

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 provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

## Step 1: Fill out these forms

This form can be downloaded at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms>

You will only need to choose one of these two notices of court date to fill out:

- 1) If an Objection to Relocation has been filed in your case, you will use the NOTICE OF COURT DATE (JUDGES).
- 2) If an Objection to Relocation has NOT been filed in your case, you will use the NOTICE OF COURT DATE (CHIEF UFC JUDGE).

Form Name	Form Number	Notes	Completed
Notice of Court Date (Judges) ( <a href="#">Kent</a> or <a href="#">Seattle</a> )	If an Objection has been filed.	See steps 2 and 3 for how to choose a hearing date.	<input type="checkbox"/>
<a href="#">Notice of Court Date (Chief UFC Judge)</a>	If an Objection has <b>not</b> been filed.	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

### If an **Objection to Relocation** has been filed in your case:

A judge was assigned to your case when the *Summons and Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* was 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 or email the judge's bailiff to request a **hearing date and time**. A directory with bailiff phone numbers can be found on the [King County Superior Court website](#). The other party will require at least 14 days notice of the court date.

### If an **Objection to Relocation** has not been filed in your case:

You will schedule your hearing in front of the Chief Unified Family Court (UFC) Judge. You must call or email the Chief UFC Judge to request a **hearing date and time**. A directory with bailiff phone numbers can be found on the [King County Superior Court website](#). The other party will require at least 14 days notice of the court date.

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

If an **Objection to Relocation** has been filed in your case, you will fill out the **NOTICE OF COURT DATE (JUDGES)** as follows:

- Complete the top of the form, also known as the "case caption," with your case name and number.
- Write the date and time given to you by the judge's bailiff next to "**Calendar Date**".
- Next to "**Nature of Motion**" write "*Motion for Temporary Order Allowing 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 also 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.

**If an Objection to Relocation has not been filed in your case, you will fill out the NOTICE OF COURT DATE (CHIEF UFC JUDGE) as follows:**

- Complete the top of the form, also known as the “case caption,” with your case name, case number, and your contact information.
- Next to “**Nature of Motion**” write “*Motion for Temporary Order Allowing Move with Children*”.
- In the box, write the other party.
- Also in the box, write the date and time of hearing given to you by the bailiff next to “**Date/Time**”
- Under “**Other Motions/Matters in front of the Chief UFC (Monday-Friday)**,” select “With oral argument.” You must include ALL the Zoom information provided to you by the bailiff.
  - PLEASE NOTE: At the bottom of the box, is a notice that says “all motions must be filed and served at least 9 days in advance...” For this specific motion, you **must** file and serve this motion **14 DAYS IN ADVANCE of the hearing**. Please see [LFLR 5\(e\)\(6\)\(a\)](#) or contact the Facilitators for more guidance.
- Under the box, sign your date and put the date. Also, include either an email address or mailing address where you can receive legal paperwork.
- On page 2, list the other party’s 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://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing/e-working-copies>. 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://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing/e-working-copies>;

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.

<p><b>Judge's Working Copies</b> Name of Judge: _____ (Write your assigned judge's name) Hearing Date: _____ Presented By (Your name): _____</p>
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## 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.