

CN: 201703018170
SN: 481
PC: 11

FILED

JUN 12 2023

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

TIM
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Objection about moving and parenting
plan

No. 17-3-01817-0

Petitioner

Sirinya Surina

And Respondent

Aaron Surina

Summons: Notice of Objection about
Moving with Children and Petition about
Changing a Parenting/Custody Order
(Relocation)
(SM)

**Summons: Notice of Objection about Moving
with Children and Petition about Changing a
Parenting/Custody Order (Relocation)**

To: Sirinya Surina

You must respond in writing for the court to consider your side.

Deadline! Your *Response* must be filed *and* served within **20 days** of the date you were served this *Summons* (60 days if you were served outside of Washington State). If you do not file and serve your *Response* or a *Notice of Appearance* by the deadline:

- No one has to notify you about other hearings in this case, and
- The court may approve the requests in the *Petition* without hearing your side (called a *default judgment*).

Follow these steps:

- 1. Read** the *Objection* and any other documents you receive with this *Summons*. These documents explain what the other party is asking for.
- 2. Fill out** the *Response to Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 722). You can get the *Response* and other forms at:
 - The Washington State Courts' website: www.courts.wa.gov/forms,
 - The Administrative Office of the Courts – call: (360) 705-5328,

- Washington LawHelp: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

3. Serve (give) a copy of your *Response* to the person who filed this *Summons* at the address below, and to any other parties. You may use certified mail with return receipt requested. For more information on how to serve, read Superior Court Civil Rule 5.

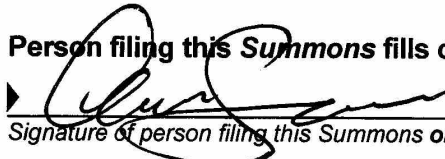
4. File your original *Response* with the court clerk at this address:

Superior Court Clerk, Spokane County

1116 W. Broadway Ave. SPOKANE, WA 99201
Address city state zip

5. Lawyer not required: It's a good idea to talk to a lawyer, but you may file and serve your *Response* without one.

Person filing this *Summons* fills out below:


Signature of person filing this *Summons* or lawyer

06/07/2023
Date

AARON SURINA

Print name (and WSBA No., if lawyer)

I agree to accept legal papers for this case at :

☒ the following address which is on file with the clerk

PO BOX 30123, SPOKANE, WA 99223

Address city state zip

(Optional) email:

if you agree to receive service by email only. Sending by email consents to service by email for this matter.

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)

This *Summons* is issued according to Rule 4.1 of the Superior Court Civil Rules of the State of Washington.

FILED

JUN 12 2023

**TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK**

**TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK**

**TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK**

Superior Court of Washington, County of Spokane

In re: Move without notice

Petitioner/s (as listed on the parenting/custody order):

Sirinya Surina

And Respondent/s (as listed on the parenting/custody order):

Aaron Surina

No. 17-3-01817-0

**Objection about Moving with Children
and Petition about Changing a
Parenting/Custody Order (Relocation)**

(OBPT)

**Objection about Moving with Children and Petition about Changing a
Parenting/Custody Order (Relocation)**

Use this form to object to a move outside the school district. You may not object to a move within the school district.

1. My name is: Aaron Surina
2. I have a court order giving me a legal right to spend time with the following children:

Child's name	Age	Child's name	Age
1. David Surina	13	2.	
3.		4. Andrew Surina	7

3. Notice of move

The other parent or non-parent custodian (relocating person's name): Sirinya Surina moved or plans to move with the children. (Check one):

☒ [X] The relocating person moved ~~or plans to move~~ with the children on (date): I do not know when, but I have **not** received proper notice.

☐ [] I received a *Notice of Intent to Move with Children* on (date): _____

☐ [] The *Notice* is improper because **the children live with me most of the time**.
The Child Relocation Act does not apply to this move.

Important! File a copy of the Notice separately. It has confidential information.
Do not attach it.

4. Do you and the relocating person have substantially equal residential time?

[] No. The children live most of the time with (name): _____

[X] Yes. The children spend 45% or more of their time with each parent.

5. Do you object to the children moving?

[] No. I do not object to the children moving with the relocating person, but I ask the court to approve my proposed Parenting Plan or Residential Schedule. (Skip to 6.)

[X] Yes. The children should **not** be allowed to move with the relocating person. (Check one:)

[X] I have substantially equal residential time. I object to the children moving because it is not in their best interest, based on the factors below.

[] The children live with the relocating person most of the time. I object to the children moving because the move would cause more harm than good to the children and the relocating person, based on the factors below.

[] The children live with **me** most of the time. I ask the court to order that the children not move with the relocating person and that the parenting plan not be changed based on their move. If the court finds that the children do not live with me most of the time, I object to the children moving based on the factors below.

If the relocating person moves, the parenting/custody order should be changed so that the children live with me most of the time. I am filing and serving my proposed *Parenting Plan* or *Residential Schedule* with this *Objection*.

