



Instructional Guide for the CAPRA Free Valentine Promo Motion to Dismiss Package:

How to Prepare, File, and Serve.



Visit the state group you need here – <http://parentalrightsclassaction.com/contact.html>

Section 1: Package Contents

We presume you have obtained a copy of the free download package ZIP file. Windows users may simply right-click on that .zip file and select "Extract files..." to your choice of folder somewhere on your computer. Otherwise, there are tons of free utilities on the Internet to work with ZIP files, which have been around since before either Windows or Mac/Apple and long before any smartphones existed. The package includes these files:

[_READ_ME_FIRST.txt](#)

[Motion to Dismiss All Child Issues for Lack of Jurisdiction.doc](#) (*motion to dismiss, 1 of 3*)

[Notice of Constitutional Challenge to State Statutes.doc](#) (*motion to dismiss, 2 of 3*)

[Notice of Federal Younger Doctrine Alert.doc](#) (*motion to dismiss, 3 of 3*)

[Letter Terminating Attorney Representation.doc](#) (*if needed, to fire attorney, 1 of 2*)

[Notice of Termination of Representation.doc](#) (*if needed, to fire attorney, 2 of 2*)

Each of the five Microsoft Word .doc files are also provided in Rich Text Format (.rtf), which is a generic editable file format in case you don't have access to Microsoft Word, and each source document has also been provided in Adobe PDF for general reference.

While it is no longer directly promoted or linked upon the CAPRA website, the special "Valentine Victory Vacation" webpage will actually remain online for review as needed: <http://parentalrightsclassaction.com/vvv.html>

Section 2: Purpose and Expectations

No attorney will ever file these constitutional arguments, because they directly expose the entire family court system he/she wants to still keep earning income in, tomorrow in another victim's case, and if he/she even dared filing something this powerful, he/she would be immediately "blackballed" out of further work by the system itself, and maybe even further retaliated against (trumped up discipline charges to suspend license, etc.).

If you are currently represented by any attorney within your family court case, then you will need to fire that attorney before you can file your own court paperwork for yourself

("representing yourself" = "pro se"). If you were using an attorney "last time" and that attorney didn't "withdraw" at the end of that prior period, then said attorney might still be officially listed upon your court case docket as representing you, and you will then still need to formally terminate that attorney in writing, using this very same package.

The PURPOSES of filing the three (3) "main" documents within this motion to dismiss package are at least two-fold, including obvious direct challenges as made against the flatly unconstitutional family court practices themselves, and also in direct protection of your own rights, including built-in claims for restoring your parenting time and monies, not to mention putting an immediate "fear of God" into all of them regarding harassing you ever again, in any way, over anything – because you just exposed their clear fraud.

Are the lowly state "family court" judicial officers going to suddenly agree with you and strike down their entire statewide unconstitutional practices? This is not very likely, as they would be too afraid to do so, even if they wanted to agree with you. See the very same retaliation prospects regarding any attorney that would dare to file this package.

You might – might – get strangely fortunate and actually experience some judge who was about to retire, anyway, suddenly grant your random motion to dismiss for lack of jurisdiction. However, much more likely is that many and/or most cases wherein you or somebody else filed their motion to dismiss package, each of the given judges will just be too afraid to "touch this hot potato" with their proverbial ten-foot pole, and so likely will just let your case (and your filings) sit for weeks and months without addressing anything, at all... hoping your case will somehow just "go away" forever. Yet again, any direct challenge to any court's jurisdiction is a direct attack upon the very validity of the case itself (as you hopefully learned by now), and so it is important for you to know and understand that any denial of such a motion as this (regarding jurisdiction itself) would be and always is an immediately appealable order ("interlocutory" appeal "as of right").

Your OPTIONS of legal procedure should include consideration of the following thought towards future plans. **There is strength in numbers**, hence you should *always* plan to "consolidate" your case, precisely because of those common constitutional challenges invoked by you and by other parents with the same package..., with as many of those other cases as reasonably feasible, i.e., cases within the same State or Commonwealth by other parents who "just filed" their same corresponding package as you. If you get things timed right with one (1) or more other similar parents who have cases in your same State or Commonwealth, so that you all file your constitutional challenges at right about the same time – within a couple/few days of each other at most, so nothing else happens yet meanwhile – then immediately have everyone file for consolidation of their cases together. OR, at the very least, perhaps plan for later consolidating upon appeals

filed from all cases that “just got denied” by each of their different, respective crooks (er, we mean “family court judges”...) within your own same State or Commonwealth, but the timing of multiple cases getting denied about the same time for consolidation purposes really means you’ll only be able to use whichever cases are ready at that time.

