



Northwest Justice Project

Filing an Agreed Petition for a Parenting Plan (Custody) or Child Support When Paternity Has Been Established

Instructions and Forms
March 2009

Table of Contents

Section 1: Introduction and Important Information	1
A. Should I use this packet?	1
B. How much does filing my case cost?	3
C. In which county should my Petition be filed?.....	3
D. How do I request a copy of my Paternity Affidavit?	3
E. What if I have questions that aren't answered in this packet?.....	4
Section 2: Words You May Need To Know	5
Section 3: Steps to Take to File an Agreed Petition for a Residential Schedule/Parenting Plan and Child Support	12
Section 4: What Forms are in this Packet?	15
A. Forms you'll need to enter your agreed petition for a parenting plan that are in this packet:.....	15
B. Additional forms you may need that are in this packet:.....	15
Section 5: What other Documents or Forms will I Need that Aren't in this Packet?	16
A. Other packets you'll need or may need to start your petition for parenting plan:.....	16
Section 6: General Instructions	19
Section 7: Instructions for Filling Out the Individual Forms	24
A. Petition for Residential Schedule/Parenting Plan and Child Support - WPF PS 15.0100.....	24
B. Confidential Information Form and Addendum - WPF DRPSCU 09.0200 and 09.210	30
C. Sealed Acknowledgement/Denial of Paternity form - WPF PS 15.0150	31
D. Civil Case Cover Sheet.....	31
E. Findings of Fact and Conclusions of Law ("Findings") - WPF PS 15.0400	32
F. Judgment and Order Establishing Residential Schedule/Parenting Plan/Child Support - WPF PS 15.0500	35
G. Instructions for the Parenting Plan or Residential Schedule	39
H. Washington State Child Support Worksheets	40
I. Financial Declaration	40

J.	Sealed Financial Source Documents Form.....	40
K.	Order of Child Support	40
Section 8: Filing Your Petition and Getting Your Final Orders Signed		41
Section 9: Noting Presentation of Final Orders.....		44
A.	How to get a date for your hearing.....	44
B.	How much notice do you need to give the other parent?	44
C.	Instructions for the Note for Motion Docket form.....	45
D.	Filing the Note for Notion Docket form	45
E.	Serving the Note for Motion Docket and presentation of final orders	45
F.	Instructions for the Certificate of Mailing or Personal Delivery (no mandatory form)	47
G.	Filing the Certificates of Mailing or Personal Delivery	48
H.	Working papers and confirming your hearing.....	48
I.	Going to the hearing	49
Section 10: Instructions if the Other Parent is in the Military or is the Dependent of an Active Duty Service Member.		51
A.	Instructions for the Waiver of Rights Under Service Members Civil Relief Act form	51
B.	File the Waiver form.....	52
Section 11: Blank Forms		53

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This publication provides general information concerning your rights and responsibilities. It's not intended as a substitute for specific legal advice. This information is current as of the date of its printing, March 2009.

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Section 1: Introduction and Important Information

A. Should I use this packet?

This packet will help you fill out and file the forms and papers you'll need if:

- you're not married to the other parent of your child,
- the paternity of your child has already been established by paternity affidavit, and
- you and the other parent want to ask the court to enter an **agreed** residential schedule, parenting plan and/or child support court order.

◆ **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.

Use this packet **only** if you and the other parent agree 100% about all your final papers (for parenting plan, child support) and you just want to ask the court to enter final court orders that follow your agreement.

If there's anything you and the other parent disagree about, use a different packet.

If a person besides you or the other parent has legal custody of the child in the petition, don't use this packet.

If any other person has physical custody or claims a right to custody or visitation, talk with an attorney about whether to use this packet.

Generally, you can use this packet if paternity was established by signing a *Paternity Affidavit* in Washington State after July 1, 1997, and you currently have no parenting plan or residential schedule.¹

¹ If you already have a parenting plan or residential schedule and you want to change it, you'd need to file a Petition for Modification of your Parenting Plan.

◆ If you're using this packet after paternity was established using a Paternity Affidavit, make sure that you signed your affidavit after July 1, 1997 AND that at least 60 days have passed since your Paternity Affidavit was filed with the Washington State Department of Health.²

You can use this packet to request a parenting plan/residential schedule, and/or a child support order. Most people who ask for this packet want just a parenting plan or residential schedule, so this packet is about those things.

You may also use this packet to ask only for a child support court order. However, if you want only child support, you could instead just ask the Division of Child Support to start an administrative child support case for you. For more information, see our publications [How Can I Collect Child Support?](#) and [Parentage and Parenting Plans for Unmarried Parents in Washington](#).

If paternity was established by court order, but the court didn't sign a Parenting Plan or Residential Schedule, you MIGHT be able to use the general procedure in this packet (with some changes to the forms, not covered in this packet), or you may need to file a Petition for Modification, or a different motion specific to your county. It depends upon the exact language of your court order and the practice in your county. Ask an attorney to review your parentage order, tell you the procedure to follow in your county, and, if you can use this packet, ask him/her to write in the necessary information about your court order and explain how to add to the forms in this packet. If you need to file a modification case, see the packet [Filing a Petition to Modify/Adjust Your Parenting Plan, Residential Schedule, or Custody Decree in a Parentage Case](#)

Before using this packet, you should:

- 1) **Talk with an attorney.** (See "What If I have Questions" item below for referral information if you're low income.) The law about paternity changed in Washington in 2002. Figuring out whether you can and should file for a parenting plan by agreement is complicated. For general information, read our publication called [Parentage and Parenting Plans for Unmarried Parents in Washington](#). Even if you can't afford to pay an attorney to handle your case for you, an attorney may advise you about important legal rights that may be affected by your case. Example: if you file a petition to establish a parenting plan, the court will decide which parent the children will live with, and how much time the children will spend with each parent. The court won't necessarily order the parenting plan that you request, even if you and the other parent agree on it.
- 2) **Find out if your county has local Do-it-Yourself Parentage Resources.** Some counties have their own do-it-yourself packets on filing for a parenting plan when your child's paternity has been established, which are available from your local Family Law Facilitator or court clerk. It may be easier for you to attend a class or use a local publication because they'll have the rules and forms for your county.

² [RCW 26.26.370\(1\)](#); [RCW 26.26.375\(1\)](#). Find out how long it's been since your Paternity Affidavit was filed by calling the Department of Health: (360) 236-4300.

- 3) **If you are or the other parent is a member of the military service or the dependent³ of a service member, the service member or dependent should talk with a JAG officer about special protections for service members and dependents.**
- 4) **Make sure you have a certified copy of your paternity affidavit.** See the question and answer below for information about requesting a certified copy.

B. How much does filing my case cost?

The costs involved in filing your case include a filing fee of \$200 - \$250, photocopying fees, and (possibly) fees for service (delivering the papers to other parties). If you can't afford the filing fee, there's a special form which may let you file without paying the filing fee. The Section called "What Other Documents or Forms Will I Need?" has more information.

C. In which county should my Petition be filed?

You may file a petition for a parenting plan in the county where the child lives.⁴ If the child isn't living in Washington now, and if the court still has jurisdiction to decide custody, you may file in the county where the other parent lives.⁵ If another state or a tribal court has entered an order about custody of the child, or the child hasn't lived in Washington for very long, or has moved from Washington, you may not be able to file in Washington. For questions about whether you may file in Washington, talk with an attorney. Our publications called [*Parentage and Parenting Plans for Unmarried Parents in Washington*](#) and [*Which Court Has the Right to Enter A Custody Order: Frequently Asked Questions and Answers About Whether A Washington Court Has Jurisdiction*](#) have general information.

D. How do I request a copy of my Paternity Affidavit?

You must file a photocopy of your Paternity Affidavit form with your Petition. If you don't have a copy of your Paternity Affidavit (and you're the child's mother or father as listed on the affidavit), get one from the Washington State Department of Health's Center for Health Statistics.

