

Change of Address Instructions Packet 6E

Notice about these instructions and forms.

These instructions are not a complete statement of the law. For legal information, please talk to a lawyer and/or visit your local law library.

IMPORTANT: Check with your local court or your court's family law facilitator to make sure you have followed the procedures and used the correct forms for your court. Many courts have their own forms and rules. Information about how to contact your local court may be found at the Oregon Judicial Department website: <http://www.courts.oregon.gov>.

GENERAL INFORMATION ABOUT THESE FORMS

If you are planning to move 60 miles further distant from the other parent of your child/ren, you will most likely need to give "reasonable notice" of your change of residence to the other parent and file proof with the court showing you have done this. This packet is designed to help you do this.

"Reasonable notice" is that which would give the other parent enough time, should they choose, to file a Motion for a Status Quo Order (See Packets 6B and 6C) or to modify your judgment or parenting plan (see Packet 4).

Providing the other party with "reasonable notice" and filing proof with the court, must be done **BEFORE your actual move.**

FILLING OUT THE FORM

1. Fill out the top portion of the **Notice of Change of Address Pursuant to ORS 107.159** form by entering the county in which the proceeding is taking place, the names of the parties, and the case number. This will be the same information as appears in the documents that were filed in your original case.
2. Check the box indicating your status as Petitioner or Respondent.
3. Provide complete information asked about your former and new address.
4. Under "Certificate of Document Preparation" check the box that applies to your situation.
5. Under "Submitted by," sign and then print your name and provide the information asked for.

Please Note: The Notice of Change of Address form only asks for your **contact** address. If you are concerned about your safety, this form gives notice to the court and the other parent of your anticipated move, but allows you to keep your new physical address safe and confidential.

FILING AND SERVICE

File the Original with the Court

Make two copies of the **Notice of Change of Address Pursuant to ORS 107.159** form. Including the original, you will have three documents. The original goes to the court, one copy will be served on the other parent, and the other copy you will keep for your records. Sign your name again under "I certify that this is a true copy" on the copy of the Notice of Change of Address form that you will be giving to the other parent. File the original document with the court clerk.

Serving the Other Parent

If you know the other parent's mailing address and are sure that they will receive it, you may mail the **Notice of Change of Address** to them, and complete the **Certificate of Mailing**, then file it with the court.

If you are not sure of the other parent's mailing address or that they will receive it, you may choose to serve the **Notice of Change of Address Pursuant to ORS 107.159** in the manner that legal pleadings may be served; i.e., by having service done through the sheriff's office or through a private process server. After the documents have been served, the person who serves them should complete and file the **Affidavit of Service** form with the court.

After the **Certificate of Mailing** or the **Affidavit of Service** has been filed with the court, it will then be up to the other parent to take action if they object to your proposed change of residence. Should the other parent challenge your address change, you will be notified by service with the necessary court papers.

If You Are the Other Parent

If you receive notice from the other parent that s/he intends to move more than sixty miles further away, it is up to you to take steps to object to the proposed change of residence, if you wish. **IMPORTANT: If you object to the move, you will need to take legal action.** It is strongly advised that you consult with an attorney to determine your rights and the appropriate documents to file. Please see Packets 6B and 6C regarding "status quo" orders and Packet 4 regarding modifications for more information on how to keep the schedule and location of your child/ren temporarily the same, or on how to make changes to your custody and parenting time judgment.