



Northwest Justice Project

Filing a Petition to Modify Your Child Support Court Order

**Instructions and Forms
March 2009**

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Section 1: Introduction - Important Questions and Answers

A. What is a Petition for Modification of Child Support?

A Petition for Modification of Child Support is one way for a party to ask the court to change the amount of the party's child support. If the party making the request provides enough evidence to support a change, then the judge will grant the request by issuing a new Order of Child Support.

B. When should I file a Petition to Modify My Child Support Order?

A Petition for Modification of Child Support may only be filed in certain circumstances. Before filing, talk with an attorney with family law expertise. (See resources below.) **And/or** go to the Washington LawHelp website (www.washingtonlawhelp.org) and read our legal information publication called *Changing Your Child Support Court Order*.

Also, check with your county's Superior Court. Many counties have a Family Law Facilitator who can help you or refer you to free or low-cost clinics or lawyer referral services.

◆ **Note on reading this packet:** You'll see footnotes in this packet. Footnotes will tell you the law or court case that supports the statement that comes before the footnote, or will give you special tips, links to relevant websites, or other additional information. Use the legal references in the footnotes to look up the law at your local law library, or to tell the court when you're trying to make a legal argument. CR is the Civil Rules of Washington. GR stands for General Rules. RCW stands for Revised Code of Washington, which is the law of Washington State. Court cases have names, such as *In re Custody of Child*. The references to the law are up to date as of the date this packet is published. The law sometimes changes before the packet can be updated.

C. Should I use this packet?

This packet will help you begin a Petition for Modification of a final Washington State Child Support Court Order in a dissolution or parentage case.¹ This packet doesn't describe how to modify a temporary order or an order entered in a nonparental custody case, or court orders from other states.

Before using this packet (once you've concluded that filing a petition for modification of child support is what you want to do), check with your county's Family Law Facilitator or Court

¹ This packet doesn't tell you how to register and modify a child support court order that wasn't issued in Washington State. Those types of modifications are governed by the Uniform Interstate Family Support Act ([RCW 26.21 et. seq.](#)) If you need to modify an out-of-state order, talk with an attorney or call the Division of Child Support (DCS). DCS may help you modify your out-of-state order.

Clerk. Your county may have its own Petition for Modification of a Child Support order packet. If so, use the local packet. It will include the rules and forms for that county.

D. In which county may I file my Petition?

If you have a valid Washington State court order, you may file your Petition for Modification in one of the following counties:

1. Where the Order of Child Support you have now was filed; OR
2. Where the Child Lives; OR
3. Where the person who has *primary residential care or custody* of the child lives.²

E. How much does a child support modification cost?

The costs involved in filing a child support modification include a filing fee of about \$56 if you're modifying your order in the same county where it was entered, or \$220-\$250 if you're filing your modification in a new county,³ photocopying fees, and (possibly) fees for service (delivering the papers to the other parties in your case). If you can't afford the filing fee, fill out a special form which may let you file without paying the filing fee.

F. What if I have questions that aren't answered in this packet?

It's always a good idea to talk with an attorney familiar with family law before you file anything with the court. Many counties have family law facilitators who can help you fill out forms, or have free legal clinics where you may get specific legal advice about your case. If you're low-income and don't live in King County, call CLEAR at 1-888-201-1014. If you live in King County, call the King County Bar Association's Neighborhood Legal Clinics at (206) 267-7070 between 9:00 a.m. and noon, Monday – Thursday, to schedule a free half-hour of legal advice (ask for a family law clinic). Or go to the website (www.washingtonlawhelp.org) to read our legal information publications about your particular family law case and information about legal aid programs in your area.

² [Revised Code of Washington \(RCW\) 26.09.280](#). However, there's more information about Washington law in our publication called [Changing Your Washington Child Support Court Order](#).

³ [RCW 26.09.175\(1\)](#).

Section 2: Words You May Need To Know

Affidavit: A written statement made under oath and notarized by a Notary Public. Affidavits are no longer required in Washington. Instead, the courts use Declarations. (See definition of Declaration, below.)

Appearance: Informing the court and the parties of your whereabouts and your desire to participate in your case, either in person at a Court hearing, or in writing, usually by filing and serving a Notice of Appearance. Certain informal actions, such as negotiating, telephoning about the case, or writing a letter, that show a knowledge of the claims in the case and an intent to defend, might also be considered an appearance.

Attachment: A document stapled to a court form and referred to in the form. Attachments should follow any format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Bailiff: A member of the judge's staff, in charge of courtroom procedure and security. The bailiff may sometimes be the same person as the clerk.

Calendar: The court's schedule of cases to be heard. Also called a Docket.

Caption: The heading of each legal document, which contains the name of the court, the names of the parties, the case number, the name of the document itself, and, sometimes, the type of case.

Case Schedule: A printed schedule issued by the court in some counties showing major dates and deadlines in your case

Certified Copy: A copy of a document from the court file made by the court clerk that has an official stamp on it stating it is a true copy. Usually, you pay for a certified copy.

Clerk of the Court: An officer of the court who handles clerical matters like keeping records, entering judgments and providing certified copies. Each courthouse, has a Superior Court Clerk's Office. Someone from the clerk's office staff is also usually in the courtroom during hearings.

Commissioner/Court Commissioner: Similar to a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases⁴.

Confirm a Hearing or Trial: Notifying the court that you still plan to have the hearing or trial scheduled in your case. The way to confirm your hearing or trial differs from county to county, and it's not required in all counties. Often a phone call to the court a few days before the hearing or trial is required. Local rules explain each county's requirements. If notice is required and not given, the hearing or trial may be cancelled.

Conformed Copy: A copy of any court document that has been filed with the clerk. It must be stamped with the date filed. If the document is an order, it must also have the name of the judge who signed it written or stamped on it.

⁴ Many decisions in family law cases are made by court commissioners instead of judges. However, to make this packet simpler, in most places we just use "judge."

Contested Case: A case in which opposing parties participate and disagree about the outcome of the case.

Continuance: Delaying your court hearing to a later date. In some counties, the judge must approve any request for a continuance.

Custodian: The person the children live with most of the time.

Custody Decree: A court order, other than a parenting plan or residential schedule, that decides custody of a child. Since the law changed in 1987, most court orders in Washington dissolution and parentage cases are residential schedules or parenting plans, not custody decrees. (Exception: a final order in a nonparental custody case is still called a decree.) Orders from other states may still be called custody decrees, and in some circumstances, a Washington court has the right to modify another state's custody decree.⁵

DCS: Division of Child Support: The state office (part of DSHS) that establishes, enforces and sometimes modifies child support obligations in many cases. DCS used to be called CSD, OSE and SED.

Declaration: A written statement made to the court under oath.

Decree: One type of final court order.

Default: The failure to respond to court papers within the legal deadline.

Dissolution: The legal word for divorce.

Domestic Partner: When a court form refers to domestic partner, it usually means a domestic partnership registered with the Secretary of State under [RCW Ch. 26.60](#).

Ex Parte: Going before the court without notifying the other party. Sometimes also refers to the courtroom where you see a judge without notifying the other party.

Exhibit: Documents, records, and photographs introduced into evidence at trial or hearing. Attachments to legal forms might also be called exhibits. If so, they should follow any format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Filing: Giving court papers to the Court Clerk to place in the case file.

Hearing: Going before a judge to request a court order or to defend against another party's request. Hearings usually take place before the trial date and concern specific issues. Example: temporary relief. Hearings on important issues (example: motions to dismiss) may end the case altogether. In many counties the court doesn't allow live witness testimony at hearings, but the parties are expected to file and serve materials in advance in writing. In some counties, the outcome of certain types of child support cases may be decided by hearing rather than by trial.

In Forma Pauperis (IFP): A Latin term which means you may file your papers in court without paying the filing fee if you're low income and show you can't afford the fee.

Judgment: One type of final court order.

⁵ Our publication, [Which Court has the Right to Enter a Custody Order: Frequently Asked Questions and Answers about Whether or Not a Washington Court Has Jurisdiction](#) gives general information about when Washington has the right to consider modifying another state's custody decree and when it doesn't.

Jurisdiction: The court's authority to make decisions regarding certain people and issues. If a court doesn't have jurisdiction, it doesn't have the authority to make orders over the person or subject affected.

Maintenance: (used to be called "alimony"): The amount one spouse is ordered to pay for the support of the other spouse while the case is pending and/or after it's over. [RCW 26.09.090](#) lists some factors to use when deciding if maintenance is to be ordered and, if so, in what amount and for how long. [RCW 26.09.060](#) authorizes the court to order temporary maintenance where appropriate.

Motion: A formal request to the court for an order.

Motion Docket: The court's schedule of motions to be heard.

Moving Party: The person who files the petition for modification (or the motion for child support adjustment). The moving party can be either a Petitioner or a Respondent in the original dissolution, parentage or nonparental custody case. Some court forms have been changed to say "requesting party" rather than "moving party."

Nonmoving Party: The party who **didn't** file the petition for child support modification or motion for child support adjustment. The nonmoving party can be either a Petitioner or a Respondent in the original case. Often the other parent is the only nonmoving party. However, sometimes there can be more than one nonmoving party, such as the State of Washington or someone with legal custody of a child in the case. Some court forms use "nonrequesting party" rather than "nonmoving party."

Nonrequesting party:

- in modification/adjustment cases, the nonrequesting party is the party who **didn't** file the petition for modification/adjustment.
- in motions, the nonrequesting party is the person who **didn't** file the motion.

The nonrequesting party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more than one nonrequesting party, such as your spouse, the other parent, the State of Washington, a Guardian ad Litem, or someone with custody of a child in the case. Some court forms use "nonrequesting party" rather than "nonmoving party."

Note/Notice of Hearing/Note for Motion Docket: A form which lets the clerk know to schedule a hearing and tells the other parties the subject of the hearing and when and where the hearing will take place.

Order: A court document signed by a judge that requires someone to do or not do something. Restraining orders, orders re adequate cause, Residential Schedules or decrees, are all examples of orders, if the judge has signed them. If you disobey an order of the court, you may be held in contempt of court. It's important to notice if an order you're served with is only a proposed order or if the judge has actually signed it. An order isn't in effect until a judge has signed it. (See "proposed order" definition.)

Other party: Every party to the case, other than yourself. In court forms, the "other party" can also mean one particular party. Example: when the Motion for Default says "other party," it means the party you believe is in default.

Parentage Case: A court case to determine parentage (paternity) of a child of unmarried parents, or a court case to establish a parenting plan/residential schedule for a child whose paternity was established by paternity affidavit, or a modification/adjustment of an order in one of these types of cases.

Parenting Plan: A proposal or, if signed by a judge, a court order which states when the child will be with each party, who'll make major decisions about the child, and how future disputes about the child will be resolved. In parentage cases, the parties may ask the court for either a parenting plan or a residential schedule. (The residential schedule form doesn't include the dispute resolution or decision-making parts of a parenting plan form).

Party: Any Petitioner or Respondent. GALs and the State of Washington may also be parties.

Petitioner: The person who first files a legal case. The petitioner in the caption of a form doesn't change, even when motions are filed later by the other party.

Pro Se: Acting without the aid of an attorney. Representing yourself in court.

Process: Written notice to appear in court.

Proposed Order: A document one party will be asking the judge to sign. It won't yet have the judge's signature on it. Many counties require the parties to file and serve proposed orders with motions or responses to motions to show how that party wants the court to decide the motion. Even where proposed orders aren't required, we recommend that you prepare and serve them and deliver copies to the court. A proposed order becomes an order if the judge signs it.

Requesting Party:

- in modification/adjustment cases, the requesting party is the person who files the petition for modification/adjustment.
- in motions, the requesting party is the person who filed the motion.

The requesting party can be either a Petitioner or the Respondent in the original case. Some court forms have been changed to say "requesting party" rather than "moving party."

Respondent(s): The party/parties against whom the case was originally filed.

Response: A formal written answer to a Petition filed with the court. The term can also be used to describe the papers a person files in response to a motion, so it can be confusing. We'll use the word "Response" with a capital "R" to refer to the Response form. We'll say "response" with a small "r" to refer to all types of responses (example: responses to motions as well as to petitions).

Ruling: A decision by the court.

Service: Giving court papers to the other party in a legally correct way.

Transfer Payment: The amount of money one parent is ordered to pay as that parent's share of basic child support.

Trial: Usually, the final proceeding in a case, in which the judge considers evidence properly introduced, hears argument, and decides the outcome of the case. Child support modifications and adjustments are often decided without a full trial. See "hearing" and "trial by affidavit."

Trial by Affidavit: The kind of trial, common in child support modifications, in which the court hears no live testimony of the parties but instead reads the "affidavits" or written declarations of

the parties, considers documentary evidence, hears argument, and decides the outcome of the case. In some counties, these trials are held before court commissioners. In other counties, they're held before judges.

Venue: The county where the case should be filed. Proper venue depends upon the type of case.

Working Papers: A copy of papers filed with the court that is delivered in advance of the hearing for the judge to review. Local rules differ as to whether working papers are required or, if they are required, when and where they're delivered. Some counties require working papers to be delivered at or near the time you file a motion or response.

Section 3: Steps to Take To File a Petition for Child Support Modification

Follow these steps for filing a petition to modify your child support court order. Many of the steps listed in the paragraphs below are explained in more detail later in this packet.

◆ Many counties have case schedules that must be followed, in addition to these timelines and steps. Some counties require mandatory arbitration before a judge will sign final orders. Call your court clerk's office or family law facilitator, if there's one in your county, to find out about case schedules and local court rules for child support modification cases.

- 1. Learn About the Law on Child Support.** Read our publications called [*Changing Your Child Support Order*](#) and [*Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington*](#). Try to talk with a family law attorney to make sure this is the right procedure for you.
- 2. Check for Special Local Rules and Forms.** Check with your county court clerk or family law facilitator to see if your county has its own Petition for Modification of a Child Support Order packet. If so, use that packet instead of ours. If you decide to use our packet, get any additional forms that you'll need. Make sure that you know any special deadlines for filing child support modification in the county where you're filing your petition.
- 3. Gather Needed Financial Documents and other forms that aren't in this packet.**
- 4. Make Sure You know the Other Party's Address.** You'll need the address for each party you need to serve. Often, the only other party is the other parent. However, the State may be a party, and there may be additional parties in a particular case. If you don't know the other party's address, see the suggestions in the instructions below called "Serving the Petition and Filling Out the Return of Service, Finding Out the Other Parent's Address."
- 5. Follow the General Instructions.**
- 6. Complete the Individual Forms You Plan to Use.**
- 7. Make One Copy of Each of the Completed Forms and the financial documents that you're filing with the court.**
- 8. File Your Papers with the Court Clerk's Office in the Superior Courthouse of the county where you're filing this petition.**
- 9. Make the Necessary Additional Copies of the Forms and Have the Papers Served on the Other Parties.**
- 10. Fill Out and File the Return of Service.**

- ❑ **11. File a Motion for Temporary Orders or a Motion for Emergency Orders, if you want one.** If you want the court to sign an order that will change child support until your trial by affidavit, you must file a Motion for Temporary Orders. However, you may not need a motion for temporary orders because, in many counties, you may schedule your final support modification hearing within a month or six weeks after you serve the papers. In other counties, your case is scheduled for trial within about three months. The court won't want you to file a motion for temporary orders, because trial's set fairly soon. Check with your Family Law Facilitator or Court Clerk for more information about your county's local practice. If you decide to file a motion for temporary orders, get the forms and instructions to do this in our packet called [*Filing a Motion for Temporary Orders*](#).
- ❑ **12. Ask for Discovery, if you want it.** The rules require the other parties to give the court and you certain financial information. If they don't follow the rules, or you need additional information, see your family law facilitator or talk with an attorney about asking for discovery.
- ❑ **13. Participate in locally required procedures.** Find out the procedures in your county and follow them. For example, arbitration may be required in some counties.
- ❑ **14. File a Motion for Oral Testimony if necessary.** Generally, child support modifications are decided in a trial by affidavit (the court looks at papers that have been filed. There's no testimony by "live" witnesses). If you want a trial with live testimony (in which you or other witnesses will answer questions under oath), you must file a motion for oral testimony. See our packet called [*Finishing a Modification of Your Child Support Order*](#) for more information.
- ❑ **15. Finish Your Child Support Modification.** If all the parties agree about the final papers and sign them, ask the court to sign the agreed papers before your trial date. If the other party hasn't responded, file a motion for default. If the other party's responded, prepare for your trial. You may need to ask for a date for trial. Get our packet called [*Finishing a Modification of Your Child Support Order*](#).

Section 4: What's In This Packet?

This packet contains many of the forms you'll need to file your Petition for Modification.

Also read the next section to decide what additional forms and packets you'll need.

Following is a list of the blank forms in this packet:

A. Forms that you'll need that are in this packet:

Form Title	Form Number
Washington State Child Support Schedule with Child Support Worksheets & Instructions	No Form Number
Financial Declaration	WPF DRPSCU 01.1550
Sealed Financial Source Documents (Cover Sheet)	WPF DRPSCU 09.0220
Confidential Information Form & Addendum	WPF DR PSCU 09.0200 & WPF DR PSCU 09.0210
Petition for Modification of Child Support	WPF DRPSCU 06.0100
Summons for Modification of Child Support	WPF DRPSCU 06.0200
Notice re: Dependent of a Person in Military Service	WPF DRPSCU 01.0185
Declaration re: Service Member's Civil Relief Act	WPF ALL Cases 01.0200
Return of Service	WPF DRPSCU 01.0250
Civil Case Cover Sheet	

B. Forms that you may also need that are in this packet:

Form Title	Form Number
Sealed Personal Health Care Records (Cover Sheet)	WPF DRPSCU 09.0260
Joinder	WPF DRPSCU 01.0330
Waiver of Rights Under the Service Members Civil Relief Act	No Form Number

Section 5: What Other Documents Or Forms Will I Need That Aren't In This Packet?

You'll need more than just this packet to file and finish your case. Check the boxes by the documents and packets that you need. Then get those documents or packets before filling out your forms.