The directly-related OPTION is for a “federal removal” which actually removes your case totally away from the state court completely (sort of like a change of judge, or a change of venue, but the change is from the state court system into the federal court system), and that can be done: (a) instead of filing anything in your state court; (b) after filing this same special motion package in your state court; (c) upon denial of your motion by the family court judge, i.e., instead of appealing to the higher state courts, you instead remove the entire thing into federal court upon the very same constitutional challenges to the very same state family law statutes; and/or (d) any of those options using the federal courts can be, and should be, consolidated together at any level, trial or appeal.

In one way or another (and the whole idea is really using ALL the different ways at the same time, in parallel amongst many cases across the nation), these three (3) powerful constitutional challenges that directly expose rampant facial fraud by the whole system are to be “forced down their throats” in **both** the higher state **and** higher federal courts, until the system finally cries mercy from overload in public exposure/embarrassment, and/or meanwhile, we finally surpass “legal standing” minimums to file the class action, and/or also meanwhile reach the similar threshold to file the SCOTUS original jury trial.

Section 3: Editing the Package for Your Case

■ Firing Your Attorney (if you don’t need this, skip down for now)

If you need to use the two (2) corresponding papers to fire your attorney and take over your own case directly (and so you can file your own paperwork from then on), edit the “**Letter Terminating Attorney Representation**” to substitute in the real information for yourself and your attorney, by paying special attention to the **red text which requires serious attention for sure**, also to the **blue text which usually indicates a question of the given text to even be used at all, and/or to make a choice between options**, and also to the **purple text which simply provides additional information and/or guidance** to you.

If you are in a hurry, for example, to fire your attorney and be able to file your own any paperwork as soon as possible, even immediately, then you might also be sending your attorney a copy of the termination letter by email and/or by fax, whichever or both, and if you do also use either of those methods (email and/or fax) to transmit your letter of termination, then simply add/use those snippets of relevant description/information too, as the **purple information/guidance text** upon the **Letter** itself indicates in those places.

If you're not talking about a family court case in Texas, then you need to change the red-colored word **Texas** in the **Letter** itself to the actual State or Commonwealth of your case and interest, naturally..., and likewise you need to choose either the singular word "child" or the plural word "children" where that blue-colored **child/ren** OPTION appears.

If you don't already know your attorney's "State Bar Number" ("SBN"), they are actually easy to find and get. Just go on Google, and do a quick search for "[your Statename] roll of attorneys" (example: *Alaska roll of attorneys*) and one of the first couple/few results will be to that needed search page with either a state agency that handles their licenses, or the supreme court of that state system, or the state bar association, where you then simply enter the attorney's first and last name, and learn all of his/her details.

When done with all appropriate edits to the **Letter** itself, then change ALL of the text to regular **black**-colored text, so everything is normal black-and-white. Date and sign the same **Letter** itself as completed, and transmit to your attorney to be fired – at least with sending one (1) copy just mailed with a regular stamp in the regular postal mail. To fax the same termination **Letter**, just use whatever fax service you want (and add a cover sheet to that fax transmission). If you want to send the same **Letter** by email, make a PDF version of your completed **Letter** first, and attach that PDF version ***only*** instead, so that the receiver (that attorney or somebody else via that end) cannot ***alter*** it...!

The world's most popular free "PDF printer" software/app is available for download at <http://PrimoPDF.com> (just get the FREE version there, which is all you'll ever need, and simply follow their directions to install and use PrimoPDF to make PDFs from anything).

If you need to edit and use the **Letter** to fire an attorney (or more than one, so edit as needed for that rarer situation), then you will also need to attach a completed copy of that as "Exhibit A" to the **Notice of Termination of Representation**, and edit that **Notice** similarly for filing with the court, to let the clerk, the court, and everyone else involved know you have fired your attorney and are now in control directly (so you have to tell everyone your proper mailing address for service of **their** any future papers **upon you**).

Prepare the **Notice of Termination of Representation** by editing the very top section of the first page – which is called the "styling" of your case – to be the same arrangement and layout/formatting used upon all/most/general legal documents for your courthouse, which you have probably already seen plenty of times, across the tops of papers that the opposing attorney(s) have filed against you, and/or across the tops of papers that your own any attorney(s) have filed for you, and/or across the tops of court orders, etc.

This "styling" of your case should basically always be the exact same upon all papers in your case, even though sometimes "they" (court/clerk/attorneys) squeeze things tightly.

So then just go through the rest of that same **Notice of Termination of Representation**, and edit/substitute the rest of the proper information for you, for the attorney you are firing, check both **red text** and **blue text** for whatever you need to edit/confirm/choose, and erase **all purple instructions text** as that is just to help you understand those things.

Most state court systems, at least clear down at your local trial/family court levels, do not have parties/attorneys using their **email addresses** upon paperwork, but some do, so again, just double-check by comparing to any/all other paperwork from/in your case.

You want to be **sure** and properly identify all parties including yourself in all papers, so double-check the correct label when used for "Respondent" or "Defendant" or "Plaintiff" or "Petitioner" party type. By default, all of these package papers refer to (you, the one who is preparing to file this package) as the "Respondent" but that's only making it as easy as possible for **most** of you, while some of you will need to replace that with the correct party type label for yourself. Again, double-check all such references to parties.

When you get to the Certificate of Service section at bottom, you **can** just replace the first underline (for the date) with an actual typed date number (i.e., "1st" or "14th" or "23rd" etc.) if you **really** want to, as long as you are dead sure which exact date it is all going to be filed on... right? Otherwise, just leave blank for printing/copying needs, and then actually fill in the date when you are ready to go file. Of course, you need to just put *the actual month and year* instead of "[Month, Year]" shown next on that line.

Just below that, is where you put the name(s) and address(es) of each other officially listed party within the case, and that also partially tells you how many copies of papers you will need to make of everything, because you have to "serve" a copy of the paper upon each other party in the case. Never mind that maybe the attorneys themselves are "fudging" that rule of proper proof ("certificate") of service, by only saying general descriptions like "I have served all parties of record" or whatever (without actual listing of names and addresses), but YOU do it properly and fully legit, by actually listing each other official party in the case, by full name and full mailing address. 90-95% of all the state court cases like yours ("custody / support / visitation") across the country are one of two regular types: (1) there is just you and the other parent, nobody else, regardless whether or not either of you two parents may have an attorney or not; or, (2) there is both you and the other parent, plus there is also a "guardian *ad litem*" or other singular child-custody-adviser-to-the-court type of person involved, perhaps alternatively called a "parenting coordinator" or some such other similar title. Only the fewer, rarer cases ever have more than one (1) other party involved besides the two parents themselves.

If the other parent does not have any attorney, then simply use the other parent's full name and mailing address, like addressing the envelope you will use to serve him/her.

If the other parent has an attorney, then put the attorney's full name (and bar number if you found it), then the name of their law firm if any as the next address line, then the appropriate full mailing address as those next two address lines (or even three lines when needed for some addresses). If there are any other actual, officially-listed parties in your case (your State or Commonwealth *might* be listed as a party because of the child support, i.e., Title IV-D, but it just isn't an "active" party within your case yet, for example), such as a guardian *ad litem* or similar person, or whomever else perhaps, you must also list the full name and full business address of each such any other party officially listed upon your case "docket" (i.e., the "table of contents" for your case, the "index" of your case, actually the "chronological case summary" or simply the "CCS" of your case as maintained by that clerk, i.e., the computerized event listing of your case). Note: You can usually find your case "docket" listing online, at least for most populated areas nowadays, so review that online for an official listing of parties confirmed (check the state court system's main website, or ask a friend to point you to the search page), or if you must (or just instead), visit the clerk in person and get a copy of your docket.

THEN ALSO within that same listing of parties for your Certificate of Service, regardless of whether or not the State or Commonwealth is already an officially-listed party or not, and precisely *because* these papers involve direct facial constitutional challenges to the family law statutory scheme of the State or Commonwealth, AND PRESUMING that if you are firing your attorney in order to file this motion to dismiss package (so that you are going to file both at the same time when you go to the clerk's counter at the corresponding family court courthouse – or have somebody do that "locally" for you, if that's your remote/far-away situation), you are going to list/serve the Attorney General of the State or Commonwealth, anyway, because of those constitutional challenges.

BUT, TAKE SPECIAL NOTE that if you are *only* using the [fire attorney] pair of papers to just fire your attorney... only... at the present time (and you are not, or at least not just yet, filing the constitutional challenges and so forth within the main package triplet) then none of that extra special legal stuff and "certified mail" service upon the Attorney General will be involved yet... so in that situation, do NOT include the Attorney General within that listing of parties being served, and ALSO delete that last matching sentence.

