

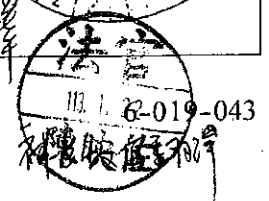
請求改定未成年子女權

# 家事聲請狀

案 號	112 年度家親聲字第 120 號		承辦股別	祥
訴訟標的 金額或價額	新臺幣 元			
稱 謂	姓名或名稱	依序填寫：國民身分證統一編號或營利事業統一編號、性別、出生年月日、職業、住居所、就業處所、公務所、事務所或營業所、郵遞區號、電話、傳真、電子郵件位址、指定送達代收人及其送達處所。		
聲 請 人	謝弘毅	國民身分證統一編號（或營利事業統一編號）： G7151515405 性別：男／女 生日：70/12/01 職業：工 住：桃園市大園區鎮航北路四段381號 郵遞區號：337 電話：0976554884 傳真： 電子郵件位址： 送達代收人： 送達處所：		
相 對 人	楚悅瑾	國民身分證統一編號（或營利事業統一編號）： 性別：男／女 生日：1991/12/01 職業： 住：已出境回澳洲 郵遞區號： 電話： 傳真： 電子郵件位址： 送達代收人： 送達處所：		



擬請聲請人 謝弘毅  
以利公決  
書記官 謝韻璟  
113.1.18  
于恩茹



為聲請改定未成年子女權利義務行使負擔之人：	
聲請事項	
一、對未成年子女 <u>羅宇翔</u> （民國106年9月26日生、身分證字號： <u>                    </u> ）之權利義務改定由聲請人行使或負擔。	
二、聲請程序費用由相對人負擔。	
事實及理由	
一、聲請人係未成年子女 <u>羅宇翔</u> 之 <u>父</u> 。按聲請人與相對人	
<input checked="" type="checkbox"/> 於民國111年04月12日協議離婚，雙方協議未成年子女之權利義務由兩造共同任之，惟	
<input checked="" type="checkbox"/> 行使、負擔權利義務之一方未盡保護教養之義務或對未成年子女有不利之情事。具體事實如下： <u>相對人不在台灣，教育扶養都為本人負責，希望成為主要照顧者，方便為小孩申請權益。</u>	
二、聲請人目前有固定職業，身體健康，有經濟能力，且與未成年子女感情良好，又有家屬從旁協助，未成年子女住所設籍於 <u>桃園</u> ，為未成年子女之最佳利益，爰聲請未成年子女之權利義務改由聲請人任之，以利日後代為處理事務。	
此 致	
臺灣宜蘭地方法院家事法庭 公鑒	
證物名稱及件數	一、戶籍謄本 件。 二、離婚協議書影本 件。 三、其他：
中 華 民 國 113 年 01 月 18 日	
具狀人 <u>羅弘毅</u> 簽名蓋章 <u>                    </u>	
撰狀人 <u>羅弘毅</u> 簽名蓋章 <u>                    </u>	

郵務送達(送原告或被告 聲請人或相對人 證人或鑑定人用)

# 臺灣宜蘭地方法院通知書

★如有居家隔離、居家檢疫及自主健康管理等正當理由，得向法院請假或聲請改期。★

法院電話：03-9655550

分機：322

股別：祥股

受通知姓名地址	郵遞區號： 住 相對人 1 楚悅瑄			先生 女士
案號	112年度家親聲字第120號			
案由	改定未成年子女權利義務行使負擔			
當事人姓名	聲請人：羅弘毅			
應到時間	民國113年5月22日 上午09時30分	應到處所	宜蘭五結鄉仁愛路2段88號 羅東簡易庭二樓家事第一法庭	
期日種類	言詞辯論			
備註	請自行偕同證人並攜帶證物到庭。起訴狀繕本一件。			
注意事項	<p>一、訴訟及聲請事件當事人如無法到場，得提出委任書特別委任他人到場。當事人請攜帶身分證或其他身分證明文件到院。</p> <p>二、訴訟事件當事人於言詞辯論期日如不到場，本院得依法命一造辯論為判決。</p> <p>三、經本院命到場之當事人本人，如無正當理由不到場者，視為拒絕陳述，本院得審酌情形判斷應證事實之真偽。</p> <p>四、當事人到場時，應攜帶所用證物及偕同所舉證人到場。</p> <p>五、證人無正當理由不到場，本院得科以罰鍰，並得拘提之，如已到場，得請求支給法定之日費及旅費。鑑定人得請求支給法定之日費、旅費及相當之報酬。</p> <p>六、受通知人如就本事件欲以電信傳真或電子郵遞設備傳送書狀，請向法院聲請許可。相關聲請書狀範例請至司法院全球資訊網【<a href="http://www.judicial.gov.tw">http://www.judicial.gov.tw</a>】下載。 (查詢路徑：「便民服務」-「書狀範例」-「民事」-「民事聲請許可使用電信傳真或電子郵遞設備傳送訴訟文書狀」)</p> <p>七、本件交郵政機關送達，業經審判長或受命法官、受託法官許可，得於星期六、日或其他休息日或日出前、日沒後送達。</p> <p>八、本件所定開庭日期，如遇颱風過境，經宣布各機關停止上班時，即予改期，請勿來院，聽候另行通知(傳喚)。</p> <p>九、本院已提供開庭進度之線上查詢服務，相關資訊請至本院網站(<a href="http://ild.judicial.gov.tw">http://ild.judicial.gov.tw</a>)查詢。</p> <p>十、本院整合服務入口網(<a href="https://efiling.judicial.gov.tw/JSS">https://efiling.judicial.gov.tw/JSS</a>)提供線上聲請閱卷等服務，請善加利用。</p>			