1. Write a letter to: **Center for Health Statistics, P.O. Box 9709, Olympia, WA 98507-9709.** Ask for a certified copy of your Paternity Affidavit so that the court sees that the affidavit is the "official" one.
2. Your letter must also include the following information:
 - Your full name and your mailing address;

³ Dependents here are usually defined as spouse, minor child, or a person who's received over ½ his/her support during the last six months from a service member who's a resident of Washington on active duty and a National Guard member or a Reservist.

⁴ [RCW 26.26.520.](#)

⁵ [RCW 26.26.520.](#)

- A copy of your photo identification (examples: your driver's license, or state ID card)
 - Full name of each child for whom you need an affidavit
 - Date of birth of each child of whom you need an affidavit
 - City and state of each child's birth
 - Full name of the child's father
 - Full name of the child's mother
3. Also, **enclose a check or money order for \$35 for each affidavit** that you're requesting. Make the check or money order payable to the **Department of Health**.

It may take up to six weeks for the Center for Health Statistics to send your paternity affidavit to you. If you have other questions about the paternity affidavit, call the paternity department at the Department of Health at (360) 236-4300. You can also check the Department of Health's website at www.doh.wa.gov.

E. 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.

It's always a good idea to talk with a family law attorney 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 you don't live in King County, call CLEAR at 1-888-201-1014. If you live in King County, contact the King County Bar Association's Neighborhood Legal Clinics by calling (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 our website (www.washingtonlawhelp.org) and read our legal information publications about your particular family law case and information about legal aid programs in your area.

Section 2: Words You May Need To Know

This list of words is in our parentage, dissolution, and parenting plan modification self-help materials. You may not need every definition in this section.

Adequate Cause Hearing: (sometimes called a threshold hearing) a hearing required before trial in some kinds of cases, such as parenting plan modifications. The purpose of the hearing is to decide whether or not the requesting party has presented enough basis to allow the case to go to trial.

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.)

Alleged father - The man (or men) who might be the father of a child, but whose paternity hasn't been legally established. See [RCW 26.26.011\(3\)](#).

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 who's 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, containing 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's 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: This person is 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 cases⁶.

⁶ 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."

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 isn't 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.

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 (also Custodial Parent): 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 called "residential schedules" or "parenting plans," not custody decrees. (The 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.⁷

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.

Default Order: An order that can be requested if

- the respondent (or in modification cases, the nonmoving/nonrequesting party) fails to file a Response before the deadline, or,
- if s/he's appeared in the case, if s/he fails to file a Response after being served with a Motion for Default.

Dispute Resolution: the part of the parenting plan that states how the parties will try to resolve disagreements about the parenting plan (examples: mediation, counseling, court action). A Residential Schedule form usually has no dispute resolution provision.

Dissolution: The legal word in the state of Washington for divorce.

Docket: the court's schedule of cases to be heard on a particular day.

⁷ 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.

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.

Ex Parte Restraining Order: An order signed by the judge if emergency circumstances require protection before a temporary hearing can be held.

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 the 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.

Guardian ad Litem (GAL): a person the court appoints in some cases to investigate the issues and make recommendations to the court about the children’s best interests. If a GAL is appointed, you must serve him/her with any papers filed. The GAL may be considered a party, and his/her signature may be required on court orders.

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. In many counties, the court doesn’t allow live witness testimony at hearings. Instead, the parties must file and serve materials in advance in writing. In some counties, the outcome of certain types of modification cases may be decided by hearing rather than by full trial.

In Forma Pauperis (IFP): A Latin term, meaning the judge may allow you to file your papers in court without paying the filing fee if you’re low income and can show you can’t afford the fee.

Judgment: One type of final court order.

Jurisdiction: The court’s authority to make decisions regarding certain people and issues. If a court doesn’t have jurisdiction, it has no authority to make orders over the person or subject affected.

LEIS: abbreviation for Law Enforcement Information Sheet.

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.

Mediation: A meeting between the parties to a court case and a neutral third party (examples: a mental health professional, judge, retired judge, or attorney not otherwise involved in the case), during which the parties try to mediate, or reach an agreement, about all of the legal issues in their case.

Modification/adjustment case: a court case for a major or minor modification or an adjustment of a parenting plan/residential schedule/custody decree. Modification/adjustment cases are also sometimes filed to change child support.

Motion: A formal request to the court for an order, usually about a specific issue.

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

Moving Party:

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

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

Noncustodial parent: The parent the child does not live with most of the time.

Nonmoving party:

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

The nonmoving party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more nonmoving parties, 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. *Note*: 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 nonrequesting parties, 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.

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.

Notice of Appearance: A paper filed with the court and served on the other parties showing that a party wants to participate in the case and where to send papers filed about the case in the future.

Order: A court document signed by a judge that requires someone to do (or not do) something. Examples: restraining orders, orders re adequate cause, Residential Schedules or decrees. The judge must have signed them for them to take effect. If you disobey an order of the court, you may be held in contempt of court. *Note*: An order isn't in effect until a judge has signed it. Check if an order you're served with is only a proposed order or if the judge has actually signed it. (See "proposed order" definition.)

Order to Show Cause: A court order scheduling a hearing and requiring a person to come to court at the time and place set for the hearing.

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.

Parent the child lives with most of the time: Many people would say this means the parent who has “custody.” However, the law doesn’t usually use the words “custody” and “visitation” between parents anymore. The “parent the child lives with most of the time” is usually the one the parenting plan/residential schedule in paragraph 3.1 or 3.2 says the child “resides” with.

Parent the child does not live with most of the time: Many people would say this is the parent who has “visitation.” However, the law doesn’t usually use the words “custody” and “visitation” between parents anymore. The parent the child doesn’t live with most of the time is usually the parent whose residential time is shown in paragraphs 3.1 or 3.2 of the parenting plan/residential schedule after the words “except for the following days and times when the child(ren) will reside with or be with the other parent:”

Paternity (or Parentage): A legal determination of who the father of a child is, generally either through a court order in a paternity case, or with a valid paternity affidavit or by an un rebutted presumption of paternity (the presumption usually appears where a man and woman were married to each other when the child was born or shortly before or after the child’s birth). See [RCW 26.26.101\(2\)](#) for a complete definition.

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 of a parenting plan/residential schedule 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 has no dispute resolution or decision-making parts. A parenting plan form does.)

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

Paternity Affidavit: A special form, also known as an Acknowledgment of Paternity or Paternity Acknowledgment, typically used by unmarried parents to state who the father of the child is. In Washington, these forms are often offered to the mother in the hospital right after a child’s birth. The form must be signed by the mother and the father (and presumed father) of a child, and must have been filed after July 1, 1997, to be a conclusive legal determination of paternity. For more information, see our publication [Parentage and Parenting Plans for Unmarried Parents in Washington](#). Signed paternity affidavits may be rescinded or challenged for a limited time.

Petition: The document that starts a case and asks the court for a decree, judgment, or final order. (Parentage cases filed by the State of Washington are often filed as “the State of Washington on behalf of” the child.)

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.

Presumed father: A man who's presumed by law to be the father of a child. The legal definition of presumed father is in [RCW 26.26.116](#). In general, a man is the presumed father of a child if:

- The child was born while the man was married to the child's mother; OR
- The child was born within 300 days after the man's marriage to the child's mother was ended by divorce, separation, annulment, declaration or invalidity, or death. In general, if the man and the woman thought they'd gotten married, even if the marriage is found to be invalid, the child is presumed to be the man's child.
- The man and the child's mother married each other after the child was born, the man has voluntarily said he was the child's father AND the man agreed to be on the child's birth certificate, or signed an affidavit of paternity, or promised (in writing or another record) to support the child as his own.⁸

Pro Se: Acting without 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.

Residential Schedule: A proposal or, if signed by a judge, a court order which states when the child will be with each party.

- In dissolution cases, the Residential Schedule is one part of the Parenting Plan.
- In parentage cases, the parties may have a Residential Schedule without the decision-making or dispute resolution parts of a Parenting Plan, or the parties may have a full Parenting Plan.

Respondent: The person against whom a legal 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. Here, "Response" with a capital "R" refers to the Response form. We'll say "response" with a small "r" for all types of responses, including for example, responses to motions as well as to petitions.

