

## RELOCATION STATUTE

In accordance with the provisions of 43 O.S. §112.3, if either party (“the relocating party”) intends to move his or her primary residence or intends to move the primary residence of the minor child of the parties over seventy-five (75) miles for a period of sixty (60) days or more when such move is not a temporary absence from the child’s principal residence:

- A. The relocating party shall furnish the following information to the other party in accordance with the terms set out herein:
  - (1) the intended new address, including the specific address, if known;
  - (2) the new mailing address, if not the same;
  - (3) the home telephone number, if known;
  - (4) the date of the intended move or proposed relocation;
  - (5) a brief statement of the specific reasons for the proposed relocation of the child, if applicable; and
  - (6) a proposal for a revised schedule of visitation with the child, if any.
- B. The relocating party shall give notice of the proposed relocation of the child or the proposed change of the party’s residence address to the other party on or before the sixtieth (60<sup>th</sup>) day before the proposed change. If the relocating party did not know and could not have reasonably known of the change in sufficient time to provide a sixty-day notice, then such party shall give notice of the change on or before the tenth (10<sup>th</sup>) day after the date that he or she knows of the change.
- C. The obligation of a party to give the notices and to provide the information set out herein shall continue so long as that party is entitled to custody of, or visitation with, the child covered by this order.
- D. The failure of a party to give the notices and to provide the information set out herein may result in further litigation to enforce the order, including contempt of court.
- E. The failure of a party to notify of a relocation of the child may be taken into account in a modification of custody of, visitation with, possession of, or access to, the child. The Court may assess reasonable attorney fees and costs against a party who fails to give the required notice provided for herein.
- F. If a party who receives notice of the intent of the other party to relocate the residence of the child does not file, within thirty (30) days of receipt of such notice, a proceeding seeking a temporary or permanent order to prevent the relocation, the relocation is authorized and may occur without further notice.