

How to

## Ask for a Temporary Order Allowing Move with Children

After an Objection about Moving with Children has been filed

You may use these instructions if an Objection to Relocation was filed by the other party, and you would like to request a temporary court order allowing you to move with the children prior to the trial date.

### ***Important!***

If the Judge grants your motion, you must still follow your case schedule and prepare for trial, unless all parties come to an agreement and final court orders are entered.

### **Talk to a lawyer, if you can**

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court  
516 3<sup>rd</sup> Ave, Room W-382  
Seattle, WA 98104

Maleng Regional Justice Center  
401 4<sup>th</sup> Ave North, Room 3D  
Kent, WA 98032

## Step 1: Fill out these forms

This form can be downloaded at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Form Number	Notes	Completed
Notice of Court Date (Judges) ( <a href="#">Kent</a> or <a href="#">Seattle</a> )		See steps 2 and 3 for how to choose a hearing date.	<input type="checkbox"/>

These forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Motion for Temporary Order Allowing Move with Children (Relocation)</a>	<b>FL Relocate 726</b>		<input type="checkbox"/>
<a href="#">Declaration of (name):</a> _____	<b>FL All Family 135</b>	This is your opportunity to explain why the Court should rule in your favor.	<input type="checkbox"/>
<a href="#">Parenting Plan</a>	<b>FL All Family 140</b>	This is optional. This is not required if you are asking that the current parenting plan or custody order remain in effect.	<input type="checkbox"/>
<a href="#">Temporary Order about Moving with Children (Relocation)</a>	<b>FL Relocate 728</b>	Fill this out the way you would like the judge to rule. This is your proposed order.	<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery</a>	<b>FL All Family 112</b>	See Step 6.	<input type="checkbox"/>

## Step 2: Contact your assigned judge's bailiff to request a hearing date

### How to find out who your assigned judge is:

A judge is assigned to your case when the *Summons* and *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* is initially filed with the clerk. The name of your judge is listed on the first page of the *Order Setting Domestic Case Schedule*.

It is possible that your assigned judge has been changed. If you were mailed an "Order on Change of Judge," then you should schedule your court date in front of your new assigned judge.

You must call the Judge's bailiff to request a **hearing date and time**. A directory with the bailiff's phone numbers can be found on the [King County Superior Court website](#).

### Step 3: Fill out the Notice of Court Date (Judges) form

- Write the date and time given to you by the judge's bailiff next to "**Calendar Date**." The other party requires 14 days notice.
- Next to "**Nature of Motion**" write "*Motion to Allow Move with Children*".
- Inside the box labeled "**Cases Assigned to Individual Judges**" check the box next to "*With oral argument hearing*".
- Write the date and time of hearing given to you by the bailiff next to "**Date/Time**".
- Write the name of your assigned judge next to "**Judge's Name**".
- Write the trial date (listed on your *Order Setting Domestic Case Schedule*), next to "**Trial Date**".
- Be sure to write in the names of the parties and the case number on the top of page 1. You will also need to sign and provide your contact information on the bottom of page 1.
- On page 2, write all other parties' names and contact information.

### Step 4: Make copies and file with the clerk

#### How many copies do I need?

- Original set to file with the Clerk's office.
- Copy 1 is for your records.
- Copy 2 is to serve the other party.
- Copy 3 is for the Judge.

File the originals of the Notice of Court Date (Judges), Motion, and Declaration from step 1 in the clerk's office (Seattle: E-609, Kent: 2C) at least **14 days** before the hearing date. **Do not** file the (proposed) Temporary Order Allowing Move with Children.

You can file your case online on the Clerk's website at:

<https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>. The clerk's office is responsible for the e-filing system. If you have questions about e-filing call 206-477-3000, or email [eServices@kingcounty.gov](mailto:eServices@kingcounty.gov).

### Step 5: Deliver the Judge's Working Copies

The Judge's Working Copy is a set of all the forms from Step 1, including the (proposed) Temporary Order Allowing Move with Children.

**NOTE:** Your assigned judge will tell you how they like to receive working copies. Make sure to follow all instructions from your assigned judge. If the judge does not specify how they would like to receive working copies, you may:

1. E-file the Judge's working copies via the Clerk's Office E-Working Copies:  
<https://www.kingcounty.gov/courts/clerk/documents/eWC.aspx>;

OR

2. Take this set of copies to the Judge's Mailroom (C203 in Seattle and 2D in Kent) and turn it in any time before **12:00 noon** at least **5 court days** before your hearing date.

Copy and complete the chart below on the upper right hand corner of the first page of the set of forms you are delivering to the Judge.

Judge's Working Copies
Name of Judge: _____ (Write your assigned judge's name)
Hearing Date: _____
Presented By (Your name): _____

## Step 6: Have the other party served

### What to serve

Serve the other party with a copy of all the forms except the *Proof of Mailing or Hand Delivery*.

Provided that no order restrains you from having contact with the other party, you may deliver or mail them yourself at least **14 calendar days by 12 noon** before the hearing (add 3 more days for mailing).

### How to serve

You may deliver or mail the documents yourself (provided that no order restrains you from having contact). You may also ask someone over the age of 18 to deliver or mail the documents.

If the other party has an attorney, deliver or mail the forms to the attorney instead.

The person who delivered or mailed the forms must fill out the *Proof of Mailing or Hand Delivery*.

File the original *Proof of Mailing or Hand Delivery* with the Clerk's Office. Keep a copy for your records and bring it with you to the hearing.

## **Step 7: File a reply if you receive a response from the other party**

The other party may file a written response to your motion. The response is due 5 court days before the hearing by 12:00 noon.

You may file a reply to the response by filing out a Declaration form (listed in Step 1). The reply must be filed, delivered to the Judge's mailroom, and served no later than 12:00 noon, 3 court days before the hearing.

## **Step 8: Prepare for your hearing**

Please contact the Judge's Bailiff to ask if your hearing will be virtual or if you will be required to appear in person.