中華民國 113 年 1 月 18 日

書記官



收受訴狀電子信箱：ildemail@judicial.gov.tw

列印日期：113年1月18日

(無本院書記官簽名或蓋章者無效)



# 臺灣宜蘭地方法院送達證書

請於送達後將本證書交回臺灣宜蘭地方法院(羅東辦公室:268 宜蘭縣五結鄉仁愛路2段88號)

應受送達郵遞區號:

達人姓名  
地址  
相對人 1 楚悅瑄

先生  
女士

案號 112年度家親聲字第120號

案由 改定未成年子女權利義務行使負擔

中華民國113年5月22日上午09時30分

言詞辯論通知書一件

送達文書 請自行偕同證人並攜帶證物到庭。起訴狀繕本一件。

送達人注意 一、依下送達方法送達者，送達人應即將本送達證書，提出於法院卷。  
二、無法依下送達方法送達者，送達人應作成該事由之報告書，提出於法院卷，並說明應送達之文書。

已將文書交付與應受送達人：

本人 (簽名蓋章)  
(或按指印)

未獲會晤本人，已將文書交與有辨別事理能力之同居人或受僱人：

同居人 (簽名蓋章)  
受僱人 (或按指印)

送達人在  
由送達人  
在  
上劃  
法選記

應受送達之本人、同居人或受僱人，收領後拒絕或不能簽名、蓋章或按指印，由送達人記明其事由於右欄：

※送達人應記明收領人之姓名  
(以正楷填記)：

※送達人填記：

應受送達之本人、同居人或受僱人，無法律上之理由拒絕收領，經送達人將文書留置於送達處所，以為送達：

本人  
同居人(姓名)  
受僱人(姓名)

拒絕受領

未獲會晤本人亦無受領文書之同居人或受僱人，已將該送達文書：

寄存於下列之一處所，並作送達通知書兩份，一份黏貼於應受送達人住居所、事務所、營業所或其就業處所門戶，另一份置於該送達處所信箱或其他適當位置，以為送達。(請擇一行)✓

應受送達之本人、同居人或受僱人，無法律上之理由拒絕受領，並有難達留置情事，已將該送達文書：

寄存於 鄉(鎮市)區 村(里)所公處  
寄存於 鄉(鎮市)區公所  
寄存於 派出所或警察所

(由郵局收寄人員填寫)

原寄郵局日戳

送達郵局日戳

郵件種類：

掛號號碼：

(由司法警察送達時免蓋)

(由司法警察送達時免蓋)

送達處所

送達時間

送達人簽章

同上記載地址

中華民國

年

月

日

改送：

午

時

分

(送達人務請填記)

(送達人務請填記)

列印日期：113年1月18日

股別：

祥

股

分機：322

此證書由送達人繳回

請於送達後將本證書交回臺灣宜蘭地方法院(羅東辦公室:268 宜蘭縣五結鄉仁愛路2段88號)



