

REMOVAL OF MINOR CHILD - PATERNITY CASES

APPLIES TO: Any action affecting the family where periods of physical placement are granted to more than one parent. If a parent has the intent to:

1. Establish his or her legal residence with the child at any location outside the state.
2. Establish his or her legal residence with the child at any location within this state that is at a distance of 150 miles or more from the other parent.
3. Remove the child from this state for more than 90 consecutive days.

WHAT THE MOVING OR REMOVING PARENT MUST DO:
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“Court shall order” any parent who is intending to do 1, 2 or 3 above, to provide not less than 60 days written notice to the other parent. 767.327(1): “WE ARE MOVING” notice.

ABOUT THE NOTICE:

1. Must be sent by certified mail
2. Must state the specific date and location of the move or specific beginning and ending dates and location of the removal.

Any current orders as to periods of placement remain in effect unless or until the order has been modified by agreement or court order. Some orders, by their wording, might work with a move. Others would not. Each party must look at their specific order to determine who might need or want to bring a motion to modify.