Restraining Order: A court order to prevent a party from doing some act that may harm the other party or child.

⁸ This definition of presumed father has been simplified to try to make it easier to understand. It's current as of the date of this publication. If you have questions about whether there is a presumed father in your case, read [RCW 26.26.116](#), and consult an attorney.

Ruling: A decision by the court.

Service: Giving court papers to the other party. The law defines ways of service that are legally acceptable. When a petitioner starts a case, such as dissolution or parentage case, or files a petition to modify a parenting plan/residential schedule, s/he must arrange for the Summons and Petition and other papers that begin the case to be properly hand-delivered or, in some cases, and with advance court permission, sent by certified mail or published in a newspaper. After the initial Summons and Petition have been served, many later papers can be served by first class mail, with legally sufficient advance notice.

Settlement Conference: A formal meeting between the parties to a court case and a neutral third party (such as a judge, retired judge, or attorney not otherwise involved in the case), during which the parties try to settle, or reach an agreement, about all of the legal issues in their case. Some counties require parties to family law cases to have a settlement conference before going to trial. Some counties have programs to provide family law settlement conferences available free of charge.

Summons: A written notice that a case has been started.

Temporary Order: An order entered after a case is filed and before it's finished, which is only in effect while the case is going on. Some temporary orders may end at a fixed time, even before the case ends.

Time to Respond (or deadline to respond): The length of time a party has to respond to something filed by another party. The length of time to file a Response to a Summons is 20 to 90 days after service, depending upon the type and location of service. The length of time to respond to motions is usually much shorter.

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

Trial: The proceeding at which the judge listens to live testimony from parties and witnesses, considers evidence properly introduced, hears argument, and decides the outcome of the case.

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, delivered in advance of the hearing for the judge to review. Local rules differ as to whether working papers are required or, if they're 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 an Agreed Petition for a Residential Schedule/Parenting Plan and Child Support

Following are the steps to follow in filing an Agreed Petition for Residential Schedule/Parenting Plan and Child Support.⁹ 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 classes before a judge will sign final orders. Call your court clerk's office or check with the Family Law Facilitator, if there is one in your county, to find out about case schedules and local court rules for parenting plan cases, and for information on getting the court's signature on agreed orders.

- ❑ **1. Learn About Paternity, Parenting Plan and Child Support Law in Washington.** Even if you and the other parent agree on everything, try to learn more about the laws affecting parentage in Washington. Visit www.washingtonlawhelp.org and read our legal information publications called *Parentage and Parenting Plans for Unmarried Parents in Washington* and *Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington*.
- ❑ **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 Filing for a Petition for a parenting plan packet. If so, use that packet instead of ours. If you use our packet, find out whether your county has special rules or forms that you'll need to file your case.

◆ A 2007 law¹⁰ requires that the court:

*check the judicial information system and databases to identify any information relevant to placing the child before entering a permanent or modified parenting plan and

*in cases where a limiting factor such as domestic violence or child abuse is claimed, have both parties screened to determine whether a comprehensive assessment is appropriate to determine the effect of the limiting factor on the child and the parties.

This law is recent, so ask your local court clerk or family law facilitator

⁹ The form used for this case is called a "Petition for Residential Schedule/Parenting Plan and Child Support." We may refer to it in shorthand in this packet as a "Petition for Parenting Plan."

¹⁰ [Ch 496, Laws of 2007](#)

about procedures your court is using under this law in parentage cases. You may need to use local forms and procedures not described in this packet.

- 3. Get a copy of the Paternity Affidavit for each child for whom you'd like to establish a Parenting Plan or Residential Schedule.** The paternity law requires that you file a copy of your paternity affidavit. For information about how to request a Paternity Affidavit, see the "Introduction and Important Information" section above.
- 4. Complete the Forms You Need.**
- 5. Make sure both parties sign ALL of the following forms before you take them to the courthouse:** the Parenting Plan or Residential Schedule, Findings of Fact and Conclusions of Law, and Judgment and Order Establishing Residential Schedule/Parenting Plan or Child Support. If child support is being set in this case (which the court will usually want to do, unless an adequate support order is already in place), both parties also need to sign the child support worksheets, and Order of Child Support. **In addition**, the parent listed as the Petitioner needs to sign the Petition form, and, to show that you have an agreement, the responding parent should sign the "Joinder" section at the very end of the Petition for Residential Schedule/Parenting Plan. See also the list of forms in the "File Your Forms" item just below that one or both parties need to complete separately.
- 6. If there are other parties in your case, all need to sign the final court orders.** If they don't, you can't finish your case by agreement. Talk to an attorney. Depending on the case, you may be able to begin your case using our packet *Filing a Petition for a Parenting Plan*. (That packet covers contested cases, which this packet doesn't.)
- 7. If the child in your petition has received public assistance (TANF) or Medicaid, or if the child is in foster care,** you must deliver the originals of your final orders to the **State of Washington (through the prosecuting attorney or attorney general)** for their signature. You can't enter final orders without their approval. Give them at least two weeks to review the orders and get them back to you.
- 8. Make the Necessary Copies of the Completed Forms** that you're filing with the court.
- 9. Schedule a time for Presentation of your final orders to a judge for signature and entry.** Call the Family Law Facilitator or Court Clerk to find out how to schedule a time with a judge to have your agreed final orders signed and entered. You may be able to present your papers to a judge to be signed on the same day that you go to court to file your Petition, without scheduling a hearing. However, in some counties, you may need to file a Note for Motion Calendar or other Notice of Presentation of Final Orders and file and serve a copy before the final hearing.
- 10. File your forms with the Court Clerk's office** in the Superior Court where you've decided to file your case. Pay the filing fee or ask the court to have it waived. The following is a list of which of your originals the clerk will probably keep when you file your case:
 - Petition

- Confidential Information Form (each party should file his/her own completed form, and not give this form to the other party)
- Sealed Document Cover Sheet with Acknowledgment of Paternity attached
- Financial Declarations (if needed) (one by each parent)
- Civil Case Cover Sheet
- Parenting Plan or Residential Schedule (if you're asking the court to establish one)
- Child Support Worksheets (if you're asking the court to set support)
- Sealed Financial Source Documents form with attachments (if needed)(one by each parent)
- Note for Motion or Notice of Presentation (if applicable)
- Certificate of Mailing or Personal Delivery (if applicable)
- Waiver of Service Members' Civil Relief Act (if applicable)

You'll need additional forms to complete your case (see following items).

- 11. Present your final order forms for signature and without a hearing, if possible in your county.** Make sure that the judge signs each of the following orders:

- Findings of Fact and Conclusions of Law on Petition for Residential Schedule/Parenting Plan or Child Support
- Judgment and Order Establishing Residential Schedule/Parenting Plan or Child Support

If you're asking for a custody order, the judge should also sign:

- Parenting Plan or Residential Schedule

If you're asking that child support be set, the judge should also sign:

- Child Support Worksheets
- Order of Child Support

- 12. If a hearing is required to present your final orders for signature and entry, see the section called "Noting Presentation of final Orders."**

- 13. Get conformed copies (copies stamped with the judge or commissioner's signature) of all of the final orders.** You'll need certified copies of any Protection order or order containing a restraining order. Send a copy of the final papers showing the judge's signature to the other party. Use the certificate of mailing procedure to show this has been done. Congratulations! You're finished with your case!

Section 4: What Forms are in this Packet?

This packet contains the following blank forms, and instructions for each form, for filing an agreed Petition for a parenting plan:

A. Forms you'll need to enter your agreed petition for a parenting plan that are in this packet:

Form Title	Form Number
Petition for Residential Schedule/Parenting Plan and Child Support	WPF PS 15.0100
Confidential Information Form and Addendum	WPF DRPSCU 09.0200 & WPF DRPSCU 09.0210
Sealed Document Cover Sheet (to keep your Paternity Affidavit confidential)	WPF PS 15.0150
Findings of Fact and Conclusions of Law on Petition for Residential Schedule/Parenting Plan or Child Support	WPF PS 15.0400
Judgment and Order Establishing Residential Schedule/Parenting Plan or Child Support	WPF PS 15.0500

B. Additional forms you may need that are in this packet:

Form Title	Form Number
Note for Motion	Non-Mandatory Form
Certificate of Mailing or Personal Delivery	Non-Mandatory Form
Waiver of Rights Under Service Members' Civil Relief Act	Non-Mandatory Form

Section 5: What other Documents or Forms will I Need that Aren't in this Packet?

