

INTENDED RELOCATION

Motion for Temporary Order Restraining Move

- You are the non-custodial parent
- You want to restrain the move; and
- Have the child(ren) returned, if already moved, until the trial

SPOKANE COUNTY FAMILY COURT FACILITATOR: INSTRUCTION

You have been served with a *Notice of Intent to Move With Children (Relocation)* or you were not served with such notice, but have become aware that the custodial parent is either planning to relocate the child(ren) or has already relocated the child(ren) without notifying you. You need temporary orders entered until your case can be finalized. You want an order restraining the moving party from relocating with the child (ren); or you want an order requiring the moving party to return the child(ren).

This packet is for non-emergency Temporary Orders only. If yours is an emergency situation please return to the Court Facilitator's Office for information on other necessary forms.

Checklist of Steps to Complete:

_____ 1. Fill out the following papers completely. Print clearly in black ink or type.

- () *Motion for Temporary Order Preventing Move with Children (Relocation)* (FL Relocation 725)
- () *Notice of Hearing of Family Law Motion Calendar*
(<http://www.spokanecounty.org/DocumentCenter/Home/View/3627>)
- () *Declaration of (name) (Optional)* (FL All Family 135)
- () *Proof of Personal Service* (FL All Family 101)

NOTE: All Family Law Motions will be heard on the designated Motion Calendar. Motions must be scheduled for a hearing before your assigned Commissioner. To determine which day your assigned Commissioner is scheduled to hear motions, please see the Court's web page noted below:

<http://wa-spokanecounty.civicplus.com/DocumentCenter/View/4266>

OR call the Clerk's Office at 509-477-2211.

(You must choose the day that is appropriate for your matter and the date should be at least 14 days from the date you file the documents in court and serve them on the other party, not including the date of service on the other party.)

_____ 2. Make two copies (original plus two copies) of the documents.

_____ 3. File the original documents with the Spokane County Superior Court Clerk, Room 300, between the hours of 8:30 a.m. – 12:00 p.m. and 1:00 p.m. – 4:00 p.m., Monday through Friday. There is no filing fee for this. Enter the case number and date stamp on the front page of each of your copies.

- _____ 4. The other party must be given appropriate notice and copies of the above documents.
- _____ 5. After the other party has been given notice, file the *Proof of Personal Service* form with the Superior Court Clerk, room 300. Put the date stamp on your copy.
- _____ 6. **The party asking for the temporary order to restrain the relocation must call in the case as “ready” using the Family Law center main line of 509-477-5702 extension -0-, and provide a copy of the signed mandatory local form Family Law/Paternity Motion Status Report <https://www.spokanecounty.org/DocumentCenter/View/3675/Family-Law-Paternity-Motion-Status-Report-PDF> with bench copies to the Family Law center (Room 200 of the Spokane County Courthouse) by 4 p.m., two court days prior to the hearing.**

Bring the following document with you to court on your scheduled hearing date, to be filled out after the Court’s oral ruling:

() *Temporary Order about Moving with Children (Relocation) (FL Relocation 728)*

NOTE: All the above-mentioned forms can be found on the Washington State Court website: www.courts.wa.gov/forms.

The Family Court Facilitator, Room 200, Family Law Center, is available to review your documents and answer procedural questions. It is recommended you have all documents reviewed before filing and presenting to the court.