



Washington
LawHelp
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Following Washington's Relocation Law

Instructions and Forms



Northwest Justice Project



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Part 1. Important Info

A. Should I use this?

Yes, if you have legal **custody of your child, or shared custody (at least 45% of the time)**, and you wish to move (“relocate”) and take the child with you. Under state law, you may have to do certain things before you move. This packet has forms and instructions to help.

-
- ❖ Your case may be about more than one child. We say “child” instead of “children” for short.
-

If you are planning to move with your child, and an existing court order allows the other parent or a third party (like a grandparent) visitation with the child, or joint custody, you must give that person advance notice of your move. Once you have done so, if the other parent objects to the child moving, they must file an objection with the court within thirty days.

-
- ❖ The relocation law is complicated. Talk to a lawyer before deciding whether to relocate. Read this packet step-by-step.
-

If there is no existing court order, or the court order does not give anyone else visitation rights, the relocation law does not apply to you. You may move. You do not need to read further. Be aware of custodial interference laws and UCCJA (jurisdiction) laws.

B. I have an older parenting plan. Does the relocation law to us?

The law fully applies to all parenting plans entered after June 8, 2000.

-
- ❖ We say “parenting plan” for short to refer to your parenting plan OR residential schedule OR custody order.
-



C. I do not have a parenting plan. Can we move?

If there is no existing order regarding residential time or visitation with your child, the law does not apply. You may move. Just be aware of custodial interference laws and UCCJA (jurisdiction) laws.

-
- ❖ **Custodial interference laws** make it a crime to take or hide a child from the other parent with the intent to deny that parent access to the child for a long time, even if there are no parenting plans in place. It is a more serious crime if the child is moved from the state where they usually live.
-

Let the other parent know where you are going, and how to reach you to arrange contact with the child. That should minimize the risk of you facing criminal custodial interference charges.

-
- ❖ If you feel that safety reasons keep you from telling the other parent where you are going, talk to a lawyer before taking action.
-

The **UCCJA** is the law controlling which court has jurisdiction (authority) to make custody and visitation decisions about your child. It says that, in most cases, if a parent moves a child out of state, the old state continues to be the child's "home state" for six months after the move as long as one parent still lives there. Any court action within the first six months after relocation will probably need to take place in the old state. If you have no custody or visitation order, and the other parent stays in Washington and files a court case, you must respond and be ready to return to Washington.

D. The law applies to me. What do I do?

1. Relocating within the Same School District

If you plan to move within the same school district where the child currently lives, you must provide actual notice to every person entitled to visitation with your child of:

- your new address
- your phone number
- any new daycare provider or school

The notice may be in any form. You can tell the other parent on the phone, in person, by email, or hand them a note. **It is best to write the other parent a letter about the move**



and keep a copy for your records. Send the letter by certified mail or any form of mail that provides proof of delivery.

❖ No one may object to this type of relocation.

2. Relocating Outside of Your School District

If you are the custodial parent under the parenting plan and you want to move with your child outside of the school district you currently live in, you must give the noncustodial parent and every other person entitled to visitation with the child notice of your intent to move. The Notice form is in this packet.

Generally, you must give notice **at least 60 days** before the date of your intended move in one of these ways:

- Through personal service (hand delivery by a third party who signs a statement that they delivered the notice to the other parent).
- By any form of mail that requires a return receipt. Use our [Service by Certified Mail or Publication](#) packet.

❖ **Example 1:** 60-day Notice - You plan to move on September 1. You must give the other parent notice on or before July 2.

❖ **Example 2:** You give relocation notice on July 1 that you plan to move to another city. You do not have the exact new address at the time of notice. You do not include it. On July 15, you get a new address. You must write the court and everyone else entitled to residential time or visitation a letter giving your new address. This shows the court you are following the law in “good faith.” This will help when the court is deciding whether to allow the relocation.

See below for exceptions to this 60-day notice requirement.

3. Exceptions to the 60-day Notice Requirement

If you want to move with the child but do not have 60 days in which to give notice before moving, you **must give notice within five days** after you actually know you are moving. Be ready to show both of these:

- you could not reasonably have known about the move in time to give 60 days’ notice
- you cannot reasonably delay the move



❖ **Example:** On November 1, you get a notice that the military is transferring you to a new location on November 30. You must give notice by November 6.

Here are some situations where it is okay to give less or different notice:

- **You are relocating because you are entering a domestic violence shelter:** You may delay notice for 21 days. The shelter is not required to disclose any confidential information about itself.