Our do-it-yourself packets are designed to provide you with only the forms you need at the stage you need them. You may need more than one packet to file and finish your case. How many other packets you need depends on the facts of your case. Read the information below carefully and check the boxes by the other packets you need. Then get the other packets you need from www.washingtonlawhelp.org or, if you're low-income, by calling CLEAR at 1-888-201-1014.

Additional Forms You'll Need from our packet [Parenting Plans, Residential Schedules and Child Support in Parentage Cases](#) if you're asking for a **Parenting Plan** or **Residential Schedule**

Form Title	Form Number
Parenting Plan or Residential Schedule	WPF PS 15.0600 or 15.0650

Additional Forms You'll Need from our packet [Parenting Plans, Residential Schedules and Child Support in Parentage Cases](#) if you're asking for **Child Support** to be set:

Form Title	Form Number
Financial Declaration	WPF DRPSCU 01.1550
Sealed Financial Source Documents Form	WPF DRPSCU 09.0220
Washington State Child Support Schedule and Child Support Worksheets	WSCSS Schedule and Worksheets
Order of Child Support	WPF PS 15.0700

Additional Forms you May need if you file certain **confidential information**:

Sealed Personal Health Care Records (Cover Sheet)	WPF DRPSCU 09.0260
Sealed Confidential Reports (Cover Sheet)	WPF DRPSCU 09.0270

A. Other packets you'll need or may need to start your petition for parenting plan:

- [Parenting Plans, Residential Schedules, and Child Support in Parentage Cases and Modifications of Parentage Cases](#): You must complete a Parenting Plan or Residential Schedule form from this packet to show your agreement. You can also use this packet if you're asking for a court order about child support. Generally, the court will set child support, unless there's a continuing administrative child support order that adequately supports the child.

- ❑ **Filing In Forma Pauperis** - If you can't afford to pay the filing fee (usually \$200-\$250, ask the court to waive (forgive) the filing fee. Get this packet to find out how to file the motion you need. Some counties have their own forms or packets.
- ❑ Declaration Regarding Public Assistance: WPF SRPSCU 01.0600: We don't include this form 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 it's 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. If you need this form, you can get it 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 is asking for an order regarding child support, and any of the children has received public assistance (TANF), or medical coupons/Medicaid or is in foster care or out of home placement, get this packet. Include the state as a party and serve them with papers you file.
- ❑ **Emergency Orders and Temporary Orders packets** – in agreed cases, most people don't need these packets. However, if you need to ask for a court order between the time the case is filed and the time it's finished, use these packets. We also have a packet for responding to a motion for a temporary or emergency order filed by another party. These packets also contain forms and instructions for filing confidential documents and for requesting a GAL (Guardian ad Litem).
- ❑ **Petition for Order for Protection (Domestic violence: WPF DV 1.015** - most people filing agreed cases won't need this form. However, if you're asking for an Order for Protection from domestic violence, complete this form and perhaps related forms. Get the forms from your county clerk's office, domestic violence advocacy program, or online at <http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=16>. (Note: the "Petitioner" on the Protection Order form is always the protected person, even if s/he is the respondent in the family law case.)
- ❑ **Petition for Order for Protection (Domestic violence: WPF DV 1.015)** – Most people who file agreed cases won't need an Order for Protection from domestic violence. However, if you do need this protection as part of your parentage case, you'll need to complete this form and perhaps related forms. Get the forms from your county clerk's office, domestic violence advocacy program, or online at <http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=16>. **Important: attaching a Petition for an Order of Protection to your petition gives you NO immediate protection order. It only asks the court to enter a protection order at the end of your case.** (Note: the "Petitioner" on the Protection Order form is always the protected person, even if s/he is the respondent in the family law case.)
- ❑ **Other:** Local Do-it-Yourself packets: In some counties, you may need other forms or packets during your parenting plan case as required by local court rules. Consult your court clerk's office, or Family Law Facilitator (if your county has one), to find out if your county requires more information.

- ❑ **Law Enforcement Information Sheet (LEIS)** – WPF All Cases 01.0400 - Get this form if you're entering a restraining order or an Order for Protection. Get it from the clerk of the court or on-line at <http://www.courts.wa.gov/forms/>. This form isn't served on the other party.

This isn't a complete list of packets or legal information available for family law cases. A complete list of our packets and legal information is available at www.washingtonlawhelp.org.

◆ **Note for Survivors of Domestic Violence:** If another party has a history of physically harming you or the children, or has threatened to do so, and if you've had a dating, roommate, marital, or family relationship with that party, then think about filing a petition for an Order for Protection if you need immediate protection. Orders for Protection offer strong safety restraints (and may be taken more seriously by the police than a restraining order). For more information, see our publication [*Domestic Violence: How the Legal System Can Help Protect You*](#), contact your local domestic violence program, or call the 24-hour domestic violence hotline at 1-800-562-6025.

Section 6: General Instructions

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.

- On the blank after "In re the Parenting and Support of:" write the name of each child for whom you're trying to get a parenting plan.
- On the next blank, above "petitioner," write your name.
- On the next blank, above "respondent", write the other parent's name. If you have any questions about any other parties who should be listed, talk with 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 county where you are filing or where your case was already filed.

Fill in the name of the Petitioner here.

or Court of Washington
County Of Evergreen

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

Fill in Respondent's name.

Petitioner,

Opposing party.

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.

NO. 08-3-99999-9

Note for Motion Docket

(No Mandatory Form Developed)

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 7: Instructions for Filling Out the Individual Forms

The following are the forms that you must complete whether you're asking for a parenting plan/residential schedule or child support or both. You'll also need forms from the packet [*Parenting Plans, Residential Schedules and Child Support in Parentage Cases*](#).

A. Petition for Residential Schedule/Parenting Plan and Child Support - WPF PS 15.0100

Caption. Fill out the caption as shown in the General Instructions. On the right side, check the box(es) for "Residential Schedule/Parenting Plan" and/or "Child Support," depending on the requests in your petition. Check one of the types of protection orders only if you ask for a protection order in Paragraph 1.10.

Section I. Basis

Paragraph 1.1. Cause of Action. Fill in your name.

Check the box(es) that show what you're asking for.

- If you want a parenting plan or residential schedule, check the first box.
- If you want to set child support, check the second box.

In the blanks, write the name and age of each child covered by the petition, the name of the person with whom the child is now living, and the county where the child is now living.

Paragraph 1.2. Acknowledgement of Paternity and Denial of Paternity.

Fill in the child's father's name in the first blank, and the mother's name in the second blank. Then, write the date that your Acknowledgment of Paternity form (also known as a paternity affidavit) was filed with the Registrar of Vital Statistics. The first page of the certified copy of your form should say that date.

If someone filed a Denial of Paternity (for example, if the child was born during a marriage but the husband was not the father), check the box and fill in the blanks.

Paragraph 1.3. Jurisdiction.

Check every box that applies in your case. Remember: the "respondent" is the other party. Also, check the box(es) at the end of the paragraph to show which parent(s) live in Washington.

Paragraph 1.4. Period for Challenge to the Acknowledgement or Denial of Paternity.

If it's been at least two years since you signed & filed your paternity affidavit, check the first box. If it's been less than two years, check the second box. If a denial of paternity was filed, check the box (in the middle of the text of the appropriate paragraph) before the words "denial of paternity."

Paragraph 1.5. Jurisdiction Over the Child.

Check all of the box(es) that apply to your case. Remember: if you check one of the boxes that are farthest to the left (under the beginning of the word “Jurisdiction”), you should also check at least one of the boxes that are indented under that box. Example: if you check the box that says “This state is the home state of the child because,” check one of the four boxes that follow that box. Fill in the blanks(s) where necessary in any item you check.