- ❑ **Your Current Order of Child Support and Worksheets** –Get a copy of your *current* Order of Child Support and worksheets (the final order and worksheets that were signed by a judge most recently). If you don't currently have a copy of these, get one at the Superior Court Clerk's office in the county where the order was entered. Or call the Division of Child Support and ask them to send you one.
- ❑ **Filing In Forma Pauperis** - If you can't afford to pay the filing fee, ask the court to waive (forgive) the filing fee. Get this packet to find out how to file the motion you need.
- ❑ **Declaration Regarding Public Assistance: WPF SRPSCU 01.0600:** This form isn't in our packets. It's optional. Our instructions tell you to serve the State in any case where TANF, Medicaid, or foster care are involved, and we instruct you to get the state's signature on all default and agreed orders where the state might have an interest in the child support obligation in your case. However, some people may need the form if required in your county, or if you need to verify that no public assistance has been paid or that the children aren't in foster care or out of home placement. Get the form at the Administrator of the Courts website <http://www.courts.wa.gov/forms/index.cfm?fa=forms.static&staticID=14>.
- ❑ **Serving Papers on the State** - if any party's asking for an order regarding child support, and any of the children's received public assistance (TANF), or medical coupons/Medicaid or is in foster care or out of home placement, get this packet. You must include the state as a party and serve them with papers you file.
- ❑ **County Local Court Forms and Rules** - Some counties have special forms that you'll need when you're filing a Petition for Modification of a Child Support court order, which aren't in this packet. Many counties have special "local rules" that you'll need to know about to file a Petition for Modification in that county. **Check with the Court Clerk's office or Family Law Facilitator in your county for more information.**

Example: Order Setting Domestic Case Schedule - This form is used in some counties, such as King. If your county has a case schedule, the court clerk will give it to you when you file your case.

◆ Some county clerks' offices have forms and local rules available online. Check whether your county's local rules or forms are available online at the Access Washington web site, www.access.wa.gov/government/awco.asp.

- ❑ **[Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington](#)**. This publication gives basic information about the laws for setting child support in Washington State.
- ❑ **[Changing Your Child Support Court Order](#)**. This publication gives basic information about the laws that apply to changing a Washington State Child Support court order, or responding to a proposed change.
- ❑ **Sealed Records Cover Sheets**. The Confidential Court Reports Cover Sheet isn't in this packet. If you're filing the kinds of records that require this cover sheets (see Box #2 of the General Instructions section), it's in our packet **[Filing a Motion for Temporary Orders](#)**. Or download the form from the court's website at: **<http://www.courts.wa.gov/forms>**.
- ❑ **Declaration of Witness**. When you begin your case, if you want to file statements from people familiar with one or more issues in your modification case, or if you want to file your own detailed statement, get this form. It's available in our packet **[Finishing a Modification of Your Child Support Order](#)**. **Use this form to prepare for your trial by affidavit, even if you don't use it at the beginning of the case.**
- ❑ **[Filing a Motion for Temporary Orders](#)** - to ask the court for an order that will cover the time between the date you file for your support modification and the date your modification is final.
- ❑ **[Responding to a Motion for Temporary or Emergency Orders](#)** - if the other party files a motion for temporary orders and/or an ex parte restraining order/order to show cause, get this packet.
- ❑ **[How to Subpoena Witnesses and Documents](#)** -to make sure important witnesses or documents are at trial. (Remember: many child support modification case trials are decided with declarations, not with live testimony.)
- ❑ **[Finishing a Modification of Your Child Support Order](#)** -use this packet to finish your child support modification, whether by agreement, default, or going to trial.
- ❑ **Financial Information** - You must prove what your income is, and that a modification is needed. If you don't provide enough financial information, the court can deny your request that your support order be changed.

Section 6: Checklist of Forms and Documents You'll Need To File a Child Support Modification

A. You'll need the following forms and documents if the other party won't agree with the child support modification:

- Summons for Modification of Child Support.
- Petition for Modification of Child Support
- Financial Declaration
- Sealed Financial Source Documents Form
- Child Support Worksheets
- Confidential Information Form: & Addendum (Don't serve this form on the other party.)
- Civil Case Cover Sheet
- Locally required forms
- Return of Service
- A copy of your most recent final Order of Child Support and worksheets.
- Notice re: Dependent of a Person in Military Service
- Declaration re: Service Member's Civil Relief Act
- Your last two years of federal and (if applicable) state income tax return forms, with your W2s and other attachments;

If you have no copies of your income tax returns, request copies from the IRS for a fee. If you filed no federal income tax returns in the last two years, you must state that in your declaration, and explain why. You must provide the court with other proof of your income for the last two years, such as W2 or 1099 forms, paystubs, or a declaration from your employer.

- Your pay stubs (provide at least one full month of paystubs, or more if possible. Some counties require more than a month of paystubs).
- If you're self-employed, or you don't have paystubs or tax returns, you must get papers that prove what your income is. Examples include:
 - Official letters from Social Security, L&I, Employment Security, or DSHS saying how much you receive in benefits
 - Bank account statements
 - Business tax returns or records, or 1099 forms
- Some counties require additional evidence, such as bank statements or check registers. Check your local court rules to see if you need to provide more financial information.

- If the other party's in the military or is the dependent of a person in military service, include the Waiver of Rights Under the Service Members' Civil Relief Act in the papers served with the petition.
- Use the Declaration of Witness form when you begin your case, to explain more about why you need the child support modification. Most people will need this form to prepare for their trial by affidavit. It's in our packet, [*Finishing a Modification of Your Child Support Order*](#).

B. What the other parent and I agree on the change in child support?

If you and the other parent agree on how much support should be changed, and all parties sign the papers to show your agreement, don't use all the forms listed above. You only need to fill out:

- Petition for Child Support Modification
- Joinder (use this if the other parent doesn't sign the Petition, or if s/he doesn't sign the new Order of Child Support, Findings and Conclusions, Child Support Worksheets, and Order re: Modification of Support)
- Child Support Worksheets
- Civil Case Cover Sheet
- Locally required forms
- Order of Child Support
- Findings and Conclusions on Petition for Modification of Child Support
- Order re: Modification of Support
- Confidential Information Form: & Addendum (Each party should fill out his/her own form. Don't give this completed form to the other party)
- If the other party's in the military or is the dependent of a person in military service, the Waiver of Rights Under the Service Members' Civil Relief Act.

The Order Re: Modification of Support, Order of Child Support and Child Support Summary Report forms, Findings and Conclusions, and the instructions for how to complete them and enter final orders by agreement, are in our packet [*Finishing a Modification of Your Child Support Order*](#). Use that packet to finish your support modification by agreement. **You may also need to bring proof of both parties' incomes to your final hearing.**

You and the other parent must both sign all of these forms after they're completed. If your children have ever received public assistance (TANF), or Medicaid, or if they're in foster care or out of home placement, the county prosecuting attorney's office will also need to sign all of the final orders. For more information, see our packet titled [*Serving Papers on the State*](#).

C. If you file certain confidential information any time during the case, use the following forms to protect the private information from being included in the public court file

- Sealed Personal Health Care Records Cover Sheet
- Sealed Confidential Reports Cover Sheet
- Sealed Financial Source Documents Cover Sheet

Section 7: Follow These General Instructions Before You Begin To Fill Out the Forms

These general instructions will apply to all the forms you complete. The instructions cover all types of family law cases, so some of the information may not be used in your particular case. A Sample form at the end of this section may help you understand these instructions better.

The caption. The caption includes the name of your case, the case number, the name of the court, the title of the court paper, and, sometimes, the type of case. It appears at the top of the first page of every form. Write in the name of the county where you're filing your case in the blank space where the form reads "Superior Court of Washington County of _____."

Case name. Look at your current Order of Child Support (the one that you're trying to change). Copy the names from the upper left-hand side of that form onto your blank form. Example: if your Order was entered in a parentage action, you may see *In re the Parentage of or State of Washington*. List the petitioner and respondents just as they appear on your current Order of Child Support. These are the parties to your case. They must be served with the papers you file, as explained later in this packet. If you have any questions about other potential parties, consult an attorney.

Case number. When the petitioner first files the papers to begin the case and pays the filing fee (or has the fee waived), the court clerk will assign a case number. All parties must write that case number on every paper they file with the court and serve on the other parties during the case. Write the case number near the top on the right hand section of the first page of every form after "No." (abbreviation for "number"). When the petitioner first files the case, s/he may be able to use a special stamp at the court clerk's counter to stamp the case number on each paper. It does not matter if the case number is written or stamped. If you are filing a modification/adjustment case in the same court that entered the order you are asking to modify/adjust, you may use the case number on that order.

◆ You must write or stamp the case number on the first page of every copy of every paper you file with the court and on the copies you make for other parties. If you do not, your papers may be lost, or they may be returned to you. Some courts will also fine you for filing incorrect forms.

Title. Each form has a title. The title is on the right-hand side of the form under the case number. Sometimes the full title is pre-printed on the form, and sometimes you must add more information to complete it (for example, on a declaration, you write in the name of the person completing the declaration).

◆ **Format:** Pleadings (legal forms) that you file with the court and attachments to those pleadings must follow the court rules about size and margins (GR 14(a)). You must use regular size (8 ½ x 11") white paper and you may write on only one side of the paper. The first page of each paper that you file must have a 3 inch margin (3 inches of space) at the top. The other

margins (left, right and bottom, and the top from the second page on) must be at least one-inch wide. You should use black or dark blue ink. If your forms do not follow these rules, the court clerk may refuse to file them or may make you pay a fine.

The contents. Fill out each form according to the instructions for that form. In most counties you may print or type the information, but it must be readable and you must use **BLACK OR DARK BLUE INK**. A few counties require that all documents be typed. After filling out each form, re-read it to be sure you have correctly filled in all the blanks you need to. If you have to make corrections, be sure the correction is neat and readable. Do not write in the margins of any page or the clerk may reject your form.

Dates. On the last page of most forms (not including orders), there is a space for the person who completes a form to write the date that the form is signed. Dates in orders will be filled in by the judge when s/he signs the order.

Signatures.

- **Your signature**

After you fill out a form, look for the place(s) requiring your signature:

- Some forms have one signature line for “petitioner” or “respondent.” After you fill out a form such as the petition, sign at the place that applies to you. Some forms require you to sign in more than one place, so look carefully. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
- When you prepare and file motions, you are the moving party. After you prepare a motion look for each place marked “signature of moving party or lawyer.” Some forms require you to sign in more than one place, so look carefully. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
- When you prepare an order and plan to present it for the judge to sign, look for each place marked “presented by,” and sign in the space underneath.

- **Judge’s Signature:** Leave the judge’s signature line and the date blank.

- **Other party’s signature:** Certain forms you prepare have a place for other parties to sign. You cannot force another party to sign a court paper – he/she can choose to sign, or not. However, if you have prepared an order after a hearing, the other party may be willing to sign the form you have prepared if s/he agrees it accurately states the judge’s decisions, (or the judge may require the other party to sign), even if the party is not happy with the decision itself.

- Agreed orders. If the other party agrees with the orders you have written, that party should sign in the appropriate place (petitioner/respondent/moving or nonmoving party) on each court order that is agreed.
- Approved for entry/Notice of Presentation Waived. If you are the respondent or nonmoving party, or if you did not prepare the order, you may be asked to sign in a

blank under these words. If you check “Approved for entry,” this means that you are agreeing that the judge should sign the order as it is written. If “Notice of Presentation Waived” is checked, that means that you are agreeing that the other party can give the order to the judge for him/her to sign without letting you know when the other party is going to take that order to the judge.

- **Other signatures/Declarant’s Signature:** If someone else must sign a form (such as a witness or the person serving papers), be sure they fill out all information correctly and sign in the proper space provided. In a declaration form, the “declarant” is the person who is writing the declaration.

Place signed. Declarations and Returns of Service must include the place they are signed, as well as the date (example: Signed this 10th day of October 2005 at Seattle, WA).

Identifying Information. Court rules try to protect privacy but also allow for public access to certain information in court files. The three boxes discuss these rules: [GR 15](#), [GR 22](#) and [GR 31](#).

Box #1**Things You Should Not Write in Most of Your Court Papers:**

General Rules [22](#) & [31](#) try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public (except for some aspects of parentage cases), and may be available to the public on the internet.

Except where instructions about a specific form tell you otherwise (for example the forms in Box #3), use these rules for papers you file with the court.

Residence Address (Where you Live) and Telephone Number: You do not have to write these in court papers; however, you do need to write in an address where you can get mail from the court, and it is a good idea to give the court a phone number where you can be reached.

Social Security/Driver’s License, ID Numbers of Adults and Children: You are not required to write these in court papers; if you do, you should write only the last four digits, not the whole number.

Dates of Birth of Children: Do not write them in court papers.

Bank Account, Credit Card Numbers: Write the bank name, type of account (savings, checking, etc.), and only the last four digits of the account number.

Box #2:**Private Information That Should Be Filed With Sealed Cover Sheets:**

If a sealed cover sheet is used, this information is usually available to the other party and the court but it is not placed in the public file.

Financial Information: If you file paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders, attach them to a Sealed Financial Source Documents form to ensure that they will not be available to the public.

Medical or Mental Health Records or Information: If you file papers containing health or mental health information (information about past, present, or future physical or mental health of a person, including insurance or payment records), you must attach the papers to a Sealed Personal Health Care Records form so that they will not be available to the public.

Confidential Reports: Reports such as Parenting Evaluations, CPS Reports, Domestic Violence Assessments, and Guardian ad Litem Reports that are intended for court use must have two sections, a public section and a private section. The private section of the report should be attached to a Sealed Confidential Reports Cover Sheet.

Retirement Plan Orders: Certain retirement information belongs in the public file, but “Retirement Plan Orders” do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See [GR 22](#) for the definition or see an attorney if this affects your case.

Other Kinds of Confidential or Embarrassing Information Not Mentioned Above. If the paper that you want to keep confidential is not in the above list, you may need to file a motion with the court to ask permission to have that paper, or part of a paper, sealed under General Rule [\(GR\) 15](#). We do not have a packet that tells you how to do this and there are presently no mandatory forms for this type of motion; you will need to talk to an attorney.

Box #3

When You Should Write Private Information In Court Forms:

These forms are not placed in the public file, and information in them is usually not available to the other party.

You are required to fill in your personal information completely (including children’s full names, dates of birth, your residence address, social security numbers, etc.): Confidential Information Form, Vital Statistics Form, Domestic Violence Information Form, Foreign Protection Order Form, and Law Enforcement Information Sheet. If you are afraid to give your address on these forms, consult an attorney, or call CLEAR at 1-888-201-1014

SAMPLE FORM

Fill in the name of the Petitioner here.

Fill in the county where you are filing or where your case was already filed.

This sample case name is for dissolution cases. This information may be different depending upon the type of case.

Your court case number. Assigned by the court when you file your case.

Form title.

In re the Marriage of:
JANE DOE,
 and
JOE DOE,

Petitioner,

Opposing party.

NO. 08-3-99999-9

Note for Motion Docket

(No Mandatory Form Developed)

or Court of Washington
County Of Evergreen

TO THE CLERK OF COURT AND TO: **Joe Doe**
99 Railway Lane
Treelane, WA 98000

Please take notice that this case will be heard on the date below and the clerk is requested to note this issue on the docket for that day.

HEARING DATE: **Monday, October 4, 2008**

HEARING TIME: **10:00 a.m.**

LOCATION: **Treelane Superior Courthouse**

COURTHOUSE ROOM: **2**

ADDRESS: **102 West Broadway**
Treelane, WA 98000

NATURE OF MOTION: **Temporary Orders regarding parenting plan, child support, and restraining orders.**

 Jane Doe, Petitioner

Section 8: Instructions for Filling Out Individual Forms

A. Washington State Child Support Worksheets

Fill out the Child Support Worksheets before the other forms in this packet. Filling out the worksheets will take time, but will give you an idea of how much your child support could change. Also, you'll need the information when you fill out some of the other forms.

When child support is an issue, each party fills out a set of child support worksheets, using the instructions and schedule that come with the worksheets. Usually this means you should file and serve the worksheets with the Petition and Response, and new worksheets when there are motions and hearings involving child support (to update information in worksheets you have already filed).

The judge will sign a set of worksheets s/he approves when entering an order setting child support. The judge may sign worksheets one party has already prepared. Or s/he may ask a party to prepare a new set of worksheets with the specific income, expense, and child support amounts the judge announced.

The instructions and worksheets included in this packet are current as of June 2008. Use this set of instructions along with the Washington State Child Support Schedule published by the Administrative Office of the Courts. You can download it from their website at <http://www.courts.wa.gov/forms/> or call (360) 705-5328. You should also read our publication called [*Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington*](#).

The instructions below are for preparing the worksheets based on the income, child support amounts, and expense figures you propose at the start of the case or before a hearing or trial.

If, however, you are filling in these worksheets after the judge has announced a decision, use the income, child support amounts, expenses, and other information announced by the judge, even if you don't agree with them and even if they're different from what you proposed.

If you want to use the Child Support Calculator to estimate the amount of support that might be ordered in your case and/or for help in preparing proposed child support worksheets, it's on the DCS (Division of Child Support) website, at: <http://www.courts.wa.gov/ssgen/default.aspx>.

The calculator has a printable help section and offers step by step instructions. The estimate will be more useful if the information you put into the calculator is correct.

The calculator may not work if you're asking for a deviation from the standard child support calculation. (Deviations are often requested, for example, in situations where both parents spend large amounts of residential time with the children, when there are children from other relationships, and where each parent has custody of one of the children).

1. **Caption your worksheets:** At the top of worksheet page 1, fill in the name of the mother and father, the name of your county, and the case number in the spaces provided.

