

Commonwealth of Massachusetts
Bristol County Probate & Family Court



Gina L. DeRossi
Register of Probate

PETITION FOR GRANDPARENT(S) VISITATION

Use these instructions if:

- ✓ You are the grandparent(s) of a minor child(ren).
- ✓ The child's parents are either divorced, separated, unmarried or deceased.
- ✓ The child has NOT been adopted by a person other than a stepparent.
- ✓ You are seeking reasonable visitation with the child.

STEP 1: COMPLETE THE FORMS: Fill out all forms completely using permanent black ink. You may also complete and type the forms on line at www.bristolcountyprobate.com.

- ✓ **PETITION FOR GRANDPARENT(S) VISITATION.** You, as the Petitioner, must fill out the form completely.
- ✓ **AFFIDAVIT DISCLOSING CARE AND CUSTODY PROCEEDINGS.** This form along with separate Instructions are available at the Registry or on line at www.bristolcountyprobate.com.
- ✓ **SWORN AFFIDAVIT.** This Affidavit describes the nature of involvement and relationship between the grandparent(s) and child(ren) along with a description of harm the child(ren) would suffer if visitation is not ordered. It is best to file this form with the Petition.

You may be required to file the following additional forms:

- ✓ **If the Respondent Father has been adjudicated in another court, you must file a copy of the Judgment/Order from that court.**

STEP 2: MAKE COPIES: Make a copy of all completed forms prior to filing them. Assemble the copies so that you have 2 COMPLETE PACKETS OF THE FORMS – the originals and the copies. Keep copies for yourself.

- STEP 3:** **FILING FEE:** **\$5.00 for every Defendant named in the case.**
- STEP 4:** **FILE THE PAPERS:** Take the original forms listed above and deliver or mail the original documents to the Registry of Probate for processing at 40 Broadway, Suite 240, Taunton, MA 02780.
- STEP 5:** **RECEIVE A SUMMONS FROM THE COURT:** Once you have filed the appropriate papers with the Registry you will receive a copy of your *Complaint*, *original Summons* and *Track Notice* from the court. **YOU** must arrange for the *Summons* and other forms to be served upon the other party/parties to the case by a Constable or Sheriff. **YOU MAY NOT** serve them yourself. Separate Instructions on How to Serve a Domestic Relations Summons are available at the Registry or on line at www.bristolcountyprobate.com.
- STEP 6:** **RETURN THE SUMMONS:** After the other party/parties has been served all the necessary papers, **YOU** must return the *original Summons* with *Proof of Service* to the Registry so that a Case Management Conference can be assigned. (Note: If you do not know the current whereabouts of the other party, you can request notice of the above action by publication in the newspaper. Separate Instructions on How to Serve by Publication are available at the Registry or on line at www.bristolcountyprobate.com.)

Please be advised that the information in this pamphlet is provided as a service of the Bristol County Probate & Family Court Registry and does not constitute legal advice which can only be given to you by an attorney.

Bristol County Probate & Family Court Registry
40 Broadway, Suite 240
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