For more information on deciding whether Washington has jurisdiction over your children, talk with an attorney, or, for general information read our publications [*Parentage and Parenting Plans in Washington for Unmarried Parents*](#) and [*Which Court Has the Right to Enter A Custody Order: Frequently Asked Questions and Answers About Whether A Washington Court Has Jurisdiction.*](#)

Paragraph 1.6. Child Support.

If you already have an administrative child support order, check the first box. Then check the box indicating whether or not you’d like to have child support set by the court when your parenting plan is established.

If you have no administrative child support order, check the second box. Then check the box indicating whether you’d like to have child support set by the court as part of this case. In most cases, the court will want to make sure the arrangements for support of the child are adequate, so usually the court will want to order support if there is no administrative order and if the parent(s) have had enough contact with the state of Washington to give the court personal jurisdiction over the respondent.

◆ Do I Have an Administrative Child Support Order? You may have an order that was set administratively if you or the child has ever received public assistance (welfare), you received a Notice and Finding of Financial Responsibility (NFFR) or similar notice from the Division of Child Support, or you’ve been through a child support administrative hearing or if you ever requested child support services from the state. If you have an open case with the DSHS Division of Child Support, contact your Support Enforcement Officer (SEO) to ask whether you have an administrative order. More information is available on DCS’ website: <http://www.wa.gov/dshs/dcs>.

Paragraph 1.7. Residential Placement.

- If you’re only requesting a child support order (and not a parenting plan or residential schedule), check the first box.
- If you’re requesting a parenting plan or residential schedule, check the second box. Then write your name in the blank. Follow the instructions for the rest of this paragraph. You must also fill out and file a parenting plan form or residential schedule form.

If you checked the second box, fill in the information requested in the rest of the paragraph for the child/ren covered by the petition.

“*During the past five years . . .*” In this section, if the child/ren have lived **only** in Washington and only with you or another named party (a person listed as a petitioner or respondent) in this case for the past five years, check the first box. Skip to “*Claims to Custody...*”

If the child/ren have lived outside of Washington sometime in the last five years, or if the child/ren have lived with someone other than a named party (a petitioner or respondent) in the last five years, check the second box. Then list by date, starting with the most recent place the child/ren lived, each city and state where the child/ren have lived, who else lived there, and for how long. Include as much information as you can. Example:

Date(s) lived there	Place the children lived between those dates	Person(s) the children lived with between those dates
6/07– present	Treelane, Washington	Mother
2/07 – 6/07	Portland, Oregon	Mother and Father
2-06 – 2-07	Longview, Washington	Jim and Gloria Johnson (mother’s parents)
9-03 – 2-06	Seattle, Washington	Mother and father

If the children lived in the custody of anyone other than a named party in that last five years, include the name and current address of that person on the Confidential Information Form.

“*Claims to custody and visitation:*” If anyone **besides** the petitioner or respondent in this case has physical or legal custody of the child/ren, or court-ordered visitation, or claims to have custody or visitation rights with the child/ren, check the second box. List their name(s) and the name of the child/ren concerned. If there is no other person who has or claims custody or visitation rights, check the first box.

“*Involvement in any other proceedings concerning the children.*” If you’ve never been involved in any other court cases about the child/ren, check the first box. If you’ve been involved in ANY legal proceeding about the child/ren, check the second box. Examples: protection orders, juvenile court cases, dependency cases (CPS), parentage cases, Division of Child Support cases. Include cases in other states. List the date of the order in each case, the child/ren concerned, the court’s name, case number, and the type of case. Example:

5/07	Grant Co. Superior Court, Oregon	Case No. 1234567	Child support
6/06	WA Div. of Child Support	IVD#123456	Child Support
4/04	Pierce Co. Superior Court, WA	Case No. 99-7-01112-8	Dependency

“*Other legal proceedings concerning the children.*” If there have never been any other court cases about the child/ren that you are aware of, check the first box. If you know of other court cases about the child/ren that you yourself haven’t been involved in, check the second box. Then list the date of the order in each case, the name of the court, case number, and the type of case.

Paragraph 1.8. Reimbursement.

If the children have ever received public assistance (TANF) or Medicaid, or if the children are in foster care or out of home placement), or you want to be reimbursed for the children's expenses or other child support expenses, check the second box.

If you're asking for reimbursement for yourself, write your name in the blank.

Otherwise, check the first box.

Paragraph 1.9 Continuing Restraining Order.

If you don't want a restraining order at the end of the case, check the first box.

If you want a restraining order that will tell one party not to harass or bother the other party, check the second box. Then write in the name of the person to be restrained and the person(s) to be protected. You may include children in the persons to be protected.

If you want a restraining order that will tell one party not to come to the other's home, work, or school, or the daycare or school of your children, check the third box. Then write in the name of the person to be restrained and the person(s) to be protected.

If you want a restraining order that will tell the one party not to come near the other party or the children's home, school, work, etc., check the fourth box. Write in the name of the person to be restrained and the person(s) to be protected, and write how far you want the person to stay away.

If you want a restraining order that will tell one party not to molest, harass, assault or stalk the other, check the fifth box. Write the name of the person to be restrained and the person to be protected.

If you ask for a restraining order, when you get to trial, you'll need to prove to the judge that you need the protection that you're asking for.

◆ If you want a restraining order before trial, you must file a motion for an emergency order, a motion for a temporary order or a petition for a protection order.

Paragraph 1.10 – Protection Order.

The law allows domestic violence survivors and victims of unlawful civil harassment to request a long-term Order for Protection as part of their parentage case. Protection orders can cover yourself and your children. However, the procedures for combining protection orders with family law cases can be confusing.

Requesting a protection order in your parentage petition **doesn't give you any protection before** your case is final. If you need an **immediate** protection order, you must complete the appropriate protection order forms, start a separate protection order case, and go to the hearings associated with that case. For information on requesting an immediate Order for Protection, call the WA State Domestic Violence Hotline at 1-800-562-6025.

The main benefit of combining protection orders with family law cases is that a judge in a family law case can enter an Order for Protection that protects minor children for more than one year.¹¹ Orders for Protection issued outside a family law case can only restrain contact between a parent and his/her minor child for one year at a time, although those orders can be renewed.

If there is currently no protection order between you and another party to this case, and you don't need one, check "does not apply."

If there is currently a protection order between you and another party to this case, check the second box, "there is a protection order." Then fill in the requested details about that protection order. Note: You must inform the court about any existing protection order, whether or not you want to make any changes to it.

If you want the judge in the parentage case to issue a new protection order, or to extend or make changes to an existing protection order, at the end of the parentage case, check the third box, "the court should grant." The main reason to request a protection order in this parentage case, rather than in a separate protection order case, is if you need a protection order that restrains a parent's contact with his/her children for more than a year. Another reason to combine the protection order with your parentage case is if the other parent will be in prison until the case is finalized, so you're not worried about getting immediate protection. If you check this box, check the text box showing what kind of protection order you are asking for. Then check one of the indented boxes.

- To get a new protection order at the end of your parentage case, check the first indented box, "attached to this petition." Then you must fill out and attach a petition for a protection order showing what you want and how long you want the protection order to be in effect. Protection order forms are available from the court clerk or from a local domestic violence program (call 1-800-562-6025 for more information). Name yourself as the petitioner on the protection order petition, even if you're the respondent in the parentage case.
- To extend or change your existing protection order, check the second indented box, "filed separately under." Then check the second box in the middle of the sentence, "case number." Fill in the case number of the separate protection order case you now have. Follow the additional instructions under the "other" and the "requests for relief" paragraphs below to describe the specific extension or changes you want the court to make to your existing protection order. **Caution: there is no settled state-wide procedure for combining a protection order you have in another case into your parentage case. If possible, ask about the procedure in your county before you begin.**

◆ Requesting a protection order in your parentage petition provides NO immediate order. If you want to request an immediate Order of Protection or an Order to be in effect during your parentage case, you must file a separate protection order case and follow the hearing procedures under RCW 26.50 (domestic violence) or RCW 10.14 (unlawful harassment).