2. **Above the caption**, check the box to show whether these worksheets are proposed, or whether they'll be an order signed by the judge. If they're proposed, check the box showing who is proposing them.
3. **Child Support Order Summary Report.** Fill out this section only if you're also preparing a child support order to be signed by the judge. If so, come back to it after you've completed the rest of the form.
4. **List the names and ages** of the children you have in common with the other parent in the very first box under the heading, *Worksheets*.
5. **To fill out the worksheets, follow the instructions in the Washington State Child Support Schedule.** The instructions explain the meaning of gross and net income and also explain how to list your income. They also tell you how to fill in the rest of the financial information.
6. **Fill in the columns of the Worksheet that apply to you (Father or Mother).**
7. **Fill in the information for the other parent, if you know or can estimate his or her income and expenses.** If you've used estimates, write that on the form. If you have any income information for the other parent, even if it's an estimate, use that information. Explain in the "Other Factors for Consideration" at Line 22 any income information you listed which isn't based on wage stubs or tax returns. The other parent will have the chance to correct any information that is wrong.

If you can't get accurate income information about the other parent and can't estimate his/her income based on what you know, follow the instructions for *imputing* income to the other parent in page 2 of the Instructions.

8. **Health Care Expenses.** If you pay uninsured medical expenses for the children that you want to include in the transfer payment, write the expenses in section 8 of the worksheets. **Only include expenses that you pay regularly (such as a monthly health insurance premium) in this section.** You probably shouldn't include doctor bills that may change over time.

On line 8a, fill in any payments that either parent makes for the children's health insurance premiums. Only that part of the premium that the parent actually pays for the child or children in the order of child support should be included. **DON'T INCLUDE** the part paid by the employer, or parts for the parent or other family members. **On line 8b**, fill in any monthly uninsured medical expenses that aren't health insurance premiums.

Child Support adjustment and modification cases only: If your existing order includes uninsured medical expenses in the transfer payment, and the expense has changed, fill in the new expense in section 8 of the worksheets. **If you're filing a child support adjustment, read the warning at the start of this section.**

9. **Daycare, Education & Travel Expenses May Be Included.** In section 9, fill in your daycare, tuition or other special child care expense to have that amount included in the transfer payment. If you do this, you should mark the first box in paragraph 3.15 of the Order of Child Support. However, in most cases, you shouldn't include your daycare, education and travel expenses in the worksheets. Instead, include them under paragraph 3.15 of the Order of Child Support.

Child Support adjustment and modification cases only: If your existing order includes day care education and travel expenses in the transfer payment, and the expense has changed, fill in the new expense in section 9 of the worksheets. **If you're filing a child support adjustment, read the warning at the start of this section.**

Think carefully about whether to include your daycare amounts in your worksheets. Daycare expenses tend to change over time, and may decrease as your children get older and no longer need to be in daycare. If you include daycare in the transfer payment, but your daycare expenses later aren't as large as the amount in your worksheets, the other parent may file an administrative or a court action to try to make you repay the overpaid daycare. The court may order you to repay the daycare if you were overpaid by 20% or more.⁶ This could result in your owing a large debt to the other parent.

You may want to have DCS compute and collect daycare. See the instructions for paragraph 3.15 of the Order of Child Support.⁷

10. **Part VI of the Worksheet** is where to list factors that may allow "deviation" from the "standard calculation". If there are other adults contributing money to you or to the other parent's household, or if you or the other parent has other children to support, or has many debts to pay, or if there is other income, or if there are other special circumstances, list such information on the worksheet. See the "Limitation Standards and the "Deviation Standards" on pages 2 - 4 of the Definitions and Standards section of the Washington State Child Support Schedule to decide what information to fill in.
11. **On the last page of the worksheet**, you can write in additional information. You can also explain how you calculated the amount of support. State how you calculated each parent's income. If the income you put for either parent is imputed or estimated, write how you figured out the income amount. If you believe support should be less than the standard calculation, state how much it should be and why.

Make Sure You Fill in the Worksheet Completely. There are many lines on the worksheets, and it takes time and patience to fill them out completely. However, it's important to complete the worksheet as accurately and completely as you can.

The child support payment or "transfer payment" is decided based upon the information on this worksheet.

Child Support Order Summary Report.

If you're completing a temporary or permanent order of child support to be signed by the judge, return to page 1 of the worksheets and complete this section. If not, skip this paragraph. Go to Signature.

Item A. If this is the first child support order, check "does not." If you had an earlier court or administrative child support order and this order changes it, check "does."

Item B. Fill in the amount on item 15e of the worksheets signed by the judge.

⁶ [RCW 26.19.080\(3\)](#).

Item C. Look at paragraph 3.5 of the Order of Child Support (transfer payment). Write the amount from paragraph 3.5 *total monthly transfer amount* into paragraph C of the summary report. Check whether it will be paid by mother or father.

Item D. Look at paragraph 3.7 of the Order of Child Support.

- If the first box (*no deviation*) is checked in the Order, check the first box in the Summary Report, “*Does not apply.*”
- If the second box in Paragraph 3.7 of the Order of Child Support is checked, check the box in the Summary Report that best summarizes the reason the judge gave for allowing a deviation. If none of the items applies, check the “other” box and explain. (Example: if the Order allows a deviation because of special medical needs of the children, then check the *other* box in the Summary. Write in “special medical needs of the children.”)

Item E. Look at paragraphs 3.2 and 3.3 of the Order of Child Support. If the Order uses the actual income of the paying and receiving parent, check the “actual income” boxes for each parent. If the Order shows that income is imputed, check the imputed income box for that parent.

Item F. If all health care, day care, and special child rearing expenses are listed in Part II of the worksheets, check this box.

Signature: Sign where indicated. Show the date and place (city) you signed.

B. Instructions for Financial Declaration - WPF DRPSCU 01.1550

◆ If there’s more than one other party for whom you need to give the court financial information, make at least one more copy of page 2 and 3 (paragraphs 3.1 & 3.2) of the blank Financial Declaration form.

Caption. Fill in the caption, your name, and your date of birth.

I. Summary of Basic Information.

Skip this section and come back to it after you have completed the rest of the form.

II. Personal Information.

Paragraph 2.1. Under “occupation,” write your current job. For example, you might be a teacher, software engineer, farm worker, unemployed, etc.

Paragraph 2.2. Fill in the highest year of education you completed.

Paragraph 2.3. Check yes or no. If you are working now, fill in only 2.3a. If you are not working now, fill in only 2.3 b.

III. Income Information.

This section asks for information about the parties' incomes. If you do not know how much another party's income is, you should give your best estimate, or use the support schedule's instructions for imputing income. You do not have to fill in sections 3.1 and 3.2 if you are a parent and complete the child support worksheets.

Nonparents using this form need to complete sections 3.1 and 3.2 about their own financial situation. In addition, if the nonparents have not completed child support worksheets detailing the parents' finances, they should put the parents' income information here.

Write your name above one column and the other party's name above the other column. If there are more parties, make another copy of page 2 and 3 of the Financial Declaration, and write on it your case number, and the other party's name as well as their financial information. If you need to attach this separate page, write on this financial declaration form that the other party's information is attached, and make sure you write the name of the party you are describing in each column of the form and your attachment. For example: if the other parties are the children's mother and father, you could write your name and financial information in the first column of this financial declaration, write the father's information in the second column, and attach a separate copy of page 2 and 3 with one of the columns filled out with the mother's name and financial information.

- **Fill in the income information and income deduction information requested,** making sure that you use the correct column for each party named at the top of the column.
- **Income From Benefits.** Do not include income from needs-based public assistance (TANF, SSI, GA-U, VA benefits, food stamps) under section 3.1.⁸ If a parent receives Social Security Disability (SSDI) or workers' compensation (L&I, or other disability benefits from an employer), fill that amount in under 3.1.e "Other Income."

Work-Related Disability Benefits: If the child/ren receive dependent benefits as a result of a parent's disability (as may happen when the parent gets SSDI, L&I and some employer-paid disability benefits) or Social Security retirement, the payments that they receive directly count as income to that parent even if the money is actually paid to the other parent or custodian. Make sure to add those amounts to income of the parent who gets SSDI, L & I) under 3.1.e. **Those benefits should also be credited as child support paid by the parent (in other words, the obligated parent's support should be reduced dollar for dollar by the amount of the dependent benefits his/her children receive directly for current child support).** See [RCW 26.18.190](#); *In re Marriage of Maples*, 78 Wash. App. 696 (1995).

- **Deductions From Income.** If you include deductions from income other than income tax, FICA, and L&I payments, provide documents that prove each deduction.⁹ Pay stubs may show union and pension plan deductions; however, you will need to provide additional documents (such as some pages from a collective bargaining agreement or employee handbook, or a letter from the employer) showing that these deductions are required. If pension deductions are voluntary, show documents to prove that the deduction has been taken for at least two years or it may not be allowed. If you are claiming business expenses, be prepared to present business

⁸ [RCW 26.19.071\(4\)](#).

⁹ [RCW 26.19.071\(5\)](#).

records and receipts showing how much your expenses are if the other party disputes your claims. Follow the instructions at the end of the Financial Declaration Form and attach private financial information to the Financial Source Documents Cover Sheet.

Paragraph 3.3

Follow the instructions to fill in monthly net income.

Paragraph 3.4. Miscellaneous Income.

Under miscellaneous income, fill in any money received regularly, and describe it in the blanks. This is the place to fill in the amounts a party receives in TANF, GA-U, SSI, and food stamps.

Paragraph 3.5. Income of Other Adults in the Household.

Fill in the gross monthly income of the other adults in the household. That income will not be included in calculating the basic child support obligation, but might be considered by the court if someone asks for a deviation from the standard child support amount.

Paragraph 3.6. Disputed income.

If you think the income of any party will be disputed, state what you believe the correct amount of income is for that party and explain why you believe that is the true amount.

IV. Available Assets.

Fill in your assets. Liquid assets are cash, things that you own that could easily be sold for cash (e.g., stocks, bonds, etc.)

V. Monthly Expense Information.

Fill in your monthly household expenses. In the first sentence, fill in the number of dependents who actually live with you (e.g., number of children in your household). This does not include children who do not live with you most of the time. Fill in your best estimate of each expense. Many expenses are not paid every month. For those expenses, take the actual amount you pay and calculate the monthly average. For example, if you pay your car insurance every six months, take the amount you pay, divide it by 6, and put that amount in the blank under 5.5.

Your total monthly expenses may end up being larger than your net monthly household income. That is common, particularly for people who have a low income. In reality, when you do not have enough money to meet all of your expenses, you may put off paying a certain bill, or you might make other cutbacks in your expenses. You do not need to make sure that your monthly expenses are equal to or less than your income. On the other hand, if your expenses are far greater than your income, the court might ask questions about how you are meeting your expenses. You should be prepared to show the court how you are doing it.

Paragraphs 5.10. Installment Debts & 5.11 Other Debts. Section 5.10 is for giving more details about expenses that are already listed as expenses in 5.1 through 5.8. For example, you would fill in your mortgage and your car loan here, even though you probably already included your mortgage as an expense under 5.1. If you have other debts, such as credit card debts that you have not already included as expenses in sections 5.1 – 5.8, you should fill them in under 5.11.

Paragraph 5.12. Total Expenses. Add paragraphs 5.9 and 5.11.

VI. Attorney Fees.

If you hire an attorney for this case, you should fill in those expenses, as well as any costs (for serving the other party, mailing, filing fees, etc.) here. If you owe debts to an attorney for another case, you should put that in section 5.11.

Signature:

Do not forget to sign at “Signature of declarant”) and date the form and fill in the city and state where you sign it.

Financial Records List:

Do not attach your financial records to this form. Check the boxes for the records you will give the court and the other parties and write descriptions of those records in the space provided. Attach the financial records to the sealed financial source documents cover sheet form (also in this packet).

**C. Sealed Financial Source Documents (Cover Sheet) – WPF
DRPSCU 09.0220**

Attach the last two years of tax returns (or W2s and 1099s if you haven’t yet filed your income tax form), and at least six months of pay stubs or proof of income from other sources such as Social Security. Local court rules may require more documentation.

**D. Sealed Financial Source Documents (Cover Sheet) – WPF
DRPSCU 09.0220**

Petitioners and respondents must use this form whenever they file private financial documents with the court. Keep a blank copy of this form in case you need to file more financial documents later. You may attach one form to a stack of documents.

1. **Caption.** Fill in the caption.
2. **Check the boxes next to each type of paper that you are filing.** The instructions to the child support worksheets tell you which documents you need to file if you are submitting child support worksheets.
3. If you are afraid for your safety or the safety of the children, you may block out information that identifies location on the copies that you file with the court and deliver to the other parties.
4. The person submitting the form should sign under “submitted by.”
5. At the top of the first page of each set of financial papers, about one inch from the top of the paper, write “Sealed.”

E. Instructions for the Confidential Information Form and Addendum – WPF DRPSCU 09.0200 & 09.0210

In family law cases, you must give the court information about your address and telephone number, your social security number, date of birth, driver’s license, and the name and address of your employer, as well as certain information about the other people involved in the case.¹⁰

Complete this form. File it with the court clerk. Keep a copy for yourself. **Don’t serve the Confidential Information Form and Addendum upon the other parties.**

The Confidential Information Form is normally not available to the other parties or the other parties’ attorneys. However, note: the form could be provided to DCS (Division of Child Support) and to other divisions of DSHS (Washington State Department of Social and Health Services). Under some circumstances, they may release information in this form to another party. In addition, another party could get access to the Confidential Information Form by following certain court procedures.

◆ Update the court by filing a new Confidential Information Form when your address changes, even after your case is finished. If you don’t, legal papers may be sent to you at your old address and orders may be entered against you without actual notice to you.¹¹

1. Write in the county where the case is filed and the case number. If you have no case number yet, write in the case number when the clerk gives it to you.
2. Check the first box (*divorce/separation...nonparental custody/paternity/modification...*). If you’re updating a form you filed earlier in the same case number, check the box “Information Change.”
3. If restraining orders or protection orders are in place, check the related boxes on the form. Show who is protected. If they go into effect later, file a revised and updated form.
4. If you believe the safety of an adult or child would be in danger by giving out address information, even if you don’t have a restraining order or a protection order, check the box “[t]he health, safety, or liberty...” Explain the risk of harm.
5. The law requires a residential address on page 2 of the Confidential Information Form. If you’re afraid to give your residential address, try to give an alternate address and see if the court clerk will accept it. If the court clerk won’t accept your Confidential Information Form, talk with an attorney, your local domestic violence program, or call CLEAR at 1-888-201-1014.
6. Write in the information requested on the form concerning the petitioner and

¹⁰ [RCW 26.23.050\(5\)\(l\) & \(7\); GR 22\(g\) & \(h\).](#)

¹¹ [RCW 26.23.055\(2\) & \(3\).](#)

- respondents and the child/ren. Fill in the information about yourself, including your driver's license number and social security number (if you have one). If you're filing this form as part of a nonparental custody case, list the other adults in petitioner's household on page 2 in the place indicated.
7. Fill out the information requested about the adults the child/ren have lived with in the last 5 years (and the current address of each of those adults), and the names and current addresses of people besides petitioners and respondents who have custody or who claim rights to custody or visitation with the children.
 8. If there is any information you don't have, explain why you couldn't provide it in the space after "This information is unavailable because..." right above the signature line.
 9. If there are more than 2 children in your case, or there is more than one petitioner or more than one respondent, write the information about those children or parties in the Addendum. Check the box near the bottom of the second page of the Confidential Information form next to "Addendum to Confidential Information Form Attached."
 10. Sign and date the form and write in the place it was signed.

◆ If you're afraid to fill in any of the information requested in this form, talk with an attorney about what to do.

F. Instructions for the Petition for Modification of Child Support – WPF DRPSCU 06.0100

This form starts your child support modification case, and tells the court and the other parent what you're asking the court to do. You must fill this form out completely. If the other parent doesn't respond to the petition, you may be able to complete your support modification by default (that is, you get what you asked for after only a short hearing). However, you can't get any relief in a default final order that you didn't ask for in your petition and/or the papers that you serve on the other parent at the beginning of the case. In this form, state your legal basis for your request for modification. Mark every one that could apply.

Caption. Fill in the caption as explained in the General Instructions.

Section I. Basis. Write your name in the blank. You're the "requesting party."

Paragraph 1.1. Place of Residence.

To determine whether you're the petitioner or respondent, look at the caption. If there are two respondents (as in some paternity cases, where the caption shows the State as the petitioner), mark out the word petitioner and respondent and write in "mother" and/or "father." Fill in the county and state where you, the other parent, and the children live.

Paragraph 1.2. Jurisdiction over Parents.

Check the first box if your existing Order of Child Support was entered in Washington.

Check the second box if you and the other parent both live in Washington.

Check “other” if there’s another reason why Washington has jurisdiction to modify your support order.

Note: talk with an attorney if you can’t check the first box. This packet covers modification of Washington State orders only.

Paragraph 1.3. Most Recent Support Order.

In the first sentence, fill in the county and state where your existing Order of Child Support was entered, and what date it was entered.

In the second sentence, write the name of the paying parent (under the order that is being modified), and the total transfer payment.

Then, list the names of the children for whom support was ordered under that Order of Child Support.

Paragraph 1.4. Reasons for Modifying Child Support.

Check every box that applies to your case.

If you mark a box closest to the left-hand side of the paper, you must also fill in any blanks and mark any boxes that are indented under that paragraph that apply to your case. Example: if you check the box saying that *The previous order was entered more than one year ago and*, also check at least one of the boxes that are indented underneath that statement. For instance, you could check the box next to *the order works a severe economic hardship*. Note: your child has changed age categories if s/he’s turned age twelve since the last order was entered.

If less than one year has passed since the existing order was entered, or you haven’t checked any of the other reasons for modification in this paragraph, you must check the box next to *the substantial change of circumstances* paragraph. Then, briefly write a sentence or two about what has changed that creates the need to change the child support. (Example: *Mother became disabled by illness and is no longer able to work.*)

Paragraph 1.5. Starting Date of Modified Order.

If you want the child support amount to be changed as of the date that you file your Petition (rather than a later date, such as the date the court signs your final orders), check the second box. Otherwise, check the first box.

If you check the second box, you should probably also check either the repayment or underpayment box under “Relief Requested” on your Petition form, as is appropriate for you.

Section II. Relief Requested. This is where you tell the court what you want the court to do in this case. Check the first box, “asking the court to order child support based on the Washington statutes” and every other box after that which applies to your case. If you check the box asking the court to award the income tax exemption for the children, write in who should get to claim the exemption. If you check a box with a blank for the child’s name, fill in the name(s) of the affected child/ren.

