

STATE OF INDIANA )  
 )SS:  
COUNTY OF \_\_\_\_\_)

IN THE \_\_\_\_\_ COURT \_\_\_\_\_  
( \_\_\_\_\_ DIVISION, ROOM \_\_\_\_\_)

CASE NO. \_\_\_\_\_

\_\_\_\_\_)  
Petitioner )  
vs )  
\_\_\_\_\_)  
Respondent )

**ORDER OF TRANSFER TO COURT**  
**HAVING JURISDICTION OF THE PARTIES OR THEIR CHILDREN UNDER**  
**INDIANA CODE § 34-26-5-6 (4)**

This Court has considered a petition for an Ex Parte Order for Protection as required by Indiana Code § 34-26-5-6 (3). However, this action should be transferred to another Court on the grounds that:

\_\_\_ The petitioner and respondent are the parents of an unemancipated child and a final decree of paternity has been issued. Indiana Code § 31-14-16-1.

\_\_\_ The petitioner and respondent are the parties to a dissolution of marriage or a legal separation action that is pending. Indiana Code § 31-15-4-1(b); Indiana Code § 31-15-5-1.

\_\_\_ The petitioner and respondent are the parties to a dissolution action in which a decree establishing child custody and parenting time was issued, and the requested relief will effectively modify the decree. **Meade v. Marshall Superior Court II**, 644 N.E.2d 87 (Ind. 1994).

\_\_\_ The petitioner has a pending case involving the respondent or a child of the petitioner and respondent. Indiana Code § 34-26-5-6(4).

\_\_\_ The petition involves a juvenile respondent, so the hearing, should be held in juvenile court. Indiana Code § 34-26-5-2(d).

\_\_\_ The petition seeks an order controlling the conduct of a person in relation to a child who is the subject of a juvenile proceeding, so the hearing, should be held in juvenile court. Indiana Code § 31-32-13-1(1).

\_\_\_ Other reason for transfer, e.g. under local rule: \_\_\_\_\_.

IT IS HEREBY ORDERED that this proceeding be transferred to \_\_\_\_\_ for hearing (if requested) in connection with case number \_\_\_\_\_.

Pursuant to Indiana Code 34-26-5-6, before transfer to the other court, this court has immediately considered the petition for ex parte order and

\_\_\_ has NOT issued an ex parte order for protection.

\_\_\_ has found that an emergency exists. The Court hereby issues a separate ex parte order for protection. This Court's Ex Parte Order for Protection does not alter the custody or

parenting time rights of the parties. Indiana Code § 34-26-5-9(c)(2). Any order of the proper court regarding custody, parenting time or possession or control of property shall supersede the order of protection issued by this court. Indiana Code § 34-26-5-9(g). **This transfer in no way affects the expiration date of the separate Ex Parte Order for Protection issued by this Court. Refer to the Ex Parte Order of Protection for its expiration date**

DATE: \_\_\_\_\_

Recommended for approval by, if applicable:

\_\_\_\_\_  
\_\_\_\_\_, COMMISSIONER/REFEREE

Approved and ordered by:

\_\_\_\_\_  
\_\_\_\_\_, JUDGE/MAGISTRATE