

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).

___ The petition alleges repeated acts of harassment and another court exercises jurisdiction over an action that relates to the subject matter of the requested civil order for protection. Indiana Code § 34-26-5-4(d).

___ 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 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

Distribution:
