

In the County Court of the Ninth Judicial Circuit,

in and for Orange County, Florida

Ginny BELLE,)

Petitioner,)

)

v.)

Case No.: 2022-DR-000000-1

)

Tom GOAT,)

Respondent)

SUPPLEMENTAL PETITION TO MODIFY PARENTAL RESPONSIBILITY

Comes now the Petitioner, Ginny Belle, by and through the undersigned attorney, pursuant to Florida Statutes § 61.13(2)(d) hereby files this Supplemental Petition to Modify Parental Responsibility and states:

1. On _____, Ginny Belle married Tom Goat. They bore twins, Timmy and Chloe, on January 1, 2015.
2. Ginny and Tom were divorced by final judgement of this court on February 14, 2022, including a parenting plan where Ginny and Tom would have "shared parental responsibility" of their minor children, Timmy and Chloe. Docket no. _____
3. This court has the power to modify the plan pursuant to FLA. STAT. § 61.13(2)(d).
4. When this court entered final judgement on February 14, 2022, Ginny did not know Tom believed in or intended to join the Church of Vorgon.
5. On or about April of 2023, Tom joined the Church of Vorgon.
6. On or about April of 2023, Tom began exposing Timmy and Chloe to his religion. Specifically, Tom began telling Timmy and Chloe stories from the Book of Vorgon,

including stories about “Vorgon” who takes children away from their parents in a spaceship to live on the moon.

7. Before around April of 2023, Ginny did not know Timmy or Chloe to experience frequent nightmares, frequently cry when parting with her, or receive low grades.
8. Starting around April of 2023, and continuing to this day, Ginny noticed that Timmy and Chloe frequently experience nightmares, that they frequently cry when parting with her, and that both of their grades in school dropped from the A/B range to a C/D range.
9. On or about _____, Timmy and Chloe's teachers _____ told Ginny that Timmy and Chloe seemed to be in a near constant state of fright and continually scan the entry points into the classroom.
10. [Establishing credentials of psychologist.]
11. On _____, Ginny took Timmy and Chloe to _____ who diagnosed both Timmy and Chloe with anxiety resulting from the Book of Vorgon stories.
12. FLA. STAT. § 63.13(3) provides that a parenting plan may not be modified without a showing of substantial and material change in circumstances and a determination that the modification is in the best interests of the child. *See Wade v. Hirschman*, 903 So.2d 928, 934 (Fla. 2005).
13. Tom's new religious beliefs plus Timmy and Chloe's grades and anxiety diagnoses together constitute a substantial and material change in circumstances.
14. Although the court may not itself decide in favor of a specific religion over the objection of the other parent, *Abbo v. Briskin*, 660 So.2d 1157, 1161 (Fla. 4th DCA 1995) (citing *Sotnick v. Sotnick*, 650 So.2d 157 (Fla. 3d DCA 1995)), *cited with approval in Moore v. Wilson*, 16 So.3d 222, 225 (Fla. 5th DCA 2009), when shared parental responsibility is

unworkable it may grant one parent ultimate authority. *See Schwieterman v. Schwieterman*, 114 So.3d 984, 989 n.2 (Fla. 5th DCA 2012); *see also Gerencser v. Mills*, 4 So.3d 22, 24 n.1 (Fla. 5th DCA 2009).

15. Ginny and Tom cannot agree on Chloe and Timmy's religious upbringing.
16. The court may not preclude a parent from exposing his children to his religious practices absent a clear, affirmative showing of harm. *See id.* at 24 n.2; *see generally Pierson v. Pierson*, 143 So.3d 1201, 1202-03 (Fla. 4th DCA 2014); *accord LeDoux v. LeDoux*, 234 Neb. 479, 486, 452 N.W.2d 1, 5 (1990) (where evidence including testimony of psychologist demonstrated harm caused by exposing child to both parent's religions, the court granted one parent ultimate authority over religious upbringing).
17. Tom harms Timmy and Chloe by exposing them to his religious practices, as evidenced by their anxiety and school grades.

WHEREFORE Ginny Belle petitions this Court to modify the parenting plan such that Ginny has ultimate authority over Timmy and Chloe's religious upbringing, and to enjoin Tom Goat from reading them stories from the Book of Vorgon without Ginny's permission.

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/s/ Some Attorney

CERTIFICATE OF SERVICE
I certify that a true copy of the foregoing has
been furnished by personal delivery to Tom
Goat at _____
on this __th day of ____, 20__.