## Court Litigation Consulting Section Document Reference

Request to change person exercising rights and obligations of underage child

Taiwan Yilan District Court (Luodong Office) Acknowledgement Receipt

Min-Xing-Luo-Zong-Shou-Zi-No.137

Jan 18, 2024 1435hrs

Received by Hsieh Fu-ching

Writ Petition (Family)		
Case No.	2023-Jia-Qin-Sheng-Zi-No.120	
	Subsection	Xiang
Value of Claim	NTD	
Designation	Name	Fill in details in the following order: National ID card number or business tax ID, gender, date of birth, occupation, residential address, place of employment, government office, company office or place of business, postal code, telephone, fax, email, designated agent of service and service address.
Petitioner	Lo Hung-yi	National ID card number (or business tax ID): G121515405 Gender: Male/Female    Date of birth: 12/01/1981    Occupation: Worker Address: 8F, No.380, Sec.4, Linghang N Rd., Dayuan Dist., Taoyuan City Postal code: 337            Telephone: 0976554884 Fax: Email: Agent of service: Service address:
Respondent	Esther Rose Truasheim	National ID card number (or business tax ID):  Gender: Male/Female    Date of birth: 02/01/1991    Occupation: Address: Left Taiwan and went back to Australia Postal code:            Telephone: Fax: Email: Agent of service: Service address:

Petitioner asked to translate to facilitate notice of service.

To supplement with translation

Taiwan Yilan District Court  
Mailroom Acknowledgement  
Stamp  
Hsieh Fu-ching

Clerk  
1.19.2023  
Li Hui-ju

Judge  
1.22.2023  
Chen Ying-tzuo





Writ Petition (Family) - Request to change person exercising rights and obligations of underage child

To petition to change person exercising rights and obligations of underage child:

**Petition matter**

1. Change person exercising rights and obligations of underage child Lo Yu-xiang (born on September 26, 2017, ID card number: ) to the petitioner.
2. Petition procedural fee to be borne by respondent.

**Facts and reasons**

1. Petitioner is father of underage child Lo Yu-xiang. Petitioner and respondent agree to divorce on April 12, 2022. Both parties agree to share responsibility of exercising the rights and obligations of the underage child. However, one party has failed to exercise and bear the rights and obligations of protecting and nurturing the child or has acted against the interest of the underage child.  
Facts of the case: As the respondent is not in Taiwan, she is unable to educate and care for the child. As I am responsible for educating and caring for my child, I wish to become the main caregiver so as to facilitate applications for rights and benefits for my child.
2. The petitioner is currently in a stable job, is healthy and financially able, has a good relationship with the child, and has support from family members. It is in the underage child's best interest to officially reside in Taoyuan. The petitioner, therefore, petition to exercise the underage child's rights and obligations so as to facilitate the handling of future affairs.

To the Family Court of Taiwan Yilan District Court

Name and quantity of evidence

1. Household registration transcript
2. Photocopy of divorce agreement
3. Others:

January 18, 2024

Petition submitted by: Lo Hung-yi

Petition prepared by: Lo Hung-yi





Service by mail (for service to plaintiff or defendant, petitioner or opposite party, witness or expert witness)

## Taiwan Yilan District Court Notice

\*You may apply to the court for leave or change of date if you are on home isolation, home quarantine or self-managed health monitoring.\*

Court telephone: 03-9655550 ext. 322

Subsection: Xiang

Notified person's name & address	Postal code: Residing at Respondent 1 Mr/Ms Esther Rose Truasheim		
Case no.	2023-Jia-Qin-Sheng-Zi-No.120		
Reason	Change of person to exercise underage child's rights and obligations		
Name of person concerned	Petitioner: Lo Hung-yi		
Reporting time/ date	09:30AM/ May 22, 2024	Reporting place	No.88, Sec.2, Renai Rd., Wujie Township, Yilan County Luodong Summary Court, Level 2, First Family Court
Date type	Oral argument		
Remark	Please bring along your witness and evidence to court. One transcript of complaint enclosed.		
Notes	<ol style="list-style-type: none"><li>1. If parties concerned in the litigation or petition case are unable to be present at court, a power of attorney appointing an agent to be present on their behalf shall be submitted. The parties concerned shall bring their identification card or other proof of identity to court.</li><li>2. If any party concerned in the litigation case is not present on the date of oral argument, the court shall grant a default judgment.</li><li>3. If any party concerned fails to be present at court without valid reason, the court shall deem it as a refusal to give statement and the court shall determine the authenticity of the facts based on the given situation.</li><li>4. When presenting themselves at court, the parties concerned shall bring their evidence and witnesses to court.</li><li>5. The court shall impose a fine and arrest any witness who fails to be present at court without valid reason. Witnesses who are present may claim statutory attendance fee and travel allowance. Expert witness may claim statutory attendance fee, travel allowance and equivalent compensation.</li><li>6. The notified person may apply to the court for permission to transmit related court documents by fax or email. Please download court document templates at <a href="http://www.judicial.gov.tw">http://www.judicial.gov.tw</a>. (Go to "Service" – "Court Document Templates" – "Civil" – "Permission to Use Fax or Email for Transmission of Civil Petition Documents").</li><li>7. For service of notice by postal agency, permission shall be granted by the presiding judge, commissioned judge or assigned judge to serve the notice on a Saturday, Sunday or any other rest day, or before sunrise or after sunset.</li></ol>		