❖ **Example:** You enter a DV shelter on July 1. You do not have to give notice until July 27 (21 days plus the five days we explain above). You do not need to include the confidential address.

- **You are taking part in the Address Confidentiality Program** or have a court order permitting you to withhold specific information: You can leave that information out of your notice.
- **You are moving to avoid a clear, immediate, and unreasonable risk to your health or safety or the health or safety of the child:** You may delay notice for 21 days (plus the five days explained above). This is the same as if you were moving to a DV shelter.

If you believe your health or safety (or your child's) would be at risk by the release of information the notice requires, you may request an *ex parte* hearing with the court¹ to have that part of the notice waived (excused). You do not give the other party any notice of an *ex parte* hearing, or you give very little notice. Usually this hearing is the same day you request it. Read [Getting an Ex Parte \(Emergency\) Order to Move with Your Children](#) has more.

After this hearing, the court may waive some or all of the required notice information. You may not have to give notice at all. You may not have to give all the details normally required in your notice. Or the court may provide some other relief that meets your needs and your child's.

E. Where do I file my notice?

You should file your notice in the same county where you were divorced, or where the court entered the parenting plan, if possible. If you file in a different county, your current

¹ "The court" or "the judge" here means the judge or family court commissioner who hears your case when it gets to court.



parenting plan will first have to be registered as a foreign order in that county, and then assigned a new case number for that county.

F. What happens if I do not give notice?

Failure to give the proper Notice of Intent to Move is grounds for sanctions (punishment) by the court. In some cases, this can mean contempt of court. The court may put a penalty on you, including:

- ordering the child returned to your old location in Washington (or to the other parent's home)
- ordering you to pay the other person's attorney's fees and costs
- jail time
- fines
- some other type of punishment

❖ A judge who finds you in contempt more than once in a three-year period may award the other parent custody.

G. I have given notice. When may I move?

Usually you should wait until sixty days have passed after giving notice. You do not have to if you fall under one of the exceptions above.

In general:

- You may not move the child during the first thirty days without a court order, unless you can prove that the other parent will not object.
- If the other parent does not file an objection within thirty days, you may then go ahead and move.
- If the other parent does file an objection, wait until the judge has ruled on that objection OR you get a court order allowing you to move on a temporary basis. (See discussion below on Temporary Orders.)

The person who objects to the relocation must schedule a hearing within fifteen days. She must file a motion to keep you from moving if they want to stop your move temporarily



before the court makes its final decision. Even if the objecting person does not ask for a restraining order to stop you, **think carefully about moving before the court makes a final decision**. If you cannot follow the existing parenting plan after you move, the court will likely find you in contempt. (See above.) Even if you could follow the parenting plan after the move, the judge may think it was in “bad faith” to move after the other parent objected. You may also have to move your child twice if the court’s final order does not allow you to permanently move the child.

H. I am the noncustodial parent. How do I object?

- ❖ If you have gotten notice of a proposed relocation within the same school district, you may not object. You can still change the parenting plan if the move makes it necessary to make minor changes to visitation or other parts of the parenting plan. (**Examples:** who provides transportation, or where to meet to transfer the child.)
-

If you have gotten notice of a proposed relocation **outside of the current school district** and you do not want your child to move, you **must** file an objection **within 30 days** of receiving that notice. Use our [Objecting When the Other Parent Wants to Move with the Child](#) packet.

You can also object by filing any of these:

- a petition to change the parenting plan
- some other court action, such as a motion for a temporary family law order, that would provide grounds for relief

-
- ❖ A letter to the judge or relocating parent will not satisfy the law. Use one of the methods listed here.
 - ❖ **The court cannot stop the adult from moving.** If you file an objection to stop the child from moving, be ready to have the child live with you, and to prove to the court that it is in the child’s best interest for that to happen.
-

I. I am the parent who is not moving. The other parent moved outside the school district without giving me proper notice. Can I object?

Yes. You can file one (not both) of these:

- an objection, as described in section H



- a petition or other court action as described in section H

J. I am a grandparent or other relative. Can I try to stop the move?

Probably not. A court can stop a move when the only objection is from a nonparent **only when both of these are true:**

- that nonparent has court-ordered visitation rights
- the nonparent has served as the child's custodian for a substantial period during the past three years

K. Can I get a court order before the hearing on relocation happens?

If you have objected to relocation and are waiting for a hearing, ask for a temporary order stopping the move OR ordering the child's return if the move has already happened. Use our [Objecting When the Other Parent Wants to Move with the Child](#) packet.

