



Washington  
LawHelp [www.WashingtonLawHelp.org](http://www.WashingtonLawHelp.org)

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# Objecting when the Other Parent Wants to Move with the Child

Forms and Instructions



Northwest Justice Project

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## Part 1. Intro

### A. Should I use this?

If you are a noncustodial parent with the right to time with the child under a parenting plan or you share joint custody, you can use this to try to stop the other parent from moving with your child. That parent must do certain things under state law before they can move with the child. [RCW 26.09.405](#).

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❖ “Parenting plan” here means your parenting plan, residential schedule, or other custody order.

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**If you are a third party with some right to time with the child**, you can try to stop any proposed move you believe would interfere with your relationship with the child. You must do certain things for the judge to take your objection seriously. Read the section “Objections by Nonparents.”

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❖ The law is complicated. Read this packet step-by-step.

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### B. Does the relocation law apply to my parenting plan?

It applies to all parenting plans or custody orders entered after June 8, 2000.

### C. We do not have a parenting plan. Can the other parent move with the child?

**If there is no existing order** regarding residential time or visitation, **the law does not apply**. The other parent can move. Be aware of custodial interference laws and UCCJA (jurisdiction) laws:

- **Custodial interference laws** make it a crime for the other parent to take or hide the child from you to deny you access, even if there is no parenting plan. It is a more serious crime if the parent moves the child from their usual home state.
- The [UCCJA](#) is a law saying which court has jurisdiction (authority) to make custody and visitation decisions about your child. In most cases, if a child moves out of the state, the old state is still the child’s “home state” for six months after the move if one parent is still in the old state. Even if you have no custody or visitation order or

parenting plan, you can still file a court case in Washington in the first six months after the child moves.

#### **D. The law applies to me. I have received a notice of intended relocation. I do not want my child to move. What do I do?**

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- ❖ If the proposed relocation is **within the same school district**, you cannot object. You can change the parenting plan if the move means you need changes to visitation or other parts of it (**examples**: who provides transportation, or where you meet to transfer the child).
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If you the proposed relocation is **outside the current school district** and you do not want your child to move, you **must** file an objection **within 30 days** of getting that notice. Use the blank form at the end.

You must file the objection form in this packet with the court and serve copies on the moving parent and **everyone else** who has visitation with the child. Service may be by personal service (see “Instructions for Personal Service in Washington” below), or by any mail requiring a return receipt.

You can also file one of these:

- a petition to change the parenting plan because of the relocation
- some other court action, like a motion for temporary family law orders, that would provide relief like stopping the move or giving you temporary custody

- 
- ❖ **A letter to the judge or relocating parent is not a legal objection.** You must use a method in this section or the objection form in this packet.

**The court cannot stop the adult from moving.** If you file an objection, be ready to have the child live with you, and to prove to the court that it would be in the child’s best interest for that to happen.

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If you do not object to the child moving, but you disagree with the new parenting plan the other parent has proposed, you can object to that parenting plan using the same process described above.

#### **E. Where do I file my objection?**

In one of these:

- the county where the other parent filed the notice of relocation (if you know),



- the county where you divorced
- the county where the custody order was entered

If you file in a different county from the one that entered the order, you must first register it as a foreign order in that county, and get a new case number there.

If you live in a county different from the one that entered the old parenting plan, and from where the child lives, **do not file in your own county**. You must file where the old order was entered or where the child lives.

## F. What if I do not object?

If you do not object within 30 days of getting the notice to relocate, the court will allow the move. The court will change residential time or visitation as requested in the proposed parenting plan that came with the notice.

Even if you do not file an objection, you can still file a motion to change the parenting or custody order. You can do so within the first 30 days after getting notice, or after the 30 days have passed. You may simply agree with the proposed parenting plan that came with the notice, or ask for different visitation.

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❖ **Example:** You do not object to your child moving 35 miles away. You do want more overnight visits, or to change midweek visits to weekend visits.

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## G. How does the judge decide this issue?

If you want the judge to stop the child from moving, you must show the negative effect of the move outweighs its benefits. The court will consider:

- the relative strength, nature, quality, extent of involvement and stability of the child's relationship with each parent, siblings, and other significant persons
- past agreements between the parents
- if disrupting contact between the child and moving parent would be worse for the child than disrupting contact with you
- if a parent or other person entitled to time with the child is subject to limitations under [RCW 26.09.191](#)
- each parent's reasons for wanting or opposing the move, and your good faith in objecting

- the child's age, developmental stage, and needs, and the likely impact the move or prevention of it will have on the child's physical, educational, and emotional development, taking into consideration any special needs the child has
- the quality of life, resources and opportunities available to the child and moving parent in the current and new locations
- the availability of alternative arrangements to foster and continue the child's relationship with and access to you
- the alternatives to moving and if it is possible and desirable for you to move also
- the financial impact and logistics of the move or its prevention

[RCW 26.09.520.](#)

#### **H. Is there anything the judge cannot consider in this case?**

The judge SHOULD NOT consider:

- 1) If the other parent will stay if the court does not allow the child to move.
- 2) If you will also move, to be nearer to the child, if the court lets the child move.

[RCW 26.09.530](#)

The judge should **not** ask you about these or for evidence of these things. The judge may only consider such evidence **after** deciding whether to let the child move, if there are then any changes to the parenting plan the court must make.

#### **I. What happens if I do not object by the deadline?**

If you do not object within 30 days of getting notice, the court automatically grants the move. After the 30-day period expires, **either parent** may go to court **ex parte** (without giving the other parent notice, or much notice) and ask the judge to sign the revised proposed parenting plan submitted with the notice. If the judge does not sign the revised proposed parenting plan, it may be hard to enforce in the future.

#### **J. I am a grandparent or other relative. Can I file an objection and try to stop the move?**

Only in limited circumstances. A court can only stop a move when the only objection is from a nonparent if both these are true:



- You have court-ordered visitation rights.
- You have been the child’s custodian for much of the past three years.

### **K. Can I get a court order before the relocation hearing?**

**If you have objected**, you should file a motion for a temporary order delaying the child’s move, or ordering the child’s return if the move already happened. Use the forms in this packet. The judge will grant the order **if** it finds one of these:

- The moving parent did not timely provide the required notice, and this negatively affected you.
- The child’s move took place without your agreement, a court order, or required notice.
- After reviewing evidence from both parties, the judge probably would not issue a final order letting the child move.

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❖ If you do not request a temporary order restraining (preventing) the move and schedule a hearing within fifteen days after filing your objection, the other parent may be able to move temporarily before the court makes its final order.

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## Part 2. Court forms

Some counties have their own do-it-yourself packets. You can get them from the family law facilitator or court clerk. It may be easier to use a local packet. They will have your county's rules and forms.

The Northwest Justice Project has a new program that helps people fill out family law forms online. We are adding new forms throughout 2019-2020. Some of the forms you need for divorce and other family law cases are available now. Check out

[washingtonlawhelp.org/resource/washington-forms-online](http://washingtonlawhelp.org/resource/washington-forms-online)

Court Form Name	Court Form Number
Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)	FL Relocate 721
Motion for Temporary Order Preventing Move with Children	FL Relocate 725
Summons: Notice of Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)	FL Relocate 720
Proof of Personal Service	FL All Family 101
Proof of Service by Mail	FL All Family 107
Final Order and Findings on Objection about Moving with Children and Petition about Changing a Custody Order	FL Relocate 735

Other packets you may need to get at WashingtonLawHelp.org

- [Make a Parenting Plan](#) - to ask the court to enter a new parenting plan. Or use our do-it-yourself interview program, [Washington Forms Online](#), to complete this form at WashingtonLawHelp.org.





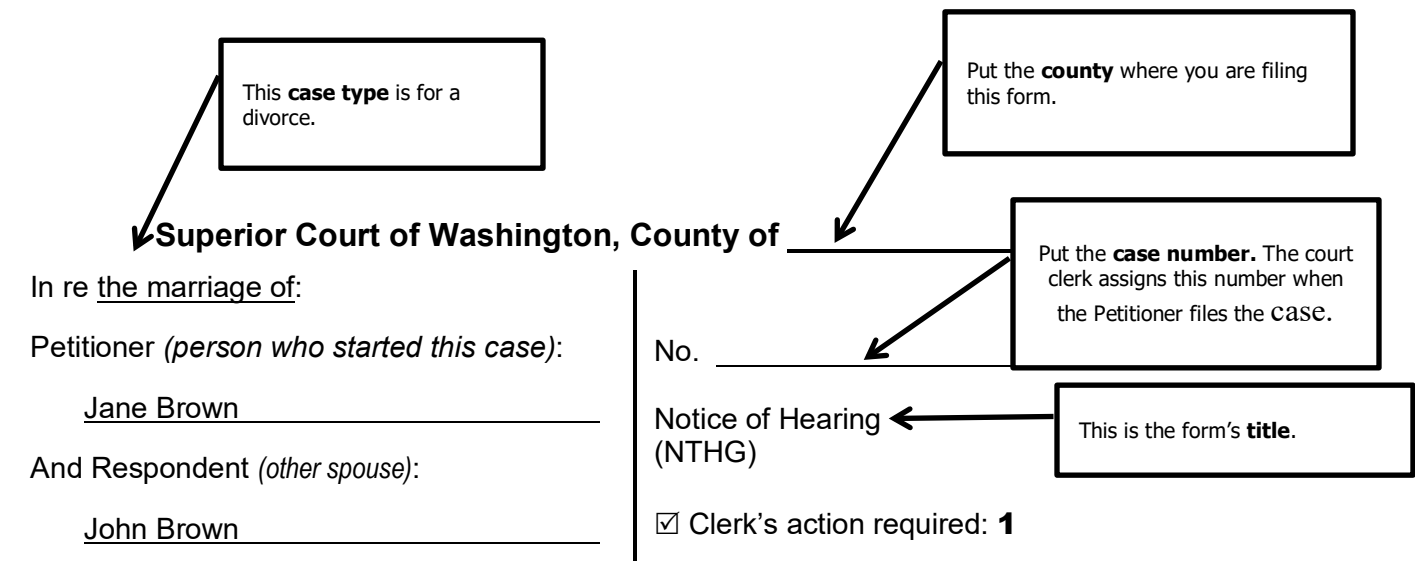
- [Service by Certified Mail or Publication](#) - if you tried but have been unable serve the other parent in person, ask for court permission to serve by certified mail or publication.



### Part 3. General instructions for filling out forms

Read these before you start filling out any forms.

**THE CAPTION.** The caption is the name of your case. It is a section appearing at the top of the first page of every form. See the sample below:



The diagram shows a sample legal form caption with callout boxes explaining various fields:

- Case Type:** A box points to "Superior Court of Washington, County of" with the text: "This **case type** is for a divorce."
- County:** A box points to the blank space after "County of" with the text: "Put the **county** where you are filing this form."
- Case Number:** A box points to the "No." field with the text: "Put the **case number**. The court clerk assigns this number when the Petitioner files the case."
- Title:** A box points to "Notice of Hearing (NTHG)" with the text: "This is the form's **title**."

The form text is as follows:

**Superior Court of Washington, County of** \_\_\_\_\_

In re the marriage of:

Petitioner (*person who started this case*):

Jane Brown

And Respondent (*other spouse*):

John Brown

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

Notice of Hearing (NTHG)

Clerk's action required: **1**

**The caption** includes the case name and number, court's name, title of the court paper, and sometimes, type of case

Put the name of the county where you are filing your case after "Superior Court of Washington County of \_\_\_\_\_."

**Case name.** Under "In re," put your name. In the next blank below "and," put the other parent's name.

**Case number.** If you already have a parenting plan, use the same case number as appears on its front page. It is in the top right-hand corner. You put the number near the top on the right-hand section of the first page of every form after "No." (abbreviation for "number.")

**The contents.** Fill out each form according to its instructions. In most counties, you may print or type. It must be readable. Use BLACK OR DARK BLUE INK. After filling out each form, re-read it. Be sure you have correctly filled in all blanks as needed. Any must be neat and readable. If you write in the margins of any page, the clerk may reject your form.

**Dates.** The last page of most forms (not including orders) has a space for the person who filled it out to put the date they are signing it. The judge will put dates in orders when the judge signs the order.

### **Signatures.**

- **Your Signature:** After you fill out a form, look for the place(s) to sign your name:
  - a. Some forms have one signature line for "petitioner" or "respondent." After you fill out a form such as the petition, sign at the place that applies to you. **Look carefully.** You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed.
  - b. When you prepare and file motions, you are the moving party. After you prepare a motion, look for each place marked **Person filing this motion fills out below**. Look carefully. You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed the form.
  - c. When you prepare an order and plan to present it for the judge to sign, look for the place at the end for your signature. Check **is presented by me**.
- **Judge's Signature:** Leave the judge's signature line and the date blank.
- **Other party's signature:** Some forms have a place for other parties to sign. You cannot force another party to sign a court paper. If you have prepared an order after a hearing, the other party may be willing to sign it if they agree it accurately states the judge's decisions, or the judge may require the other party to sign.
  - Agreed orders. If the other party agrees with the orders you have written, they should sign in the right place on each court order they agree to.
  - May be signed by the court without notice to me. If you are the respondent or nonmoving party, or you did not prepare the order, the other party may ask



you to check this box and sign underneath. If you do, you agree the judge should sign the order as written AND the other party can have the judge sign without letting you know when they are going to do it.

- **Other signatures:** A witness or the person serving papers who fills out a form must fill out all info correctly and sign in the right space.

### **Box #1 - Things to Not Put in Most Court Papers:**

Court General Rules [22](#) & [31](#) try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public. They may also be publicly available online.

Except where instructions about a specific form tell you otherwise (**example:** the forms in Box #3), use these rules for papers you file with the court.

**Address (Where you Live) and Phone Number:** Put an address where you can get mail from the court. It does not have to be your home address. Give the court a phone number where they can reach you.

**Social Security/Driver's License, ID Numbers of Adults and Children:** Put only the last four digits.

**Bank Account, Credit Card Numbers:** Put the bank name, type of account (savings, checking, and so on), and last four digits of the account number.

### **Box #2 - Private Information You Should File With Sealed Cover Sheets:**

If you use a sealed cover sheet, this information is usually available to the other party and the court. It is **not** available to the public.

**Financial Information:** You must attach any paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders you file to a Sealed Financial Source Documents form. Then the public cannot access them.

**Medical or Mental Health Records or Information:** You must attach any papers you file with information about someone's past, present, or future physical or mental health, including insurance or payment records to a Sealed Personal Health Care Records form. Then the public cannot access them.

**Confidential Reports:** Reports intended for court use must have public and private sections. You should attach the private section to a Sealed Confidential Reports Cover Sheet.



**Retirement Plan Orders:** Certain retirement info belongs in the public file. “Retirement Plan Orders” do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See [GR 22](#), or see a lawyer if this affects your case.

**Other Kinds of Confidential or Embarrassing Information Not Mentioned Above.** If the paper you want kept confidential is not in the above list, you may need to file a motion asking to have that paper, or part of it, sealed under General Rule [\(GR\) 15](#). Talk to a lawyer.

### **Box #3 - When to Put Private Information in Court Forms:**

These forms are not in the public file. Info in them is **usually** not available to the other party.

You must fill in your personal info completely (including your home address, social security number, and so on):

Confidential Information Form

Vital Statistics Form

Domestic Violence Information Form, and Law Enforcement Information Sheet.



## Part 4. How to fill out each form

### A. **Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation) – FL Relocate 721**

**Caption.** Fill out the caption.

1. Put your name.

2. List all the children the other parent wants to move.

3. **Notice of move.** Check the first box if you got a notice from the other parent about the proposed move. Put when you got the notice. Check the first box underneath that if the children live with you most of the time.

Check the box on top of the second page if you did not get notice. Put the date you understand the other parent plans to move with the children.

4. **Do you and the relocating person have substantially equal residential time?** Check the box that applies to you.

5. **Do you object to the children moving ?** Check the box showing what you want. If you check **yes**, you must check the box beneath it showing why you object. You must also fill out sections a – k as best you can.

6. **Do you want the court to change the parenting/custody order if the children are allowed to move with the relocating person?** Check the box showing what you want. If you check **yes**, you must check a box beneath to show whose parenting plan you want the judge to approve.

7. **Child Support.** Check the box showing what you want.

8. **Protection Order.** Check **no** and skip to 8 if you do not want a protection order.

