

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No: _____
Division: _____

Petitioner,
and

Respondent.

TEMPORARY ORDER GRANTING/ DENYING RELOCATION

The cause came before this Court for a hearing on a Motion for Temporary Order Permitting Relocation. The Court, having reviewed the file and heard the testimony, makes these findings of fact and ORDERS as follows:

SECTION I: FINDINGS

1. The Court has jurisdiction over the subject matter and the parties.
2. The last order establishing or modifying parental responsibility, visitation, or time-sharing was entered on *{date}* _____.

3. The parties' dependent or minor child(ren) is/are:

Name	Birth Date
_____	_____
_____	_____
_____	_____
_____	_____

4. The ____ Petitioner ____ Respondent has filed a Motion for Temporary Order Permitting Relocation to *{address of intended new residence}* _____.
5. The new location is more than 50 miles from the principal place of residence at the time of the entry of the last order establishing or modifying the parenting plan or time-sharing schedule, or at the time of filing of the pending action, and the relocation is for a period of at least 60 consecutive days.
6. The other parent or person who is entitled to access, visitation, or time-sharing:
____ has filed an Answer agreeing with the relocation;
____ has filed an Answer objecting to the relocation;
____ has failed to file a timely Answer.

SECTION II: GRANTING OF TEMPORARY ORDER PERMITTING RELOCATION

[Please indicate all that apply]

- 1. _____ The Motion for Temporary Order Permitting Relocation is **GRANTED** as the Court finds:
The petition to relocate was properly filed and is otherwise in compliance with the requirements of Section 61.13001(3), Florida Statutes;

AND

From an examination of the evidence presented at the preliminary hearing, there is a likelihood that at a final hearing the court will approve the relocation of the child, based upon the factors set forth in Section 61.13001(7), Florida Statutes.

Facts in support of finding: _____

- 2. _____ **Security:** The Temporary Order Permitting Relocation _____ **IS** _____ **IS NOT** conditioned upon the _____ Petitioner _____ Respondent providing reasonable security by:
[If security is required, please indicate all that apply]
 - a. _____ Posting bond in the amount of \$_____ with the clerk of this Court;
 - b. _____ Providing: _____

 - c. _____ Guaranteeing that the court-ordered contact with the child(ren) will not be interrupted or interfered with by the relocating party by _____

- 3. _____ **Time-Sharing.** To ensure that the child(ren) has/have frequent, continuing, and meaningful contact, access, and time-sharing, the nonrelocating parent or person entitled to access shall have: *{Please choose only one}*
 - a. _____ **reasonable time-sharing** with the parties' minor child(ren) after reasonable notice and as agreed to by the parties. The Court reserves jurisdiction to set a specific schedule;
 - b. _____ the following **specified time-sharing** with the parties' minor child(ren): _____

_____;
 - c. _____ **time-sharing** in accordance with the temporary **Parenting Plan** attached as Exhibit _____ and incorporated herein.

- 4. _____ **No Contact.** The _____ Petitioner _____ Respondent and/or _____ Other Person entitled

to access or time-sharing shall have **no contact** with the parties' minor child(ren) until further court order, as such contact is detrimental to the welfare of the minor child(ren). *{Explain}*:

5. _____ **Communication** via telephone, Internet, web-cam, etc. with the parties' minor child(ren) subject to the following limitations *{if any}* _____

6. _____ **Exchange of Minor Child(ren)**. The exchange of the minor child(ren) shall be on time as scheduled by the parties. The following conditions, if checked below, shall also apply.

a. _____ The parties shall temporarily exchange the child(ren) at the following location(s):

b. _____ Other conditions for exchange of the child(ren) are as follows:

7. _____ **Costs of Transportation**

a. _____ The Petitioner shall pay _____% and the Respondent shall pay _____% of the post-relocation transportation costs.

b. _____ Other _____

8. _____ **Child Support**. The Court finds that based upon the Temporary Order Granting Relocation, the _____ Petitioner's _____ Respondent's child support obligation should be temporarily modified in consideration of the costs of transportation and the respective net incomes of the parents.

[Please choose only one]

a. _____ The amounts in the attached Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the _____ Petitioner _____ Respondent are correct.

OR

b. _____ The Court makes the following findings:
The Petitioner's net monthly income is \$ _____.
The Respondent's net monthly income is \$ _____.
Monthly child care costs are \$ _____.
Monthly health/dental insurance costs are \$ _____.
Transportation costs are \$ _____.

9. _____ **Amount.** The Obligor's child support obligation shall be temporarily modified to \$ _____ per month payable _____ in accordance with Obligor's payroll cycle, and in any event, at least once a month _____ {*explain*} _____, commencing {*date*} _____ and continuing until further court order.

SECTION III: DENIAL OF TEMPORARY ORDER PERMITTING RELOCATION

*[Please indicate **all** that apply]*

1. _____ The Motion for Temporary Order Permitting Relocation is **DENIED** because:
- a. _____ The petition to relocate does not comply with subsection (3) of Section 61.13001, Florida Statutes;
 - b. _____ The child(ren) has/have already been relocated without a written agreement of the parties or without court approval;
 - c. _____ From an examination of the evidence presented at the preliminary hearing, there is a likelihood that upon final hearing, relocation of the child(ren) would not be approved.
Facts in support of finding: _____

_____.

2. _____ **Temporary Injunction Prohibiting Relocation of Child(ren)**

The Court hereby temporarily prohibits and enjoins the _____ Petitioner _____ Respondent from relocating and removing the child(ren) from the jurisdiction of this Court during the pendency of this proceeding, or until further order of this Court.

The Court may enforce compliance with this restraining order through civil and/or indirect criminal contempt proceedings, which may include arrest, incarceration, and/or the imposition of a fine.

3. _____ **Immediate Return of Child(ren)**

The _____ Petitioner _____ Respondent has failed to comply with the relocation procedures set forth in Section 61.13001, Florida Statutes, and has relocated the child(ren) in violation of that section. The _____ Petitioner _____ Respondent **shall immediately return the child(ren)** to the jurisdiction of this Court.

Failure to immediately return the child(ren) shall subject the non-complying party to contempt and other proceedings to compel return of the child(ren) and may be taken into account in any initial or post judgment action seeking a determination or modification of the parenting plan or time-sharing schedule.

SECTION IV: OTHER

1. Other Provisions:

- 2. The Court reserves jurisdiction to modify and enforce this Temporary Order regarding relocation.
- 3. Unless specifically modified by this Temporary Order, the provisions of all final judgments or orders remain in effect.
- 4. No weight shall be given to the decision to grant or deny the temporary relocation as a factor in reaching a final decision.

DONE AND ORDERED at _____, Florida, on _____.

CIRCUIT JUDGE

I certify that a copy of this Temporary Order Granting/Denying Relocation was () mailed () faxed and mailed () e-mailed () hand-delivered to the parties and any entities listed below on {date} _____.

Clerk of court, designee, or Judicial Assistant

Petitioner (or his/her attorney)
Respondent (or his/her attorney)
Central Governmental Depository
Other: _____