Note – If you cannot answer some of the sections below because you don't have enough information about the move, you may say so. If you need more space to explain any of the sections below, you may add more pages to this Petition. Number, date, and sign each page that you add.

- a. **Relationships:** The children's relationships with each parent, any siblings, and other important people in the children's life. (Describe the strength, nature, quality, extent of involvement, and stability of the children's relationships, and how those would be affected by the planned move):

This move would substantially disrupt the progress both children have been making in social areas ~~where~~ and in school. They both have friends

- b. **Agreements:** Are there any agreements between you and the relocating person about moving with the children? [] Yes [X] No

(Explain): The relocating person generally refuses to co-parent. They are not actively participating in any agreements -

Children should not be with mom @ bar during

- c. **Contact:** Would disrupting the children's contact with the relocating person be more harmful than disrupting their contact with you? [] Yes ☒ No

(Explain): We are disrupting Mom forcing the children to go to work with her. That time is not available to the children. Work is very demanding.

- d. **Limitations:** Does the current parenting/custody order include limitations under RCW 26.09.191 on you or the relocating person? [] Yes [] No

(Explain): _____

- e. **Reasons for moving:** Were the relocating person's reasons for moving given in good faith? [] Yes ☒ No (Explain): No Reasons are known

- f. **Reasons for objecting:** I have the following good faith reasons for objecting to the planned move: The children would be further isolated from everyone in their lives that provide support and stability - school, friends, family, Dad etc.

- g. **Children:** Describe how allowing or preventing the move would affect the children's physical, educational, and emotional development, considering their age, developmental stage, and needs (including any special needs).

(Describe both possibilities - if the move is allowed or if it is prevented.)

if allowed, they will be forced to spend their summer in the bar every day. There will be less transparency and less support for our children.

- h. **Quality of life:** Describe the quality of life, resources, and opportunities available to the children and the relocating person in the current location and in the new location.

Friends, sports, local community, familiar teachers, Academic support in current location, Unknown and everything unfamiliar

- i. **Other arrangements:** Describe any other arrangements available to foster and continue your relationship and contact with the children. _____

- j. **Alternatives:** Describe alternatives to the planned move, and whether it is possible or desirable for you to move too. was unwilling to discuss any of alternatives

- k. **Financial:** Describe the financial impact and logistics of moving or not moving (for example, the timing, cost, and how the move would happen). _____

6. **Do you want the court to change the parenting/custody order if the children are allowed to move with the relocating person?**

- ☐ **No.** I want the court to keep the current parenting/custody order the same, even if the court allows the children to move.
- ☒ **Yes.** If the children are allowed to move with the relocating person, I ask the court to approve the *Parenting Plan* or *Residential Schedule* that is proposed by (check one):
- ☒ me. I am filing and serving my proposed *Parenting Plan* or *Residential Schedule* with this *Objection*.
- ☐ the relocating person.

7. **Child Support**

- ☐ No request.
- ☒ I ask the court to change the *Child Support Order* as necessary if the court allows the children to move or changes the parenting/custody order.

Note –If you have other reasons to change child support, you may file separate forms to make that request (use form FL Modify 501 or 521).

8. **Protection Order**

Do you want the court to issue a *Protection Order* as part of the final orders in this case?

- ☒ **No.** I do not want a *Protection Order*.
- ☐ **Yes.** (You must file a *Petition for Protection Order*, form P 001. You may file your *Petition for Protection Order* using the same case number assigned to this case.)

Important! If you need protection **now**, ask the court clerk about getting a *Temporary Protection Order*.

☐ There already is a **Protection Order** between (name): _____
_____ and me. (Describe): _____

Court that issued the order: _____

Case number: _____

Expiration date: _____

9. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

☒ **No.** (Skip to 10.)

☐ **Yes.** Check the type of orders you want:

☐ **Do not disturb** – Order (name/s) _____
not to disturb my peace or the peace of any child listed in 2.

☐ **Stay away** – Order (name/s) _____
not to go onto the grounds of or enter my home, vehicle, workplace, or school, and the daycare or school of any child listed in 2.

☐ Also, not knowingly to go or stay within _____ feet of my home, workplace, vehicle, or school, or the daycare or school of any child listed in 2.

☐ **Do not hurt or threaten** – Order (name/s) _____:

- Not to assault, harass, stalk, or molest me or any child listed in 2; and
- Not to use, try to use, or threaten to use physical force that would reasonably be expected to cause bodily injury against me or the children.

Warning! If the court makes this order, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

☐ **Prohibit weapons and order surrender** – Order (name/s) _____

- Not to access, possess, have in their custody or control, or obtain any firearms, other dangerous weapons, or concealed pistol licenses until the Order ends, and
- To immediately surrender any firearms, other dangerous weapons, and any concealed pistol licenses that they possess to (check one): ☐ the police chief or sheriff. ☐ their lawyer. ☐ other person (name): _____

☐ **Other restraining orders:** _____

Important! If you want a restraining order now, you must file a Motion for Temporary Family Law Order and Restraining Order or a Motion for Immediate Restraining Order (Ex Parte).