Check **yes** if you do. Read **Important!**

Check **there is already a protection order** if true. Give the info requested.



**9. Restraining Order.** Check **no** and skip to 9 if you do not want a protection order.

Check **yes** if you want a restraining order. Then check the boxes showing what you want.

**Do not hurt or threaten:** The term “molesting” can be confusing. If you check this box (read the **Warning**), you are not accusing the other party of sexually molesting you or the children. You are asking the court to order the other person not to bother you or the children.

**Prohibit weapons and order surrender:** If you check this, put the other person’s name in the blank and check the box for “the police chief or sheriff.”

**10. Correct County (Venue).** Put the info requested. Follow the instructions.

**11. Children’s Home/s.** Check the first box and skip to 11 if the answer to all the questions is no.

Otherwise, check the second box. Then fill out the chart.

**12. Other people with legal right to spend time with a child.** Check **yes** and fill out the chart if any grownups besides you and your spouse have physical or legal custody of or court-ordered visitation with the children, or claim to have such rights. If not, check **no** and skip to 12.

**13. Other court cases involving a child.** Check **yes** and fill out the chart if there are any other court cases involving any of the children. **Examples:** protection orders, juvenile court cases, dependency cases (CPS), parentage cases, Division of Child Support cases. If not, check **no** and skip to 13.

**14. Jurisdiction over children.** This section explains how a Washington court, and not a court in another state, has authority to decide custody of the children. A Washington court’s authority to decide a case depends on both of these:

- the children’s current and former home state
- if there have been any earlier court cases involving the children

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❖ If a Washington court **did not** enter your parenting plan, talk with a lawyer before doing anything else.

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**Read each item carefully.** Check all the boxes that apply. If you check one of the boxes farthest to the left, check at least one of the boxes indented under that box. (**Example:** if



you check **home state jurisdiction**, you must also check one or more of the four boxes indented under that box.) If you check a box that has a blank, fill in the blank.

For more on deciding if Washington has jurisdiction over the children, talk with a lawyer. Read [Non-Parent Custody: Frequently Asked Questions and Answers](#) or [Which Court Has the Right to Enter Custody Orders? Frequently Asked Questions and Answers about Jurisdiction](#).

**15. Fees and costs.** Check the first box if you do not want an order of costs and fees. Check the second box if you do.

**16. Other requests, if any.** Most people will leave this blank.

**Person filing this objection fills out below:** Date the form and sign where it says. Print or type your name in the next blank.

- 
- ❖ Requesting a protection order in your Objection to Relocation case does not give you any immediate order. If you want to request an immediate Order of Protection or an Order to be in effect during your relocation case, you must file a separate protection order case and follow the hearing procedures under [RCW 26.50](#) (domestic violence) or [RCW 10.14](#) (unlawful harassment).
- 

## **B. Motion for Temporary Order Preventing Move with Children – FL Relocate 725**

**Caption:** Fill out the caption.

1. Put your name.
2. List the children you want to keep from moving. Put the info requested.
3. In the first blank, put the other parent's name. Check the first box if the other parent has not yet moved with the child. Put the date they plan to move. Check the second box if the other parent has already moved with the children. Put the date they moved.
4. **Objection.** Do not make any changes to this section.
5. **Request.** Check the box showing what you want.
6. **No proper notice.** Check the box that applies. If you check the third box, you must put the date you got the Notice. If you checked the second or third box, use the blank spaces at the end of this section to explain how the late notice or lack of notice was unfair to you.





**7. Move happened without agreement, court order or proper notice.** Check the box showing which is true.

**8. Move unlikely to be approved.** Check the first box if you believe the judge will approve the move.

Check the second box and then the first box beneath it if you have joint custody and object to the move.

Check the second box and then the second box beneath it if the moving parent has custody but the move would harm the children.

Check the third box if you have custody of the children.

**9. No reason to move now.** If you check the first box, skip to 10. If you check the second box, use the blank spaces to explain.

**10. Active military duty.** Read the definitions that start this section. Check the first box and skip to 11 if this does not apply to the other party.

Check the second box if a party is on active military duty, or the dependent of someone who is, and might not be at the hearing because of this. In the blank, put that party's name. Check the boxes underneath to show which laws cover that person. Check **For persons covered only by the state act** if the other party fits the definition and you believe the court must grant the things you are asking for before the other party can return. Explain why in the blank.

**11. Other information (if any).** Most people will not put anything here.

**Person filing this motion fills out below:** Date the form and sign where it says. Print or type your name in the next blank.

Check the second box. Put your name and address. If you do not want the other party to know where you live, put a P.O. box number if you have one, or put the address of a friend or relative you trust to tell you immediately if you receive any legal papers.

**C. Summons: Notice of Objection about Moving with Children and Petition about Changing a Parenting/Custody Order - FL Relocate 720**

If you cannot serve the other parent personally or someone 18 or over who lives with the other parent, file a motion for court permission to serve by publication or certified mail. If

you get that permission, you must use a different Summons form. [Service by Certified Mail or Publication](#) has the forms and instructions.

**Caption.** Fill out the caption.

**To:** Put the other party's name(s).

**1, 2, & 3.** Do not change anything in these sections.

**4.** Put the name and complete address of the courthouse where you will file this objection.

**Person filing this Summons fills out below:** Date the form and sign where it says. Print or type your name in the blank below that.

Check the second box. Put your name and address. If you do not want the other party to know where you live, put a P.O. box number if you have one, or the address of a friend or relative you trust to tell you immediately if you receive any legal papers.

- 
- ❖ If you are a domestic violence survivor and want to keep your address secret, the state of Washington offers an Address Confidentiality Program. Call 1-800-822-1065.
- 

If the mailing address you use in the Summons later changes, you must fill out and file a **Notice of Address Change**. This form (**FL All Family 120**) is available at the [state court website](#). You must fill it out, file it with the court, and get a copy to all other parties.

#### **D. Final Order and Findings on Objection about Moving with Children and Petition about Changing a Parenting/Custody Order - FL Relocate 735**

##### **1. Money judgment summary.**

- 
- ❖ A money judgment might include money the court orders one party to pay the other for back child support, or for attorney or GAL fees.
  - ❖ If you are entering the order by default, you may only enter a judgment against the defaulted party if you clearly asked for the judgment in the petition.
- 

Check the first box and skip to 2 if you do not want a money judgment or the judge did not order one after a hearing. Otherwise, check the second box. Fill out section 12 first and then come back to this table. Put any money one party owes another, including any money



owed for attorney's fees. **You cannot ask for anything you did not originally ask for in your petition.**

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❖ Most money judgments will have a 12% interest rate. If you agreed to a different interest rate, put it in the second blank in **Yearly Interest Rate**.

---

**2.** Check the first box and skip to 3 if all parties agree to this Final Order.

Check the second box if you got an Order on Motion for Default. In the blank, put the date the judge heard your motion for default.

Check the third box if you are filling this out after a trial, or before a trial as a proposed order. In the first blank, put the trial date. If you are filling this out after trial, check all boxes and fill in blanks as needed to show who was at the trial.

**3. Jurisdiction over the children.** Check the first box and skip to 4 only if you believe it is true.

If you filed the petition, check the same boxes that you checked in section 13 of the Petition.

If you are filling this out to show agreement, check the boxes showing which reasons you agree about.

**4. Children's residence.** Check the first box if you share joint custody.

Check the second box if the children live with the moving parent. Put that parent's name.

Check the third box if the children live with you. Put your name.

**5. Factors for/against move with children.** Check the first box and skip to 5 only if you did not object to the children moving.

Otherwise, check the second box. Check the first box underneath if you share joint custody, and check **is not in the child's best interest**. Check the second box underneath the other parent has custody, and check **would** if you do not want the children to move.

**a. Relationships.** Put what you want the judge to find, what the judge did find after trial, or what you have agreed to.

**b. Agreements.** Check the box that is true in this case.



**c. Contact.** Check **would** if you are okay with the children moving, or the judge found this after trial, or you agreed that this is the case.

Check **would not** if you do **not** want the children to move, or the judge found this after trial, or you agreed this is the case.

**d. Limitations.** Check **includes** if your current parenting plan or custody order limits a parent's time with the children. Check **does not include** if it does not.