Again, to help re-clarify the above, IF you are going to fire an attorney... and that's all you are doing for the present time... then you are not yet raising all of the constitutional challenges stuff, so delete the Attorney General listing and "certified mail" reference at the end of the Certificate of Service (unless the Attorney General is already a party in the case because of Title IV-D, in which case you still will list there for service and serve like normal without certified mail), BUT IF you are going to fire your attorney AND ALSO SHORTLY THEREAFTER file the motion to dismiss package AT THE SAME TIME of going

to the courthouse clerk's counter to file everything, then you DO leave/include the given Attorney General name and mailing address, and use certified mail for serving him/her.

So, to summarize JUST the process of firing your attorney properly, so that there will be no questions whatsoever, you FIRST transmit the written Letter to the attorney, by mail at the very least, formally notifying the attorney that he/she has been terminated. Mail will take a day or two, of course, before they even see it. Then the attorney will most probably (and mistakenly, but you don't care) file his/her motion to withdraw (which is totally irrelevant at that point, because you hire/fire the attorney who works for you or not, at your pleasure/discretion... It was never any question for the court, whatsoever, so any motion to "withdraw" after you have already fired him/her is "moot" under law).

If you need to fire quickly in order to handle your own paperwork without any questions or interference, by anyone whatsoever, then you will surely also (besides just a paper copy of the termination Letter sent by regular mail, which you have to do, regardless) want to use either email to send a PDF copy of the Letter (see above for more details on that PDF creation process), and/or you will want to fax the Letter to the attorney, or perhaps even both (email and fax) if you want to just make that extra sure of receipt.

And then, AFTER you have transmitted the Letter of termination to the attorney, attach a complete copy of that same dated/signed Letter (save an "original" unmarked copy of your Letter, i.e., without any extra markings on it, for your records), to the "styled" Notice for filing at the courthouse, and use a red pen or fine point marker to hand-mark "Exhibit A" down near the lower right-hand corner of that exhibit copy of the Letter, then simply take the correct number of copies to the courthouse and file into your case, followed immediately by a visit to the nearest Post Office for serving everyone by mail.

See the last two Sections for final assembly, number of copies, filing and service details.

■ The Motion to Dismiss Package of Three (3) Documents/Papers/Filings

For most general details of editing/tweaking each and any/all of these legal documents, please review the entire above details about doing the same for the documents about firing an attorney, beginning from the very start of this same Section 3 (on page 3), and following along in these three (3) documents in the same manner as you either did, or would, do for those two (2) "fire-the-attorney" documents. Likewise in these legal documents, combining your motion to dismiss, for lack of jurisdiction on each of those three (3) different facially-unconstitutional reasons/arguments, you also pay attention to important red text and blue text, and also eventually delete all purple guidance text, check your party labels as correct ("Respondent" and "Petitioner" or "Plaintiff" and "Defendant" and so forth, even being careful and correct with any third party title), the

name of the **State** being used in the text (is your family court case *also* in **Texas** ..?), whether your paper should say **child** or **children** in those spots, the case "styling" shown across the tops of your court-filing paperwork, and etc. Indeed, if you want to be very correct and your case happens to be in either Kentucky, Massachusetts, Pennsylvania or Virginia, you should actually write **Commonwealth** instead of **State** in your paperwork...

BUT IN FURTHER ADDITION to the general details and guidance provided so far within and about the pair of "fire-the-attorney" documents, for these three (3) motion package documents, the following types of things are ALSO to be watched for correct usage too:

-- **County** is correct for almost all of the States and Commonwealths, but for Louisiana it is **Parish** instead, and for Alaska it is going to be either **Borough** (likely) or **Census Area**;

-- certain **language/words** used a few times presume that there IS an opposing attorney in your case against you, but IF NOT, either delete such text and/or otherwise modify;

-- certain **language/words** used a few times are presuming that *your one child* OR if you have more than one child involved then *your youngest child/ren* (is or are) still currently *under 18* (and therefore, there is still some "parenting time" remaining yet, so that you can get at least some extra/makeup "parenting time" beyond basic 50/50, towards what you are owed), BUT IF your single child involved is now an adult, or if all of your multiple children involved are now adults, THEN obviously there is no possible remaining legal way to "order" some sort of forced "parenting time" with *adult* children, so in that situation (you have no *minor* child left involved within the case anymore), edit that particular **language/words** to fit your situation, or else simply delete **those parts** as no longer applicable/relevant, and/or use your best judgment to craft appropriate text;

-- in just a couple places within these three (3) motion package documents, the faked initials **A.B.C.** are used in example for a *single* minor child's initials, so adjust as needed (in fact, never use, or allow usage of, the *names* of any minor children in court papers);