If you have given notice of your intended relocation, you may ask for a temporary order approving the intended move. Use the blank forms at the end of this packet. The court will grant the order, before a final hearing, **if** it finds both of these are true:

- You gave the required notice in a timely manner OR there is enough reason to enter a temporary order in the absence of compliance with notice requirements
- after examining evidence presented by both parties, it is likely the court would approve the intended relocation of the child

❖ In a very few cases, you may be able to get an **ex parte** (emergency) order letting you move with the child before the thirty days have passed. [Getting an Ex Parte \(Emergency\) Order to Move with Your Children](#) has the forms for this. Or get them at www.courts.wa.gov/forms.



Part 2. Court forms in this packet

It has many of the forms you need to move outside your child’s current school district.

The Washington Administrative Office of the Courts has Microsoft Word and PDF versions of these forms available on their web site for download if you would rather fill them out on your computer at www.courts.wa.gov/forms.

Read the next section to decide what else you will need.

-
- ❖ Some counties have their own do-it-yourself packets. These are available from your local family law facilitator or court clerk. Using a local packet may be easier. They will include your county’s rules and forms.
-

This packet has these blank forms:

Court Form Name	Court Form Number
Notice of Intent to Move with Children (Relocation)-	FL Relocate 701
Proof of Personal Service	FL All Family 101
Response to Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)	FL Relocate 722
Motion for Temporary Order Allowing Move with Children (Relocation)	FL Relocate 726
Temporary Order about Moving with Children (Relocation)	FL Relocate 728
Attachment: Summary of the law about moving with children	FL Relocate 736



Part 3. Other court forms and documents you may need to get

A. Other forms you may need that are not in this packet:

Court Form Name	Court Form Number
Motion to Limit Notice of Intent to Move with Children (Ex Parte)	FL Relocate 702
Motion for Immediate Order Allowing Move with Children – Before Objection Deadline (Ex Parte Relocation)	FL Relocate 704
Immediate Order on Motion to Move with Children – Before Objection Deadline (Ex Parte Relocation)	FL Relocate 705
Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children (Relocation)	FL Relocate 706
Ex Parte Order on Motion for Final Order Changing Parenting Plan – Moving with Children (Relocation)	FL Relocate 707

B. Other packets you may need:

- [Getting an Ex Parte \(Emergency\) Order to Move with Your Children](#) – use only in limited circumstances.
- [Make a Parenting Plan](#) - to ask for a new parenting plan. Or use our do-it-yourself interview program, [Washington Forms Online](#), to complete this form at [WashingtonLawHelp.org](#).

The Northwest Justice Project has a new program called Washington Forms Online that helps people fill out family law forms on a computer. 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