**e. Reasons for moving.** Check **were** if you are okay with the children moving, or the judge found this after trial, or you agreed the reasons for moving are good faith reasons. Check **were not** if you do not want the children to move, or the judge found this after trial, or you agree the reasons for moving are not good faith reasons.

**f. Reasons for objecting.** Check **were** if you do not want the children to move, or the judge found this after trial, or you agreed that the reasons for objecting are not good faith reasons. Check **were not** if the judge found this after trial.

**g. Children.** Fill in the blanks after **if move is allowed** if you do not want the children to move, OR put the judge's findings if you have had a trial, OR put your agreed reasons if you agree the children should not move.

Put the judge's findings in the blanks after **if move is not allowed** if you have had a trial, OR put your agreed reasons if you agree the children should move.

**h. Quality of life.** Put what you want the judge to find, what the judge did find after trial, or what you have agreed to.

**i. Other arrangements.** Put what you want the judge to find, what the judge did find after trial, or what you have agreed to.

**j. Alternatives.** Put what you want the judge to find, what the judge did find after trial, or what you have agreed to.

**k. Financial.** Put what you want the judge to find, what the judge did find after trial, or what you have agreed to.

**6. Changes to parenting/custody order.** Check **No Change** if you do not want the children to move, or the judge ordered no move after trial, or you have agreed that the children should not move. Then check the box underneath showing your reason or the judge's reason.



Check **Change** if you are okay with the children moving, or the judge ordered the move after trial, or you agree the children can move. Then check the box underneath showing your reason or the judge's reason.

**7. Child support.** Check the first box and skip to 7 if you no one asked for a change in child support. Check the second box if you want the child support order to change OR the judge ordered this after trial OR you agreed to this.

---

❖ The judge may check **Other findings**.

---

**8. Protection Order.** Check the first box and skip to 8 if no one asked for a protection order.

Check **approved** if you want a protection order, OR the judge ordered one after trial, OR you agree there should be a protection order.

Check **denied** if you do **not** want a protection order, OR the judge denied the issuance of one after trial, OR you agree there should not be a protection order.

Check **renewed/changed** if you want the judge to change or renew an existing protection order, OR the judge did this after trial, OR you agreed that this should happen. Depending on what you want, you must file one of the forms listed immediately beneath

**Renewed/Changed**. Check whichever one applies.

---

❖ The judge may check **Other findings**.

---

**9. Restraining Order.** Check the first box and skip to 9 if no one asked for a restraining order.

Check **approved** if you want a restraining order, OR the judge ordered one after trial, OR you agree there should be a restraining order.

Check **denied** if you do **not** want a restraining order, OR the judge denied the issuance of one after trial, OR you agree there should not be a restraining order.

---

❖ The judge may check **Other findings**.

---

**10. Fees and costs.** Check the first box if that is what you want, OR the judge ordered this after trial, OR you agreed you should each pay your own costs.

Check the second box if that is what you want, OR the judge ordered this after trial, OR you agreed to this arrangement. In the first blank, put who should get the payment. In the second blank, put who should pay.

Check the third box if this case had a GAL or other court-appointed professional.

---

❖ The judge may check **Other findings**.

---

**11. Other findings.** My judge may put something here.

**12. Move with children.** Check **not allowed** if you do **not** want the children to move, OR the judge ordered this after trial, OR you have agreed there should not be a move. In the blank, put the name of the parent who wants to move.

Check **allowed** if you are okay with the children moving, OR the judge ordered this after trial, OR you have agreed the move can happen. In the blank, put the name of the parent who is moving.

**Parenting/custody order.** Check **no change** if you do not want to change the current parenting or custody order, OR the judge ordered this after trial, OR you agree there should be no changes to it.

Check **change** if you **do** want to change the current parenting/custody order, OR the judge ordered this after trial, OR you agree it should change. Put the date the judge will sign or did sign the new order you want approved.

**Child Support.** Check **no change** if you do not want to change the child support order, OR the judge ordered this after trial, OR you agree there should be no changes to it.

Check **change** if you **do** want to change the child support order, OR the judge ordered this after trial, OR you agree it should change. Put the date the new order you want approved will be signed or was signed.

**Protection or restraining Order.** Check the first box if there **will not** be a protection order or restraining order. Check the second box if there **will** be a protection order or restraining order. Put the date the judge will sign or did sign the new order you want approved.

**13. Money judgment.** Check the first box and skip to 13 if you do not want or agree to a money judgement, OR the judge did not order one after trial.

Otherwise, check the second box. Check all boxes showing what you want a judgment for, OR what the judge ordered after trial, OR what you have agreed to. Fill out the rest of the table accordingly.

**Interest rate.** Check the box only if you want or have agreed to an interest rate different than 12%. Put the interest rate you want or have agreed to. Explain why you have agreed to it.

**14. Other orders, if any.** The judge may put something here.

**Ordered.** LEAVE THIS FOR THE JUDGE.

**Petitioner and Respondent or their lawyers fill out below.** There is one column for each party. You should check **is presented by me** in your column and should sign and print your name and the date where it says.



## Part 5. How to serve forms

You must properly follow the rules when you are having the other parent personally served. Do not serve the documents on the other parent yourself. Find someone who is age 18 or over to do it for you.

If you can afford it, think about hiring a professional process server or the sheriff to serve the papers for you. It usually costs \$30-\$80. The sheriff may not be willing to try more than once to serve the other parent. Check online listings for process servers.

If you cannot afford a process server or the sheriff, any competent adult age 18 or over may serve the papers from you if the server is not a party to the case.

Your server must understand how to serve the papers and fill out the Proof of Personal Service form correctly. If you do not serve the other parent properly, a court could set aside (cancel) your orders at any time in the future.

Give your server these:

- the envelope of papers you prepared for service on the other parent
- the other parent's home and work address
- a physical description of the other parent
- any other information that will help the server locate the other parent for service

Give your server the blank Proof of Personal Service form to fill out and return to you once service is complete. (Some process servers have their own Proof of Personal Service form that they will fill out and give you instead.)

### **A. Instructions for Proof of Personal Service – FL All Family 101**

Your server must complete a separate Proof of Personal Service for each party they serve. After your server has completed service and signed the Proof of Personal Service form(s), follow the instructions in this packet for filing it with the court.

**Caption.** Fill out the caption.



1. Put your server's name here.

2. **Personal Service.** In the blank, put the other party's name. The server must check the box showing how they delivered the papers to the other party. If they check the second box, the server should put the name of the person they gave the papers to.

3. **Date, time, and address of service.** The server should put the date, time (and check a.m. or p.m.) and address where they served the papers.

4. **List all documents you served.** Read the list of forms. Check the box to the left of each form served on that party. Sometimes you must fill in a blank. (**Example:** if you **declaration**, put the name of the person who wrote the declaration.) Check the box marked "other" if you had the other party served with any forms not listed. Put the names of those other forms. You **MUST** list all the forms you had served on your partner. If you leave a form off your list, you will have no proof that the other party received it.

5. **Fees charged for service.** Usually, only professional servers will use the second box for fees and mileage.

6. **Other information.** Your server may put other info here. **Examples:**

- Your server tries several times to serve the other party. The other party is never home or cannot be found. The server should put the dates and times and descriptions of each time they tried to serve the other party.
- The server gave the papers to an adult living with the other party who would not give their name. The server should put what the person who received the papers looks like.

**Signature.** The server should put the city and state where they signed the form and the date, and sign where it says. Print or type their name where it says.

**To the Server.** The server should check this box and fill it out in front of a notary public or court clerk **ONLY** if they served your partner outside Washington State.

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❖ The server should staple a copy of the summons to the completed Proof of Service form and give it to you for filing with the court.

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## Part 6. Blank Forms

The rest of this packet has blank forms for your use. Make a copy of each form so that you have an extra in case your first draft needs lots of changes. You may need forms from other packets. You may not need everything in this packet.

The Washington Administrative Office of the Courts also has Microsoft Word and PDF versions of many of these forms available on their web site at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (as listed on the parenting/custody order):

\_\_\_\_\_

And Respondent/s (as listed on the parenting/  
custody order):

\_\_\_\_\_

No.