-- in just a couple places within these three (3) motion package documents, there are quick mentions of the state child protection services agency. In **Texas** ("TX") it is called "**DFPS**" but each State and Commonwealth has its own "alphabet soup" name for its CPS agency, so edit to whatever it is called in the State or Commonwealth of your case;

-- watch for correct usage in any kind of "personal pronouns" such as "he" and "his" and "him" versus "she" and "hers" and "her", surrounding references to either "child" or "children" as making proper sense (singular pronouns versus plural pronouns), and etc.;

-- and also, generally review and re-review until you are sure that you have caught all things and confirmed/modified as needed, that it all "reads" properly and makes sense, as you *definitely* don't want the court/opposition seeing such "give-away" mistakes...

Now, for the few individual-per-paper "legal needs" and miscellaneous "item" locations to either double-check and/or edit as appropriate, each of these three (3) constitutional challenge / motion to dismiss package documents are explained separately, just below:

Motion to Dismiss All Child Issues for Lack of Jurisdiction (page references are of course to the page numbers of the original *unedited* source document provided you, so after you begin to make some edits, items for check/edit listed below *might* be +/- one page)

Page 2, ¶ 2: This is about whether or not your child/ren (is or are) now adult, i.e., that question of whether or not there is any "parenting time" left to argue about, *see above*.

Page 9-10, ¶¶ 28-29: This is including at least brief description and brief citation to the *state-specific* legal authorities involved with the setup of **Title IV-D** *within* the State or Commonwealth of your family court case. If your case is in **Texas**, then change nothing at all, but all others must put together something at least briefly describing and at least briefly pointing to some *state-specific* statutes and/or other legal authorities involved, and this is a team task or "group" task for ready and willing and able parents to share with each other upon the CAPRA state-by-state group forums. It is not very difficult at all to simply review the given state attorney general's website to see what descriptive text is already on their "child support" webpage(s) there, or do a Google search, and/or find any of lots of other existing online resources of information. Work and share upon the matching CAPRA state group with others doing exactly the same thing as you need.

Pages 10-11, ¶ 31: This is just picking and including "at least several" different direct citations to "case law" of the State or Commonwealth in question itself, regarding the well-established conflicts of interest for judges... but not just ANY kinds of "conflicts of interest"... as there are lots of different types of conflicts of interest for both judges and attorneys, as far as that goes. You specifically need any "conflict of interest" case law snippets that are about "fiduciary" or "financial" or "commercial" or similar MONETARY interests... of any judge of that same State or Commonwealth. Any "several" will likely do just fine and dandy, and the goal is simply to cover several clear examples of conflict of interest under various and different *financially-related* situations. It is not difficult to simply use the available free online case law research engines (free case law websites), like Google Scholar (<http://scholar.google.com>), Findlaw (<http://caselaw.findlaw.com>), Cornell Law School (<http://law.cornell.edu>), and others, or even a "brute force method" in multiple separate regular Google searches, until you have finally found "enough" case law to get the job done. Again, you should really work and share upon the matching CAPRA state group with others building towards exactly the same things as you need.

You MUST include the given Attorney General for service by certified mail (*regardless of any prior party status or not*), because this all invokes those constitutional challenges...

Notice of Constitutional Challenge to State Statutes (page references are of course to the page numbers of the original **unedited** source document provided you, so after you begin to make some edits, items for check/edit listed below *might* be +/- one page)

Page 1, first main paragraph: These are to be at least “several” of the state-specific child custody statutes listed, and that means the particular statutes that directly pretend to authorize some judge to “grant” or “award” or “determine” or otherwise change any child custody situation between the two (2) natural parents. If your case is in **Texas**, of course, then change nothing at all, but all others must put together “several” of these particular state-specific child custody statutes, as particularly-listed examples, and you can just generally refer to “any and all other” statutes. We’re talking about various and different particular child custody “alteration” statutes of the State or Commonwealth of your case. Examples include both the “primary custody determination” statutes as well as the “custody modification” statutes – statutes that generally list “factors” for judges to take into consideration in determining child custody between parents – and then also remember that such pairs or sets of statutes will be found under (a) marriage, divorce and legal separation laws, (b) paternity laws, (c) child support without marriage laws, (d) domestic violence laws, and similar areas and/or sections of law of that given State or Commonwealth. You don’t need ALL of them, but you just need to quickly point out at least “several” of them directly by actual citation, and you can then add-on a general reference to any and all similar other statutes. Once again, this is not really a difficult task at all, and you are probably already well familiar with at least a couple/few of them but just hit up Google for a bit, go directly to the state law online (usually, as “Code”), and work and share via the matching CAPRA state group with others seeking the same.