¹¹ [RCW 26.50.060\(2\)](#).

Our packets have no instructions on combining a protection order you obtain after the parentage case is filed into your parentage case. Adding a protection order request to your parentage case after the parentage case has been filed may require amending the parentage petition and re-serving the other party. Consult with a local attorney.

Paragraph 1.11 Other.

Many people will leave this item blank. However, if you have other information you believe you should provide in the petition, state it here.

If you have a paternity affidavit from before July 1, 1997, write that in the blank. If you believe the paternity affidavit is incorrect about who the father of the child is, also write this in the blank and write why you believe that the paternity affidavit is incorrect.

Consolidation of Existing Protection Order. If you have a Protection Order that was entered under a different case number, and you want to change it or extend the expiration date, write in what you want the court to do. Example: “The Protection Order entered on [date] under Case No. XXXX should be consolidated under this case number, and incorporated into this case, and modified only as follows: 1) The no contact and custody provisions should be changed to follow the Final Parenting Plan or Residential Schedule, and 2) the expiration date should be changed so that the protection order is permanent, as authorized under RCW 26.26.130(9) and RCW 26.50.060(2).”

Section II. - Relief Requested

Complete this section to tell the court what you want the court to order.

Check every box to the left of a request that you want to make to the court. Make sure you check any necessary boxes in the paragraph as well.

If you have other things you want the court to order that aren't listed, check the box next to “Other” and write your requests in the blank. Example: if you're asking for a protection order you have in another case to be consolidated with your parentage case, check the “other” box. Then add “consolidate the RCW 26.50 protection order proceeding with this case and enter a permanent order of protection changing the existing order of protection only as follows: 1) The no contact and custody provisions should be changed to follow the Final Parenting Plan or Residential Schedule, and 2) the expiration date should be changed so that the protection order is permanent, as authorized under RCW 26.26.130(9) and RCW 26.50.060(2).”

Signature. Date the form and sign where it says “Petitioner or Lawyer.” Sign again at the end of the Declaration paragraph, in the space indicated, and print or type your name. Write the place (city, state), date, and your signature under the sentence that says “I declare under penalty of perjury...”

Joinder. The other parent should check the box next to the word “Joinder,” write his/her name in the blank, and should sign and date the form. The other parent should complete the joinder item before you file the petition.

**B. Confidential Information Form and Addendum - WPF DRPSCU
09.0200 and 09.210**

Each party should prepare and file his/her own form. This form is given only to the court, not to the other party.

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.¹²

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.¹³

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

¹² [RCW 26.23.050\(5\)\(l\) & \(7\); GR 22\(g\) & \(h\).](#)

¹³ [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.

C. Sealed Acknowledgement/Denial of Paternity form - WPF PS 15.0150

1. **Caption.** Fill out the caption as shown in the General Instructions. Check the box under the title showing which document(s) are attached. You should always have an acknowledgment of paternity form to attach. You may also have a denial form.
2. **Check the first box** (acknowledgment of paternity). Check the box next to the word "petition." Don't fill in the date until you know what day you're filing your petition with the court. If you're also filing a denial of paternity (usually from a presumed father), also check the second box.
3. **Signature.** Sign where it says "Signature." Then print or type your name in the blank next to that.
4. At the top of the first page of your Paternity Affidavit, write the word "Sealed." Attach the copy of your Paternity Affidavit to the Sealed Acknowledgement/Denial of Paternity form. If you're also filing a Denial of Paternity, attach it as well, after writing "sealed" at the top.
5. Read the notice at the bottom of the page. Follow the instructions there if you're concerned about your safety.

D. 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 “Parenting Plan/Child Support (PPS 3).”

E. Findings of Fact and Conclusions of Law (“Findings”) - WPF PS 15.0400

◆ Most of the information you need for this form and for the Judgment will be the same as in the Petition, so have a copy of the Petition for Residential Schedule/Parenting Plan or Child Support in front of you when you fill out the Findings and the Decree.

Caption.

Fill out the caption.

Section I - Basis For Findings

Check the box for “agreement of the parties.”

Section II – Findings of Fact

Paragraph 2.1. Notice and Basis of Personal Jurisdiction over the Parties.

This paragraph is very similar to the “jurisdiction” paragraph of the Petition.

Check every box that applies in your case. You must check at least one (if none of the boxes apply in your case, talk with an attorney before entering final orders).

“Respondent submits to the jurisdiction” means that the responding party agrees that Washington has jurisdiction over him or her in this case.

“Prenatal expenses or support” means the party paid for medical care, or other expenses for the mother while pregnant with the child or provided support.

“The child resides in this state as a result of the acts and directives of respondent” means that the child is in Washington because the respondent brought him/her to Washington, or told someone else to bring the child to Washington.

Paragraph 2.2. Period for Challenge to Acknowledgment or Denial of Paternity.

This paragraph is very similar to the “Acknowledgement of Paternity” and the “period for Challenge” paragraphs of the Petition.

If you and the other party signed an Affidavit of Paternity, write your names in the blanks as indicated. Then write the date that your affidavit was filed with the Department of Vital Statistics.

If your child had a presumed father (example: your child was born during your marriage to a man who isn't the child's biological father), and the presumed father of the child signed a Denial of Paternity, check the box at the beginning of the second paragraph of 2.2. Then fill in the presumed father's name and the date the affidavit was filed with the Department of Vital Statistics.

In the paragraph that begins "this proceeding was begun..."

- if more than two years have passed since your affidavit was filed with Vital Statistics, check the box "A period of two years..."
- if less than two years have passed, check the box "less than two years" if the other items in that statement are true.

Check the box in the middle of the sentence before "denial" only if there was a presumed father who signed a denial of paternity.

◆ If paternity of your child was established by court or administrative order, it's possible that none of these boxes apply to you. In that case, go to the "Other" Paragraph.

Paragraph 2.3. The Child Affected in this Action.

Write in the name(s) and age(s) of each child for whom you're entering a parenting plan/residential schedule or child support in this case.

Paragraph 2.4. Basis for Jurisdiction over the Child.

Check each box that applies in your case. This paragraph is very similar to the "Jurisdiction Over the Child" paragraph of the Petition. If you check one of the boxes that's farthest to the left and that item has indented boxes, you should also check at least one of the boxes that are indented under that box and fill in any blanks in that item.

Example: if you check the box that says "This state is the home state of the children because," check one of the four boxes that follow that box.

For more information on deciding whether Washington has jurisdiction over your children, consult an attorney. For general information, see also our publication [Which Court Has the Right to Enter A Custody Order: Frequently Asked Questions and Answers About Whether A Washington Court Has Jurisdiction.](#)

Paragraph 2.5. Child Support.

This paragraph is similar to the "Child Support" paragraph of the Petition.

If there is no existing child support order from a different court or administrative case and if support is **not** being set in this case, check the box "Does not Apply."

If child support is being set in this case, check the box "The child is in need of support" and write in the date the court signs the support order (if different from the date the judge signs the Findings).

If child support has been set administratively, and you're keeping that order in effect for the future, check the "other" box. Then write, "Child support has been determined administratively by the Division of Child Support in case number _____ (fill in the case number) on _____ (fill in the date of that order) requiring _____ (fill in the name of the parent paying support) to pay support in the amount of \$ _____ per month (fill in the amount of support ordered)."

Paragraph 2.6. Residential Schedule/Parenting Plan.

If you're entering a final parenting plan or residential schedule, check the box "the Residential Schedule/parenting plan signed by the court." Then fill in the date the court signs the final plan/schedule, if different from the date the court signs the Findings.

If you checked the second box and your parenting plan or residential schedule is agreed, also check the third box.

If you're not entering a Residential Schedule or Parenting Plan, check the "Does not apply" box.

Paragraph 2.7. Reimbursement.

If you're setting an amount of back child support (such as if the children received public assistance), check the second box. Write in the name of the person to whom support is owed. If not, check the first box. Note: if you check "does not apply," you run the risk of waiving your right to collect back support.