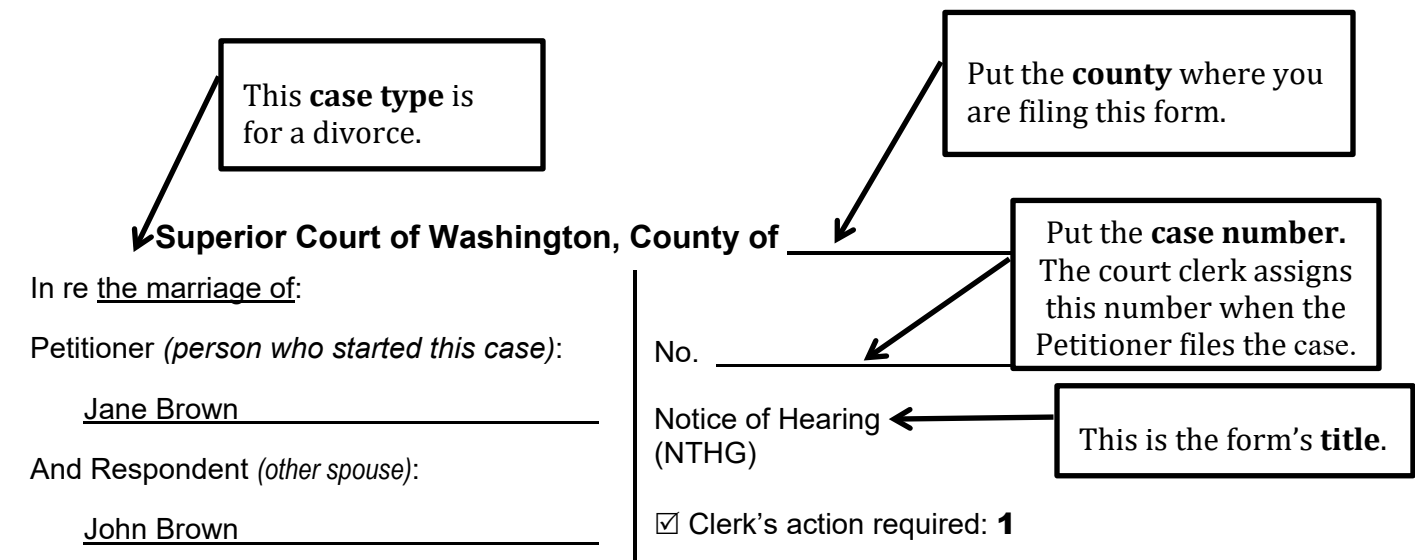




Part 4. General instructions for filling out forms

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 form caption with callout boxes explaining its parts:

- 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 caption 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, the type of case. It appears at the top of the first page of every form.

Put the name of the county where you are filing your case in the blank space after "Superior Court of Washington County of _____."

Case name. On the blank 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 will put the case 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 the blanks you need to. If you have to make corrections, be sure the correction is neat and readable. Do not 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 fills it out to put the date they signed it. The judge puts dates in orders when the judge signs the order.

Signatures.

- **Your Signature:** After filling out a form, look for the place(s) to sign your name:
 - 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 the form.
 - 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.
 - 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 are agreeing the judge should sign the order as written AND the other party can give the order to the judge to sign without letting you know when they are going to do it.

- **Other signatures:** If someone else (a witness or the person serving papers) must sign a form, they must fill out all information 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 anything 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 information 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. Information in them is **usually** not available to the other party.

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

Confidential Information Form

Vital Statistics Form

Domestic Violence Information Form

Law Enforcement Information Sheet



Part 5. How to fill out each form

A. Notice of Intent to Move with Children (Relocation) - FL Relocate 701

❖ In these instructions, “parenting plan” is short for a parenting plan, residential schedule, or other custody order.

1. Put your name.
2. In the blank, put the date you plan to move. In the table, list names and ages of all the children the parenting plan covers and whom you want to relocate. (Do not list any children your parenting plan does not cover.)
3. Put all your reasons for moving. Put the most important reasons first. (**Examples:** You have remarried. Your new spouse has gotten a job in a different town.) If you have an emergency reason for moving, put that first.
4. **Contact information after the move.** Check the first box if one of the reasons immediately underneath it is true, and then check that reason. Otherwise, check the second box and put the info requested.
5. **Parenting/custody order.** Check the box showing what you want. If you check the second box, follow its instructions.
6. **Timing and service of this Notice.** Most people will check the first box. You should check the second box or the third box only if one of those applies to you.

Person planning to move fills out below: Date the form and sign where it says to. Print or type your name in the next blank.

Under **I agree to accept legal papers**, 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.



B. Response to Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation) - FL Relocate 722

The Response is your chance to answer what the other parent's Objection to your Notice of Intent to Move says. Look at that Objection when filling out the Response form.

1. Your response. While filling this section out, read each corresponding section of the Objection. For each section, check if you agree, disagree, or do not have enough info to agree or disagree with what the other parent said. If you disagree with ANY PART of the information in a paragraph, you should check the **disagree** box. Whenever you do that, you must then explain in the space at the bottom why you disagree.

Example: You disagree with what the other parent put in #4a of the Objection. You could disagree and then put you disagree because "It is not true. It is not more harmful to the child that they have less contact with their father because of this move. As it is, they only see their father every other month. They will be able to keep seeing him that often after the move."

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- ❖ For more info on deciding if Washington has jurisdiction over your children, talk with a lawyer. [Divorce and Other Options for Ending Your Marriage in Washington with Children](#) and [Which Court Can Enter Custody Orders: Frequently Asked Questions and Answers about Jurisdiction](#) have basic info.
-

2. Protection Order. Check **no** if you do not want this. Check **yes** and follow the instructions if you do. Check the third box if and give the info requested if there is already a protection order between you.

3. Restraining Order. Check **No** and skip to 4 if you do not want a restraining order. Check **Yes** if you want a restraining order and check all the bolded boxes underneath showing what you want the restraining order to do.

Stay away: A common number of feet to put is 500 (about the length of a football field).

Do not hurt or threaten: The term "molesting" can be confusing. If you check this box, 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. Read the **Warning!**



❖ **Prohibit weapons and order surrender:** If you check this, we recommend you have the party turn their weapons in to the police chief or sheriff.

