

RELOCATION OBJECTION Objection about Moving with Children

Local Court Rule 94.04 requires that all pro se (self-represented) people have their proposed Temporary Orders and all Final Orders reviewed and pre-approved by the Family Law Court Facilitator, Navigator, Limited License Legal Technician or private attorney before the Clerk can set a hearing date. You may call the Chelan County Clerk's Office at (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator. The fee for a 45-60 minute appointment is \$30.00. The Court Facilitator will review your papers, answer questions, help you complete the process and set a hearing date.

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. The Family Law Court Facilitator and the Clerk's Office cannot give legal advice.

Your specific situation may require additional forms and procedures which may not be listed on this outline.

Attached to this outline is a list of the forms contained in the complete packet available at the Chelan County Clerk's Office for a fee of \$20.00.

- 1. FORMS:** Obtain the forms listed in this outline. The Chelan County Superior Court Clerk sells **RELOCATION OBJECTION** packets which include the required state and local forms. To make the process easier to understand, these packets are divided into "Steps" (Step 1, Step 2, Step 3, etc.). The cost is \$20.00 and the packet contains all the forms needed to complete the objection to relocation process. You may also download the forms for free at the Washington State Court website: www.courts.wa.gov/forms. Chelan County Local Court Rules and local forms are available for view and download at www.co.chelan.wa.us/superior-court or you may purchase individual local forms at the Chelan County Clerk's Office.
- 2. HELP:** If you need help understanding forms or procedures, the Family Law Court Facilitator can review your papers you have completed yourself, answer questions and help you with procedures. The Family Law Court Facilitator cannot give legal advice, does not represent you, may assist but cannot fill out your forms for you and may also help the other party. There is a \$30 fee per 45-60 minute appointment. To see a Family Law Court Facilitator you must make an appointment by calling (509) 667-6380 or (509) 667-6236.
- 3. COMPLETE THE FORMS:**
Fill out:
 - *Confidential Information Form (FL All Family 001)
 - *Summons: Notice of Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation) (FL Relocate 720)
 - *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation) (FL Relocate 721)
 - *Proposed Parenting Plan (FL All Family 140) (child/ren from marriage)
 - OR
 - *Proposed Residential Schedule (FL Parentage 303) (child/ren in common)
 - OR
 - *Proposed Residential Schedule (FL Non-Parent 405) (non-parent custody)

Make two copies of the completed **Summons, Objection and Proposed Parenting Plan or Residential Schedule**. One copy to be served on the other party and one copy for you to keep for your records. **NOTE:** If there are multiple respondents, make the appropriate number of copies for service.

4. **FILE YOUR PAPERS:** File your papers with the Chelan County Superior Court Clerk. The filing fee is \$56.00. You may pay cash, check, money order, cashier's check, Mastercard or Visa. (There is an additional fee if a credit or debit card is used.) There is a process by which you can waive the filing fee if you qualify. The Clerk's Office has a "Fee Waiver Packet".
5. **SERVICE:** Have the other party served with copies of all your filed papers. You may have someone, who is 18 years or older and who is not a party to your case serve the other party by personally handing him/her copies of the papers. You cannot serve the papers yourself. The person serving the papers must completely fill out and sign a **Proof of Personal Service (FL All Family 101)**. Make sure all the papers served are listed on the **Proof of Personal Service** and the date, time and address of service are filled in. This is your proof the other party was properly served. File your **Proof of Personal Service** at the Chelan County Clerk's Office.
6. **TEMPORARY ORDERS:** To obtain a temporary order preventing the move until the case can be finalized by the Court,
Fill out:
 - ***Motion for Temporary Order Preventing Move with Children (Relocation) (FL Relocate 725)**
 - ***Note for Motion (Local form in the packet and available at the Clerk's Office)**
 - OR**
 - ***Notice of Hearing (FL All Family 185)**
 - ***Temporary Order about Moving with Children (Relocation) (FL Relocate 728)**
 - ***Temporary Parenting Plan (FL All Family 140) (child/ren from marriage)**
 - OR**
 - ***Temporary Residential Schedule (FL All Family 303) (child/ren in common)**
 - OR**
 - ***Temporary Residential Schedule (FL Non-Parent 405) (non-parent custody)**
 - ***Proof of Mailing or Hand Delivery (FL All Family 112)**

Make 2 copies and file the original at the Clerk's Office. **REMINDER: Before obtaining a hearing date your proposed orders must be pre-approved by the Court Facilitator, Navigator, Limited License Legal Technician or private attorney.** This hearing will be set before the Judge assigned to your case. The Clerk's Office may help you set a hearing date, however the clerk cannot file your **Note for Motion or Notice of Hearing** and put your case on the court's calendar unless you submit your completed pre-approved proposed orders.

