



FAMILY LAW

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Client: My ex-spouse and I divorced five years ago and she has custody of our three children. I am very active in their lives, but now, my ex says that she and the kids are all moving to Florida. Can I stop her from moving with my children?

Lawyer: Yes. If your spouse really wants to move with the children, he or she has to give advance notice to you in writing about the move and the reasons for the move, which then gives you an opportunity to object to the relocation. This new notice law (passed in our state about 6 years ago) applies even when the move is in the same city, county, or state, so long as the move is outside the current school district. The court will sometimes allow the primary residential parent (the one with custody) to move after considering 11 factors, but you have the right to either stop the move or if the move is permitted by the court, you can seek to obtain a new parenting plan that gives you more time with children, perhaps in the summer when the children are not in school. The best thing to do is to act quickly if your ex-spouse is suggesting a move is in the near future and see a lawyer about how to stop this from happening.

*Lawyer, John Stocks, answers legal questions sent to him, asked by clients or by e-mails on the subject of FAMILY LAW. Feel free to submit your family law question to John via e-mail. There is no charge for this and your question may appear in a future column. E-mail your question to:
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