4. Requests. Check **Deny** and **Approve**. Check all the indented boxes under **Approved** showing what you want.

Person filing this Response fills out below: Date the form and sign where it says to. Print or type your name in the next blank. You must also fill out and file Confidential Information Form FL All Family 001, available at www.courts.wa.gov/forms.

I Agree to accept legal papers: 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. Motion for Temporary Order Allowing Move with Children (Relocation) - FL Relocate 726

Caption. Fill in the caption.

1. Put your name.
2. Check the first box and put the date if you served the other parent with notice of your intended relocation. Check the second box if you did not serve the other parent and explain in the blank space below why you should not have to give notice.
3. Check the first box if you and the other parent have split custody of the children. Check the second box if the children live with you most of the time.
4. Explain why you need a temporary order before your final hearing. (**Example:** “My new job in another state starts before I can schedule a final hearing.”)
5. **Temporary Parenting Plan.** Check the first box and skip to 6 if you do not want a temporary parenting plan. Check the second box if you want the court to approve your proposed temporary parenting plan. In the blank space beneath, explain why.
6. **Active duty military.** Check the first box and skip to 7 if this does not apply to the other parent. Check the second box and put the other parent’s name in the blank if they are in the service or the dependent of someone who is. Check the third box if it applies to this case and then put in the blank below why your case should go forward even if the other parent cannot make it.





7. Other requests (if any). Most people will not put anything here.

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

I Agree to accept legal papers: 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.

D. Temporary Order about Moving with Children (Relocation) - FL Relocate 728

Caption. Fill in the caption.

1. Check the first box if the parent who opposes the child's move filed the motion. Check the second box if the parent who wants the child to move filed the motion.

2. Notice. Check **by the legal deadline** if timely notice was provided. Then check the box underneath that showing which deadline.

At the top of page 2, check **after the legal deadline** if true in this case. Then check **did not cause**.

Check **incorrectly** if true in this case.

3. Check the box showing what is true in this case. If you check the second box, you must check the boxes immediately underneath that apply.

4. Check the first box and skip to 5 if you do not want temporary permission to move before your trial. If you do want temporary permission to move before trial, check the second box and then **justify**. If you oppose the child's move, check **don't justify**.

5. Check the first box and skip to 6 if you do not want temporary permission to move before trial.

- Check the second box and put the date if there was a temporary orders hearing. Check **likely be approved** if you want temporary permission to move before trial. Underneath that, check the first box if you have split custody of the children, or the second if the children live with you most of the time.



- Check **is unlikely to be approved** if you oppose the child's move. Check the first box under that if you have split custody of the children, or the second if the children live with the other parent most of the time. Check the third box if the children live with you most of the time.

6. Check the first box and skip to 7 if you do not want a temporary parenting plan.

Check the second box and then **should** if you want a temporary parenting plan. Check **should not** if you want to follow your current parenting plan.

7. If the other parent is not in the military or a military dependent, check the first box and skip to 8.

Otherwise, check the second box. Leave the rest for the judge to fill out.

8. The judge may use this space.

9. Motion for Temporary Order Allowing Move with Children: Check the first box and skip to 10 if no one filed such a motion. Check **denied** if the other party filed this motion and you oppose it. Check **approved** if you filed this motion. In the blank, put your name. Then check the box underneath showing what you want.

10. Motion for Temporary Order Preventing Move with Children: Check the first box and skip to 11 if no one filed such a motion. Check **denied** if the other party filed this motion and you oppose it. Check **approved** if you filed this motion. Check the first box underneath if you want to prevent the move before trial. Put the other parent's name. Check the box at the top of page 2 if you want the other parent to return the children to you or to their last home. Put the other parent's name in the first blank. Put your name or the children's last home in the second blank. Put the date you want this to happen in the third.

11. Other orders: Most people will leave this blank.

Ordered. LEAVE THIS FOR THE JUDGE.

Petitioner and Respondent or their lawyers fill out below.

Parties or their lawyers fill out below. There are two columns of boxes to check, one for each party. You should check **is presented by me** in your column. You should sign and print your name and the date where it says.





Part 6. How to serve forms

You must follow the rules when you are having the other parent personally served. Do not serve the documents on the other parent yourself. Find someone over age 18 to serve the papers for you.

You can **hire the sheriff or a professional process server**. It usually costs \$30-\$80. A professional process server may be better. The sheriff may not be willing to try more than once to serve the other parent. Look on the web for process servers.

Ask an adult friend to be your process server. If you cannot afford a process server or the sheriff, any competent adult 18 or older may serve the papers from you if they are not a party in 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, then your court orders could be set aside, even years later.

Give your server the following:

- 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 they will fill out and give you instead.)