Paragraph 2.8. Continuing Restraining Order

- If no restraining order is being entered in your case, check the "does not apply" box.
- If a restraining order will be entered, check the second box. Then check who should be restrained. In the blank, write why a restraining order is necessary.

Paragraph 2.9. Protection Order

If you aren't asking for a protection order, check the first box. If you are asking for one, or are asking that a protection order entered under a different case number be approved and incorporated, check the second box. Show which type of protection order you're asking for. (Fill in the blank with the date of your protection order if it was filed under a different case number.)

Paragraph 2.10 Other.

Look at paragraph 1.11 & the "other" section of relief requested in the petition. Copy any information in those two paragraphs of the petition into this paragraph.

If you're incorporating a protection order from another case or asking for a permanent protection order in this case, write in "the court should enter the requested protection order."

Otherwise, leave this section blank.

Section III - Conclusions Of Law

Paragraph 3.1. Jurisdiction.

Check the first box, "the court has jurisdiction." Skip the rest of the paragraph.

Paragraph 3.2. Disposition.

Check the first box. Then, check the box after the word "proceeding" and before "was."

If the court will enter a parenting plan or residential schedule and/or order child support, check the second box.

Then, check every remaining box that covers an order you're asking the court to make.

Paragraph 3.3. Other.

If you had items in the "other paragraph" of the findings, restate them here, showing what you believe the court should do.

Signature.

The party who'll be taking this form to the judge should sign and print his/her name and fill in the date on the left side under "Presented by." The other party should sign and print his/her name, and fill in the date under "Approved for entry." If there are other parties, each needs to sign.

DON'T fill in the date or sign on the line that says Judge. The Judge will fill those lines in when you have your Findings signed.

F. Judgment and Order Establishing Residential Schedule/Parenting Plan/Child Support - WPF PS 15.0500

Caption.

Fill out the Caption. On the right side, under the case number, check the box(es) for "Residential Schedule/Parenting Plan" and/or "Child Support," depending on whether your order is covering one or both of these items. If you're entering a continuing restraining order, check the box before "Law Enforcement Notification."

Section I. Judgment Summary.

In this section, write a summary of any restraining orders or a money judgment. A money judgment might include money you or the other parent owes the other for back support, or attorney or GAL fees.

If you're not entering a money judgment or restraining order, check the "Does not apply" box in 1.1 and 1.2. Skip the rest of this section

Paragraph 1.1. Restraining Order Summary

Check the first box if you're **not** having a permanent restraining order and skip the rest of this paragraph.

If you're having a restraining order, check the second box. Write the name of the person to be restrained in the first blank, and of the people protected (including children) in the second blank.

Paragraph 1.2. Money Judgment Summary

If you're not entering a money judgment, check "does not apply." Go on to "Section III Order."

If one parent will owe money as a result of the case, enter that information here. Check the box "Judgment Summary..." If you're entering a money judgment, complete the rest of this paragraph. Add up any amounts one party owes to the other related to unpaid back support,

GAL fees, or attorney's fees and costs. **If you write a judgment for back support here, don't write it in the judgment section of the Order of Child Support.**

A. *Judgment Creditor*: Write in the name of the person to whom money is owed.

B. *Judgment Debtor*: Write in the name of the person who owes the money.

C. *Total Judgment Amount*: Write the total amount owed for fees and support, including interest.

D. *Principal Judgment Amount*: Write the total amount owed for back child support, without interest. Fill in the dates for which back child support is owed.

E. *Interest to Date of Judgment*: Write the total amount of interest, if any, which will be owed by the date the court will sign the final orders.

F. *Attorney Fees*: Write in the total amount of any attorney fees owed by one party to the other.

G. *Costs*: Write in the total amount of costs owed by one party to the other.

H. *Other recovery amount*: Write in any additional money owed by one party to the other.

I. *Principal Judgment shall bear interest at*. Enter any amount up to 12%.

J. *Attorney fees, costs and other recovery amounts shall be interest at*. Enter any amount up to 12%.¹⁴

K. *Attorney for judgment creditor*. If the person to whom money is owed has an attorney in this case, write in the attorney's name.

L. *Attorney for judgment debtor*. If the person who owes money has an attorney in this case, write in the attorney's name.

Section III. Order.

Paragraph 3.2. Child Support.

If you're not setting child support in this case, check the first box.

If you're setting child support, check the second box and write in the name of the parent who'll be required to pay child support. Write in the date the final Order of Child Support is signed, if different from the date of this judgment.

Paragraph 3.3. Residential Schedule/Parenting Plan.

Check the box "the primary residence." Then write in the name of the parent with whom the children will live the majority of the time under the Parenting Plan or Residential Schedule.

If you're entering a parenting plan/residential schedule, check the box "[t]he residential plan/parenting plan signed." Then write in the date the Final Parenting Plan or Residential Schedule is signed by the judge, if different than the date the judge signs the Judgment.

If the noncustodial parent won't have any residential time with the child, check the box "_____(Name) shall be designated as the custodian..." Then write in the name of the parent with whom the child will live in both blanks.

¹⁴ Our packets don't give information about how to request attorney fees or when the court might order them.

If you don't want the court to decide how much residential time one party receives with the child, check the box "determination of residential time...is denied." Then write that person's name in the blank.

Paragraph 3.4. Judgment for Back Child Support.

If neither parent owes any back child support at all, check the "does not apply" box.

If a judgment for back support is being entered in a separate Order of Child Support, check the box "other." Then add "back support is addressed in the separate Order of Child Support entered by the court on _____ (fill in date the court will sign the Order of Child Support)."

If one parent should owe back support, but the other parent is agreeing to forgive the back support (and never collect it), check the box "the unpaid support due is waived." Then fill in the blanks.

Check the box showing that temporary support has been paid, if true in your case.

If there is another child support court or administrative order, check the fifth box "Unpaid support due.... is preserved."

If back support is being set in this order, and not in a separate Order of Child Support, check the second box "(Name)_____ is awarded judgment..." Then fill in the blanks. Fill in appropriate items in the reminder of Paragraph 3.4 (see following items explained) and the judgment summary.

If you want the court to set a limit on the amount of current and back support that can be garnished from the paying parent's paycheck, check the seventh box "Collection Limitation." Then fill in the blanks. If the paying parent owes back support and you don't check this box, and the Division of Child Support is collecting child support in your case, DCS may garnish up to 50% of the paying parent's monthly net income for child support.

Check the eighth box "Wage Withholding Action."

If you want DCS to be able to garnish the paying parent's checks right away, check the box next to "Withholding action may be taken . . ." If you want DCS to have to wait until a support payment is past due, check the box next to "Wage withholding, by notice of payroll deduction." Then check at least one of the two boxes under that paragraph.

If you're setting a judgment or back support, check the ninth box "judgment and Back Support Payments Shall Be Made to..." Then either check the first box and write in the name of the person who'll receive the back support, or check the box next to "Washington State Support Registry."

Paragraph 3.5. Judgment.

If you're not setting a judgment for fees and costs, check the first box. Skip this paragraph.

If you're setting a judgment for fees or costs other than back support, and you want to write in detail what each amount is for, check the second box. Write the name of the person who'll be paid in the first blank, and the paying person in the second blank. Write in the total amount of the judgment. Then, check each box below the paragraph that applies in your case (genetic testing costs, etc.) and write in the amounts owed for each.

If you're setting a judgment for fees and costs and you want a general statement, check the third box. Fill in the blanks.

Paragraph 3.6. County Costs.

If the court will have a judgment against one of the parties, check the second box and fill in the blanks. Otherwise, check the first box.

Paragraph 3.7. Guardian ad Litem.

If there was no GAL in your case, check the first box.

[NOTE: If you and the other parent only reached agreement after you'd filed and contested this action, and a GAL had been appointed in your case, then check the second box if the GAL's job in your case will be finished when your final orders are entered. Most GALs are "discharged" (allowed to stop serving as GAL in your case) when final orders are entered.

If your GAL is continuing to serve in your case, check the third box. Write in the blank how long and why your GAL is continuing in your case.]

Paragraph 3.8. Continuing Restraining Order

Check the "does not apply" box if there isn't going to be a restraining order.