- |  |   |
|--|---|
|  | <p>8. In the event of a typhoon on the court date and work suspension is announced for all government agencies, the court date shall be rescheduled. Please await further notice (summon) and do not show up in court.</p> <p>9. Online inquiry service for case progress is available, visit <a href="http://ild.judicial.gov.tw">http://ild.judicial.gov.tw</a> for more information.</p> <p>10. Utilize the court's integrated service portal (<a href="https://efiling.judicial.gov.tw/JSS">https://efiling.judicial.gov.tw/JSS</a>) for services including online application to peruse legal documents.</p> |
|--|---|

January 18, 2024

Li Hui-ju (affixed with seal)

Clerk

Email for sending/receiving petition documents: [ilduemail@judicial.gov.tw](mailto:ilduemail@judicial.gov.tw)

Printed on: January 18, 2024

(Invalid without signature or seal of the court clerk)





# Taiwan Yilan District Court

## Proof of Service

Please return the proof of service to the Taiwan Yilan District Court after service  
No.88, Sec.2, Renai Rd., Wujie Township, Yilan County 268

Name & address of party to be served		Postal code:	
		Residing at	
		Respondent 1 Mr/Ms Esther Rose Truasheim	
Case no.		2023-Jia-Qin-Sheng-Zi-No.120	
Basis		Change of person to exercise underage child's rights and obligations	
Document served		09:30AM May 22, 2024 One oral argument notice Please bring along your witness and evidence to court. One transcript of complaint.	
Notes to server		1. When the service of process has been completed by the following methods, the server shall file the proof of service with the court immediately. 2. If the service of process cannot be completed by the following methods, the server shall file a report indicating the reason and return the document/s to be served.	
Method of service	(Server to tick the appropriate <input type="checkbox"/> )	<input type="checkbox"/> Documents have been served to party to be served:	<input type="checkbox"/> Personally (signature/seal or fingerprint):
		<input type="checkbox"/> Unable to meet with party to be served, have left documents with his/her housemate or employee of discriminative reasoning ability:	<input type="checkbox"/> Housemate <input type="checkbox"/> Employee (signature/seal or fingerprint): ※Server should indicate recipient's name (write in block letters)
		<input type="checkbox"/> Party to be served, his/her housemate or employee refuses or unable to sign, affix seal or provide fingerprint after receipt, reason indicated in the right-side column:	※Remark by server:
		<input type="checkbox"/> Party to be served, his/her housemate or employee refuses to accept documents without legal grounds, documents are left at the place of service and deemed as served:	<input type="checkbox"/> Personally <input type="checkbox"/> Housemate (name) <b>REFUSE TO ACCEPT</b> <input type="checkbox"/> Employee (name)
		<input type="checkbox"/> Unable to meet with party to be served and there is no housemate or employee to leave the documents with: <input type="checkbox"/> Party to be served, his/her housemate or employee refuses to accept documents without legal grounds, and there is difficulty leaving the documents:	Documents have been sent by registered mail to one of the following places. One copy of notice of service is attached on the front door of the residence, office, place of business or place of employment of the party to be served, and another copy is placed in the mailbox or other suitable location of the place of service, and deemed to be served. (Please tick the appropriate box)  <input type="checkbox"/> Deposited at     police station. <input type="checkbox"/> Deposited at     township/city district office.





		<input type="checkbox"/> Deposited at township/ city district village office
(To be filled in by post office clerk)	Date of posting from original post office	Date of arrival at destination post office
Mail type: Registered mail no.:	(Date stamp not required if delivered by judicial police)	(Date stamp not required if delivered by judicial police)
Place of service	Time of service	Server's signature/ seal
<input type="checkbox"/> Address same as above <input type="checkbox"/> Redeliver to: (To be filled in by server)	Time: Date (To be filled in by server)	
		This proof of service is returned by server

Subsection: Xiang ext.322

Printed on: January 18, 2024

Please return the proof of service to the Taiwan Yilan District Court after service

(Luodong office: No.88, Sec.2, Renai Rd., Wujie Township, Yilan County 268)