The Court Facilitator can help you with this process. You may call (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator.

7. **TRIAL SETTING:** If you do not reach an agreement, complete your proposed final orders as reference below in #8. Complete a **Note for Trial Setting** (a Local Court Form contained in the packet or available at the Clerk's Office). On Page 1 you must write in the date the Response to Objection was filed. On page 2 you must write in a Friday date at line 1. "Nature of Case" is Moving with Child/ren and you must estimate the courtroom time required for your trial. If there are dates that you know you will not be available for a trial,

you must also fill in the “Dates Unavailable for Trial”. Complete and sign the form and file it with the Chelan County Clerk’s Office. **NOTE: Prior to noting your matter for trial setting you must first have your proposed final orders reviewed and pre-approved by the Family Law Court Facilitator, Navigator, Limited License Legal Technician or a private attorney.**

Trial setting date must be at least 2 weeks away from the day the **Note for Trial Setting** is mailed to the other party. A copy of the **Note for Trial Setting** must be provided to the other party. The person who mails or hand delivers the **Note for Trial Setting** must complete and sign a **Proof of Mailing or Hand Delivery (FL All Family 112)** declaring they provided a copy of the **Note for Trial Setting** either by mail or hand delivery to the other party. Neither party is required to appear on the date of the trial setting. On the date of the trial setting, the court file is transferred to the Court Administrator who then sets a trial date for you. Once the Court Administrator sets a trial date, both parties will receive a letter stating the date and time of the trial. The trial setting letter may also request you bring additional information to your trial date.

8. FINAL ORDERS:

Fill out:

- *Final Order and Findings on Objection about Moving with Children and Petition about changing a Parenting/Custody Order (Relocation) (FL Relocate 735)
- *Final Parenting Plan (FL All Family 140) (child/ren from marriage)
- OR
- *Final Residential Schedule (FL Parentage 303) (child/ren in common)
- OR
- *Final Residential Schedule (FL Non-Parent 405) (non-parent custody)

The Court Facilitator can help you with the final forms and with the process if you do not understand.

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- ## **9. TRIAL PREPARATION: Please note that this outline does not fully cover trial preparation. In preparing for your trial, you may want to seek legal advice from an attorney. The Court Facilitator cannot help with trial preparation.**

Helpful Phone Numbers and Websites

Chelan County Superior Court Clerk’s Office (509) 667-6380
Volunteer Lawyer Program of Chelan County (509) 663-2778
CLEAR line for a referral to the Volunteer Legal Professional (888) 201-1014
State Prosecuting Attorney – Family Support Division (360) 336-9461
www.courts.wa.gov/forms to download standard family law forms
www.washingtonlawhelp.org for general information on a variety of legal topics
www.nwjustice.org for general information and resources
www.co.chelan.wa.us/superior-court Superior Court website
www.co.chelan.wa.us/clerk Chelan County Clerk website.
www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information)

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. Your specific situation may require additional forms and procedures which may not be listed on this outline. The Family Law Court Facilitator and the Clerk’s Office cannot give legal advice. Only an attorney can give legal advice.

Steps 1 – 5 RELOCATION (OBJECTION)

STEP 1 – If you object to the relocation

Confidential Information Form
Summons: Notice of Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)
Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)
Proposed Parenting Plan/Residential Schedule
Response to Objection about Moving with Children and Petition about Changing a Parenting/Custody order (Relocation)
Proof of Personal Service

STEP 2 – Motion for Temporary Order

Motion for Temporary Order Preventing Move with Children (Relocation)
Note for Motion
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)

STEP 3 – Proposed Order

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

STEP 4 – Trial Setting

Note for Trial Setting
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)

STEP 5 – Final Orders

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