**NOTICE OF RELOCATION FORM - PERSON WITH A PARENTING ORDER**

**Instructions for using this form**

The *Children’s Law Reform Act* has rules about giving notice if you plan to move. When you have a court order under the *Children’s Law Reform Act* for parenting responsibilities for a child (which means that you have an order giving you custody, access, parenting time or decision-making responsibilities), you usually need to give notice to others who have an order for custody, access, parenting time, decision-making responsibility or contact with the child if you are planning to 1) move your child or 2) move away from your child.

If the move would affect the child’s relationship with you or others in a significant way, the *Children’s Law Reform Act* calls this a “**relocation.**” A relocation generally means the parenting time arrangement for the child will no longer work because of the move.

There are specific rules in the *Children’s Law Reform Act* about giving notice about a relocation. If your move would be a relocation, you must use this form to notify everyone who is entitled to notice.

However, the court can make an order that changes the usual rules about notice. For example, there are some situations in which giving notice might not be appropriate or safe, like when there is a risk of family violence. In such situations, you may apply to a court for an order that says that you don’t have to give notice or changes what you have to do.

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| **INSTRUCTIONS: It is recommended that you type or print when you fill in the form**   1. **Who receives this notice of relocation?** You must give notice of a relocation using this form to everyone who has a *Children’s Law Reform Act* order that gives them:   1) parenting responsibilities for your child(ren) (custody, access, parenting time or decision-making responsibility) or  2) contact with your child(ren) under a contact order (contact orders may be made for someone other than a parent, such as a grandparent).   1. **When do you have to give notice of a relocation?** You are required to provide notice to everyone who has an order described above each time you plan to relocate. 2. **When must you give notice of a relocation?** You must provide notice to them **at least 60 days** before the date you expect to relocate. 3. **How do you provide notice?** A regulation under the *Children’s Law Reform Act* sets out rules for how notice must be given. You can provide notice by, 4. Leaving a copy with the person 5. Mailing a copy to the person 6. Sending a copy by same- or next-day courier to the person 7. Faxing a copy to the person if the notice and any accompanying documents do not exceed 20 pages 8. Emailing a copy to the person 9. Leaving a copy with the person’s lawyer (if you are involved in any ongoing family case with the person) or with a lawyer who accepts service in writing on a copy of the notice.   If you choose to give notice by faxing or emailing a copy to the person, there are additional technical requirements set out in regulation under the *Children's Law Reform Act* that you must comply with.  If you are unable to provide notice using one of these methods or if you are having difficulties contacting the person to be served, you may apply to the court for an order allowing or approving a different method of giving notice.   1. **Who can object to the relocation and how?** Anyone with parenting responsibilities for your child(ren) can object to the relocation. They can object by either 1) notifying you of their objection to the relocation in writing or 2) applying to a court. They have to object within 30 days of receiving your notice. 2. **Who cannot object to the relocation?** A person with a contact order cannot object to your child(ren)’s relocation. 3. **What** **happens if someone objects to the relocation?** If you receive notice of an objection to the relocation or a court application opposing the relocation has been filed, **you cannot relocate the child(ren) until a court makes an order allowing the relocation.** 4. **What if no one objects to the relocation?** If you do not receive an objection to the relocation of your child(ren) within 30 days after giving your notice and no court application opposing the relocation is filed, you may go ahead with the relocation on or after the date you indicated in your notice, as long as there is no court order saying the proposed relocation cannot happen.   **Other Recommended Best Practices:**   1. **Keep a copy of the notice & get confirmation –** You should keep a copy of the notice for your own records and proof that it was sent to the person(s) entitled to notice. You may be required to prove that you properly provided the notice to everyone entitled to receive it. A regulation under the *Children’s Law Reform Act* sets out the different ways in which you can demonstrate this, such as written confirmation from the person(s) you provided notice to. 2. You can complete one form to send to everyone entitled to notice or a separate form for each person. 3. **Attach a copy of the order –** You should attach a copy of your most recent parenting order to your notice. This will help to make sure everyone has the same information about current parenting arrangements. If the most recent parenting order does not reflect your child(ren)’s current schedule, you may also want to include a description of their current schedule. |

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| **NOTICE OF RELOCATION FORM – PERSON WITH A PARENTING ORDER** | | | |
| **Part A – Information about the person giving notice** | | | |
| Name |  | | |
| Current Address |  | | |
| Current Phone Number |  | Current Email Address |  |
| **Part B – Information about the relocation** | | | |
| *Please check* ***one*** *box:*  I am planning to relocate without my child(ren)  I am planning to relocate with my child(ren) as noted below  I am planning to relocate only my child(ren), not myself, as noted below | | | |
| **Children’s names**  *Provide the name(s) of any child(ren) for whom you have parenting responsibilities under a Children’s Law Reform Act order (custody, access, parenting time or decision-making responsibility) and indicate whether you are planning to relocate them.* | | | |
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| **Proposed date of relocation**: |
| Address of new place of residence: *(Provide as much detail as you can at this time)* |
| New contact information: *(Provide as much detail as you can at this time)*  *Email address:*  *Phone number:* |
| **Part C – Names of the people who are receiving this Notice of Relocation** |
| *You must provide this notice to everyone who has a Children’s Law Reform Act order for parenting responsibilities for your child(ren) (custody, access, parenting time or decision-making responsibility) or contact under a contact order. Include the names of all people who will be receiving notice on each form.* |
| **Part D – Proposal to change parenting arrangements and/or contact arrangements** |
| *Provide a proposal for how parenting time, decision-making responsibility and/or contact could be exercised if the relocation takes place. Some of the things you may want to include are:*   * *If parenting time will need to change after the relocation, what is your proposal for a new parenting time arrangement?* * *If contact under a contact order will need to change, what is your proposal for a new contact arrangement?* * *Are there other ways parenting time or contact could happen after the relocation, for example by phone or electronic communication?* * *Will the child(ren) need to travel to spend time with you or anyone else who has parenting time or a contact order? If so, how will they travel and what will the arrangements be (including if they will need to be accompanied)? What would the estimated travel costs be? Who will cover the travel costs? Who will accompany the child(ren) and who will cover those costs? Who will make the travel arrangements?* |

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| **Important note**: To the extent that it is appropriate to do so, the *Children’s Law Reform Act* expects parents to try to work out issues involving their children, including a child’s possible relocation, by using alternative dispute resolution processes such as negotiation, mediation or collaborative law. Even if one parent objects to the relocation, it is important to keep trying to reach an agreement, where appropriate. | | | | | |
| **Proposal:** | | | | | |
| **Part E – Information for people who receive this notice** | | | | | |
| **If you have parenting responsibilities:** If you have a *Children’s Law Reform Act* order for parenting responsibilities for a child listed in Part B (which means that you have an order giving you custody, access, parenting time or decision-making responsibility) and that child would be relocating under this notice, you **can** object to the child’s relocation.  If you cannot come to an agreement with the person proposing to relocate, you have **30 days to object after you receive this notice**.  There are two ways to object:   1. **Send a written statement within 30 days -** you can send the person who gave you this notice a written statement that must include: 2. your name 3. your current address and contact information 4. a statement indicating that you object to the relocation 5. the reasons for your objection 6. your views on the person’s proposal for how decision-making responsibility, parenting time or contact could be exercised   You must ensure that the person received your written statement. You should also keep a copy of the written statement for your own record and proof that it was sent to the person(s) entitled to notice.  **-OR -**   1. **Apply to court within 30 days -** you can apply to the court to deal with the relocation.   **IMPORTANT**: If you do not make your objection within 30 days, and there is no current court order saying the relocation cannot happen, the relocation can go ahead without a court order on or after the date indicated in this notice.  You cannot object to a relocation that does not include the relocation of a child, but you may want to consider whether your parenting order will need to be changed.  **If you have contact:**  If you have a *Children’s Law Reform Act* order for contact with a child listed in Part B, you cannot object to the child’s relocation. You may, however, wish to consider whether your contact order needs to be changed. If so, you may wish to discuss possible changes with the child’s parents. If you and the parents cannot come to an agreement, you can start a court application to change the terms of your contact order. | | | | | |
| **Part F – Attachments (optional)** | | | | | |
| *Indicate if you have attached any of these documents to this notice. These attachments are optional.*   * A copy of a court order * A description of the child(ren)’s current schedule (on a separate page) * Other – please specify: | | | | | |
| **Part G – Signature of person giving notice** | | | | | |
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|  | | Signature |  | Date (DD/MM/YYYY) |  |