

## INSTRUCTIONS AND FORM ON AFFIDAVIT OF COURT APPROVED PARENTING COURSE

These forms are related to specific South Dakota Codified Laws (SDCL) concerning divorce matters. You can find these laws on the South Dakota Legislature website. If you have any legal questions, it is highly recommended that you consult with an attorney. Court staff are unable to provide legal advice or assist with form completion. For specific questions related to the forms, you can also contact the Legal Form Help Line at 1-855-784-0004 or email UJS staff at [ujssrhelp@ajs.state.sd.us](mailto:ujssrhelp@ajs.state.sd.us). Remember that legal matters are better addressed by professionals who specialize in this field.

### **IMPORTANT NOTICES:**

- In order for a final decree or order to be entered in a case involving child custody or parenting time a parenting course is required to be completed by both parties within sixty days of service of a summons, complaint, petition, motion, or other request concerning child custody.
- Participation in the course may be waived if good cause is shown, or there has been completion of a court-approved course within the past five years.
- More information and a list of court-approved parenting classes can be found on the South Dakota Unified Judicial website:
  - [https://ajs.sd.gov/Parenting\\_Education/Default.aspx](https://ajs.sd.gov/Parenting_Education/Default.aspx)
- The following form should only be completed if you are requesting to waive the Parenting Course Requirement.

### **To complete this form, you will need to:**

- Complete the caption by filling in the name of the county you are filing in, the judicial circuit number, and list the names of the parties as they appear on the Summons and Complaint.
- Fill in your name on the first line provided as you are the Petitioner.
- Number 2 – Check mark one or both boxes depending on what fits your case.
- Number 3 – Check mark A, B, or C.
  - Option A – can be marked if you have completed a court-approved parenting course within the past five years.
  - Option B – can be marked if you are seeking to waive the parenting course requirement with good reason for the request.
  - Option C – can be marked if you are seeking additional time (more than sixty-day requirement) to complete the parenting course and reason for the delay.
  - Date, Sign, and file with the Clerk of Court.

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL CIRCUIT

<p>_____</p> <p>Plaintiff</p> <p>v.</p> <p>_____</p> <p>Defendant</p>	<p>Case No.: _____</p> <p style="text-align: center;"><b>AFFIDAVIT ON COURT-APPROVED PARENTING COURSE AND ORDER</b></p>
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I, \_\_\_\_\_, the Petitioner, hereby swear under oath and penalty of law that the following is true to the best of my knowledge and belief:

1. I am a party to the above-captioned action.
2. The above-captioned action involves (**circle one or both**) child custody/parenting time issues, it is not a protection order proceeding, and does not terminate parental rights.
3. I \_\_\_\_\_, the Petitioner (**check A, B, or C**)
  - A – Have completed a court-approved parenting course within the last five years. I have attached proof of completion to this Affidavit.
  - B – Seek to waive the court requirement for the following reason (*check one*):
    - The other party has not responded within the required timeframe.
    - OR
    - Other: \_\_\_\_\_
    - \_\_\_\_\_
    - \_\_\_\_\_
  - C – Seek to delay the court requirement until \_\_\_\_\_ days after the (**select one**) \_\_\_\_\_ is/was served for the following reasons:
    - \_\_\_\_\_
    - \_\_\_\_\_
    - \_\_\_\_\_

4. I understand that if the course requirement is waived or delayed by the Court, the Court may order that I receive the course information in an alternative format.
5. I further understand that a final decree shall not be granted or a final order in this matter shall not be entered until both parties have complied with the parenting course requirement, unless the Court waives or delays the participation in the Court for good cause.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Petitioner Signature

Sworn/affirmed before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Petitioner Address

\_\_\_\_\_  
Notary/Deputy Clerk/Clerk of Court

\_\_\_\_\_  
City, State, Zip Code

My Commission Expires:\_\_\_\_\_

\_\_\_\_\_  
Phone Number

**ORDER**

The Petitioner having moved this Court to waive or delay the parenting requirement or having completed a court-approved parenting course within the last five years, and the Court having reviewed and considered said request the Court determines that it is hereby:

- ORDERED that the petitioner’s proof of completion of a court-approved parenting course is:  
 DENIED       GRANTED
- ORDERED that the request made by the Petitioner to waive the parenting course requirement is hereby:  
 DENIED       GRANTED
- ORDERED that the request made by the Petitioner to delay the court required parenting course requirement is hereby:  
 DENIED       GRANTED

\_\_\_\_\_  
Circuit Court Judge

Attest:

\_\_\_\_\_  
Clerk of Court

\_\_\_\_\_  
Deputy Clerk  
(Seal)