Part 7. 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.

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.

Notice of Intent to Move with Children
(Relocation)
(NTRELOC)

Clerk: Do not file in a public access file
(GR 22(c)(2))

Notice of Intent to Move with Children (Relocation)

To the person who is *not* planning to move:

You are receiving this *Notice* because the other parent (or someone with legal custody of the children) is planning to move with the children. This *Notice* explains the planned move and tells you if the relocating person is asking the Court to change the current parenting/custody order because of the move.

If you do **not** agree with the planned move or with any changes requested to the parenting/custody order, you must file and serve an objection within **30 days** of receiving this *Notice*. To do that, follow these steps:

1. Fill out and file these forms:
 - *Summons: Notice of Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)*, form FL Relocate 720; and
 - *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)*, form FL Relocate 721.
2. Have copies of the *Summons* and *Objection* served on the relocating person and all other people who have a court order that gives them a legal right to spend time with the children.

Deadline! If you do not file and serve the *Summons* and *Objection* within **30 days** of receiving this *Notice*, the Court will allow the move and may approve any changes requested to the parenting/custody order.

Important! Even if you file and serve an *Objection*, if you want to stop the children from moving until your *Objection* is decided, you must also:

- File a *Motion for Temporary Order Preventing Move with Children* (form FL Relocate 725); and
- Schedule a hearing on that motion to be held within **15 days** of the day your *Objection* is served.

You can get the court forms you need at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- Washington LawHelp: www.washingtonlawhelp.org or
- The Superior Court Clerk's office or county law library (for a fee).

WARNING! THE RELOCATION OF THE CHILD WILL BE PERMITTED AND THE PROPOSED REVISED RESIDENTIAL SCHEDULE MAY BE CONFIRMED UNLESS, WITHIN THIRTY DAYS, YOU FILE A PETITION AND MOTION WITH THE COURT TO BLOCK THE RELOCATION OR OBJECT TO THE PROPOSED REVISED RESIDENTIAL SCHEDULE AND SERVE THE PETITION AND MOTION ON THE PERSON PROPOSING RELOCATION AND ALL OTHER PERSONS ENTITLED BY COURT ORDER TO RESIDENTIAL TIME OR VISITATION WITH THE CHILD.

Person planning to move (relocating person) fills out below:

1. My name is: _____.

2. I plan to move with the children listed below on *(date)*: _____.
These children live with me at least 45 percent of the time.

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

3. My reasons for moving with the children are *(explain)*: _____

4. Contact information after the move

I am **not** listing all of my contact information for after the move because (*check all that apply*):

I am in Washington State's Address Confidentiality Program.

I have a court order that lets me keep my contact information confidential.

Important! You may ask for a court order that would let you keep your contact information confidential. Use form FL Relocate 702, *Motion to Limit Notice of Intent to Move with Children (Ex Parte)*. You must prove to the court that providing your contact information would cause unreasonable risk to the safety and health of you or the children.

I **am** listing all of my contact information for after the move that is currently available. I will update this information if it changes or if more information becomes available.

a. New home address:

street address

city *state* *zip* *county*

b. New mailing address:

street address or P.O. Box

city *state* *zip*

c. New home phone number: (_____) _____

d. Children's new school / day care:

name of school / day care

street address *city* *state* *zip*

5. Parenting/custody order

I do **not** want to change the current parenting/custody order.

I **want** to change the current parenting/custody order. I am serving my proposed *Parenting Plan* or *Residential Schedule* with this *Notice*. (Use form FL All Family 140, FL Parentage 304, or FL Non-Parent 405.)

6. Timing and service of this Notice

I will have this *Notice* served on everyone who has a court order that gives them a legal right to spend time with the children. (*I can have someone else personally serve this Notice or I can serve it by any form of mail that requires a return receipt.*)

I will have this *Notice* served (*check one*):

at least **60 days** before the date I plan to move with the children.

within **5 days** of the date that I found out that I had to move because:

- I did not know about this move (and could not have reasonably known) in enough time to give 60 days' notice, and
- I cannot reasonably postpone this move.

[] up to **21 days** late because:

- I am moving to a domestic violence shelter due to danger from another person; or
- I must move to avoid a clear, immediate, and unreasonable risk to my (or my children's) health or safety.