\_\_\_\_\_

Objection about Moving with Children  
and Petition about Changing a  
Parenting/Custody Order (Relocation)  
(OBPT)

**Objection about Moving with Children and Petition  
about Changing a Parenting/Custody Order  
(Relocation)**

1. My name is: \_\_\_\_\_.

2. I have a court order giving me a legal right to spend time with the following children:

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

**3. Notice of move**

The other parent or non-parent custodian (*relocating person's name*): \_\_\_\_\_  
moved or plans to move with the children. (*Check one*):

The relocating person moved or plans to move with the children on (*date*): \_\_\_\_\_,  
but I have **not** received proper notice.

I received a *Notice of Intent to Move with Children* on (*date*): \_\_\_\_\_.

The *Notice* is improper because **the children live with me most of the time**  
and the Child Relocation Act does not apply to this move.

**Important!** File a copy of the Notice separately. It has confidential information. Do not attach it.

**4. Do you and the relocating person have substantially equal residential time?**

**No.** The children live most of the time with (*name*): \_\_\_\_\_.

**Yes.** The children spend 45% or more of their time with each parent.

**5. Do you object to the children moving?**

**No.** I do not object to the children moving with the relocating person, but I ask the court to approve my proposed Parenting Plan or Residential Schedule. (*Skip to 6.*)

**Yes.** The children should **not** be allowed to move with the relocating person.

(*Check one:*)

I have substantially equal residential time. I object to the children moving because it is not in their best interest based on the factors below.

The children live with the relocating person most of the time. I object to the children moving because the move would cause more harm to the children than good to the children and the relocating person based on the factors below.

The children live with **me** most of the time. I ask the court to order that the children not move with the relocating person and that the parenting plan not be changed based on their move. If the court finds that the children do not live with me most of the time, I object to the children moving based on the factors below.

**If the relocating person moves, the parenting/custody order should be changed so that the children live with me most of the time.** I am filing and serving my proposed *Parenting Plan* or *Residential Schedule* with this *Objection*.

**Note** – If you cannot answer some of the sections below because you don't have enough information about the move, you may say so. If you need more space to explain in any of the sections below, you may add more pages to this Petition. Number, date, and sign each page that you add.

**a. Relationships:** The children's relationships with each parent, any siblings, and other important people in the children's life.

(*Describe the strength, nature, quality, extent of involvement, and stability of the children's relationships and how those would be affected by the planned move:*)

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**b. Agreements:** Are there any agreements between you and the relocating person about moving with the children?  Yes  No

(*Explain:*) \_\_\_\_\_

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c. **Contact:** Would disrupting the children’s contact with the relocating person be more harmful than disrupting their contact with you? [ ] Yes [ ] No

(Explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. **Limitations:** Does the current parenting/custody order include limitations under RCW 26.09.191 on you or the relocating person? [ ] Yes [ ] No

(Explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. **Reasons for moving:** Were the relocating person’s reasons for moving given in good faith? [ ] Yes [ ] No (Explain): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

f. **Reasons for objecting:** I have the following good faith reasons for objecting to the planned move: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

g. **Children:** Describe how allowing or preventing the move would affect the children’s physical, educational, and emotional development, considering their age, developmental stage, and needs (including any special needs).  
(Describe both possibilities – if the move is allowed and if it is prevented.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

h. **Quality of life:** Describe the quality of life, resources, and opportunities available to the children and the relocating person in the current location and in the new location.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

i. **Other arrangements:** Describe any other arrangements available to foster and continue your relationship and contact with the children. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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j. **Alternatives:** Describe alternatives to the planned move, and whether it is possible or desirable for you to move too. \_\_\_\_\_

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k. **Financial:** Describe the financial impact and logistics of moving or not moving (for example, the timing, cost, and how the move would happen).

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**6. Do you want the court to change the parenting/custody order if the children are allowed to move with the relocating person?**

**No.** I want the court to keep the current parenting/custody order the same, even if the court allows the children to move.

**Yes.** If the children are allowed to move with the relocating person, I ask the Court to approve the *Parenting Plan* or *Residential Schedule* that is proposed by (check one):

me. I am filing and serving my proposed *Parenting Plan* or *Residential Schedule* with this *Objection*.

the relocating person.

**7. Child Support**

No request.

I ask the court to change the *Child Support Order* as necessary if the court allows the children to move or changes the parenting/custody order.

*Note*—If you have other reasons to change child support, you may file separate forms to make that request (use form FL Modify 501 or 521).

**8. Protection Order**

*Do you want the court to issue an Order for Protection as part of the final orders in this case?*

**No.** I do not want an *Order for Protection*.

**Yes.** (You must file a *Petition for Order for Protection*, form DV-1.015 for domestic violence, or form UHST-02.0200 for harassment. You may file your *Petition for Order for Protection* using the same case number assigned to this case.)

*Important!* If you need protection **now**, ask the court clerk about getting a *Temporary Order for Protection*.

**There already is an Order for Protection between (name):** \_\_\_\_\_  
**and me.** (Describe): \_\_\_\_\_

Court that issued the order: \_\_\_\_\_

Case number: \_\_\_\_\_

Expiration date: \_\_\_\_\_

## 9. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

**No.** (Skip to **10**.)

**Yes.** Check the type of orders you want:

**Do not disturb** – Order (name/s) \_\_\_\_\_ not to disturb my peace or the peace of any child listed in **2**.

**Stay away** – Order (name/s) \_\_\_\_\_ not to go onto the grounds of or enter my home, workplace, or school, and the daycare or school of any child listed in **2**.

Also, not knowingly to go or stay within \_\_\_\_\_ feet of my home, workplace, or school, or the daycare or school of any child listed in **2**.

**Do not hurt or threaten** – Order (name/s) \_\_\_\_\_:

- Not to assault, harass, stalk or molest me or any child listed in **2**; and
- Not to use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

**Warning!** If the court makes this order, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

**Prohibit weapons and order surrender** – Order (name/s) \_\_\_\_\_:

- Not to access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses until the Order ends, and
- To immediately surrender any firearms, other dangerous weapons, and any concealed pistol licenses that he/she possesses to (check one):  the police chief or sheriff.  his/her lawyer.  other person (name): \_\_\_\_\_.

**Other restraining orders:** \_\_\_\_\_

**Important!** If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and Restraining Order or a Motion for Immediate Restraining Order (Ex Parte).

## 10. Correct County (Venue)

This is the correct county for this case to be heard because

I live in (county and state): \_\_\_\_\_

The relocating person lives in (county and state): \_\_\_\_\_

The children live in (county and state): \_\_\_\_\_

The parenting/custody order we have now was issued in (county and state): \_\_\_\_\_

**Important!** Attach or file a certified copy of the current parenting/custody order that you want to change **if** it was issued in a different county or state.

**11. Children’s Home/s**

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

No. (Skip to **12.**)

Yes. (Fill out below to show where each child has lived during the last 5 years.)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	

**12. Other people with a legal right to spend time with a child**

Do you know of anyone besides you and the other parties to this case who has or claims to have a legal right to spend time with any of the children?

(Check one):  No. (Skip to **13.**)     Yes. (Fill out below.)

Name of person	Child/ren this person may have the right to spend time with
	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

**13. Other court cases involving a child**

Do you know of any other court cases involving any of the children in this case?



(Check one):  No. (Skip to **14.**)  Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

**14. Jurisdiction over children** (RCW 26.27.201 – .221, .231, .261, .271)

The court can decide this case for the children because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):

**Exclusive, continuing jurisdiction** – A Washington court has already made a parenting plan, residential schedule or custody order for the children, and the court still has authority to make other orders for (children’s names): \_\_\_\_\_.

**Home state jurisdiction** – Washington is the children’s home state because (check all that apply):

(Children’s names): \_\_\_\_\_ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children are less than 6 months old, they have lived in Washington with a parent or someone acting as a parent since birth.

There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.

(Children’s names): \_\_\_\_\_ do not live in Washington right now, but Washington was the children’s home state at sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.

(Children’s names): \_\_\_\_\_ do not have another home state.

**No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for (children’s names): \_\_\_\_\_.

\_\_\_\_\_ or a court in the children’s home state (or tribe) decided it is better to have this case in Washington **and:**

- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
- There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.

**Other state declined** – The courts in other states (or tribes) that might be (*children's names*): \_\_\_\_\_'s home state have refused to take this case because it is better to have this case in Washington.