Upper half of page 3, the **blue** and **purple** lines there: Either make a straight choice, as between the **two different blue lines** there, or slightly edit as needed to reflect whether the given State or Commonwealth has ever been and/or is an actually-listed, formal and official “party” within your family court case, whether that party status is supposedly about any child support or otherwise (doesn’t matter “why” if listed as a party). If the given State or Commonwealth is **already** an actually-listed party within your case (see your case docket for the “gospel” official position of the government, remember?), then you are among the minority of victimized parents across America, because this is really not the general, usual situation for almost all “noncustodial” parents. Again (mentioned earlier in this instructional guide), most situations are simply just the two (2) different natural parent parties themselves, or just both parents plus a single “GAL” or one (1) other similarly-titled person as a supposed “neutral” working “for” the court itself as “on behalf” of the child/ren involved. For **most** people using this package, the selection to **keep** will be that **second** **blue line**, and then of course still **delete that purple text**.

Bottom of page 3, that last [partial blue line](#) there in the “Wherefore” section: You really should look into the “regular” civil rules (typically, as “Trial Rules” or “Civil Rules”) for finding the matching Rule or Rules (if any) of the courts of the State or Commonwealth that have to do with making constitutional challenges to statutes. We are not aware of any States or Commonwealths where such rules do not exist... because challenges unto statutes happen all the time... so every main jurisdiction has created procedural rules to handle those situations... which always also involves directly notifying the corresponding Attorney General by certified mail (or nowadays, by any equivalent method of “tracked” carrier mail, for having proof of that “service” made upon said Attorney General). State or federal, it really doesn’t matter – they all have rules dealing with procedure for either the “clerk” and/or the “court” to formally “certify” the existence of such constitutional challenge(s) to that whatever-corresponding Attorney General (state or federal, whichever kind of statute is being challenged on some constitutional basis), regardless of which party raised the constitutional challenge(s). Again, this is not really difficult at all, but just requires taking an overview look into the matching Rules, seeing the “titles” of each Rule or rule section, and these particular kinds of rules should “pop out” at you fairly clearly because of their titles/descriptions, or there is always Google..., and there are CAPRA state-by-state groups for working and sharing with others seeking the same.

You MUST include the given Attorney General for service by certified mail (*regardless of any prior party status or not*), because this all invokes those constitutional challenges...

[Notice of Federal Younger Doctrine Alert](#) (page references are of course to the page numbers of the original **unedited** source document provided you, so after you begin to make some edits, items for check/edit listed below *might* be +/- one page)

Bottom of page 1, that last sentence: This whole sentence can either be just deleted entirely, or it is your one chance to just “rant and rave” a little bit, in simple “highlights” of the “worst of the worst” things (only) that have happened and/or exist within your case. The actual purpose of this (briefly descriptive) sentence (or two, at most) is just to get a couple or few **clearly wrong** and/or **clearly embarrassing** items in writing on the document itself, a little bit of extra “icing” on the “cake” so to speak. If things haven’t really been “that bad” within your own particular case, then perhaps just delete this entire last sentence altogether, but if you want to “point out” just some highlights, a quick overview of bullet points, a couple/few of the worst decisions, the unbelievable current situation for whatever biggie reason, etc., then this is your BRIEF and SHORT opportunity to rant and rave – just a little bit. Do NOT get into any long-winded story...

You MUST include the given Attorney General for service by certified mail (*regardless of any prior party status or not*), because this all invokes those constitutional challenges...

Section 4: Final Assembly and Number of Copies

Four (4) of the five (5) documents contained within this special promo package ZIP file download are “court-styled” papers, and then also the single Letter to fire an attorney.

Remember, IF you *only* firing an attorney, then you only need to use those two (2) particular documents (the termination **Letter** sent directly from you to your attorney to fire him/her) (and then attach a copy of that completed termination **Letter** as Exhibit A to that matching formal court-styled **Notice**, which you file at the clerk’s counter for that court). If you don’t need to fire any attorney, then completely disregard those two (2) particular documents as unnecessary for your situation.

The “main” three (3) documents contained within the special promo package are all one group to be filed together at the same time, and then served upon all existing parties, plus also via certified mail *with also* the return receipt requested (the green card) to the corresponding Attorney General, regardless whether the State/Commonwealth or Attorney General in direct name was already an officially-listed party in your case (rare).

