

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)

Use this form to object to a move outside the school district. You may not object to a move within the school district.

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.		2.	
3.		4.	

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**.
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 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 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):

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

(Explain): _____

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 or 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. _____

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

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

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 a Protection Order as part of the final orders in this case?

- ☐ **No.** I do not want a *Protection Order*.
- ☐ **Yes.** (You must file a *Petition for Protection Order*, form P 001. You may file your *Petition for Protection Order* using the same case number assigned to this case.)

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

- ☐ **There already is a *Protection Order* 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, vehicle, 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, vehicle, 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 that would reasonably be expected to cause bodily injury against me or the children.

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, have in their custody or control, 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 they possess to *(check one)*: ☐ the police chief or sheriff. ☐ their 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/s 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

At any time 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"/> Other (name):	<input type="checkbox"/> Respondent
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Other (name):	<input type="checkbox"/> Respondent
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Other (name):	<input type="checkbox"/> Respondent
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Other (name):	<input type="checkbox"/> Respondent

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	Children 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 some time 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 that 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 have 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.