “Affidavit of Service” form and keep it for your files.

H. At least **5 days** before the date of the hearing, **hand deliver** the **original** completed “Notice of Motion and Motion to Intervene” form and the **original** “Affidavit of Service” form to the court administrator.

Or

At least **8 days** before the date of hearing, mail the **original** completed “Notice of Motion and Motion to Intervene” and the **original** “Affidavit of Service” form in an enveloped addressed to the court administrator.

I. Attend the hearing.