If you want the court to order something that’s not listed on the form under *Relief Requested*, check the box next to *Other*. Write what you want in the blank. Other relief you may request includes a judgment for back support and interest owed to you, or a judgment for reimbursement of uninsured medical costs owed to you. Be as specific as possible. Example: *Enter a Judgment*

of \$5,526 for unpaid support and interest owed from 1/1/97 through 12/31/00. If you've written in other requests, go back to the "other" paragraph in the "Basis" section of the Petition (Paragraph 1.6). Explain the reasons for making the additional requests.

Signature. Sign and date the petition in both places at the end of the form. Just before the second place for signature, fill in the city and state where you signed the form.

**G. Sealed Personal Health Care Records (Cover Sheet) – WPF
DRPSCU 09.0260**

Unless you learn that a local procedure requires otherwise, use this form whenever you file any papers with the court that mention health care of any kind -- mental health care, physical health care, health insurance, or medical bills -- to make sure the records aren't available to the public. Use this cover sheet on any records or correspondence containing information that relates to the past, present, or future physical or mental health condition of an individual, including past, present or future payments for health care.

Some of the papers that should be filed with this cover sheet are:

- medical and mental health records and bills
- letters or declarations from doctors and counselors
- medical bills & statements of medical coverage (or denial)
- cost estimates for medical care
- social security and L&I and other disability program letters and records
- medical evaluations
- medical insurance records
- dental records
- records of alternative health care practitioners such as massage therapists, acupuncturists or chiropractors
- genetic parentage testing.

Put this cover sheet on declarations that mention medical or mental health conditions.

Keep a blank copy of this form in case you need to file more health care records later.

Attach the confidential personal health care records to this form.

Fill out the caption.

Check the boxes next to each type of paper that you're filing. Usually this will be only the box before "relates to the past, present, or future..."

H. Instructions for Summons for Modification of Child Support - WPF DRPSCU 06.0200

This form tells the court and the other parent that you've started a child support modification. If you don't file this form and serve copies on the other parties, the court can dismiss your case.

Caption. Fill in the caption. After *To*: print the name of the other parent and each of the other parties, if any (such as the State of Washington) in the space.

Signature. Sign and date the form.

In the left-hand column below the signature, write in the name and address of the courthouse where you're filing the support modification.

Note: King County has two different superior courts. Fill in the Seattle courthouse if your case number has an SEA, Kent if your case has KNT. If you're not sure in which courthouse to file your case, call the court clerk's office.

In the right-hand column, check the box next to "requesting party." Neatly write or type your name and address.

◆ If you write your home address on this form, it'll be available to the other parties in your case, and will be in the public court record. If you're afraid to give out your home address, use a P.O. Box or an address of a friend or relative who's stable in his or her residence and will get mail to you quickly. Or try to get a safe address from your local domestic violence program or shelter.

◆ If the mailing address you use in the summons later changes, prepare a notice called "change of mailing address." Write your case caption and case number on the top of the page, as with other papers you've prepared. Under the case number, write "Clerk's Action Requested." In the body of the page, explain that your address for service of papers and notices in this case is changing, and state the new address the court and other parties should use. File this notice with the court and provide a copy to the other parties.

I. Civil Case Cover Sheet

Some local courts have their own forms. Check with the clerk.

Skip Case Type 2. Under the words "Case Types 3-6," write the county where you're filing.

Write in the case number when the clerk assigns one.

Write in the Title of the case from your Petition.

In the first column, under "Domestic Relations," check "Modification: Support Only (MDS 3).

J. Declaration re: Service Members Civil Relief Act – WPF All Cases 01.0200

This declaration states whether or not you believe another party is a member on active duty in the military¹² or the dependent of a service member who's a resident of Washington on active duty and a National Guard member or a Reservist. Dependents are usually spouses or minor children, although they may also be people for whom the service member provided most of the support for the last six months.¹³

When you prepare the papers to begin your case, fill out a separate declaration for each respondent or nonmoving/nonrequesting party.

It's your job to try to find out whether or not the other party is on active duty in the military, or is a protected dependent.¹⁴

- Check the following website: <https://www.dmdc.osd.mil/scra/owa/home> or
- Contact the Defense Manpower Data Center, 1600 Wilson Blvd., Suite 400, Attn: Military Verification, Arlington, VA 22209-2593; Telephone (703) 696-6762 or 5790, fax (703) 696-4156. (If you mail a request for information, include a stamped, self-addressed return envelope.)

To try to make sure the other party is not a dependent of a service member, have the Notice re: Dependent of a Person in Military Service form served with the other papers that begin your case. That form is also in this packet.

Write your name on the first line before "Declare."

Paragraph 1. Service member status.

Paragraph 1 A.

Fill in the other party's name in the blank.

Check the box(es) next to the item(s) that shows his/her service member status.

Paragraph 1 B, after Factual Basis

¹²Service members who are protected by the federal Service Members Civil Relief Act, 50 U.S.C. App. Sections 501 *et seq.* include all members on Federal active duty, including regular members of the Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard); Reserve, National Guard and Air National Guard personnel who have been activated and are on Federal active duty (whether as volunteers or as a result of involuntary activation); inductees serving with the armed forces; Public Health Service and National Oceanic and Atmospheric Administration Officers detailed for duty with the armed forces; persons who are training or studying under the supervision of the United States preliminary to induction; and National Guard and Air National Guard personnel on duty for training or other duty authorized by 32 U.S.C. §502(f) at the request of the President, for or in support of an operation during a war or national emergency declared by the President or Congress. *U.S. Coast Guard Legal Assistance Service Members Civil Relief Act Guide* at http://www.uscg.mil/legal/la/topics/sscra/sscra_guide.htm#coverage. For Washington State's Service Members Civil Relief Act, see [RCW 38.42.010](#) *et seq.*

¹³[RCW 38.42.010](#)

¹⁴The Service Members Civil Relief Act, [RCW Ch. 38.42](#) (state law), and the Service Members Civil Relief Act of March 4, 1918, as amended, [50 U.S.C. App., 501 et seq.](#) (federal law) provide special protection for members of the military, including National Guard and Reservists, who are on active duty, and their dependents. If the other party's on active duty or is the dependent of someone on active duty, consult an attorney for more information about these special rights. The court's likely to appoint an attorney to represent the other party and may stay (delay or stop) your case until the other party comes back from active duty.

If you checked the website <https://www.dmdc.osd.mil/scra/owa/home> and the site reported the other party's military status, check the first box. Staple the report you received to this form.

If you have another factual basis for your answer in Paragraph 1 A, check the second box. Write in what you know about whether the other party is in the military and whether they're on active duty. Describe all the efforts you made to find out about the other party's military status and the results of each effort. Example: describe contacts with the other party's friends, family, and employers. If you contacted the Defense Manpower Data Center by fax or mail, explain that contact. Attach any certificate about military service you received in reply.

Paragraph 1 C. If the other party is on active duty, check the box at the beginning of 1 C and the box(es) under it that apply. If you check the last item, you must check the appropriate box in the text of that item.

Paragraph 2 Dependent of a Service Member Status:

Paragraph 2A. Write the other party's name in the first line. Check the box below that applies.

Paragraph 2 B. Factual Basis:

- If you had a Notice re: Dependent of a Person in Military Service mailed to the other party at least 23 days ago (or served more than 20 days ago), and s/he didn't respond to it, check the box next to "the nonmoving party failed to respond to a notice." Check the box that applies. Fill in the date requested. Otherwise, skip that box.
- If you have another factual basis for your answer in Paragraph 2 A, check the second box and explain.

Paragraph 2 C. If the other party is a dependent of a resident of Washington who's on active duty and is a national guard member or a Reservist, check the box at the beginning of 2 C, and the box(es) under it that apply. If you check the last item, you must check the appropriate box in the text of that item.

Sign your name on the signature line at the end of the declaration. Fill in the city, state and date of your signature. Print your name on the line below your signature.

◆ If another party is covered by the service members civil relief acts and is willing to give up his/her rights under those acts, s/he may be willing to sign the waiver form in the section on the military later in this packet.

K. Instructions for Notice re: Dependent of a Person in Military Service - WPF DRPSCU 01.0185

Certain members of the military¹⁵ and certain service member dependents (usually spouses or minor children or people who have received most of their recent support from the service member) can receive special protections under the law. This form tells military dependents that if

¹⁵ See footnote elsewhere in this packet for members of the military who are protected.

they don't report their dependent status to you within 20 days, they risk having you and the court presume they're not a military dependent if you apply for an order of default. This form is "optional," but we recommend that you have this notice served on each respondent/nonmoving party with the Summons and Petition, even if you believe the respondent/nonmoving party has no connection all to the military.¹⁶

Fill in the caption.

Sign and date the form at the bottom of the page. Print or type your name in the space indicated.

¹⁶ In some circumstances, the law allows for mailing of this notice separately, but this packet doesn't explain how to do that.

Section 9: Filing and Serving Your Petition for Modification of Child Support

A. Filing your Petition

You may file your petition before or after you serve it. If you're filing this petition in a different county from the county that entered your previous order, try to file the petition first, so that your papers will have the correct case number.

- Make one copy of every paper**, including the financial documents. You'll need more copies later. Make those copies after you've filed your petition, so they show the filing date.
- Make two full sets of your papers (one set of originals and one set of copies)**. Compare each set with the checklist of forms near the beginning of this packet to make sure you have all of the forms.
- Take the originals and the copies to the county court clerk's office** in the superior courthouse where you're filing your petition. (If you don't live in that county, ask a friend in that county to file the case for you, or call the clerk's office for information about filing your petition by mail. Note: you must file your petition in person if you're asking the court to waive your filing fee with a Motion for an IFP.) Give the clerk the original copies of the Summons, Petition, Financial Declaration, Sealed Financial Source Documents form (and the attached financial papers), Child Support Worksheets, Civil Case Cover Sheet, Confidential Information form, Declaration re: Service Member's Civil Relief Act, Notice re: Dependent of Person in Military Service, declarations (if any), and, if your previous Order of Child Support was entered in a different county, a copy of the Order of Child Support and child support worksheets from the other county. You may have additional forms. Also be prepared to pay the clerk the filing fee or give the clerk your IFP order. If you don't have an IFP order, the filing fee will be from \$56 - \$250.
- Ask the clerk to stamp your copies** to show the date that you filed the originals. Take the stamped copies back from the clerk. The clerk will keep the originals. In some counties, the clerk will give you a case scheduling order that will tell you important dates you'll need to know for your case, including your trial date.

B. Instructions for serving the Petition and filling out the Return of Service

In addition to filing your papers, **you** must have them properly served on (delivered to) the other parties. **The court doesn't serve the other parties.** You must arrange for service and make sure your server delivers the papers properly. **You can't serve the papers on another party yourself.** The following paragraphs explain the rules for service. **Carefully follow the rules. If you don't do service properly, your court orders could be set aside, even years later.**

1. Finding Out the Other Parent's Address

If you don't know the other parent's address, try to get it from DCS or from your court file.

DCS Address Disclosure. DCS records, including the other parent's address and workplace, are confidential. However, DCS has a process through which a parent may request the address of the other parent in order to modify support.¹⁷ If you want to ask DCS for the other parent's address, call your DCS officer or go to the DCS website (<http://www.dshs.wa.gov/pdf/esa/dcs/18-176A.pdf>) and ask for an Address Disclosure Request form. Fill out the form and get it notarized. (Notaries are often available at local banks.)

After you send the address disclosure request form to DCS, DCS will decide whether to withhold the address, or to give the other parent notice of your request and a chance to object, or to release the address to you outright. DCS rules¹⁸ for disclosure state when they'll release or withhold the address, when they notify the other parent of the address request, and when a party may appeal their decision.

Court File. Check your court file to find the last address the other parent gave to the court on the Order of Child Support. You may be able to serve the other party at the address last written on the Order of Child Support or the Confidential Information Form, if you can show that you made "diligent efforts" to find the other party.¹⁹ Both parties are required to update their addresses on the Confidential Information Form, so you might try to file a motion for access to the sealed form to try to get the most recent address on that form. This packet doesn't tell you how to do that. Talk with an attorney, your local Family Law Facilitator, or court clerk's office.

2. Serving Your Summons and Petition for Modification of Child Support

Copy and Organize Your Papers. Make one copy of every paper (including the orders) for each of the other parties. Usually the other parent is the only party, but sometimes there are other parties. If the child has received public assistance (TANF) or Medicaid, or if the child is in foster care or out of home placement, you must include the State of Washington as a party. (If you have any questions about who to include as a party, consult an attorney.) Make an extra copy of the summons to attach to the Return of Service.

Make a set of the papers for each of the other parties. Compare it to your checklist to make sure everything's included. **(Don't give the other parties the Return of Service or the Confidential Information Form.)**

Keep a full set of copies for yourself. Put the Confidential Information Sheet in this set.

Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address. You'll use these sets for service.

How to serve. If your previous Order of Child Support was entered in Washington, you may start a petition for support modification by having the papers served on the other parties by

¹⁷ Washington Administrative Code ([WAC](#)) 388-14A-2110.

¹⁸ See Washington Administrative Code ([WAC](#)) 388-14A 2107 and following sections for DCS disclosure rules and procedures.

¹⁹ [RCW 26.23.055\(3\)](#).

certified mail.²⁰ Don't get an order allowing service by mail. You don't need to have the other parent personally served with the petition and other papers, although you may arrange for personal service if you wish.

Don't serve the papers yourself. When you serve another party, you can't be the one who mails or delivers the legal papers to the other party. You must get a friend or relative, age 18 or older, who'll mail or personally serve the papers for you, and who'll be willing to sign the Return of Service.

Service by Mail: Have a friend or relative mail the papers by Certified Mail, Return Receipt Requested. The person who's serving the papers for you must go to the post office. Ask that person to send the other parties' packets of forms by certified mail, return receipt requested. You can pay for the postage, but don't mail the forms yourself. Have the person who mailed the packets complete and sign the Return of Service.

Personal Service: If you prefer, your server may personally serve the other party/parties. **It's very important to carefully follow the rules when you're having the other parties personally served.** If you don't serve the other parties properly, then your court orders could be set aside even years later.

3. Instructions for personal service in Washington

- **You must properly follow the rules when you're having the other parties personally served. Don't serve the documents on the other parties yourself.** Find a person who is over age 18 to serve the papers for you.
- **Consider hiring a professional process server.** If you can afford it, think about hiring a professional process server or the sheriff to serve the papers for you. It usually costs \$30-\$80. Using a professional process server may be best because the sheriff may not be willing to try more than once to serve the other party who may not be at home when the sheriff tries to serve him/her. Process servers are listed in the yellow pages of the telephone book.
- **Ask an adult friend to be your process server.** If you can't afford a process server or the sheriff, any adult over age 18, who is not a party in the case and who has no mental disability making that person incompetent, may serve the papers for you. That person must understand how important it's to serve the papers and fill out the return of service form correctly. If you don't serve the other parties properly, then your court orders could be set aside, even years later.

Give your server (the sheriff, a process server, or the adult friend who has agreed to serve the papers for you) the envelope of papers you prepared for service on the other party, together with the other party's home and work address, a physical description of the other party, and any other information that'll help the server locate the other party for service.

Give your server a Return of Service form to fill out and return to you once service is complete. (Some process servers have their own Return of Service form that they'll fill out and give to you instead.)

- **If possible, your server should hand the papers directly to each party.** Your server may

²⁰ [RCW 26.09.175\(2\)](#).

hand the papers to each party at home, work, or anywhere else that s/he can be found. **If the State of Washington is a party, see our packet [Serving Papers on the State](#).**

- **If the other party isn't home, your process server may do "abode service" at the home. The server may give the papers at the other party's home to any adult (who's not mentally disabled) who lives in that home with the other party.** If your server does this, your server should ask that person for his/her name and age, whether s/he lives at that address, and whether the other party also lives at that address. Your server should write this information on the Return of Service form. (See instructions for this form, below.).

4. Filling Out the Return of Service - WPF DRPSCU 01.0250

Make copies of the blank Return of Service if there's more than one other party to the case.

◆ If you have a party personally served with the Summons and Petition in another state, Also get the form Declaration Regarding Personal Service Outside the State of Washington. This form and instructions for it are in the packet [Filing for Dissolution of Marriage \(Divorce\)](#).

Caption. Complete the caption.

Paragraph 2.

Print or type in the blank the name of the other parent, or the party who's being served. Have your witness fill out a separate Return of Service for each party to whom you're sending the papers.

Check the box next to each form that you're serving on the other party. This should include the Summons, Petition, Proposed Child Support Worksheets, Civil Case Cover Sheet, Financial Declaration, Notice re: Dependent, Sealed Financial Source Documents Cover Sheet and financial documents, Declaration re: Service Members Civil Relief Act, and any other forms you're using, or that are required by your local court procedures.

If you're serving the other party with any forms that aren't listed on the form, check the box next to "Other," write in the titles of each of the other legal papers that you're sending to the other party. Example: if the clerk gave you a case scheduling order, write the title of it in the blank.

If you're serving a certain form, such as a declaration, you also need to fill in the blank to complete the title of the form.

Make sure every form served is listed. Otherwise you'll have no proof it was served.

Paragraph 3.

You don't need to personally serve this petition, because you're modifying a Washington State court order. However, if you decide to have the papers personally served anyway, have your server fill out this section with the address where the papers were delivered, and the date and time they were delivered. If you're serving the petition by certified mail, write the date and time the papers were mailed, and the name and address of the other party, in the blanks.

Paragraph 4.

If the other party is served personally, check the first box. If the server did abode service, check the second box. Then fill in the name of the person to whom the papers were given.

If you served by certified mail, skip this paragraph. Provide your details of the mailing in the “other” paragraph.

Paragraph 5.

If your server included the Notice re: Dependent of a Member of a Person in Military Service form in the packet of papers served upon the other party (and we recommend that it be included) check the first box in this paragraph and the first box in the middle of the sentence, and fill in the date of service at the end of the paragraph.²¹

Paragraph 6. Other.