**Temporary emergency jurisdiction** – The court can make decisions for (*children's names*): \_\_\_\_\_ because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or the children's parent, brother, or sister) were abused or threatened with abuse. (*Check one*):

A custody case involving the children was filed in the children's home state (*name of state or tribe*): \_\_\_\_\_. Washington should take temporary emergency jurisdiction over the children until the Petitioner can get a court order from the children's home state (or tribe).

There is **no** valid custody order or open custody case in the children's home state (*name of state or tribe*): \_\_\_\_\_. If no case is filed *in the children's home state (or tribe)* by the time the children have been in Washington for 6 months, (*date*): \_\_\_\_\_, Washington should have final jurisdiction over the children.

Other reason (*specify*): \_\_\_\_\_

**15. Fees and costs**

No request.

Order the relocating person to pay for my costs, lawyer fees, and other fees.

**16. Other requests, if any**

\_\_\_\_\_  
\_\_\_\_\_

**Person filing this *Objection* fills out below:**

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (including any attachments) are true.  I've attached (#): \_\_\_\_\_ pages.

Signed at (*city and state*): \_\_\_\_\_ Date: \_\_\_\_\_

▶ \_\_\_\_\_  
*Person filing Objection signs here* *Print name*

**Lawyer (if any) for person filing this *Objection* fills out below:**

▶ \_\_\_\_\_  
*Lawyer signs here* *Print name and WSBA No.* *Date*

**Warning!** Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (as listed on the parenting/custody order):

\_\_\_\_\_

And Respondent/s (as listed on the parenting/  
custody order):

\_\_\_\_\_

No.

\_\_\_\_\_

Motion for Temporary Order Preventing  
Move with Children (Relocation)  
(MTPM)

**Motion for Temporary Order Preventing  
Move with Children (Relocation)**

**To both parties:**

**Deadline!** Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are located online at [www.courts.wa.gov](http://www.courts.wa.gov).

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

**To the person filing this motion:**

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

**To the person receiving this motion:**

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, Declaration) explaining why the court should not approve those requests. You may file other written proof supporting your side.

1. My name is \_\_\_\_\_.

2. I have a court order giving me a legal right to spend time with the following children:

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

3. The relocating person (*name*): \_\_\_\_\_ (*check one*):

[ ] plans to move with the children on (*date*): \_\_\_\_\_.

[ ] has already moved with the children on (*date*): \_\_\_\_\_.

#### 4. Objection

I have filed (or am filing with this motion) an *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721).

#### 5. Request

I ask the Court to order the relocating person to (*check all that apply*):

[ ] **not** move with the children.

[ ] return the children.

#### **Warning to the person who intends to move!**

If the hearing on this motion is scheduled to be held within **15 days** of the day you are served with the *Objection about Moving*, you **must not** move with the children before the hearing unless the special circumstances described in RCW 26.09.460(3) apply.

RCW 26.09.460(3) says: "If a person intending to relocate the child is relocating to avoid a clear, immediate, and unreasonable risk to the health or safety of a person or the child, notice may be delayed for twenty-one days."

#### ➤ **Reasons for request**

#### 6. No proper notice

[ ] Does not apply.

[ ] I have **not** received a *Notice of Intent to Move with Children* from the relocating person.

[ ] I received a *Notice of Intent to Move with Children* from the relocating person on (*date*): \_\_\_\_\_. This is late notice because I received it after the legal deadline and without good legal reasons to justify delay. (See RCW 26.09.440.)

I was substantially prejudiced by the late notice or lack of notice. (*Explain how getting late notice or no notice put you in an unfair position*):

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- 
- The *Notice* is improper because the children live with me most of the time and the Child Relocation Act does not apply.

**7. Move happened without agreement, court order or proper notice**

- Does not apply.
- The relocating person already moved with the children and:
- I did not agree to the move;
  - There was no court order allowing the move; and
  - The relocating person did not give proper notice of the move.

**8. Move unlikely to be approved**

- Does not apply.
- The court is unlikely to approve the planned move at trial. My reasons for believing this are based on the factors in RCW 26.09.520 as explained in my *Objection*. The children (*check one*):
- spend substantially equal time with each parent (45 percent or more). It is not in the children's best interests to move.
- live with the relocating person most of the time. Even though the law presumes that the move will be allowed, I can show that the move would cause more harm to the children than good to the children and the relocating person who wants to move.
- The *Notice* is improper because the children live with me most of the time and the Relocation Act does not apply.

**9. No reason to move now**

- Does not apply.
- Whether or not the move will be approved at trial, the circumstances **do not** justify allowing the move before the court makes a final decision.

*Explain:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Active duty military**

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

- None of the other parties are covered by the state or federal Service Members' Civil Relief Acts.

(Name): \_\_\_\_\_  
is covered by the  state  federal Service Members' Civil Relief Act.

For persons covered only by the **state** act – Military duty may keep the service member or dependent from responding or coming to the hearing on this motion. I ask the court to approve temporary orders even if the covered person asks for a stay or doesn't respond. It would be very unfair (a manifest injustice) not to make temporary orders now because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 11. Other information (if any)

\_\_\_\_\_

### Person filing this motion fills out below

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (city and state): \_\_\_\_\_ Date: \_\_\_\_\_

▶ \_\_\_\_\_  
Person filing this motion signs here Print name

I agree to accept legal papers for this case at (check one):

my lawyer's address, listed below.

the following address (this does **not** have to be your home address):

\_\_\_\_\_  
street address or PO box city state zip

(Optional) email: \_\_\_\_\_

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)

### Lawyer (if any) fills out below:

▶ \_\_\_\_\_  
Lawyer signs here Print name and WSBA No. Date

\_\_\_\_\_  
Lawyer's street address or PO box city state zip

Email (if applicable): \_\_\_\_\_

**Warning!** Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (as listed on the parenting/custody order):

\_\_\_\_\_

And Respondent/s (as listed on the parenting/  
custody order):

\_\_\_\_\_

No.

\_\_\_\_\_

Summons: Notice of Objection about  
Moving with Children and Petition about  
Changing a Parenting/Custody Order  
(Relocation)  
(SM)

**Summons: Notice of Objection about Moving  
with Children and Petition about Changing a  
Parenting/Custody Order (Relocation)**

To: \_\_\_\_\_  
(name of the parent or non-parent custodian who intends to move with the children)

You must respond in writing for the court to consider your side.

**Deadline!** Your *Response* must be filed *and* served within **20 days** of the date you were served this *Summons* (60 days if you were served outside of Washington State). If you do not file and serve your *Response* or a *Notice of Appearance* by the deadline:

- No one has to notify you about other hearings in this case, and
- The court may approve the requests in the *Petition* without hearing your side (called a *default judgment*).

Follow these steps:

- 1. Read** the *Objection* and any other documents you receive with this *Summons*. These documents explain what the other party is asking for.
- 2. Fill out** the *Response to Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 722). You can get the *Response* and other forms at:
  - The Washington State Courts' website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms),

- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org), or
- The Superior Court Clerk’s office or county law library (for a fee).

**3. Serve** (give) a copy of your *Response* to the person who filed this *Summons* at the address below, and to any other parties. You may use certified mail with return receipt requested. For more information on how to serve, read Superior Court Civil Rule 5.

**4. File** your original *Response* with the court clerk at this address:

Superior Court Clerk, \_\_\_\_\_ County

\_\_\_\_\_

*address* *city* *state* *zip*

**5. Lawyer not required:** It’s a good idea to talk to a lawyer, but you may file and serve your *Response* without one.

**Person filing this *Summons* fills out below:**

▶ \_\_\_\_\_

*Signature of person filing this Summons or lawyer* *Date*

\_\_\_\_\_

*Print name (and WSBA No., if lawyer)*

*I agree to accept legal papers for this case at (check one):*

my lawyer’s address:

\_\_\_\_\_

*lawyer’s address* *city* *state* *zip*

*Email (if applicable):* \_\_\_\_\_

the following address (*this does not have to be your home address*):

\_\_\_\_\_

*address* *city* *state* *zip*

**(Optional) email:** \_\_\_\_\_

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)

*This Summons is issued according to Rule 4.1 of the Superior Court Civil Rules of the State of Washington.*



Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (*person/s who started this case*):

\_\_\_\_\_

And Respondent/s (*other party/parties*):

\_\_\_\_\_

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

Proof of Personal Service  
(AFSR)

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## Proof of Personal Service

Server declares:

1. \_\_\_\_\_  
party to this case. I am 18 or older.

