

Commonwealth of Massachusetts

The Trial Court

Middlesex Division

Probate and Family Court Department

Docket No. \_\_\_\_\_

COMPLAINT FOR GRANDPARENT(S) VISITATION

\_\_\_\_\_

\_\_\_\_\_

Plaintiff(s)

V.

\_\_\_\_\_

\_\_\_\_\_

Defendant(s)

1. Now comes the plaintiff (s) in this action seeking to obtain visitation rights with his/her/their grandchild(ren), namely:

_____	(name of child)	_____	(date of birth)
_____	(name of child)	_____	(date of birth)
_____	(name of child)	_____	(date of birth)
_____	(name of child)	_____	(date of birth)

who is (are) unmarried minor(s) who reside(s) at \_\_\_\_\_

\_\_\_\_\_ (street address)

\_\_\_\_\_ (city or town) \_\_\_\_\_ (county) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

2. Plaintiff(s) is (are) the maternal/paternal grandmother - maternal/paternal grandfather - of said child(ren) who reside(s) at \_\_\_\_\_

\_\_\_\_\_ (street address)

\_\_\_\_\_ (city or town) \_\_\_\_\_ (county) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

3.  The defendant, \_\_\_\_\_ (name of defendant mother)

who resides at \_\_\_\_\_ (street address)

\_\_\_\_\_ (city or town) \_\_\_\_\_ (county) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

and the defendant, \_\_\_\_\_ (name of defendant father)

who resides at \_\_\_\_\_ (street address)

\_\_\_\_\_ (city or town) \_\_\_\_\_ (county) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

are the parents who do not live together of the above stated child(ren).

The defendant, \_\_\_\_\_ (other, e.g. the Department of Social Services, legal guardian, etc.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(over)

(BACK OF COMPLAINT FOR GRANDPARENT VISITATION)

4. Please check and complete ONLY ONE of the following sections.

- a.  On \_\_\_\_\_, the defendants were divorced by judgment of the Court. The judgment did not provide for visitation rights for the above named grandparent(s).
- b.  On \_\_\_\_\_, the defendant father was adjudicated by judgment/order to be the father of the child(ren). The adjudicated father and mother of the child do not reside together. The judgment/order did not provide for visitation rights for the above named grandparent(s).
- c.  On \_\_\_\_\_, the defendants signed an acknowledgment of parentage which was approved by order/judgment of the court. The parents of the child do not reside together. The order/judgment did not provide for visitation rights for the above named grandparent(s).
- d.  The defendants are married but living apart and are subject to a temporary order or judgment of separate support. The order/judgment did not provide for visitation rights for the above named grandparent(s).
- e.  On \_\_\_\_\_ (date of death), \_\_\_\_\_ (name of deceased parent) died leaving \_\_\_\_\_ (name of surviving parent) as the surviving parent.
- f.  On \_\_\_\_\_ (date of death), \_\_\_\_\_ (name of deceased parent(1)) died and on \_\_\_\_\_ (date of death), \_\_\_\_\_ (name of deceased parent(2)) died. The child(ren) is/are currently \_\_\_\_\_ (explain legal status of child(ren)'s care)

5. The plaintiff(s) allege(s) that it is in the best interest of the minor child(ren) that they be granted visitation with said child(ren).

WHEREFORE plaintiff(s) request(s) that this Court enter a judgment that provides him - her - them with visitation rights.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (signature of plaintiff (2))

\_\_\_\_\_  
 (PRINT name)

\_\_\_\_\_  
 (street address, if different)

\_\_\_\_\_  
 (city or town) (state) (zip code)

\_\_\_\_\_  
 (signature of attorney or plaintiff(1), if pro se)

\_\_\_\_\_  
 (PRINT name)

\_\_\_\_\_  
 (street address)

\_\_\_\_\_  
 (city or town) (state) (zip code)

Tel. No. ( ) \_\_\_\_\_

Tel. No. ( ) \_\_\_\_\_

**For Defendant(s):**

B.B.O. # \_\_\_\_\_

\_\_\_\_\_  
 (name)

\_\_\_\_\_  
 (street address)

\_\_\_\_\_  
 (city or town) (state) (zip code)

**COMPLAINT - JUDGMENT**

Filed: \_\_\_\_\_

Judgment: \_\_\_\_\_

Tel. No. ( ) \_\_\_\_\_

Temporary Orders: \_\_\_\_\_

B.B.O. # \_\_\_\_\_

Service on Summons: \_\_\_\_\_

**INSTRUCTIONS**

1. Refer to G. L. M. c. 119, § 39 D.
2. A Care and Custody Affidavit shall be filed with this complaint.
3. Service is to be made in accordance with the Rules of Domestic Relations Procedure (Rule 4).
4. No fee shall be required for the filing of this complaint.
5. If the defendant father has been adjudicated in another court copies of the judgment/order must be filed.