Because you’re modifying a Washington state child support court order, you can serve the other party by certified mail (return receipt requested), which is usually easier than personal service. Note: you don’t need a court order to serve by mail your petition to modify a Washington child support court order.²²

If the other party was served by certified mail, write in the blank next to Paragraph 6: **“Service was made pursuant to RCW 26.09.175(2), by mailing one copy, postage prepaid by certified mail, return receipt requested, to the person at the date, time and address set forth in Paragraph 3 above.”**

Signature of Server.

The person who sends the legal papers by certified mail, or who personally served the other party, must sign, date and put the place s/he signed the form. Attach a copy of the Summons to the Return of Service.

File the Return of Service with the Court Clerk.

Gather your original Return of Service forms. If you served a party by certified mail, wait until you receive that party’s return receipts, and attach it to the Return of Service form you completed for that party.²³ You should have a Return of Service for each party to the case (the other parent, plus anyone else who’s a party – such as the prosecuting attorney if your children have received public assistance). Make one copy of each original. Take the originals and the copies to the court clerk’s office where you filed for child support modification. Give the originals to the clerk, and ask the clerk to stamp the date you filed the originals on your copies. Keep the copies in a safe place.

If you find out after you’ve served the other parties that one or more other parties agree with your petition and worksheets, follow the instructions for finishing your case by agreement in the packet [*Finishing a Modification of Your Child Support Order*](#). You may also want to ask if the

²¹ The law allows for service of this notice later by mail, but we don’t have instructions for later service, or for proving that the notice was mailed.

²² [RCW 26.09.175\(2\)](#).

²³ What if the Certified Mail is Returned or Refused? If the certified envelope is returned or refused, make a copy of the envelope so that the court can see any notes from the post office and the cancelled stamp. Attach the copy to your Return of Service, and file the Return of Service. For support modification cases, service by mail is effective even if the other party doesn’t sign the return receipt. *In re Marriage of McLean*, 132 Wn.2d 301, 937 P.2d 602 (1997).

other party is willing to sign a Joinder form (next form, below). Otherwise, you're now finished filing your child support modification.

You must wait for the other parties to file a Response before you may have a trial by affidavit. The other parties will have 20 days to answer if they are served in Washington, and 60 days to answer if they are served outside of Washington. For information about how to finish your child support modification, get our packet called [*Finishing a Modification of Your Child Support Order*](#).

Section 10: Instructions for Filling out a Joinder Form if the Other Party Agrees with You

If the nonrequesting party agrees with **all** the requests in the Petition and related forms referred to in the petition, ask if s/he'll agree to sign a form called a *Joinder*. You can't force him/her to sign this form.

1. **Caption.** Fill in the caption.
2. **Paragraph 2.** The other party should check the box he or she prefers, and, if s/he requests notice, write his/her address on the blank lines.
3. **Signature.** If s/he agrees, the other party should sign and date the form.
4. **File the Joinder Form, if the nonrequesting party's signed it.** Follow the directions for filing original court papers with the clerk of court and making conformed copies. Keep a conformed copy for yourself and give one to the other party.

See the packet [*Finishing a Modification of Your Child Support Order*](#) for information on completing your case by agreement.

Section 11: If the Other Party is a Member of the Military Service on Active Duty or the Dependent of an Active Duty Service Member

If the other party is, or may soon be, on active duty in the military²⁴, or is the protected dependent²⁵ of a service member, when you serve him/her with your court papers, include a copy of the *Waiver of Rights Under Service Members Civil Relief Act and Admission of Service* form. If the other party is willing to give up protections under these laws, s/he must sign the form and either return it to you or file it with the court. **If s/he won't agree to do this, see a lawyer.** There are special rules for members of the military or their dependents. Those rules limit the court's ability to make orders adversely affecting the rights of the service member or his/her protected dependent.

Ways to try to find out if another party is on active duty include

1. checking the following website: <https://www.dmdc.osd.mil/scra/owa/home>

or

2. contacting:

Defense Manpower Data Center
1600 Wilson Blvd., Suite 400
Attn: Military Verification
Arlington, VA 22209-2593
Telephone (703) 696-6762 or 5790
Fax (703) 696-4156

(If you mail a request for information, include a stamped, self-addressed return envelope.)

A. Instructions for the Waiver of Rights Under Service Members Civil Relief Act form

Caption. Fill in the Caption.

²⁴ The Service Members Civil Relief Act of March 4, 1918, as amended, 50 U.S.C. App., 501 et.seq. protects service members including:

All members on Federal active duty, including regular members of the Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard); Reserve, National Guard and Air National Guard personnel who have been activated and are on Federal active duty (whether as volunteers or as a result of involuntary activation); inductees serving with the armed forces; Public Health Service and National Oceanic and Atmospheric Administration Officers detailed for duty with the armed forces; persons who are training or studying under the supervision of the United States preliminary to induction; and National Guard and Air National Guard personnel on duty for training or other duty authorized by 32 U.S.C. §502(f) at the request of the President, for or in support of an operation during a war or national emergency declared by the President or Congress. *U.S. Coast Guard Legal Assistance Servicemembers Civil Relief Act Guide* at http://www.uscg.mil/legal/la/topics/ssera/sscra_guide.htm#coverage. For Washington State's Service Members Civil Relief Act, see [RCW 38.42.010](#) et seq.

²⁵ Dependents are usually the spouse or minor child or a person who received more than half his/her support in the last six months from a resident of Washington who is on active duty and is a national guard member or a reservist. [RCW 38.42.010](#).

In the first blank, write the other party's full name.

Talk with the other party or write a letter about the form. Include the form with the court papers when you serve the other party. Call or write the other party to ask him/her to fill out the rest of the form with the date that s/he was served with the summons and petition, the service member's name, rank, serial number and unit. If s/he is willing to sign this form, the other party should do so in front of a notary public. S/he can either return the form to you for you to file, or file the form with the clerk's office. The clerk can give you a copy.

◆ **Finding a Notary:** Often, your local bank has a notary. If you have a bank account there, the bank will sometimes provide the notary service for free. Or, look up notary public in the yellow pages of your telephone book.

B. File the Waiver form

If and when you receive the form back from the other party, file it with the clerk's office as soon as possible. Keep a copy for yourself. Ask the clerk to stamp your copy to show the date that the form was filed.

Section 12: Blank Forms

The rest of this packet contains blank forms for you to complete. Make a copy of each form so that you have an extra in case your first draft needs lots of changes. You may need forms from other packets, and you may not need all the forms in this packet.

WASHINGTON STATE CHILD SUPPORT SCHEDULE

Including:

- Definitions and Standards
- Instructions
- Economic Table
- Worksheets

Effective Dates:

Definitions & Standards	June 12, 2008
Instructions	June 12, 2008
Economic Table	September 1, 2000
Worksheets	June 12, 2008
Worksheets – RDP	June 12, 2008



**WASHINGTON
COURTS**
ADMINISTRATIVE OFFICE OF THE COURTS

Order forms--voice mail telephone number **(360) 705-5328**
Internet--download forms: <http://www.courts.wa.gov/>
Questions about the Instructions or Worksheets? Contact: Merrie Gough
Tel. (360) 357-2128 Fax (360) 357-2127
E-mail merrie.gough@courts.wa.gov or webmaster@courts.wa.gov

Child Support Hotline, State DSHS, 1 (800) 442-KIDS

WASHINGTON STATE CHILD SUPPORT SCHEDULE

DEFINITIONS AND STANDARDS

DEFINITIONS

Unless the context clearly requires otherwise, these definitions apply to the standards following this section.

Basic child support obligation: means the monthly child support obligation determined from the economic table based on the parties' combined monthly net income and the number of children for whom support is owed.

Child support schedule: means the standards, economic table, worksheets and instructions, as defined in chapter 26.19 RCW.

Court: means a superior court judge, court commissioner and presiding and reviewing officers who administratively determine or enforce child support orders.

Deviation: means a child support amount that differs from the standard calculation.

Economic table: means the child support table for the basic support obligation provided in RCW 26.19.020.

Instructions: means the instructions developed by the Office of the Administrator for the Courts pursuant to RCW 26.19.050 for use in completing the worksheets.

Standards: means the standards for determination of child support as provided in chapter 26.19 RCW.

Standard calculation: means the presumptive amount of child support owed as determined from the child support schedule before the court considers any reasons for deviation.

Support transfer payment: means the amount of money the court orders one parent to pay to another parent or custodian for child support after determination of the standard calculation and deviations. If certain expenses or credits are expected to fluctuate and the order states a formula or percentage to determine the additional amount or credit on an ongoing basis, the term "support transfer payment" does not mean the additional amount or credit.

Worksheets: means the forms developed by the Office of the Administrator for the Courts pursuant to RCW 26.19.050 for use in determining the amount of child support.

APPLICATION STANDARDS

1. Application of the support schedule: The child support schedule shall be applied:
 - a. in each county of the state;
 - b. in judicial and administrative proceedings under titles 13, 26 and 74 RCW;
 - c. in all proceedings in which child support is determined or modified;
 - d. in setting temporary and permanent support;
 - e. in automatic modification provisions or decrees entered pursuant to RCW 26.09.100; and
 - f. in addition to proceedings in which child support is

determined for minors, to adult children who are dependent on their parents and for whom support is ordered pursuant to RCW 26.09.100.

The provisions of RCW 26.19 for determining child support and reasons for deviation from the standard calculation shall be applied in the same manner by the court, presiding officers and reviewing officers.

2. Written findings of fact supported by the evidence: An order for child support shall be supported by written findings of fact upon which the support determination is based and shall include reasons for any deviation from the standard calculation and reasons for denial of a party's request for deviation from the standard calculation. RCW 26.19.035(2).
 3. Completion of worksheets: Worksheets in the form developed by the Office of the Administrator for the Courts shall be completed under penalty of perjury and filed in every proceeding in which child support is determined. The court shall not accept incomplete worksheets or worksheets that vary from the worksheets developed by the Office of the Administrator for the Courts.
 4. Court review of the worksheets and order: The court shall review the worksheets and the order setting child support for the adequacy of the reasons set forth for any deviation or denial of any request for deviation and for the adequacy of the amount of support ordered. Each order shall state the amount of child support calculated using the standard calculation and the amount of child support actually ordered. Worksheets shall be attached to the decree or order or if filed separately, shall be initialed or signed by the judge and filed with the order.
- ### INCOME STANDARDS
1. Consideration of all income: All income and resources of each parent's household shall be disclosed and considered by the court when the court determines the child support obligation of each parent. Only the income of the parents of the children whose support is at issue shall be calculated for purposes of calculating the basic support obligation. Income and resources of any other person shall not be included in calculating the basic support obligation.
 2. Verification of income: Tax returns for the preceding two years and current paystubs shall be provided to verify income and deductions. Other sufficient verification shall be required for income and deductions which do not appear on tax returns or paystubs.
 3. Income sources included in gross monthly income: Monthly gross income shall include income from any source, including: salaries; wages; commissions; deferred compensation; overtime; contract-related benefits; income from second jobs; dividends; interest; trust income; severance pay; annuities; capital gains; pension retirement benefits; workers' compensation; unemployment benefits; maintenance actually received; bonuses; social security benefits and disability insurance benefits.

Veterans' disability pensions: Veterans' disability pensions or regular compensation for disability incurred in or aggravated by service in the United States armed forces paid by the Veterans' Administration shall be disclosed to the court. The court may consider either type of compensation as disposable income for purposes of calculating the child support obligation.

4. Income sources excluded from gross monthly income: The following income and resources shall be disclosed but shall not be included in gross income: income of a new spouse or domestic partner or income of other adults in the household; child support received from other relationships; gifts and prizes; temporary assistance for needy families; Supplemental Security Income; general assistance and food stamps. Receipt of income and resources from temporary assistance for needy families, Supplemental Security Income, general assistance and food stamps shall not be a reason to deviate from the standard calculation.

VA aid and attendant care: Aid and attendant care payments to prevent hospitalization paid by the Veterans Administration solely to provide physical home care for a disabled veteran, and special compensation paid under 38 U.S.C. Sec. 314(k) through (r) to provide either special care or special aids, or both to assist with routine daily functions shall be disclosed. The court may not include either aid or attendant care or special medical compensation payments in gross income for purposes of calculating the child support obligation or for purposes of deviating from the standard calculation.

Other aid and attendant care: Payments from any source, other than veterans' aid and attendance allowance or special medical compensation paid under 38 U.S.C. Sec. 314(k) through (r) for services provided by an attendant in case of a disability when the disability necessitates the hiring of the services or an attendant shall be disclosed but shall not be included in gross income and shall not be a reason to deviate from the standard calculation.

5. Determination of net income: The following expenses shall be disclosed and deducted from gross monthly income to calculate net monthly income: federal and state income taxes (see the following paragraph); federal insurance contributions act deductions (FICA); mandatory pension plan payments; mandatory union or professional dues; state industrial insurance premiums; court-ordered maintenance to the extent actually paid; up to two thousand dollars per year in voluntary pension payments actually made if the contributions were made for the two tax years preceding the earlier of the tax year in which the parties separated with intent to live separate and apart or the tax year in which the parties filed for dissolution; and normal business expenses and self-employment taxes for self-employed persons. Justification shall be required for any business expense deduction about which there is a disagreement. Items deducted from gross income shall not be a reason to deviate from the standard calculation.

Allocation of tax exemptions: The parties may agree which parent is entitled to claim the child or children as dependents for federal income tax exemptions. The court may award the exemption or exemptions and order a party to sign the federal income tax dependency exemption waiver. The court may divide the exemptions between the parties, alternate the exemptions between the parties or both.

6. Imputation of income: The court shall impute income to a parent when the parent is voluntarily unemployed or voluntarily underemployed. The court shall determine whether the parent is voluntarily underemployed or voluntarily unemployed based upon that parent's work history, education, health and age or any other relevant factors. A court shall not impute income to a parent who is gainfully employed on a full-time basis, unless the court finds that the parent is voluntarily underemployed and finds that the parent is purposely underemployed to reduce the parent's child support obligation. Income shall not be imputed for an unemployable parent. Income shall not be imputed to a parent to the extent the parent is unemployed or significantly underemployed due to the parent's efforts to comply with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child. In the absence of information to the contrary, a parent's imputed income shall be based on the median income of year-round full-time workers as derived from the United States Bureau of Census, current population reports, or such replacement report as published by the Bureau of Census. (See "Approximate Median Net Monthly Income" chart on page 5.)

ALLOCATION STANDARDS

1. Basic child support: The basic child support obligation derived from the economic table shall be allocated between the parents based on each parent's share of the combined monthly net income.
2. Health care expenses: Ordinary health care expenses are included in the economic table. Monthly health care expenses that exceed 5 percent of the basic support obligation shall be considered extraordinary health care expenses. Extraordinary health care expenses shall be shared by the parents in the same proportion as the basic support obligation.
3. Day care and special child rearing expenses: Day care and special child rearing expenses, such as tuition and long distance transportation costs to and from the parents for visitation purposes, are not included in the economic table. These expenses shall be shared by the parents in the same proportion as the basic child support obligation. RCW 26.19.080
4. The court may exercise its discretion to determine the necessity for and the reasonableness of all amounts ordered in excess of the basic child support obligation.

LIMITATIONS STANDARDS

1. Limit at 45 percent of a parent's net income: Neither parent's total child support obligation may exceed 45 percent of net income except for good cause shown. Good cause includes but is not limited to possession of substantial wealth, children with day care expenses, special medical need, educational need, psychological need and larger families.
2. Income below six hundred dollars: When combined monthly net income is less than six hundred dollars, a support order of not less than twenty-five dollars per child per month shall be entered for each parent unless the obligor parent establishes that it would be unjust or inappropriate to do so in that particular case. The decision whether there is a sufficient basis to go below the

presumptive minimum payment must take into consideration the best interests of the child and circumstances of each parent. Such circumstances can include comparative hardship to the affected households, assets or liabilities, and earning capacity. Basic subsistence limitation: A parent's support obligation shall not reduce his or her net income below the need standard for one person established pursuant to RCW 74.04.770, except for the presumptive minimum payment of twenty-five dollars per child per month or in cases where the court finds reasons for deviation. This section shall not be construed to require monthly substantiation of income. (See the Need Standard for Cash Assistance, for one person (Assistance Unit Size of 1) at <http://apps.leg.wa.gov/WAC/default.aspx?cite=388-478-0015>, or locate WAC 388-478-0015 at <http://apps.leg.wa.gov/wac/>.)

3. Income above five thousand and seven thousand dollars: In general setting support under this paragraph does not constitute a deviation. The economic table is presumptive for combined monthly net incomes up to and including five thousand dollars. When combined monthly net income exceeds five thousand dollars, support shall not be set at an amount lower than the presumptive amount of support set for combined monthly net incomes of five thousand dollars unless the court finds a reason to deviate below that amount. The economic table is advisory but not presumptive for combined monthly net income that exceeds five thousand dollars. When combined monthly net income exceeds seven thousand dollars, the court may set support at an advisory amount of support set for combined monthly net incomes between five thousand and seven thousand dollars or the court may exceed the advisory amount of support for combined monthly net income of seven thousand dollars upon written findings of fact.