My name is: \_\_. I am not a

2. \_\_\_\_\_ Personal Service

I served court documents for this case to (*name of party*): \_\_\_\_\_  
by (*check one*):

giving the documents directly to him/her.

giving the documents to (*name*): \_\_\_\_\_,  
a person of suitable age and discretion who lives at the same address as the party.

3. Date, time, and address of service

Date: \_\_\_\_\_ Time: \_\_\_\_\_ [ ] a.m. [ ] p.m.

Address:

\_\_\_\_\_  
Number and street city state zip

4. List all documents you served (**check all that apply**):  
 (The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

<input type="checkbox"/> Petition to/for _____	
<input type="checkbox"/> Summons ( <i>Attach a copy.</i> )	<input type="checkbox"/> Notice of Hearing _____
<input type="checkbox"/> Order Setting Case Schedule	<input type="checkbox"/> Motion for Temporary Family Law Order [ ] and Restraining Order
<input type="checkbox"/> Notice Re: Military Dependent	<input type="checkbox"/> Proposed Temporary Family Law Order
<input type="checkbox"/> Proposed Parenting Plan	<input type="checkbox"/> Motion for Immediate Restraining Order (Ex Parte)
<input type="checkbox"/> Proposed Child Support Order	<input type="checkbox"/> Immediate Restraining Order (Ex Parte) and Hearing Notice
<input type="checkbox"/> Proposed Child Support Worksheets	<input type="checkbox"/> Restraining Order
<input type="checkbox"/> Sealed Financial Documents	<input type="checkbox"/> Motion for Contempt Hearing
<input type="checkbox"/> Financial Declaration	<input type="checkbox"/> Order to Go to Court for Contempt Hearing
<input type="checkbox"/> Information for Temporary Parenting Plan	<input type="checkbox"/> Motion for Adequate Cause Decision
<input type="checkbox"/> Declaration of: _____	<input type="checkbox"/> Notice of Intent to Move with Children (Relocation)
<input type="checkbox"/> Declaration of: _____	<input type="checkbox"/> Objection about Moving with Children and Petition about Changing a Parenting/ Custody Order (Relocation)
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

5. Fees charged for service

Does not apply.

Fees: \$ \_\_\_\_\_ + Mileage \$ \_\_\_\_\_ = Total: \$ \_\_\_\_\_

6. Other Information (if any): \_\_\_\_\_  
 \_\_\_\_\_

*I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.*

Signed at (city and state): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature of server

\_\_\_\_\_  
 Print or type name of server

**To the party having these documents served:**

- File the original *Proof of Personal Service* with the court clerk.
- If you served a *Restraining Order* signed by the court, you must also give a copy of this *Proof of Personal Service* and a *Law Enforcement Information Sheet* to law enforcement.
- If the documents were personally served outside of Washington state, you must fill out and file form FL All Family 102 (*Declaration: Personal Service Could Not be Made in Washington*).

**To the Server:** check here if you personally served the documents *outside* Washington state. Your signature must be notarized or sworn before a court clerk.

*(For personal service in Washington state, your signature does not need to be notarized or sworn before a court clerk.)*

Signed and sworn to before me on *(date)*: \_\_\_\_\_.

\_\_\_\_\_  
*Signature of notary or court clerk*

\_\_\_\_\_  
*Print name of notary or court clerk*

I am a notary public in and for the state of:

\_\_\_\_\_  
My commission expires: \_\_\_\_\_

I am a court clerk in a court of record in  
*(county)*: \_\_\_\_\_

*(state)*: \_\_\_\_\_

*(Print seal above.)*

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (*person/s who started this case*):

\_\_\_\_\_

And Respondent/s (*other party/parties*):

\_\_\_\_\_

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

Proof of Service by Mail  
(AFML)

## Proof of Service by Mail

**Warning!** Use this form **only** if the court has signed an Order to Allow Service by Mail for documents that otherwise must be personally served. Use the Proof of Mailing or Hand Delivery form (FL All Family 112) to show service of documents that do **not** have to be personally served.

Server declares:

1. My name is: \_\_\_\_\_ . I am not a party to this case.  
I am 18 or older.
2. Service by mail allowed (*Check one*):
  - The court signed an order on (*date*): \_\_\_\_\_ that allows me to serve the documents listed in section **4** below by mail.
  - I served a *Summons and Petition to Modify Child Support Order* to change a *Child Support Order* that was signed by a Washington State Court. (*The law allows these documents to be served by return receipt mail without a court order. RCW 26.09.175(2)(a).*)
  - I served a *Notice of Intent to Move with Children (Relocation)*. (*The law allows this Notice to be served by return receipt mail without a court order. RCW 26.09.440.*)
  - I served an *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)*. (*The law allows this Objection to be served by return receipt mail without a court order. RCW 26.09.480.*)
3. On (*date*): \_\_\_\_\_, I personally mailed two copies of the documents listed below to (*name*): \_\_\_\_\_ at each address





**Superior Court of Washington, County of \_\_\_\_\_**

In re:

Petitioner/s (as listed on the parenting/custody order):

\_\_\_\_\_

And Respondent/s (as listed on the parenting/custody order):

\_\_\_\_\_

No.

\_\_\_\_\_

Final Order and Findings on Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)

(ORDYMT or ORGRRE)

[ ] Clerk's action required: **1, 13**

**Final Order and Findings on Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)**

**1. Money Judgment Summary**

[ ] No money judgment is ordered.

[ ] Summarize any money judgment from section **12** in the table below.

Judgment for	Debtor's name <i>(person who must pay money)</i>	Creditor's name <i>(person who must be paid)</i>	Amount	Interest
Guardian ad litem (GAL) fees			\$	\$
Lawyer fees			\$	\$
Court costs			\$	\$
Other fees and expenses <i>(specify):</i>			\$	\$
<b>Yearly Interest Rate:</b> ____% <i>(12% unless otherwise listed)</i>				
<b>Lawyer (name):</b>		represents <i>(name):</i>		
<b>Lawyer (name):</b>		represents <i>(name):</i>		

**2.** This Order is based on the *(check all that apply)*:

- agreement of everyone with a legal right to spend time with the children in this case.
- Order on Motion for Default* signed on *(date)*: \_\_\_\_\_.
- court's decision about the *Objection* after a contested trial on *(date)*: \_\_\_\_\_.

The following people were at the trial *(check all that apply)*:

- Petitioner *(name)*: \_\_\_\_\_  This person's lawyer
- Respondent *(name)*: \_\_\_\_\_  This person's lawyer
- Guardian ad Litem *(name)*: \_\_\_\_\_
- Other *(name and relationship to this case)*: \_\_\_\_\_
- Other *(name and relationship to this case)*: \_\_\_\_\_

➤ **Findings & Conclusions**

**3. Jurisdiction over the children** (RCW 26.27.201 – .221, .231, .261, .271)

- The court **cannot** decide this case for the children because the court does not have jurisdiction over the children.
- The court **can** decide this case for the children because *(check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names)*:
  - Exclusive, continuing jurisdiction** – A Washington court has already made a parenting plan, residential schedule or custody order for the children, and the court still has authority to make other orders for *(children's names)*:  
\_\_\_\_\_

- Home state jurisdiction** – Washington is the children's home state because *(check all that apply)*:

- (Children's names)*: \_\_\_\_\_ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.

- There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.

- (Children's names)*: \_\_\_\_\_ do not live in Washington right now, but Washington was the children's home state at sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.

- (Children's names)*: \_\_\_\_\_ do not have another home state.