Person planning to move 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 planning to move signs here *Print name here*

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 address *city* *state* *zip*

Email (*if applicable*): _____

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)

Proof of Personal Service

Server declares:

1. My name is: _____. I am **not** a party to this case.
I am 18 or older.

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 (Attach a copy.)	<input type="checkbox"/> Notice of Hearing _____
<input type="checkbox"/> Order Setting Case Schedule	<input type="checkbox"/> Motion for Temporary Family Law Order <input type="checkbox"/> 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 (as listed on the parenting/custody order):

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

No.

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

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

1. Your response

Look at each section of the *Objection* and give your response below.

Statements in the Objection

1. *Name (No response needed.)*

2. *Legal right to spend time with children*

I agree with what the other party said about this.

I don't have enough information to agree or disagree with what the other party said about this.

I disagree with what the other party said about this because:

3. *Notice of move*

I agree with what the other party said about this.

I don't have enough information to agree or disagree with what the other party said about this.

I disagree with what the other party said about this because:

Statements in the Objection

4. Substantially equal residential time

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

5. Statements about objecting to the children moving?

- Does not apply. The Objecting parent does not object to the children moving. (*Skip to 6.*)
- Complete a – k below.

a. Relationships

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

b. Agreements

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

c. Contact

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

Statements in the Objection

d. Limitations

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

e. Reasons for moving

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

f. Reasons for objecting

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

g. Children

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

h. Quality of life

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

Statements in the Objection

i. Other arrangements

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

j. Alternatives

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

k. Financial

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

6. Statements about changing the parenting/ custody order if the children are allowed to move

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

7. Child Support

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

8. Protection Order

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

Statements in the Objection

9. Restraining Order

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

10. Correct County (Venue)

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

11. Children's Home/s

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

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

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

13. Other court cases involving a child

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

14. Jurisdiction over children

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

15. Fees and costs

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

Statements in the Objection

16. Other requests, if any

- I agree with what the other party said about this.
- I don't have enough information to agree or disagree with what the other party said about this.
- I disagree with what the other party said about this because:

2. 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: _____

3. Restraining order

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

- No.** (Skip to 4.)
- 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 the *Objection*.
 - 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 the *Objection*.
 - 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 the *Objection*.
 - Do not hurt or threaten** – Order (name/s) _____:
 - Not to assault, harass, stalk, or molest me or any child listed in the *Objection*; 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).

4. Requests

I ask the court to (check all that apply):

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

Approve the following orders:

Moving the Children – Allow the children to move with me as described in my *Notice of Intent to Move with Children (Relocation)*.

Parenting/Custody Order – If the court allows the children to move:

- Do not change the current parenting/custody order.
- Approve my proposed *Parenting Plan* or *Residential Schedule*.
- Approve the other parent's proposed *Parenting Plan* or *Residential Schedule*.

Child Support – Approve a new *Child Support Order* as necessary.

Protection / Restraining Order

- Approve an *Order for Protection*
- Approve a *Restraining Order*.

Fees – Order the other parent to pay for my costs, lawyer fees, and other fees.

Other (specify): _____

Person filing this Response 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 Response 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).)*

Important! You must fill out and file a *Confidential Information* form (FL All Family 001) with the court clerk.

Lawyer (if any) fills out below:

▶ _____

Lawyer signs here *Print name and WSBA No.* *Date*

Lawyer's address *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.

Motion for Temporary Order Allowing Move
with Children (Relocation)
(MTAM)

**Motion for Temporary Order Allowing
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 online at 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. My Notice of Intent to Move with Children was (check one):

served by the legal deadline, and proof of service of that *Notice* has already been filed or is being filed now.

not served by the legal deadline or not served at all. The Court should let the children move now even though notice was late or not given at all because (*explain*):

3. Move likely to be approved

I ask the Court to allow me to move with the children before the trial. The move is likely to be approved at trial based on the factors in RCW 26.09.520, as explained in my *Response to Objection*. The children (*check one*):

spend substantially equal time with each parent (45 percent or more). It is in the children's best interest to move with me.

live with me most of the time. The law presumes that the move will be allowed. The objecting person can only prevent the move if s/he can show that the move would cause more harm than good to the children and me. The objecting person will not be able to show this.

4. Reason for moving now

(*Explain why you want to move before the trial*): _____

5. Temporary Parenting Plan

- No request.
- I ask the Court to approve my proposed *Parenting Plan* as a temporary order until the trial. My proposed plan should be approved now because (*explain*):

6. 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: _____
-

7. Other requests (if any)

(If you are asking for any order involving money, also fill out the Financial Declaration, form FL All Family 131.)

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.