DEVIATION STANDARDS

1. Reasons for deviation from the standard calculation include but are not limited to the following:
- a. Sources of income and tax planning: The court may deviate from the standard calculation after consideration of the following:
- i. Income of a new spouse or new domestic partner if the parent who is married to the new spouse or the parent who is in a domestic partnership with the new domestic partner is asking for a deviation based on any other reason. Income of a new spouse or domestic partner is not, by itself, a sufficient reason for deviation;
 - ii. Income of other adults in the household if the parent who is living with the other adult is asking for a deviation based on any other reason. Income of the other adults in the household is not, by itself, a sufficient reason for deviation;
 - iii. Child support actually received from other relationships;
 - iv. Gifts;
 - v. Prizes;
 - vi. Possession of wealth, including but not limited to savings, investments, real estate holdings and business interests, vehicles, boats, pensions, bank accounts, insurance plans or other assets;
 - vii. Extraordinary income of a child; or
 - viii. Tax planning considerations. A deviation for tax planning may be granted only if the child would not receive a lesser economic benefit due to the tax planning.
- b. Nonrecurring income: The court may deviate from the standard calculation based on a finding that a particular source of income included in the calculation of the basic support obligation is not a recurring source of income. Depending on the circumstances, nonrecurring income may include overtime, contract-related benefits, bonuses or income from second jobs. Deviations for nonrecurring income shall be based on a review of the nonrecurring income received in the previous two calendar years.
- c. Debt and high expenses: The court may deviate from the standard calculation after consideration of the following expenses:
- i. Extraordinary debt not voluntarily incurred;
 - ii. A significant disparity in the living costs of the parents due to conditions beyond their control;
 - iii. Special needs of disabled children; or
 - iv. Special medical, educational or psychological needs of the children.
 - v. Costs anticipated to be incurred by the parents in compliance with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child.
- d. Residential schedule: The court may deviate from the standard calculation if the child spends a significant amount of time with the parent who is obligated to make a support transfer payment. The court may not deviate on that basis if the deviation will result in insufficient funds in the household receiving the support to meet the basic needs of the child or if the child is receiving temporary assistance for needy families. When determining the amount of the deviation, the court shall consider evidence concerning the increased expenses to a parent making support transfer payments resulting from the significant amount of time spent with that parent and shall consider the decreased expenses, if any, to the party receiving the support resulting from the significant amount of time the child spends with the parent making the support transfer payment.
- e. Children from other relationships: The court may deviate from the standard calculation when either or both of the parents before the court have children from other relationships to whom the parent owes a duty of support.
- i. The child support schedule shall be applied to the parents and children of the family before the court to determine the presumptive amount of support.
 - ii. Children from other relationships shall not be counted in the number of children for purposes of determining the basic support obligation and the standard calculation.
 - iii. When considering a deviation from the standard calculation for children from other relationships, the court may consider only other children to whom the parent owes a duty of support. The court may consider court-ordered payments of child support for children from other relationships only to the extent that the support is actually paid.

- iv. When the court has determined that either or both parents have children from other relationships, deviations under this section shall be based on consideration of the total circumstances of both households. All child support obligations paid, received and owed for all children shall be disclosed and considered.
2. All income and resources of the parties before the court, new spouses or domestic partners, and other adults in the household shall be disclosed and considered as provided. The presumptive amount of support shall be determined according to the child support schedule. Unless specific reasons for deviation are set forth in the written findings of fact and are supported by the evidence, the court shall order each parent to pay the amount of support determined by using the standard calculation.
 3. The court shall enter findings that specify reasons for any deviation or any denial of a party's request for any deviation from the standard calculation made by the court. The court shall not consider reasons for deviation until the court determines the standard calculation for each parent.
 4. When reasons exist for deviation, the court shall exercise discretion in considering the extent to which the factors would affect the support obligation.
 5. Agreement of the parties is not by itself adequate reason for any deviations from the standard calculations.

POST-SECONDARY EDUCATION STANDARDS

1. The child support schedule shall be advisory and not mandatory for post-secondary educational support.
2. When considering whether to order support for post-secondary educational expenses, the court shall determine whether the child is in fact dependent and is relying upon the parents for the reasonable necessities of life. The court shall exercise its

discretion when determining whether and for how long to award post-secondary educational support based upon consideration of factors that include but are not limited to the following: age of the child; the child's needs; the expectations of the parties for their children when the parents were together; the child's prospects, desires, aptitudes, abilities or disabilities; the nature of the post-secondary education sought and the parent's level of education, standard of living and current and future resources. Also to be considered are the amount and type of support that the child would have been afforded if the parents had stayed together.

3. The child must enroll in an accredited academic or vocational school, must be actively pursuing a course of study commensurate with the child's vocational goals and must be in good academic standing as defined by the institution. The court-ordered post-secondary educational support shall be automatically suspended during the period or periods the child fails to comply with these conditions.
4. The child shall also make available all academic records and grades to both parents as a condition of receiving post-secondary educational support. Each parent shall have full and equal access to the post-secondary education records as provided by statute (RCW 26.09.225).
5. The court shall not order the payment of post-secondary educational expenses beyond the child's twenty-third birthday, except for exceptional circumstances, such as mental, physical or emotional disabilities.
6. The court shall direct that either or both parents' payments for post-secondary educational expenses are made directly to the educational institution if feasible. If direct payments are not feasible, then the court in its discretion may order that either or both parents' payments are made directly to the child if the child does not reside with either parent. If the child resides with one of the parents, the court may direct that the parent making the support transfer payments make the payments to the child or to the parent who has been receiving the support transfer payments.

WASHINGTON STATE CHILD SUPPORT SCHEDULE INSTRUCTIONS FOR WORKSHEETS

Child Support Order Summary Report:

Fill out the Child Support Order Summary Report only if you are also submitting a temporary or a final child support order to be signed by a judge, commissioner or administrative law judge.

Worksheets:

Fill in the names and ages of only those children whose support is at issue.

Approximate Median Net Monthly Income

MALE	age	FEMALE
\$1,363	15-24	\$1,222
\$2,154	25-34	\$1,807
\$2,610	35-44	\$1,957
\$2,846	45-54	\$2,051
\$2,880	55-64	\$1,904
\$2,828	65 +	\$1,940

PART I: BASIC CHILD SUPPORT OBLIGATION

Pursuant to INCOME STANDARD #1: Consideration of all income, “only the income of the parents of the children whose support is at issue shall be calculated for purposes of calculating the basic support obligation.” (See page 1.)

Pursuant to INCOME STANDARD #2: Verification of income, “tax returns for the preceding two years and current paystubs are required for income verification purposes. Other sufficient verification shall be required for income and deductions which do not appear on tax returns or paystubs.” (See page 1.)

GROSS MONTHLY INCOME

Gross monthly income is defined under INCOME STANDARD #3: Income sources included in gross monthly income. (See page 1.)

Income exclusions are defined under INCOME STANDARD #4: Income sources excluded from gross monthly income. (See page 2.) Excluded income must be disclosed and listed in Part VI of the worksheets.

Monthly Average of Income:

- If income varies during the year, divide the annual total of the income by 12.
- If paid weekly, multiply the weekly income by 52 and divide by 12.
- If paid every other week, multiply the two-week income by 26 and divide by 12.
- If paid twice a month (bi-monthly), multiply the bi-monthly income by 24 and divide by 12.

If a parent is unemployed, underemployed or the income of a parent is unknown, refer to “INCOME STANDARD #6: Imputation of income.” (See page 2.)

In the absence of information to the contrary, a parent’s imputed income shall be based on the following table.

U.S. Bureau of the Census, Money Income in the United States: 1998, Current Population Reports, Median Income of People by Selected Characteristics: 1998, Full-Time, Year-Round Workers, Table 7.

[Net income has been determined by subtracting FICA (7.65 percent) and the tax liability for a single person (one withholding allowance).]

LINE 1a, Wages and Salaries: Enter the average monthly total of all salaries, wages, contract-related benefits, income from second jobs and bonuses.

LINE 1b, Interest and Dividend Income: Enter the average monthly total of dividends and interest income.

LINE 1c, Business Income: Enter the average monthly income from self-employment.

LINE 1d, Maintenance Received: Enter the monthly amount of maintenance actually received.

LINE 1e, Other Income: Enter the average monthly total of other income. (Other income includes, but is not limited to: trust income, severance pay, annuities, capital gains, pension retirement benefits, workers compensation, unemployment benefits, social security benefits and disability insurance benefits.)

LINE 1f, Total Gross Monthly Income: Add the monthly income amounts for each parent (lines 1a through 1e) and enter the totals on line 1f.

MONTHLY DEDUCTIONS FROM GROSS INCOME

Allowable monthly deductions from gross income are defined under INCOME STANDARD #5: Determination of net income. (See page 2.)

Monthly Average of Deductions: If a deduction is annual or varies during the year, divide the annual total of the deduction by 12 to determine a monthly amount.

LINE 2a, Income Taxes: Enter the monthly amount actually owed for state and federal income taxes. (The amount of income tax withheld on a paycheck may not be the actual amount of income tax owed due to tax refund, etc. It is appropriate to consider tax returns from prior years as indicating the actual amount of income tax owed if income has not changed.)

LINE 2b, FICA/Self Employment Taxes: Enter the total monthly amount of FICA, Social Security, Medicare and Self-employment taxes owed.

LINE 2c, State Industrial Insurance Deductions: Enter the monthly amount of state industrial insurance deductions.

LINE 2d, Mandatory Union/Professional Dues: Enter the monthly cost of mandatory union or professional dues.

LINE 2e, Pension Plan Payments: Enter the monthly cost of pension plan payments. (For information regarding limitations on the allowable deduction of voluntary pension plan payments, refer to INCOME STANDARD #5: Determination of net income. See page 2.)

LINE 2f, Maintenance Paid: Enter the monthly amount of maintenance actually paid pursuant to a court order.

LINE 2g, Normal Business Expenses: If self-employed, enter the amount of normal business expenses. (Pursuant to INCOME STANDARD #5: Determination of net income, “justification shall be required for any business expense deduction about which there is a disagreement.” See page 2.)

LINE 2h, Total Deductions From Gross Income: Add the monthly deductions for each parent (lines 2a through 2g) and enter the totals on line 2h.

LINE 3, Monthly Net Income: For each parent subtract total deductions (line 2h) from total gross monthly income (line 1f) and enter these amounts on line 3.

LINE 4, Combined Monthly Net Income: Add the parents’ monthly net incomes (line 3) and enter the total on line 4.

If the combined income on line 4 is less than \$600, skip to line 7.

LINE 5, Basic Child Support Obligation: In the work area provided on line 5, enter the basic support obligation amounts determined for each child. Add these amounts together and enter the total in the box on line 5. (To determine a per child basic support obligation, see the following economic table instructions.)

ECONOMIC TABLE INSTRUCTIONS

To use the Economic Table to determine an individual support amount for each child:

- Locate in the left-hand column the combined monthly net income amount closest to the amount entered on line 4 of Worksheet (round up when the combined monthly net income falls halfway between the two amounts in the left-hand column);
- locate on the top row the family size for the number of children for whom child support is being determined (when determining family size for the required worksheets, do not include children from other relationships); and
- circle the two numbers in the columns listed below the family size that are across from the net income amount. The amount in the “A” column is the basic support amount for a child up to age 11. The amount in the “B” column is the basic support amount for a child 12 years of age or older.

LINE 6, Proportional Share of Income: Divide the monthly net income for each parent (line 3) by the combined monthly net income (line 4) and enter these amounts on line 6. (The entries on line 6 when added together should equal 1.00.)

LINE 7, Each Parent’s Basic Child Support Obligation: Multiply the total basic child support obligation (amount in box on line 5) by the income share proportion for each parent (line 6) and enter these amounts on line 7. (The amounts entered on line 7 added together should equal the amount entered on line 5.)

If the combined monthly net income on line 4 is less than \$600, enter on line 7 each parent’s support obligation, which is the presumptive minimum amount of \$25 multiplied by the number of children. Then skip to line 15(a) and enter the same amount.

PART II: HEALTH CARE, DAY CARE, AND SPECIAL CHILD REARING EXPENSES

Pursuant to ALLOCATION STANDARD #4: “the court may exercise its discretion to determine the necessity for and the reasonableness of all amounts ordered in excess of the basic child support obligation.” (See page 2.)

Pursuant to ALLOCATION STANDARD #2: Health care expenses and #3: Day care and special child rearing expenses, extraordinary health care, day care and special child rearing expenses shall be shared by the parents in the same proportion as the basic support obligation. (See page 2.) NOTE: The court order should reflect that extraordinary health care, day care and special child rearing expenses not listed should be apportioned by the same percentage as the basic child support obligation.

Monthly Average of Expenses: If a health care, day care, or special child rearing expense is annual or varies during the year, divide the annual total of the expense by 12 to determine a monthly amount.

HEALTH CARE EXPENSES

LINE 8a, Monthly Health Insurance Premiums Paid For Child(ren): List the monthly amount paid by each parent for health care insurance for the child(ren) of the relationship. (When determining an insurance premium amount, do not include the portion of the premium paid by an employer or other third party and/or the portion of the premium that covers the parent or other household members.)

LINE 8b, Uninsured Monthly Health Care Expenses Paid For Child(ren): List the monthly amount paid by each parent for the child(ren)’s health care expenses not reimbursed by insurance.

LINE 8c, Total Monthly Health Care Expenses: For each parent add the health insurance premium payments (line 8a) to the uninsured health care payments (line 8b) and enter these amounts on line 8c.

LINE 8d, Combined Monthly Health Care Expenses: Add the parents’ total health care payments (line 8c) and enter this amount on line 8d.

LINE 8e, Maximum Ordinary Monthly Health Care: Multiply the basic support obligation (line 5) times .05.

LINE 8f, Extraordinary Monthly Health Care Expenses: Subtract the maximum monthly health care deduction (line 8e) from the combined monthly health care payments (line 8d) and enter this amount on line 8f. (If the resulting answer is “0” or a negative number, enter a “0”.)

DAY CARE AND SPECIAL CHILD REARING EXPENSES

LINE 9a, Day Care Expenses: Enter average monthly day care costs.

LINE 9b, Education Expenses: Enter the average monthly costs of tuition and other related educational expenses.

LINE 9c, Long Distance Transportation Expenses: Enter the average monthly costs of long distance travel incurred pursuant to the residential or visitation schedule.

LINE 9d, Other Special Expenses: Identify any other special expenses and enter the average monthly cost of each.

LINE 9e, Total Day Care and Special Expenses: Add the monthly expenses for each parent (lines 9a through 9d) and enter these totals on line 9e.

LINE 10, Combined Monthly Total of Day Care and Special Expenses: Add the parents’ total expenses (line 9e) and enter this total on line 10.

LINE 11, Total Extraordinary Health Care, Day Care and Special Expenses: Add the extraordinary health care payments (line 8f) to the combined monthly total of day care and special expenses (line 10) and enter this amount on line 11.

LINE 12, Each Parent’s Obligation For Extraordinary Health Care, Day Care And Special Expenses: Multiply the total extraordinary health care, day care, and special expense amount (line 11) by the income proportion for each parent (line 6) and enter these amounts on line 12.

PART III: GROSS CHILD SUPPORT OBLIGATION

LINE 13, Gross Child Support Obligation: For each parent add the basic child support obligation (line 7) to the obligation for extraordinary health care, day care and special expenses (line 12). Enter these amounts on line 13.

PART IV: CHILD SUPPORT CREDITS

Child support credits are provided in cases where parents make direct payments to third parties for the cost of goods and services which are included in the standard calculation support obligation (e.g., payments to an insurance company or a day care provider).

LINE 14a, Monthly Health Care Expenses Credit: Enter the total monthly health care expenses amounts from line 8c for each parent.

LINE 14b, Day Care And Special Expenses Credit: Enter the total day care and special expenses amounts from line 9e for each parent.

LINE 14c, Other Ordinary Expense Credit: If approval of another ordinary expense credit is being requested, in the space provided, specify the expense and enter the average monthly cost in the column of the parent to receive the credit. (It is generally assumed that ordinary expenses are paid in accordance with the child's residence. If payment of a specific ordinary expense does not follow this assumption, the parent paying for this expense may request approval of an ordinary expense credit. This credit is discretionary with the court.)

LINE 14d, Total Support Credits: For each parent, add the entries on lines 14 a through c and enter the totals on line 14d.

**PART V: STANDARD CALCULATION/
PRESUMPTIVE TRANSFER PAYMENT**

LINE 15a, if combined monthly income on line 4 is below \$600, for each parent enter the amount from line 7 on line 15a. If the court does not deviate from the standard calculation, the transfer payment should equal the amount in the paying person's column. Skip to Part VI.

LINE 15b, if combined income on line 4 is \$600 or more, for each parent subtract the total support credits (line 14d) from the gross child support obligation (line 13) and enter the resulting amounts on line 15b.

LINE 15c, Multiply line 3 by .45. If that amount is less than 15(b) enter that amount on line 15(c). If the amount is equal to or greater than line 15(b) leave line 15(c) blank. You do not qualify for the 45% net income limitation standard.

LINE 15d, Subtract the standard need amount (page 3, Basic subsistence limitation) from the amount on Line 3 for each parent. If that amount is less than Line 15(b) enter that amount or \$25 per child, whichever is greater, on line 15(d). If that amount is equal to or greater than line 15(b) leave line 15(d) blank. You do not qualify for a need standard limitation.

LINE 15e, Enter the lowest amount from lines 15(b), 15(c) and 15(d) on line 15(e). If the court does not deviate from the standard calculation, the transfer payment should equal the amount in the paying person's column.

**PART VI: ADDITIONAL FACTORS FOR
CONSIDERATION**

Pursuant to INCOME STANDARD #1: Consideration of all income, "all income and resources of each parent's household shall be disclosed and considered by the court when the court determines the child support obligation of each parent." (See page 1.)

LINE 16 a-h, Household Assets: Enter the estimated present value of assets of the household.

LINE 17, Household Debt: Describe and enter the amount of liens against assets owned by the household and/or any extraordinary debt.

OTHER HOUSEHOLD INCOME

LINE 18a, Income of Current Spouse or Domestic Partner: If a parent is currently married to or in a domestic partnership with someone other than the parent of the child(ren) for whom support is being determined, list the name and enter the income of the present spouse or domestic partner.

LINE 18b, Income of Other Adults In The Household: List the names and enter the incomes of other adults residing in the household.

LINE 18c, Income of Children: If the amount is considered to be extraordinary, list the name and enter the income of children residing in the home.

LINE 18d, Income from Child Support: List the name of the child(ren) for whom support is received and enter the amount of the support income.

LINE 18e, Income from Assistance Programs: List the program and enter the amount of any income received from assistance programs. (Assistance programs include, but are not limited to: temporary assistance for needy families, SSI, general assistance, food stamps and aid and attendance allowances.)

LINE 18f, Other Income: Describe and enter the amount of any other income of the household. (Include income from gifts and prizes on this line.)

LINE 19, Nonrecurring Income: Describe and enter the amount of any income included in the calculation of gross income (LINE 1f) which is nonrecurring. (Pursuant to DEVIATION STANDARD #1b: Nonrecurring income, “depending on the circumstances, nonrecurring income may include overtime, contract-related benefits, bonuses or income from second jobs.” See page 3.)