Not talking about that **Letter** (to fire an attorney directly), but for any/all of the other four (4) “court-styled” documents, whether you use only the constitutional challenge set of three (3) grouped documents in motion to dismiss, etc., or whether you also happen to need to fire an attorney at the same time in order to ensure no barriers for filing that same main group of 3 constitutional papers, or whether you are only firing an attorney at the present time because you’re not ready to do the other main constitutional salvo just quite yet, each of those four (4) different “court-styled” documents has and must have its own Certificate of Service at the end of each said document, and the Certificate of Service will always be *the exact same* for either all three (3) or all four (4) of these “court-styled” papers, i.e., the names and addresses for each different party that will receive “service” (copies sent by various mail methods) of your new court filings must, and will, be the same set of names and addresses and the same general language upon each such different Certificate of Service – the only thing actually different between any of them is just referencing *the title of that particular paper itself*, there in the beginning.

NUMBER OF COPIES TO MAKE BEFORE FILING – Half of the courts/clerks across the nation want to keep one (1) copy of everything you file for their own case records, and the other half want to keep two (2) copies of everything you file for their own case records, so if you are not already familiar yet with the “local practice” of your particular family court/clerks, then just plan for needing two (2) copies of every paper you file that the clerk will keep for the courts records right after file-stamping them... plus, of course, you want your own file-stamped copy of everything... and you will need one (1) more copy of each paper to serve each other party listed on each Certificate of Service.

Section 5: Filing and Service

To properly make enough copies of everything, you can do that in generally one of two ways, either make one "original" set of each paper completed with signatures and dates filled in, and then go to an office supply store / copy center to make enough copies of all that, or you can just simply print out enough "original" copies in the first place, and then run through them all, adding signatures and dates – either way is fine, but just understand that you will always need at least one (1) such "original" of each different paper, i.e., that is to say, at least one (1) copy that is *hand-signed* and *hand-dated* in blue (repeat... blue..., blue..., any reasonable "blue"...) pen ink. Whether the rest of all your copies are also hand-signed "originals" in blue ink, or black-and-white copies, is legally irrelevant – the point is that the court itself gets originally-signed copies of each.

When you finally go the courthouse clerk's counter for filing your new paperwork, the clerk wants/needs to see that everybody is going to get an identical copy of said given whatever paper you are wanting to file and get file-stamped, so the point is that there is a certain way to present your "stack" of paperwork, both for professional courtesy, and even for reasons of basic decency to avoid any mess of confusion and chaos while trying to file your paperwork. The CLERK needs to see A-A-A, then B-B-B, then C-C-C, and so forth, so absolutely **DO NOT** attempt to "pre-sort" your paperwork, as if you've already got everything pre-sorted for later mailings ("service" after you get done filing).

In other words, if you are also just getting done firing an attorney with the **Letter**, and so you are there with multiple copies of all four (4) court-styled documents to file, the CLERK needs to see, first and on the very top of your entire stack of paperwork to be file-stamped and filed into your case, ALL of the copies of your corresponding **Notice of Termination of Representation of Counsel; and Corresponding Notice of Pro Se Party Information Update** – all copies of that first paper, immediately informing that random clerk you are dealing with in person, that your attorney has been fired and you are now in charge of filing, and therefore also have direct legal right to file, whatever reasonable papers you determine are good for your case, etc., and the REAL main point is that the clerk needs to see that ALL of those copies of *that* paper are identical... and signed... with what quickly appears to the same random clerk to be an appropriate Certificate of Service also included within the end of the paper he/she is looking at... and so then the clerk will [stamp – stamp – stamp...] all of *those* copies, keep their own 1 or 2 copies for the courts records, and either hand you back the rest of the copies or just set them aside there for the moment out of the way. OR, if you're not also firing any attorney, but just filing the main three (3) motion/constitutional-challenge papers, then you are going to put ALL of the copies of your completed **Motion to Dismiss All Child Issues for Lack of Jurisdiction** on top of your stack, together, so the clerk can see that all copies of

that particular paper are identical and so the clerk will know every other party (or "the" other party) will receive a properly-identical copy of the paper you are wanting to file with the court itself... and so then the clerk will [stamp – stamp – stamp...] all of those copies of that particular paper, either hand you back the extras after keeping one or two copies for the court's own records or set aside the extras out of the way, and then move on to processing the next paper you are submitting for filing into your case.