Temporary Order about Moving with
Children (Relocation)
(TMORELO)

**Temporary Order about Moving with Children
(Relocation)**

- 1. The Court has considered a *Motion for Temporary Order* [] *Preventing*
[] *Allowing Move with Children.***

➤ **The Court Finds**

2. Notice

The *Notice of Intent to Move with Children* was served (check all that apply):

[] by the legal deadline:

[] at least **60 days** before the planned move.

[] within **5 days** of when the relocating person found out s/he had to move and s/he:

- did not know about this move (and could not have reasonably known) in enough time to give 60 days' notice, and
- could not reasonably postpone the move.

[] up to **21 days** late because the relocating person:

- was moving to a domestic violence shelter due to danger from another person;
or
- had to move to avoid a clear, immediate, and unreasonable risk to his/her (or the children's) health or safety.

- after the legal deadline or not at all, and this (*check one*): **caused** did **not cause** substantial prejudice (unfairness) to the other parent.
- incorrectly, but the Court finds good reasons to allow the move with the children and to approve any changes requested to the *Parenting Plan* temporarily until the trial.

3. Move has / has not happened

The children have (*check one*):

- not** yet moved.
- already moved. The move happened:
(*check one*): with without an agreement or court order allowing it.
(*check one*): with without proper advance notice of the move.

4. Circumstances justify / don't justify allowing move before final decision

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

5. Likelihood move will be approved at trial

- Does not apply.
- The court heard evidence at a temporary orders hearing on (*date*): _____.
The parties had adequate opportunity to prepare for the hearing and be heard. The court finds that the move:
- will **likely be approved** at the trial based on the factors in RCW 26.09.520. The children (*check one*):
- spend substantially equal time with each parent (45 percent or more). It appears the relocating person will prove it is in the children's best interest to move.
 - live with the relocating person most of the time. It appears the objecting person will **not** prove that the move would cause more harm to the children than good to the children and the relocating person.
- is **unlikely to be approved** at the trial (*check one*):
- The children spend substantially equal time with each parent (45 percent or more). It appears not to be in the children's best interest to move based on the factors in RCW 26.09.520.
 - The children live with the relocating person most of the time. It appears the move would cause more harm to the children than good to the children and the relocating person based on the factors in RCW 26.09.520.
 - It appears the *Notice* is improper because the children live with the objecting person most of the time and the *Child Relocation Act* does not apply.
- Specific findings: _____

6. Temporary Parenting Plan

- Does not apply.
- The court (*check one*): should should **not** approve a temporary *Parenting Plan* until the trial.
- Specific findings: _____

7. 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 parties are covered by the state or federal Service Members' Civil Relief Act, **OR** no party covered by the Acts has asked for a stay.
- One or more of the parties is covered by the state or federal Service Members' Civil Relief Acts and has not appeared in this case, or has asked for a stay. (*Check one*):
 - The court signed the *Order re Service Members' Civil Relief Act* (form FL All Family 170) filed separately.
 - The court's order about the service member's rights is in section **11** below.
- Other findings: _____

8. Other findings (if any)

➤ **The Court Orders**

9. Motion for Temporary Order *Allowing* Move with Children

- Does not apply.
- Denied.

- Approved.** The children may move with (*name*): _____ as requested. A final decision about the move will be made at trial.
- The parties must follow the current parenting/custody order.
- The parties must follow the temporary *Parenting Plan* signed by the court today or on (*date*): _____.
- Other: _____

10. Motion for Temporary Order *Preventing* Move with Children

- Does not apply.
- Denied.**
- Approved.** (*Check all that apply*):
 - (*Name*): _____ must not move with the children before the court makes a final decision about the move at trial.
 - (*Name*): _____ must return the children to (*person/place*): _____ by (*date*): _____.

11. Other orders (if any)

Ordered.

Date ▶ _____
Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below:

- | | |
|--|--|
| This document (<i>check any that apply</i>):
<input type="checkbox"/> is an agreement of the parties
<input type="checkbox"/> is presented by me
<input type="checkbox"/> may be signed by the court without notice to me | This document (<i>check any that apply</i>):
<input type="checkbox"/> is an agreement of the parties
<input type="checkbox"/> is presented by me
<input type="checkbox"/> 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*

Attachment: Summary of the law about moving with children (Child Relocation Act, RCW 26.09.430 - .480)

Notice

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate, and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the relocating person still has to let the other parent

know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A relocating person who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website:
www.courts.wa.gov/forms,
- Washington LawHelp:
www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

EVALUATION FORM – How was this 3132EN FOLLOWING WASHINGTON’S RELOCATION LAW 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. 8th, Suite 275
Vancouver, WA 98660
Or email to 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: _____