

COMPLAINT FOR VISITATION INSTRUCTIONS FOR COMPLETING CC-DR 5

If there is no court order giving you visitation, you may: (1) obtain the services of an attorney to handle your case; or (2) file the case yourself by using the CC-DR forms. **Use this form only if there is no order giving you visitation and you are only seeking visitation. If there is an existing order, you should use DR 7.**

There are 7 steps you must follow in order to proceed with the case yourself:

> **STEP 1 — Completion of Form CC-DR 5.**

Follow these instructions carefully.

Fill in both your name, as Plaintiff, and the other party's name, as Defendant. Then, fill in the **current** addresses and telephone numbers for both. If you do not have an address for the other side and have done everything you can to find the address, call the Legal Forms Helpline (1-800-818-9888) to see if resources are available in your county to help you. **Do not** fill in where it says "Case No."

Line 1: After printing your name in the space provided, circle if you are the mother or father of the child(ren) or fill in your relationship to the child(ren). List the child(ren)'s full name(s) and date(s) of birth.

Line 2: Fill in the full address where the child(ren) is(are) living now. Fill in the name of the person the child(ren) is(are) currently living with and what that person's relationship is to the child(ren).

Line 3: List all other cases that have involved the child(ren).

Line 4: List any cases about the custody or visitation of the child(ren) in which you were involved in some way, as a party, a witness or some other capacity.

Line 5: List the names and addresses of anyone you know of, not listed as plaintiff or defendant in this case, who either has the child(ren) in their care, or believes they may have a right to custody of or visitation with the child(ren).

Line 6: Explain fully why you believe the child(ren) should be allowed to visit with you.

FOR THESE REASONS: Explain how often, on what holidays, and where you want to be allowed to see the child(ren).

The court will not necessarily give you what you asked for.

Complete the affirmation at the bottom of page 2, then date and sign the form.

> **STEP 2 — Filing Fee.**

Payment of a filing fee is generally required. See *General Instructions*.

> **STEP 3 — Filing Your Forms.**

Take the completed documents to the Clerk of the Court. Make sure to get the case number.

> **STEP 4 — Service.**

You will need to have the other party properly served with a copy of all the papers you are filing **AND** with a Writ of Summons which is provided by the Civil Clerk of this Court. See *General Instructions*.

> **STEP 5 — Request for Order of Default.**

If a defendant is served:

The defendant should answer within:

in Maryland

30 days after service

in another state

60 days after service

in another country

90 days after service

If a defendant does not file an answer by the required time, file a Request for Order of Default (CC-DR 54).

> **STEP 6 — Request for Hearing or Proceeding.**

The Complaint for Visitation alone will not get you into court. You **MUST** File a Request for Hearing or Proceeding, CC-DR 59, so that a court date will be set. See *General Instructions*.

> **STEP 7 — Hearing.**

See page 5 of *General Instructions - What Happens in Court?*