Do NOT ever "pre-sort" your paperwork, because that will cause you to be embarrassed at the clerk's counter for not knowing how things actually work, besides the trouble of having to shuffle through everything on the spot in an embarrassing manner... AFTER you get done filing papers at the clerk's counter, THEN later on (after leaving the court building) you will "sort" your copies of everything for placing into envelopes for mailings for each different party to be served. Again, every other "regular" party already in your case will just (and always) get one (1) single copy (which can always be just a regular black-and-white Xerox copy) of each actually-different "paper" that you filed with the clerk and court. For example, if you are a parent that will be firing an attorney, then that **Letter** is **not** something that gets "filed" with the clerk *separately* at all, but is only (and must be) *attached* as that *Exhibit* of and with that corresponding **Notice**, so that particular **Notice** is really the only "separate filing" or "paper" filed (because the **Letter** is only an *Exhibit* to that main "paper" being filed itself).

If you are filing the biggie motion-to-dismiss/constitutional-challenge triplet, then for your certified mail package being sent to the given state Attorney General, if you've never sent certified mailings before, then you are probably not yet familiar with where to put the green slip and green card upon your envelope/box/whatever (both the green "certified mail" slip, and also in this situation, as that legal proof you may eventually need, the green certified mail "return receipt" card). For those that need an overview with pictures/illustrations, here is the best webpage step-by-step that could be found: [http://m.wikihow.com/Send-Certified-Mail-\(USA\)](http://m.wikihow.com/Send-Certified-Mail-(USA))

If you just *want* to have some of your other "service" mailings be also "tracked" upon those other people (the other parent, his/her attorney, any GAL or similar, whomever), then for the size of this package being mailed, your best bet is simply using the "Flat Rate Envelope" of "Priority Mail" service level at the Post Office for six to seven dollars, or otherwise, all that you NEED to do (legally-speaking) is just place one (1) copy of each filed paper into a large (9"x12" or maybe 10"x13") flat envelope (white, manilla, or whatever color), and add just enough regular first-class mail postage to handle that, for each different recipient that you need to serve. If you are also firing an attorney in this same process, then you DO go ahead and include that attorney on your Certificate of Service for each document, and you DO actually serve him/her one (1) set of these

brand new papers you filed as a "courtesy" service (and it will also be the last time you ever need or should serve any copies of anything upon that attorney ever again, unless you just want to later sue that attorney and/or his/her law firm for miserably failing to ever actually support or defend your basic, fundamental constitutional rights... as every attorney is mandated to always do by law... but that's another biggie story for later on).

LONG DISTANCE OR ELECTRONIC FILING – This is simply not recommended to try, in the first place, for the primary reason that if you do not *physically* file physical papers then you also do not have actual file-stamped copies of any such papers in your hands yet, and may never have if they somehow "disappear" or "get lost" or similar by leaving everything in the hands and control of others. However, if you don't even live within or near the same State or Commonwealth of your family court case, then you can get any family relative or friend, or whatever other trusted person, to physically file your papers for you, so you can be sure of not only getting things filed (at all), but also in obtaining that valuable file-stamped copy of each different important paper you spent time upon.

If you really, really, really have no choice but to attempt "electronic filing" (available in state court systems in only relatively few places so far), then by all means remember that you *still* have to follow-up with a physical, hardcopy version on paper for each and every such item that is electronically filed, and also that instead of using signatures hand-written by pen ink, on the electronic versions ("digital copy") of each such paper, you should rather instead use "/s/_My_Name_" as your "electronic" signature (example would be "/s/ John Doe" or "/s/___John_Doe___" or similar, with the "/s/" and your full name as regularly used being the important parts. If you really, really, really must try to file by long distance mail directly with the whatever random-mail-opening clerk at the courthouse of your case, then you can include a proper SASE ("self-addressed stamped envelope" – which just means a fully prepared return envelope you send along also, and it is already pre-addressed and so forth, by you already ahead of time, for that random clerk to just easily throw file-stamped copies of your papers back into that new and ready envelope to drop in the mail back to you), and hopefully you'll receive that..., however in EITHER of these situations (electronic filing, or long distance mail filing with the clerk directly), that doesn't provide you with any *file-stamped* copies to go ahead and serve all other parties... at the same time of these methods of "filing" your papers, and so you need to understand that it is actually "ok" to "serve" un-stamped copies of papers upon other parties, and indeed, the technical Rules about this are always the exact same thing, in that service upon a party must be made "on or before filing with the court"... which is why everyone always files first at court, then serves the same day.

Do this: You **must** "serve" (mail) all other parties the **same** day that you **file** any item with the court (regardless "how" you "file" any new item – in person, or other method).