10. Correct County (Venue)

This is the correct county for this case to be heard because _____

I live in (county and state): Spokane, WA

The relocating person lives in (county and state): Cheney, Washington

The children live/s in (county and state): _____

The parenting/custody order we have now was issued in (county and state): _____

Spokane WA

Important! Attach or file a certified copy of the current parenting/custody order that you want to change **if** it was issued in a different county or state.

11. Children's Home/s

At any time during the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

☐ No. (Skip to **12.**)

☐ Yes. (Fill out below to show where each child has lived during the last 5 years.)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	☐ All children ☐ (Name/s):	☐ Petitioner ☐ Other (name):	☐ Respondent
From: To:	☐ All children ☐ (Name/s):	☐ Petitioner ☐ Other (name):	☐ Respondent
From: To:	☐ All children ☐ (Name/s):	☐ Petitioner ☐ Other (name):	☐ Respondent
From: To:	☐ All children ☐ (Name/s):	☐ Petitioner ☐ Other (name):	☐ Respondent

12. Other people with a legal right to spend time with a child

Do you know of anyone besides you and the other parties to this case who has, or claims to have, a legal right to spend time with any of the children?

(Check one): ☐ No. (Skip to **13.**) ☐ Yes. (Fill out below.)

Name of person	Children this person may have the right to spend time with
	☐ All children ☐ (Name/s):
	☐ All children ☐ (Name/s):

13. Other court cases involving a child

Do you know of any other court cases involving any of the children in this case?

(Check one): ☐ No. (Skip to **14.**) ☐ Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
protection order	Spokane WA	20203021-32	☒ All children ☐ (Name/s):
Protection Order	Spokane WA	20202975-32	☒ All children ☐ (Name/s):
major crimes special victims	Spokane WA	filed charges Q4-2020 2020-2018-8328	☒ All children ☐ (Name/s): David
			☐ All children ☐ (Name/s):

14. Jurisdiction over children (RCW 26.27.201 – .221, .231, .261, .271)

The court can decide this case for the children because (check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names):

☐ **Exclusive, continuing jurisdiction** – A Washington court has already made a parenting plan, residential schedule, or custody order for the children, and the court still has authority to make other orders for (children's names): _____

☒ **Home state jurisdiction** – Washington is the children's home state because (check all that apply):

☒ (Children's names): David and Andrew lived in Washington with a parent, or someone acting as a parent, for at least the 6 months just before this case was filed or, if the children are less than 6 months old, they have lived in Washington with a parent, or someone acting as a parent, since birth.

☐ There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.

☐ (Children's names): _____ do not live in Washington right now, but Washington was the children's home state at some time in the 6 months just before this case was filed, and a parent, or someone acting as a parent of the children, still lives in Washington.

☐ (Children's names): _____

do not have another home state.

☐ **No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for (*children's names*): _____

_____ or a court in the children's home state (or tribe) decided that it is better to have this case in Washington and:

- The children and a parent, or someone acting as a parent, have ties to Washington beyond just living here; and
- There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.

☐ **Other state declined** – The courts in other states (or tribes) that might be (*children's names*): _____'s home state have refused to take this case because it is better to have this case in Washington.

☐ **Temporary emergency jurisdiction** – The court can make decisions for (*children's names*): _____ because the children are in this state now and were abandoned here or need emergency protection because the children (or the children's parent, brother, or sister) were abused or threatened with abuse. (*Check one*):

☐ A custody case involving the children was filed in the children's home state (*name of state or tribe*): _____. Washington should take temporary emergency jurisdiction over the children until the Petitioner can get a court order from the children's home state (or tribe).

☐ There is **no** valid custody order or open custody case in the children's home state (*name of state or tribe*): _____. If no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months, (*date*): _____, Washington should have final jurisdiction over the children.

☐ Other reason (*specify*): _____

15. Fees and costs

☒ No request.

☐ Order the relocating person to pay for my costs, lawyer fees, and other fees.

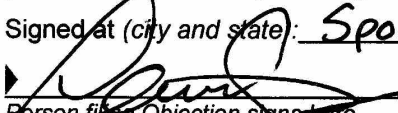
16. Other requests, if any

Restrict children from the bar during
business hours - OK to help mom when closed

Person filing this Objection fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (including any attachments) are true. ☐ I have attached (#): _____ pages.

Signed at (*city and state*): Spokane WA Date: 6/7/23

 Aaron Surina
Person filing Objection signs here Print name

Lawyer (if any) for person filing this Objection fills out below:

Lawyer signs here

Print name and WSBA No.

Date

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.