- No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for *(children's names)*: \_\_\_\_\_, **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:



- The children and a parent or someone acting as a parent has/have ties to Washington beyond just living here; **and**
  - There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.
- Other state declined** – The courts in other states (or tribes) that might be (*children's names*): \_\_\_\_\_'s home state have refused to take this case because it is better to have this case in Washington.
- Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over (*children's names*): \_\_\_\_\_ when the case was filed, and now has jurisdiction to make a final custody decision because:
- When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children's parent, brother or sister) was abused or threatened with abuse;
  - The court signed a temporary order on (*date*) \_\_\_\_\_ saying that Washington's jurisdiction will become final if no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months;
  - The children have now lived in Washington for 6 months; **and**
  - No case concerning the children has been started in the children's home state (or tribe).
- Other reason (*specify*): \_\_\_\_\_
- 

#### 4. Children's Residence

- The children spend substantially equal residential time with each parent (45 percent or more).
- The children live most of the time with relocating person (*name*): \_\_\_\_\_.
- The children live most of the time with the objecting person (*name*): \_\_\_\_\_.  
The *Notice of Intent to Move with Children* was improper and the *Child Relocation Act* does not apply. (*Skip to 8.*)
- Other findings: \_\_\_\_\_
- 

#### 5. Factors for / against move with children

- Does not apply. There was no objection to the children moving. (*Skip to 6.*)
- The children (*check one*):
- spend substantially equal time with each parent (45 percent or more). Based on the factors listed below, the Court concludes that the planned move (*check one*):  **is**  **is not** in the children's best interests.
  - live with the person who wants to move most of the time. Based on the factors listed below, the Court concludes that the planned move (*check one*):

**would**  would **not** cause more harm to the children than good to the children and the person who wants to move.

**Factors:**

a. **Relationships:** The children's relationships with each parent, any siblings, and other important people in the children's life. (*Findings about the strength, nature, quality, extent of involvement, and stability of the children's relationships and how those would be affected by the planned move*): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. **Agreements:** *Findings:* There  were  were not agreements between the relocating and objecting persons about moving with the children.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. **Contact:** *Findings:* Disrupting the children's contact with the relocating person  would  would not be more harmful to them than disrupting their contact with the objecting person.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

d. **Limitations:** *Findings:* The current parenting/custody order  includes  does not include limitations under RCW 26.09.191 on a parent.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e. **Reasons for moving:** *Findings:* The reasons for moving  were  were not given in good faith.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

f. **Reasons for objecting:** *Findings:* The reasons for objecting to the move [ ] were [ ] were not given in good faith.

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g. **Children:** *Findings:* Allowing or preventing the move would affect the children's physical, educational, and emotional development, considering their age, developmental stage, and needs (including any special needs) as follows:

If move is allowed: \_\_\_\_\_

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If move is not allowed: \_\_\_\_\_

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h. **Quality of life:** The quality of life, resources, and opportunities available to the children and the relocating person in the current location and in the new location.

*Findings:* \_\_\_\_\_

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i. **Other arrangements:** Other arrangements available to foster and continue the objecting person's relationship and contact with the children.

*Findings:* \_\_\_\_\_

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j. **Alternatives:** Alternatives to the planned move, and whether it is possible or desirable for the objecting person to move too.

*Findings:* \_\_\_\_\_

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k. **Financial:** The financial impact and logistics of moving or not moving (for example, the timing, cost, and how the move would happen).

*Findings:* \_\_\_\_\_

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## 6. Changes to parenting/custody order

- No Change** – The parenting/custody order should not change because:
- no one asked to change the parenting/custody order.
  - the court is not allowing the children to move, and the person who asked to move with the children has decided **not** to move without the children.
  - the requested changes are not in the children’s best interest.
- Change** – There are valid reasons to change the parenting/custody order because:
- the court **is** allowing the children to move and the changes are in the children’s best interest considering the move. The new *Parenting Plan* or *Residential Schedule* does **not** change the person with whom the children live most of the time.
  - the court is **not** allowing the children to move and the person who asked to move with the children is moving without the children. The new *Parenting Plan* or *Residential Schedule* **changes** the person with whom the children live most of the time.
- Other findings (*specify*): \_\_\_\_\_
- 

## 7. Child Support

- Does not apply.
- Changing the *Child Support Order* is necessary because of the move and/or the change in the person with whom the children live most of the time.
- Other findings: \_\_\_\_\_
- 

## 8. Protection Order

- No one requested an *Order for Protection* in this case.
- Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.
- Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.
- Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in the following order, filed separately (*check one*):
- Order on Renewal of Order for Protection*
  - Order Modifying/Terminating Order for Protection*
- Other findings: \_\_\_\_\_
- 

## 9. Restraining Order

- No one requested a *Restraining Order* in this case.
- Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.
- Denied** – The request for a *Restraining Order* is denied.
- Other findings: \_\_\_\_\_  
\_\_\_\_\_

**10. Fees and Costs**

- Each person should pay his/her own fees and costs.
- (*Name*): \_\_\_\_\_ incurred fees and costs, and needs help to pay those fees and costs. (*Name*): \_\_\_\_\_ has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the Money Judgment in section **13** below. The court finds that the amount ordered is reasonable.
- Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the Money Judgment in section **13** below. The court has considered relevant factors including each person’s ability to pay, and finds the fees as ordered are reasonable.
- Other findings: \_\_\_\_\_

**11. Other findings, if any**

\_\_\_\_\_

\_\_\_\_\_

➤ **Court Orders**

**12. Decision**

**Move with children**

- Not Allowed – The children must not move with (*name*): \_\_\_\_\_.
- Allowed – The children may move with (*name*): \_\_\_\_\_ as requested.

**Parenting/custody order**

- No Change – The current parenting/custody order remains in effect.
- Change – The court signed the new *Parenting Plan* or *Residential Schedule* filed separately today or on (*date*): \_\_\_\_\_.

**Child Support**

- No Change – The current child support order remains in effect.
- Change – The court signed the new *Child Support Order* and *Worksheets* filed separately today or on (*date*): \_\_\_\_\_.

**Protection or Restraining Order**

- Does not apply.

The court signed the protection and/or restraining orders described in sections **8** and **9** above today or on (date): \_\_\_\_\_.

**13. Money Judgment** (summarized on page 1)

No money judgment is ordered.

The court orders a money judgment for fees and costs as follows:


Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> Guardian ad litem (GAL) fees			\$	\$
<input type="checkbox"/> Lawyer fees			\$	\$
<input type="checkbox"/> Court costs			\$	\$
<input type="checkbox"/> Other fees and expenses (specify):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

The interest rate is \_\_\_\_% because (explain): \_\_\_\_\_

**14. Other orders, if any**


**Ordered.**


\_\_\_\_\_  \_\_\_\_\_  
*Date*  *Judge or Commissioner*

**Petitioner and Respondent or their lawyers fill out below:**

This document (check any that apply):  
 is an agreement of the parties  
 is presented by me  
 may be signed by the court without notice to me

This document (check any that apply):  
 is an agreement of the parties  
 is presented by me  
 may be signed by the court without notice to me

 \_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA #*


 \_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA #*


\_\_\_\_\_  
*Print Name*  *Date*

\_\_\_\_\_  
*Print Name*  *Date*

This document (check any that apply):  
 is an agreement of the parties  
 is presented by me  
 may be signed by the court without notice to me

This document (check any that apply):  
 is an agreement of the parties  
 is presented by me  
 may be signed by the court without notice to me

 \_\_\_\_\_  
*Other party or lawyer signs here + WSBA #*

 \_\_\_\_\_  
*Other party or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*  *Date*

\_\_\_\_\_  
*Print Name*  *Date*

EVALUATION FORM: How was this 3133EN OBJECTING WHEN THE OTHER PARTY WANTS TO MOVE WITH CHILD packet? Your comments are appreciated and will help to make this packet more useful to others. Please take a moment to complete this form and return it to:

LeeAnn Friedman  
Northwest Justice Project  
500 W. 8<sup>th</sup>, Suite 275  
Vancouver, WA 98660  
Or email to [webmaster@nwjustice.org](mailto:webmaster@nwjustice.org)

1. Where did you get this packet?  
 CLEAR  [washingtonlawhelp.org](http://www.washingtonlawhelp.org)  Court Clerk or Facilitator  
 Other: \_\_\_\_\_
2. What is your primary language? \_\_\_\_\_
3. Are you low-income?  yes  no
4. What is the last grade you finished in school? \_\_\_\_\_
5. Did you read the instructions?  yes  no
6. Did you need the help of an agency, court facilitator, or advocate to complete your case?  yes  no  
If yes, what agency or individual helped you? \_\_\_\_\_
7. Did you find anything hard to understand?  yes  no  
If yes, please tell us what. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Did you find any mistakes?  yes  no  
Describe mistakes. Include the page #. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Additional Comments [use back if you need to]: \_\_\_\_\_  
\_\_\_\_\_
10. Today's Date: \_\_\_\_\_