LINE 20, Child Support Paid for Other Children: List the names and ages and enter the amount of child support paid for other children.

LINE 21, Other Children Living in Each Household: List the names and ages of children, other than those for whom support is being determined, who are living in each household.

LINE 22, Other Factors For Consideration: In the space provided list any other factors that should be considered in determining the child support obligation. (For information regarding other factors for consideration, refer to DEVIATION STANDARDS. See page 3.)

Nonparental Custody Cases: When the children do not reside with either parent, the household income and resources of the children’s custodian(s) should be listed on line 22.

**WASHINGTON STATE CHILD SUPPORT SCHEDULE
ECONOMIC TABLE**

MONTHLY BASIC SUPPORT OBLIGATION PER CHILD

(KEY: A = AGE 0-11 B = AGE 12-18)

Combined Monthly Net Income	One Child Family		Two Children Family		Three Children Family		Four Children Family		Five Children Family	
	A	B	A	B	A	B	A	B	A	B
For income less than \$600, the obligation is based upon the resources and living expenses of each household. Minimum support shall not be less than \$25 per child per month except when allowed by RCW 26.19.065(2).										
600	133	164	103	127	86	106	73	90	63	78
700	155	191	120	148	100	124	85	105	74	91
800	177	218	137	170	115	142	97	120	84	104
900	199	246	154	191	129	159	109	135	95	118
1000	220	272	171	211	143	177	121	149	105	130
1100	242	299	188	232	157	194	133	164	116	143
1200	264	326	205	253	171	211	144	179	126	156
1300	285	352	221	274	185	228	156	193	136	168
1400	307	379	238	294	199	246	168	208	147	181
1500	327	404	254	313	212	262	179	221	156	193
1600	347	428	269	333	225	278	190	235	166	205
1700	367	453	285	352	238	294	201	248	175	217
1800	387	478	300	371	251	310	212	262	185	228
1900	407	503	316	390	264	326	223	275	194	240
2000	427	527	331	409	277	342	234	289	204	252
2100	447	552	347	429	289	358	245	303	213	264
2200	467	577	362	448	302	374	256	316	223	276
2300	487	601	378	467	315	390	267	330	233	288
2400	506	626	393	486	328	406	278	343	242	299
2500	526	650	408	505	341	421	288	356	251	311
2600	534	661	416	513	346	428	293	362	256	316
2700	542	670	421	520	351	435	298	368	259	321
2800	549	679	427	527	356	440	301	372	262	324
2900	556	686	431	533	360	445	305	376	266	328
3000	561	693	436	538	364	449	308	380	268	331
3100	566	699	439	543	367	453	310	383	270	334
3200	569	704	442	546	369	457	312	386	272	336
3300	573	708	445	549	371	459	314	388	273	339
3400	574	710	446	551	372	460	315	389	274	340
3500	575	711	447	552	373	461	316	390	275	341
3600	577	712	448	553	374	462	317	391	276	342
3700	578	713	449	554	375	463	318	392	277	343
3800	581	719	452	558	377	466	319	394	278	344
3900	596	736	463	572	386	477	326	404	284	352
4000	609	753	473	584	395	488	334	413	291	360
4100	623	770	484	598	404	500	341	422	298	368
4200	638	788	495	611	413	511	350	431	305	377
4300	651	805	506	625	422	522	357	441	311	385
4400	664	821	516	637	431	532	364	449	317	392
4500	677	836	525	649	438	542	371	458	323	400
4600	689	851	535	661	446	552	377	467	329	407
4700	701	866	545	673	455	562	384	475	335	414
4800	713	882	554	685	463	572	391	483	341	422
4900	726	897	564	697	470	581	398	491	347	429
5000	738	912	574	708	479	592	404	500	353	437
5100	751	928	584	720	487	602	411	509	359	443
5200	763	943	593	732	494	611	418	517	365	451
5300	776	959	602	744	503	621	425	525	371	458
5400	788	974	612	756	511	632	432	533	377	466
5500	800	989	622	768	518	641	439	542	383	473
5600	812	1004	632	779	527	651	446	551	389	480
5700	825	1019	641	791	535	661	452	559	395	488
5800	837	1035	650	803	543	671	459	567	401	495
5900	850	1050	660	815	551	681	466	575	407	502
6000	862	1065	670	827	559	691	473	584	413	509
6100	875	1081	680	839	567	701	479	593	418	517
6200	887	1096	689	851	575	710	486	601	424	524
6300	899	1112	699	863	583	721	493	609	430	532
6400	911	1127	709	875	591	731	500	617	436	539
6500	924	1142	718	887	599	740	506	626	442	546
6600	936	1157	728	899	607	750	513	635	448	554
6700	949	1172	737	911	615	761	520	643	454	561
6800	961	1188	747	923	623	770	527	651	460	568
6900	974	1203	757	935	631	780	533	659	466	575
7000	986	1218	767	946	639	790	540	668	472	583

In general setting support under this paragraph does not constitute a deviation. The economic table is presumptive for combined monthly net incomes up to and including five thousand dollars. When combined monthly net income exceeds five thousand dollars, support shall not be set at an amount lower than the presumptive amount of support set for combined monthly net income of five thousand dollars unless the court finds a reason to deviate below that amount. The economic table is advisory but not presumptive for combined monthly net income that exceeds five thousand dollars. When combined monthly net income exceeds seven thousand dollars, the court may set support at an advisory amount of support set for combined monthly net incomes between five thousand and seven thousand dollars or the court may exceed the advisory amount of support set for combined monthly net incomes of seven thousand dollars upon written findings of fact.

Washington State Child Support Schedule Worksheets

[] Proposed by [] Mother [] Father [] State of WA [] Other _____ (CSWP)
 Or, [] Signed by the Judicial/Reviewing Officer. (CSW)

Mother _____ Father _____

County _____ Superior Court/OAH Case No. _____

Child Support Order Summary Report

A. The order [] **does** [] **does not** replace a prior court or administrative order.

B. The **Standard Calculation** listed on line 15e of the Worksheet for the paying parent is:
 \$ _____.

C. The **Transfer Amount** ordered by the Court from the Order of Child Support is: \$ _____ to be paid by [] mother [] father.

D. The Court deviated (changed) from the **Standard Calculation** for the following reasons:
 [] Does not apply
 [] Nonrecurring income [] Sources of income and tax planning
 [] Split custody [] Residential schedule (including shared custody)
 [] Children from other relationships for whom the parent owes support
 [] High debt not voluntarily incurred and high expenses for the child(ren)
 [] Other (please describe): _____

E. Income for the Father is [] imputed [] actual income.
 Income for the Mother is [] imputed [] actual income.

F. If applicable: [] All health care, day care and special child rearing expenses are included in the worksheets in Part II.

Worksheets

Children and Ages:		
Part I: Basic Child Support Obligation (See Instructions, Page 1)		
	Father	Mother
1. Gross Monthly Income		
a. Wages and Salaries	\$	\$
b. Interest and Dividend Income	\$	\$
c. Business Income	\$	\$
d. Maintenance Received	\$	\$
e. Other Income	\$	\$
f. Total Gross Monthly Income (add lines 1a through 1e)	\$	\$

2. Monthly Deductions from Gross Income	Father	Mother
a. Income Taxes (Federal and State)	\$	\$
b. FICA (Soc.Sec.+Medicare)/Self-Employment Taxes	\$	\$
c. State Industrial Insurance Deductions	\$	\$
d. Mandatory Union/Professional Dues	\$	\$
e. Pension Plan Payments	\$	\$
f. Maintenance Paid	\$	\$
g. Normal Business Expenses	\$	\$
h. Total Deductions from Gross Income (add lines 2a through 2g)	\$	\$
3. Monthly Net Income (line 1f minus 2h)	\$	\$
4. Combined Monthly Net Income (add father's and mother's monthly net incomes from line 3) (If combined monthly net income is less than \$600, skip to line 7.)		\$
5. Basic Child Support Obligation (enter total amount in box →) Child #1 _____ Child #3 _____ Child #2 _____ Child #4 _____		\$
6. Proportional Share of Income (each parent's net income from line 3 divided by line 4)	.	.
7. Each Parent's Basic Child Support Obligation (multiply each number on line 6 by line 5) (If combined net monthly income on line 4 is less than \$600, enter each parent's support obligation of \$25 per child. Number of children: _____. Skip to line 15a and enter this amount.)	\$	\$
Part II: Health Care, Day Care, and Special Child Rearing Expenses (See Instructions, Page 3)		
8. Health Care Expenses		
a. Monthly Health Insurance Premiums Paid for Child(ren)	\$	\$
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	\$	\$
c. Total Monthly Health Care Expenses (line 8a plus line 8b)	\$	\$
d. Combined Monthly Health Care Expenses (add father's and mother's totals from line 8c)		\$
e. Maximum Ordinary Monthly Health Care (multiply line 5 times .05)		\$
f. Extraordinary Monthly Health Care Expenses (line 8d minus line 8e., if "0" or negative, enter "0")		\$
9. Day Care and Special Child Rearing Expenses		
a. Day Care Expenses	\$	\$
b. Education Expenses	\$	\$
c. Long Distance Transportation Expenses	\$	\$
d. Other Special Expenses (describe)	\$	\$
	\$	\$
	\$	\$
e. Total Day Care and Special Expenses (add lines 9a through 9d)	\$	\$
10. Combined Monthly Total Day Care and Special Expenses (add father's and mother's day care and special expenses from line 9e)		\$

11. Total Extraordinary Health Care, Day Care, and Special Expenses (line 8f plus line 10)		\$	
		Father	Mother
12. Each Parent's Obligation for Extraordinary Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 11)	\$		\$
Part III: Gross Child Support Obligation			
13. Gross Child Support Obligation (line 7 plus line 12)	\$		\$
Part IV: Child Support Credits (See Instructions, Page 3)			
14. Child Support Credits			
a. Monthly Health Care Expenses Credit	\$		\$
b. Day Care and Special Expenses Credit	\$		\$
c. Other Ordinary Expenses Credit (describe)			
	\$		\$
d. Total Support Credits (add lines 14a through 14c)	\$		\$
Part V: Standard Calculation/Presumptive Transfer Payment (See Instructions, Page 4)			
15. Standard Calculation			
a. Amount from line 7 if line 4 is below \$600. Skip to Part VI.	\$		\$
b. Line 13 minus line 14d, if line 4 is over \$600 (see below if appl.)	\$		\$
Limitation standards adjustments			
c. Amount on line 15b adjusted to meet 45% net income limitation	\$		\$
d. Amount on line 15b adjusted to meet need standard limitation	\$		\$
e. Enter the lowest amount of lines 15b, 15c or 15d	\$		\$
Part VI: Additional Factors for Consideration (See Instructions, Page 4)			
16. Household Assets (List the estimated present value of all major household assets.)		Father's Household	Mother's Household
a. Real Estate	\$		\$
b. Stocks and Bonds	\$		\$
c. Vehicles	\$		\$
d. Boats	\$		\$
e. Pensions/IRAs/Bank Accounts	\$		\$
f. Cash	\$		\$
g. Insurance Plans	\$		\$
h. Other (describe)	\$		\$
	\$		\$
	\$		\$
17. Household Debt (List liens against household assets, extraordinary debt.)			
	\$		\$
	\$		\$
	\$		\$
(Household Debt continued)		Father's Household	Mother's Household

	\$	\$
	\$	\$
	\$	\$
18. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action) Name _____ Name _____	\$ \$	\$ \$
b. Income Of Other Adults In Household Name _____ Name _____	\$ \$	\$ \$
c. Income Of Children (if considered extraordinary) Name _____ Name _____	\$ \$	\$ \$
d. Income From Child Support Name _____ Name _____	\$ \$	\$ \$
e. Income From Assistance Programs Program _____ Program _____	\$ \$	\$ \$
f. Other Income (describe) _____ _____	\$ \$	\$ \$
19. Non-Recurring Income (describe) _____ _____	\$ \$	\$ \$
20. Child Support Paid For Other Children		
Name/age: _____	\$	\$
Name/age: _____	\$	\$
Name/age: _____	\$	\$
21. Other Children Living In Each Household (First names and ages)		

Superior Court of Washington
County of _____

In re:

and

Petitioner,

Respondent.

No. _____

Financial Declaration

Petitioner

Respondent

(FNDCLR)

Name: _____

Date of Birth: _____

I. Summary of Basic Information

Declarant's Total Monthly Net Income (from § 3.3 below) \$ _____

Declarant's Total Monthly Household Expenses (from § 5.9 below) \$ _____

Declarant's Total Monthly Debt Expenses (from § 5.11 below) \$ _____

Declarant's Total Monthly Expenses (from § 5.12 below) \$ _____

Estimate of the other party's gross monthly income (from § 3.1f below) \$ _____

unknown

II. Personal Information

2.1 Occupation:

2.2 The highest year of education completed:

2.3 Are you presently employed? Yes No

a. If yes: (1) Where do you work. Employer's name and address must be listed on the Confidential Information Form.

(2) When did you start work there (month/year)? _____

b. If no: (1) When did you last work (month/year)? _____

- (2) What were your gross monthly earnings? \$ _____
 (3) Why are you presently unemployed?

III. Income Information

If child support is at issue, complete the Washington State Child Support Worksheet(s), skip Paragraphs 3.1 and 3.2. If maintenance, fees, costs or debts are at issue and child support is **Not** an issue this entire section should be completed. (Estimate of other party's income information is optional.)

3.1 Gross Monthly Income

If you are paid on a weekly basis, multiply your weekly gross pay by 4.3 to determine your monthly wages and salaries. If you are paid every two weeks, multiply your gross pay by 2.15. If you are paid twice monthly, multiply your gross pay by 2. If you are paid once a month, list that amount below.

	Name	Name
	_____	_____
a. Wages and Salaries	\$ _____	\$ _____
b. Interest and Dividend Income	\$ _____	\$ _____
c. Business Income	\$ _____	\$ _____
d. Spousal Maintenance Received		
From _____	\$ _____	\$ _____
e. Other Income	\$ _____	\$ _____
f. Total Gross Monthly Income (add lines 3.1a through 3.1e)	\$ _____	\$ _____
g. Actual Gross Income (Year-to-date)	\$ _____	\$ _____

3.2 Monthly Deductions From Gross Income

a. Income Taxes	\$ _____	\$ _____
b. FICA/Self-employment Taxes	\$ _____	\$ _____
c. State Industrial Insurance Deductions	\$ _____	\$ _____
d. Mandatory Union/Professional Dues	\$ _____	\$ _____
e. Pension Plan Payments	\$ _____	\$ _____
f. Spousal Maintenance Paid	\$ _____	\$ _____
g. Normal Business Expenses	\$ _____	\$ _____
h. Total Deductions from Gross Income (add lines 3.2a through 3.2g)	\$ _____	\$ _____

3.3 Monthly Net Income (Line 3.1f minus line 3.2h or line 3 from the Child Support Worksheet(s.)) \$ _____ \$ _____

3.4 Miscellaneous Income

a. Child support received from other relationships	\$ _____	\$ _____
b. Other miscellaneous income (list source and amounts)		
_____	\$ _____	\$ _____

	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
c.	Total Miscellaneous Income (add lines 3.4a through 3.4b)	\$ _____	\$ _____
3.5	Income of Other Adults in Household	\$ _____	\$ _____
3.6	If the income of either party is disputed, state monthly income you believe is correct and explain below:		

IV. Available Assets

4.1	Cash on hand	\$ _____
4.2	On deposit in banks	\$ _____
4.3	Stocks and bonds, cash value of life insurance	\$ _____
4.4	Other liquid assets:	\$ _____

V. Monthly Expense Information

Monthly expenses for myself and _____ dependents are: (Expenses should be calculated for the future, after separation, based on the anticipated residential schedule for the children.)

5.1 Housing

Rent, 1st mortgage or contract payments	\$ _____
Installment payments for other mortgages or encumbrances	\$ _____
Taxes & insurance (if not in monthly payment)	\$ _____
Total Housing	\$ _____

5.2 Utilities

Heat (gas & oil)	\$ _____
Electricity	\$ _____
Water, sewer, garbage	\$ _____
Telephone	\$ _____
Cable	\$ _____
Other	\$ _____
Total Utilities	\$ _____

5.3 Food and Supplies

Food for _____ persons \$ _____
Supplies (paper, tobacco, pets) \$ _____
Meals eaten out \$ _____
Other \$ _____
Total Food Supplies \$ _____

5.4 Children

Day Care/Babysitting \$ _____
Clothing \$ _____
Tuition (if any) \$ _____
Other child-related expenses \$ _____
Total Expenses Children \$ _____

5.5 Transportation

Vehicle payments or leases \$ _____
Vehicle insurance & license \$ _____
Vehicle gas, oil, ordinary maintenance \$ _____
Parking \$ _____
Other transportation expenses \$ _____
Total Transportation \$ _____

5.6 Health Care (Omit if fully covered)

Insurance \$ _____
Uninsured dental, orthodontic, medical, eye care expenses \$ _____
Other uninsured health expenses \$ _____
Total Health Care \$ _____

5.7 Personal Expenses (Not including children)

Clothing \$ _____
Hair care/personal care expenses \$ _____
Clubs and recreation \$ _____
Education \$ _____
Books, newspapers, magazines, photos \$ _____
Gifts \$ _____
Other \$ _____
Total Personal Expenses \$ _____

5.8 Miscellaneous Expenses

Life insurance (if not deducted from income) \$ _____
Other _____ \$ _____
Other _____ \$ _____
Total Miscellaneous Expenses \$ _____

5.9 Total Household Expenses (The total of Paragraphs 5.1 through 5.8) \$ _____

5.10 Installment Debts Included in Paragraphs 5.1 Through 5.8

<u>Creditor</u>	<u>Description of Debt</u>	<u>Balance</u>	<u>Month of Last Payment</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5.11 Other Debts and Monthly Expenses not Included in Paragraphs 5.1 Through 5.8

<u>Creditor</u>	<u>Description of Debt</u>	<u>Balance</u>	<u>Month of Last Payment</u>	<u>Amount of Monthly Payment</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Total Monthly Payments for Other Debts and Monthly Expenses \$ _____

5.12 Total Expenses (Add Paragraphs 5.9 and 5.11) \$ _____

VI. Attorney Fees

6.1 Amount paid for attorney fees and costs to date: \$ _____

6.2 The source of this money was:

6.3 Fees and costs incurred to date: \$ _____

6.4 Arrangements for attorney fees and costs are:

6.5 Other:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____, [City] _____ [State] on _____ [Date].

Signature of Declarant

Print or Type Name

The following financial records are being provided to the other party and filed separately with the court.

