

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. _____

Ex Parte Motion for Final Order Changing
Parenting Plan – No Objection to Moving
with Children (Relocation)
(MTIO)

**Ex Parte Motion for Final Order Changing Parenting Plan
– No Objection to Moving with Children (Relocation)**

Use this form **only** if a proposed Parenting Plan or Residential Schedule was filed with a Notice of Intent to Move with Children, and:

- The Notice and proposed Plan or Schedule was served by the deadline and no one filed an Objection to that Notice by the deadline, **or**
- Everyone with a legal right to spend time with the children agrees not to file an Objection.

1. My name is _____. I ask the Court to approve the proposed *Parenting Plan* or *Residential Schedule* served with the *Notice of Intent to Move with Children*.

2. The following documents have been filed (or are being filed now):

- *Notice of Intent to Move with Children*,
- The proposed *Parenting Plan* or *Residential Schedule* that was served with the *Notice*, and
- Proof that the *Notice* and proposed *Plan* or *Schedule* were served on everyone with a court order that gives them a legal right to spend time with the children.

3. No objection

This motion can be made ex parte (without notifying the other party/parties) because (check all that apply):

- Deadline passed** – No one with a legal right to spend time with the children filed an objection within 30 days of receiving the *Notice of Intent to Move with Children* and proposed *Parenting Plan* or *Residential Schedule*.
- Agreement (or no objection)** – Proof is being filed that everyone with a legal right to spend time with the children:
 - agrees to the move and the changes to the parenting/custody order, **or**
 - will not file an *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)*.

(The proof may be the signed agreement of the other party/parties at the end of this form, or some other proof.)

4. 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.)

- The other party is **not** covered by the state or federal Service Members' Civil Relief Acts. I know this because (check all that apply):
 - The attached report from the Defense Manpower Data Center (DMDC) shows his/her status. (To get the report, visit <https://scra.dmdc.osd.mil/scra/>. You will need his/her birth date or social security number to search this website.)
 - I sent the other party a *Notice to Military Dependent* (form FL All Family 103) to inform him/her of dependents' rights. The other party did not respond within 20 days claiming to be a protected military dependent. Therefore, the other party should not be considered a protected military dependent.

The Notice was (check one): personally served on (date): _____

mailed by first class mail on (date): _____
 - I have personal knowledge of the other party's military or dependent status (explain): _____
 - Other (explain): _____
- The other party **is covered** by the state and/or federal Service Members' Civil Relief Act, but:
 - s/he is represented by a lawyer in this case, AND
 - s/he has not filed an *Objection*, AND
 - the court has not granted a stay (or any stay previously granted has ended).

I **don't know** whether the other party is covered by the state and/or federal Service Members' Civil Relief Act. I did the following things to try to find out: _____
_____.

5. Other information, if any

Person making 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 making this motion signs here *Print name*

Lawyer (if any) fills out below

▶ _____
Lawyer signs here *Date*

Print name and WSBA No.

Agreement

(Other people with a legal right to spend time with the children may fill out below if they agree they will not file an Objection. Repeat this section as needed for each person.)

My name is _____. I agree as follows:

- I have a legal right to spend time with the children in this case.
- I received a *Notice of Intent to Move with Children* and proposed *Parenting Plan* or *Residential Schedule* from the other parent (or non-parent custodian).
- I understand that I have the right to file an *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)*.
- I am **not** going to file an *Objection*.
- I understand this means that the court may allow the children to move and approve the other parent's (or non-parent custodian's) proposed *Parenting Plan* or *Residential Schedule* now, without any more notice to me.

▶ _____
Person not objecting signs here *Print name* *Date*