

Notice of Intent to Move and 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.

GENERAL INFORMATION ABOUT THESE FORMS

If you are planning to move 60 miles further distant from the other parent of your children, 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 or to modify your judgment or parenting plan.

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

The court will not update your mailing address based on this form. You also must submit a separate change of address form (also found in this packet) when you are ready for the court to actually update your mailing address for court notices.

FILLING OUT THE FORM

1. Fill out the top portion of the Notice of Intent to Move Pursuant to ORS 107.159 form by entering the names of the parties, and the case number. This will be the same information as appears in the documents filed in your original case.
2. Check the box indicating your status as Petitioner or Respondent.
3. Provide complete information about your former and new addresses. If you do not know your exact new address yet, include as much information as you do know.
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 requested information.

Please Note: The Notice of Intent to Move 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 Intent to Move 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. File the original document with the court clerk.

Serving the Other Parent

If you know the other parent’s mailing address and are sure they will receive it, you may mail the Notice of Intent to Move 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 Intent to Move 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 Certificate of Service form with the court.

After the Certificate of Mailing or the Certificate of Service has been filed with the court, it will 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. You may want to consider filing a status quo order and a modification to keep the schedule and location of your children temporarily the same, or to make changes to your custody and parenting time judgment.