Financial records pertaining to myself:

- Individual Partnership or Corporate Income Tax returns for the years _____ including all W-2s and schedules;
- Pay stubs for the dates of _____
- Other: _____
- _____
- _____
- _____
- _____
- _____

Do not attach these financial records to the financial declaration. These financial records should be served on the other party and filed with the court separately using the sealed financial source documents cover sheet (WPF DRPSCU 09.0220). If filed separately using the cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22 (C)(2).

**Superior Court of Washington
County of _____**

In re:

Petitioner(s),

and

Respondent(s).

No. _____

**Sealed Financial Source
Documents
(Cover Sheet)
(SEALFN)
Clerk's Action Required**

Sealed Financial Source Documents

(List documents below and write "Sealed" at least one inch from the top of the first page of each document.)

- Income Tax records
- Pay Stubs
- Credit Card Statements
- Bank statements
- Checks or the equivalent
- Check registers
- Loan application documents
- Retirement plan orders
- Other

Submitted by: _____

Notice: The other party will have access to these financial source documents. If you are concerned for your safety or the safety of the children, you may redact (block out or delete) information that identifies your location.

Confidential Information Form (INFO)

County:	Cause Number:	Do not file in a public access file.
Court Clerk: This is a Restricted Access Document		

Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications
 Sexual Assault
 Other
 Domestic Violence
 Antiharassment
 Information Change (Check if you are updating information)

A restraining order or protection order is in effect protecting the petitioner the respondent the children.

The health, safety, or liberty of a party or child would be jeopardized by disclosure of address information because: _____

**The following information about the parties is required in all cases:
(Use the Addendum To Confidential Information Form to list additional parties or children)**

Petitioner Information	Type or Print Only	Respondent Information
Name (Last, First, Middle)		
Race	Sex	Birthdate
Driver's Lic. or Identocard (# and State)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)		

The following information is required if there are children involved in the proceeding. (Soc. Sec. No. is not required for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault).)

1) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate

Child's Soc. Sec. No. (If required)

Child's Present Address or Whereabouts

2) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
List the names and present addresses of the persons with whom the child(ren) lived during the last five years:
List the names and present addresses of any person besides you and the respondent who has physical custody of, or claims rights of custody or visitation with, the child(ren):

<u>Except for petitions in protection order cases (Domestic Violence/Antiharassment/ Sexual Assault), the following information is required:</u>	
Petitioner's Information	Respondent's Information
Soc. Sec. No.:	Soc. Sec. No.:
Residential Address (Street, City, State, Zip)	Residential Address (Street, City, State, Zip)
Telephone No.: ()	Telephone No.: ()
Employer:	Employer:
Empl. Address:	Empl. Address:
Empl. Phone No.: ()	Empl. Phone No.: ()
For Nonparental Custody Petitions only, list other Adults in Petitioner(s) household (Name/DOB):	

Additional information: _____

Addendum(s) To Confidential Information Form attached. List other parties or children in Addendum(s).

I certify under penalty of perjury under the laws of the state of Washington that the above information is true and accurate concerning myself and is accurate to the best of my knowledge as to the other party, or is unavailable. The information is unavailable because

Signed on _____ (Date) at _____ (City and State).

 Petitioner/Respondent

Addendum to Confidential Information Form (AD)

County:	Cause Number:	Do not file in a public access file.
---------	---------------	---

Court Clerk: This is a Restricted Access Document

The following information about additional parties is required in all cases.

Additional Petitioner Information	Type or Print Only	Additional Respondent Information			
Name (Last, First, Middle)					
Name (Last, first, Middle)					
Race	Sex	Birthdate	Race	Sex	Birthdate
Drivers Lic. or Identicard (# and State)			Drivers Lic. or Identicard (# and State), (or, if unavailable, residential address)		
Mailing Address (P.O. Box/Street, City, State, Zip)			Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)			Relationship to Child(ren)		

The following information is required if there are additional children involved in the proceeding. (Soc. Sec. No. is not required for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault).)

3) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate

Child's Soc. Sec. No. (If required)

Child's Present Address or Whereabouts

4) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate

Child's Soc. Sec. No. (If required)

Child's Present Address or Whereabouts

Except for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault), the following information is required:

Additional Petitioner Information	Additional Respondent Information
Soc. Sec. No.:	Soc. Sec. No.:
Residential Address (Street, City, State, Zip)	Residential Address (Street, City, State, Zip)
Telephone No.: ()	Telephone No.: ()
Employer:	Employer:
Empl. Address:	Empl. Address:
Empl. Phone No.: ()	Empl. Phone No.: ()

**Superior Court of Washington
County of**

In re:

and

Petitioner,

Respondent.

No.

**Petition for Modification
of Child Support
(PTMD)**

I. Basis

(Name of requesting party) _____ represents to the court that:

1.1 Place of Residence

The petitioner resides in (county and state only) _____.

The child(ren) reside(s) in (county and state only) _____.

The respondent resides in (county and state only) _____.

1.2 Jurisdiction Over Parents

This court has jurisdiction over the parents for the reasons that follow.

- There is a Washington Order of Child Support.
- Both parties currently reside in the state of Washington.
- Other:

1.3 Most Recent Support Order

The most recent support order was entered in (county and state) _____
on (date) _____.

The order requires (name) _____ to pay
\$ _____ per month for the support of (list name(s) of the child(ren):

1.4 Reasons for Modifying Child Support

The order of child support should be modified for the following reasons.

- The previous order was entered more than two years ago and there has been a change in the income of the parents.
- (Name of child) _____ is in need of post secondary educational support because the child is in fact dependent and is relying upon the parents for the reasonable necessities of life.
- (Name of child) _____ is a dependent adult child and support should be extended beyond his or her 18th birthday.
- The previous order was entered by default.
- The action was commenced by DSHS for a child who is receiving public assistance money and modification pursuant to RCW 26.09.170(8) is appropriate.
- The previous order was entered more than a year ago and:
 - The order works a severe economic hardship.
 - The child has moved to a new age category for support purposes.
 - The child is still in high school and there is a need to extend support beyond the child's 18th birthday to allow the child to complete high school.
 - An automatic adjustment of support should be added consistent with RCW 26.09.100.
 - Either or both parents should be required to maintain or provide health insurance coverage consistent with RCW 26.09.105.
- There has been the following substantial change of circumstances since the order was entered (explain):

Other:

1.5 Starting Date of Modified Order

- Does not apply.
- The starting date of the modified child support order should be the date on which this petition is filed.

1.6 Other

II. Relief Requested

The court should modify the order of child support by requiring either or both parents to maintain or provide health insurance coverage consistent with RCW 26.09.105 for the child(ren), if not previously ordered, and by:

- ordering child support payments which are based upon the Washington State child support statutes. A copy of the child support worksheet is filed with this action.
- ordering repayment or credit for overpaid child support since the date of filing this petition.
- ordering payment of underpaid child support since the date of filing this petition or entering judgment in that amount.
- requiring a periodic adjustment of support.
- extending child support beyond (name of child) _____'s 18th birthday to allow the child to complete high school.
- extending child support beyond (name of child) _____'s 18th birthday until (he) (she) is no longer dependent upon either or both parents and is capable of self-support.
- allowing for post secondary educational support for (name of child) _____.

- ordering the payment of day care.
- ordering the payment of educational expenses.
- ordering the payment of long distance transportation expenses.
- ordering the payment of uncovered health care expenses.
- awarding the tax exemption for the children as follows:

- ordering the payment of attorney fees and costs.
- other:

Dated: _____

Signature of Requesting Party or Lawyer/WSBA

No.

Print or Type Name

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____ (state) _____ on (date) _____.

Signature of Requesting Party

Print or Type Name

**Superior Court of Washington
County of**

In re:

and

Petitioner(s),

Respondent(s).

No.

**Sealed Personal Health Care
Records
(Cover Sheet)
(SEALPHC)
Clerk's Action Required**

Sealed Personal Health Care Records

(List documents below and write "Sealed" at least one inch from the top of the first page of each document.)

Records or correspondences that contain health information that:

- Relates to the past, present, or future physical or mental health condition of an individual including past, present, or future payments for health care.
- Involves genetic parentage testing.

Submitted by:

Notice: The other party will have access to these health care records. If you are concerned for your safety or the safety of the children, you may redact (block out or delete) information that identifies your location.

**Superior Court of Washington
County of**

In re:

and

Petitioner,

Respondent.

No.

**Summons for Modification
of Child Support**

(SM)

To:

1. An action has been started against you in the above court requesting that the court modify the child support provisions of your support order. The requests are stated in the petition, a copy of which is served upon you with this summons.
2. You must respond to this summons and petition by filing a written response with the clerk of the court and by serving a copy of your response on the person signing this summons. You must also complete the Washington Child Support Schedule Worksheet and a Financial Declaration (Form WPF DRPSCU 01.1550) served with this summons. The completed worksheet and financial declaration must be filed and served with your written response.
3. Your written response to the summons and petition must be on form WPF DRPSCU 06.0300, Response to Petition for Modification of Child Support (RSP). This form may be obtained by contacting the clerk of the court at the address below, by contacting the Administrative Office of the Courts at (360) 705-5328, or from the Internet at the Washington State Courts homepage:

<http://www.courts.wa.gov/forms>
4. If you do not file and serve your written response within 20 days (60 days if you are served outside of the state of Washington) after the date this summons was served on you, exclusive of the date of service, the court may, without further notice to you, enter a default judgment against you ordering the relief requested in the petition. If you serve a notice of appearance on the undersigned person, you are entitled to notice before an order of default may be entered.

5. You may demand that the other party file this action with the court. If you do so, the demand must be in writing and must be served upon the person signing this summons. Within 14 days after you serve the demand, the other party must file this action with the court, or the service of this summons and petition will be void.
6. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time. Copies of these papers have not been served upon your attorney.
7. One method of serving your written response, completed worksheet and financial declaration is to send them by certified mail with return receipt requested.

This summons is issued pursuant to Superior Court Civil Rule 4.1 and RCW 26.09.175(2) and (3) of the state of Washington.

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

File original of your answer and other documents with the clerk of the court at:

Serve a copy of your answer and other documents on:

Requesting Party (you may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.)

Requesting Party's Lawyer

(Name of Court)

(Name)

(Address)

(Address)

**Superior Court of Washington
County of**

In re:

and

Petitioner(s),

Respondent(s).

No.

**Notice Re: Dependent of a
Person in Military Service
(Optional Use)
(NTDMP)**

Notice: State and federal law provide protections to defendants/respondents who are on active duty in the military service, and to their dependents. This notice only pertains to a defendant/respondent who is a dependent of a member of the National Guard or a military reserve component under a call to active service for a period of more than thirty (30) consecutive days. Other defendants/respondents in military service also have protections against default judgments not covered by this notice. Dependents of a service member are the service member's spouse, a service member's minor child, or an individual for whom the service member provided more than one-half of the individual's support for one hundred eighty days (180) days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. If you are the dependent of a member of the National Guard or a military reserve component under a call to active service for a period of more than thirty (30) consecutive days, you should notify the plaintiff/petitioner or, if the plaintiff/petitioner is represented by an attorney, the plaintiff/petitioner's attorney in writing of your status as such within twenty (20) days of the receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the National Guard or reserves, and proceed with the entry of an order of default and/or a default judgment without further proof of your status. Your response to the plaintiff/petitioner or plaintiff/petitioner's attorney about your status does not constitute an appearance for jurisdictional purposes in any pending litigation, a waiver of your rights or a response to the petition, complaint or other application for relief that was filed against you.

Date

Signature of Petitioner

Print or Type Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Declaration re: Service
Members Civil Relief Act
(Optional use)
(AFSCR)**

I _____ [Name] **Declare** that:

1. A. Service member status --- _____ [name of nonmoving party]:
 - is not a service member;
 - is on active duty in the U.S. armed forces (excluding National Guard and reserves);
 - is on active duty and is a National Guard member or a Reservist residing in Washington;
 - is not on active duty in the U.S. armed forces (excluding National Guard and reserves);
 - is not on active duty and is a National Guard member or a Reservist residing in Washington;
 - I am unable to determine whether the nonmoving party is or is not on active duty in the U.S. armed forces;
 - I am unable to determine whether the nonmoving party is or is not on active duty as a National Guard member or a Reservist residing in Washington.
- B. Factual basis:
 - See the attached Defense Man Power Data Center Report obtained from <https://www.dmdc.osd.mil/scra/owa/home>.
 - Other factual basis:
- C. As indicated above, the nonmoving party is on active duty and (check all that apply):

- The nonmoving party is represented by an attorney.
- The court has appointed an attorney to represent the nonmoving party.
- A stay of these proceedings has has not been entered by the court.

2. A. Dependent of a service member status --- _____ [name of nonmoving party]:

- is not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;
- is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;
- I am unable to determine whether the nonmoving party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist.

B. Factual basis:

- The nonmoving party failed to respond to a notice to him or her as a dependent of a person in Military Service that was served on mailed by first class mail on _____ [Date], therefore he or she should be presumed not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist.
- Other factual basis:

C. As indicated above, the nonmoving party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist and (check all that apply):

- The nonmoving party is represented by an attorney.
- The court has appointed an attorney to represent the nonmoving party.
- A stay of these proceedings has has not been entered by the court.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____, [City] _____ [State] on _____ [Date].

Signature of Petitioner or Lawyer/WSBA No.

Print Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Return of Service
(Optional Use)
(RTS)**

I Declare:

1. I am over the age of 18 years, and I am not a party to this action.
2. I served the following documents to (name) _____:
 - summons, a copy of which is attached
 - petition in this action
 - proposed parenting plan or residential schedule
 - proposed child support order
 - proposed child support worksheets
 - sealed financial source documents cover sheet and financial documents
 - financial declaration
 - Notice Re: Dependent of a Person in Military Service
 - notice of hearing for _____
 - motion for temporary order
 - motion for and ex parte order
 - motion for and order to show cause re: _____
 - declarations of _____
 - temporary order
 - other:

3. The date, time and place of service were (if by mail refer to Paragraph 4 below):

Date: _____ Time: _____ a.m./p.m.

Address: _____

4. Service was made pursuant to Civil Rule 4(d):

by delivery to the person named in paragraph 2 above.

by delivery to (name) _____, a person of suitable age and discretion residing at the respondent's usual abode.

by publication as provided in RCW 4.28.100. (File Affidavit of Publication separately.)

(check only if there is a court order authorizing service by mail) by mailing two copies postage prepaid to the person named in the order entered by the court on (date) _____. One copy was mailed by ordinary first class mail, the other copy was sent by certified mail return receipt requested. (Tape return receipt below.) The copies were mailed on (date) _____.

5. Service of Notice on Dependent of a Person in Military Service.

The Notice to Dependent of Person in Military Service was served on mailed by first class mail on (date) _____.

Other:

6. Other:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature

Print or Type Name

Fees:

Service _____

Mileage _____

Total _____

(Tape Return Receipt here, if service was by mail.)

File the original Return of Service with the clerk. Provide a copy to the law enforcement agency where protected person resides if the documents served include a restraining order signed by the court.

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Joinder
(JN)**

1. Joinder

I have read the petition and join in it. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

2. Notice of Further Proceedings

- I waive notice of entry of the decree.
- I demand notice of all further proceedings in this matter. Further notice should be sent to the following service address: [You may list an address that is not your residential address where you agree to accept legal documents.]

Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

3. Other

Dated: _____

Signature of Joining Party

Print or Type Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Waiver Of Rights Under
Service Members Civil
Relief Act And Admission
Of Service**

(No Mandatory Form Available)

My name is _____. I am the nonrequesting party in the above-entitled action. The requesting party has requested a modification of child support. I am a member or the dependent of a member of the United States military and I am informed of my rights under the Service Members Civil Relief Act of March 4, 1918, as amended and the Military Service Members' Civil Relief Act, RCW Ch. 38.42. I waive my rights under the Service Members Civil Relief Act and the Military Service Members' Civil Relief Act, RCW Ch. 38.42 and I request the court to determine whether to grant the relief requested by the requesting party.

I received a copy of the Summons and Petition for Modification of Child Support and other documents listed in the Return of Service or Acceptance of Service in this matter on _____.

Name of Service member: _____

Rank: _____

Serial No.: _____

Unit: _____

Signed at _____, on _____.
[Place] [Date]

Signature of Nonrequesting Party

Print or Type Name

SUBSCRIBED AND SWORN to before me this _____ day of _____, _____.

NOTARY PUBLIC in and for
the state of _____,
residing at _____.
My Commission Expires: _____.

Modifying Your Child Support Court Order 3/09
EVALUATION FORM

Your comments are appreciated and will help to make this packet more useful to others. Please take a moment to complete this form and return it to:

Danielle Rebar
Northwest Justice Project
500 W. 8th, Suite 275
Vancouver, WA 98660

1. Where did you get this packet? _____

2. What's your primary language? _____
3. Are you a *low-income person? yes no
[*\$1800 per month for household of 1; \$2400 for 2; \$3000 for 3; \$3675 for 4; \$4300 for 5]
4. What's the last grade you completed in school? _____
5. Did you read the instructions? yes no
6. Did you also need the help of an agency, court facilitator, or advocate to complete your case?
 yes no
6a. If yes, what agency or individual helped you? _____
7. Did you use the legal forms? yes no
8. Did you find anything difficult to understand? yes no
8a. If yes, please tell us what. _____

9. Did you find any mistakes? yes no
If yes, what mistakes were found? _____
10. Today's Date: _____
11. Other comments: