



**Summit County Court of Common Pleas**  
**Domestic Relations Division**  
**Administrative Judge Katarina Cook**

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## **Notice of Intent to Relocate Instructions**

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You need to file a Notice of Intent to Relocate each time you move pursuant to your Court Orders and Local Rule 2.09.

In advance of a move, the relocating parent shall file with the Summit County Clerk of Court, and serve upon the other parent, a Notice of Intent to Relocate. It is in the best interest of the child(ren) to discuss your relocation with the other parent as soon as making a decision on relocation. At the *minimum*, notice must be provided pursuant to the following timeline:

- 30 day notice if the move shall be within the current county of residence;
- 60 day notice if the move shall be outside the current county of residence, but within the same state;
- 90 day notice if the move shall be outside the current state of residence.

If you have missed the above deadlines for good cause, the Court will take that into consideration. Be prepared to provide the Court any proof or verification of why the deadline was missed.

Also, if you intend to move, but do not yet have a permanent address, file the Notice of Intent to Relocate indicating the general location. Check the box that says the complete address will be supplemented at a later date and provide that information to the Court as soon as it is available.

**Unless you follow the proper procedures, you do NOT have the legal authority to relocate your minor children.**

Before you file your Notice, please choose the option below that best suits your circumstances. Please see the expanded descriptions listed below Option C.

- Option A.** You are moving and both/all parties agree to either keep the same custody/visitation arrangement or have already agreed to a new custody/visitation arrangement that will be used after the move. There is no filing fee with this option.
- Option B.** You are moving and you and the other party/parties have NOT agreed on a new custody/visitation agreement to use after the move, but agree to use the Court's informal mediation program to attempt to establish a new agreement. There is no filing fee if mediation is successful and a new agreement is reached.
- Option C.** You are moving and you do NOT agree with the other party on a new custody/visitation schedule and cannot establish a new custody/visitation schedule without court involvement. You must file a Notice of Intent to Relocate and request a hearing. The current filing fee for this option is \$240.



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**Option A.** You and the other party agree on what will happen with custody and/or visitation after the move. If your relocation is a short distance you may agree to keep all the terms of your prior Court Order. If so, you would file a Notice of Intent to Relocate with an Agreed Entry stating that all prior Court Orders remain in full force and effect after the relocating parties' move.

You may also agree you need to modify the prior Court Order. If you need to change the terms, please state the new terms as clearly as possible in your Agreed Entry. If there is a change in visitation, please state specific days and times for visits. It is acceptable to state visitation will be as the parties agree, but you should provide a default schedule if there are any disagreements in the future. The Court cannot enforce a parenting time schedule that does not exist. Please consider any change to your holiday schedule and summer vacation schedule the move may require. Please include where any exchange of the child(ren) will take place. The more specific your Agreed Entry is, the more likely it will be approved without a court hearing.

*You will therefore be filing a Notice of Intent to Relocate, and submitting an Agreed Entry and Order for Relocation Hearing/Entry.*

**Option B.** You and the other party/parties do not agree on any new changes that may be necessary based upon the relocation. This is not uncommon as relocations often involve changes that parties need guidance to implement. The Court has a free yearly informal mediation program to help parties reach agreements in these cases. You would meet at the Court with a trained mediator who would attempt to facilitate an agreement based on your changed circumstances and the best interests of the child(ren). Mediation is not binding until you reach an agreement.

In order to request an informal proceeding, you will file a Notice of Intent to Relocate, indicate Informal Proceeding, and provide a proposed order to the Court. If you successfully reach an agreement through mediation and submit an Agreed Entry as in Option A, there is no fee. If you are not successful in reaching an agreement, you must file a Notice of Intent to relocate, pay a \$240 filing fee, and have the matter set for hearing (see Option C below).

**Option C.** You wish to relocate and you do not believe you can come to an agreement with the other party. You must complete a Notice of Intent to Relocate with a Proposed Order and file it with the Clerk of Courts. The relocating parent must also obtain a hearing date with the Court at the time of filing.

There is a \$240 Filing Fee. However, if you cannot pay that fee at the time of filing, you may file a motion (Motion to Proceed in *Forma Pauperis*) requesting the action be commenced without paying the filing fees up front. At the conclusion of the case, the fees will have to be paid as part of the court costs and the Court can set up a payment plan.

Because the other party must be served, you are required to provide accurate contact information for that party including an address, a phone number and/or any email address.