If there will be a restraining order,

- check the second box. Check the paragraphs next to the restraints that will apply in your case. Fill in the blanks in any items you've checked (look back at the Petition instructions if you need more information. Remember: the box numbers may not be the same, so read the text).
- check the box next to CLERK'S ACTION. Write in the police department that patrols the area where the protected person lives.
- Service: Check the second box, since the restrained party will be signing this order.
- Expiration: Write in the date that the restraining order will end.
- If a party had a temporary restraining order, check the last box under Expiration. Write in the name of the police department that patrols the area where that party lives.

Paragraph 3.9. Protection Order

If there won't be a Protection Order (also called an Order for Protection), check the first box.

- If there will be a Protection Order, check the second box. Check the text box showing the type of protection order. Then fill in the date the judge signed the protection order, if different than the date the judge will sign this decree.
- If your petition asked for a protection order, you must fill out and ask the judge to sign the appropriate Order for Protection form when you prepare the Judgment. Make sure:
 - the no contact, custody and visitation provisions of the protection order are consistent with your final parenting plan or residential schedule;
 - the expiration date and other relief in the protection order is the same as you requested, or as the judge otherwise orders; and

- add the following language to the protection order in paragraph 8. Other: “This Order for Protection is issued under RCW chapter 26.09, 26.10, or 26.26, and is not subject to the one-year limitation on restraining the respondent from contacting the respondent’s minor children. RCW 26.50.060(2).”
- If you’re changing an existing protection order, also follow the additional instructions in Paragraph 3.15 “other.”

Paragraph 3.10. Other.

Fill this in only if you need to add more orders that you’ve agreed to.

If you have a Protection Order that was originally entered under a different case number, and you’ve agreed to ask the court to change it or extend the expiration date, write in your agreement. Example: “The Protection Order entered on _____ [date] under Case No. XXXX is consolidated under this case number and it is approved and incorporated herein, except it is modified as follows: 1) The no contact, custody and visitation provisions are changed to follow the Final Parenting Plan [or Residential Schedule]; and 2) the expiration date is changed so that the Protection Order is permanent, as authorized by RCW 26.09.050(1) and RCW 26.50.060(2). The parties shall comply with that Order for Protection.” You must also complete a Law Enforcement Information Sheet and a new Order for Protection, including the changes agreed to. See instructions for paragraph 3.9, above.

Signature.

The person who’ll present this Judgment to the court for the court to sign it should sign, date, and print his/her name on the left side under "Presented by." Each other party should sign, date, and print his/her name under “Approved for entry.” **DON’T** fill in the date or write on the judge/commissioner line. The Judge does that.

G. Instructions for the Parenting Plan or Residential Schedule

Should I Complete One of These Forms?

Complete one of these forms if you want a custody order. You must choose to request either a Parenting Plan or a Residential Schedule. You need only one.

Both forms show where the child will live most of the time and the times the child will spend with the other parent. The main difference between a parenting plan and a residential schedule is that a parenting plan also includes orders about who’ll make major and minor decisions about the child (examples: decisions about non-emergency medical care, where the child goes to school, etc.), and how the parents will resolve disagreements they have about what the parenting plan means. The Residential Schedule form has no orders about decision-making or dispute resolution.

For help deciding which form to use, talk with an attorney. For general information read our publication [*Parentage and Parenting Plans for Unmarried Parents in Washington*](#). The parenting plan and residential schedule forms and instructions for them are in our packet [*Parenting Plans, Residential Schedules, and Child Support for Parentage Cases and Modifications of Parentage Cases*](#).

H. Washington State Child Support Worksheets

Should I Complete One of These Forms?

Complete one of these forms if you want a child support order. The worksheet forms and instructions for them are in our packet [*Parenting Plans, Residential Schedules, and Child Support for Parentage Cases and Modifications of Parentage Cases*](#). Most people using this packet will be preparing a set of worksheets at the start of your case that both parents will sign and ask the judge also to sign, so follow the instructions in that packet for preparing final worksheets. Be sure to fill out the “Child Support Order Summary Report” on the first page of the worksheets.

I. Financial Declaration

Should I Complete One of These Forms?

You and the other parent should each complete a Financial Declaration form if you want a child support order, or if either party has asked for financial relief (such as fees) from the other. The worksheet forms and instructions for them are in our packet [*Parenting Plans, Residential Schedules, and Child Support for Parentage Cases and Modifications of Parentage Cases*](#).

J. Sealed Financial Source Documents Form

Should I Complete One of These Forms?

You and the other parent should each use this form any time you submit personal financial information to the court. The form and instructions are in our packet [*Parenting Plans, Residential Schedules, and Child Support for Parentage Cases and Modifications of Parentage Cases*](#).

In cases where the court will decide child support, you should have 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. Even in agreed cases, the court may want to see proof of each parent’s income.

K. Order of Child Support

Should I Complete One of These Forms?

Complete one of these forms if you’re asking for child support to be set. The order form and instructions are in our packet [*Parenting Plans, Residential Schedules, and Child Support for Parentage Cases and Modifications of Parentage Cases*](#).

Section 8: Filing Your Petition and Getting Your Final Orders Signed

- ❑ **Have the other party sign each completed form.** If the prosecutor or GAL or any other party is involved in your case, they must also review and sign the forms you're asking the judge to sign before the judge sees them. If the other parent is in the military or is the dependent of a military service-member, follow the instructions in the section called "Instructions if the Other Parent is in the Military" and then return to this Section.
- ❑ **Find out how your county is implementing the 2007 changes in the law requiring JIS and database checks before final parenting plans are entered,** and screening/assessments where limiting factors of domestic violence or child abuse are claimed. See the information box about the new law in the "Steps to Take" section of this packet. Follow any necessary local procedures under this law.
- ❑ **Find out when and where you can present your final orders.** Check the court's local rules (or contact Family Law Facilitator or Court Clerk). Tell the clerk that you're filing an agreed case, and find out if you need to file a Note for Motion to schedule a hearing for a judge to sign your final papers. This is usually called "presentation of your final orders."
 - **If your local court requires you to schedule a presentation hearing, you'll file your petition and other papers starting the case on one day, give notice of the presentation hearing to the other parties, and then return to court on the day of the presentation hearing to ask the judge to sign the final papers.** If you need a hearing, ask when you can schedule your presentation, and which courtroom it must be in. Use that information to follow the directions below for filling out, filing and serving the Note for Motion
 - **If your local court doesn't require you to schedule a presentation hearing, and if all parties have signed all the necessary papers, you may be able to file and complete your case on the same day.**
- ❑ **Make two copies of every form you filled out. Exceptions: 1) Each parent will need only one copy of the confidential information form to keep for himself/herself. This form isn't given to other parties. 2) If you're using the Law Enforcement Information Sheet (LEIS)¹⁵, this form isn't given to the other parties.** If there are additional parties in your case, you'll need additional copies of the forms. Make sure you write the date that you're filing your petition in the "date" blank on the *Sealed Acknowledgement/Denial of Paternity* form.
- ❑ **Make three full sets of your forms (one set of originals and two sets of copies).** The original is for the court, one set is for you, and the second set is for the other party. Compare each set with the checklist of forms to make sure you have the necessary forms in each set. (Put the copy of the confidential information form (and any LEIS form) you completed with your own set of forms, and not in the packet for the other party.)

¹⁵ Get this form at the clerk's office if a restraining order or an Order for Protection is entered.

- ❑ **Take the originals and the copies to the county court clerk’s office** in the superior courthouse where you’re filing your Petition. Give the clerk the originals of your papers. Let the clerk know that you’re filing your case by agreement. Tell the clerk that you only have one original of your Parenting Plan.
- ❑ **Pay the Filing Fee.** The filing fee for a Petition for Parenting Plan is \$ 200-250. If you can’t afford the filing fee, ask the court to waive it (allow you not to pay it). To do this, use our packet called [Filing in Forma Pauperis](#), or contact the Court Clerk or the Family Law Facilitator (if there is one).
- ❑ **Ask the clerk to stamp your copies** to show the date that you filed the originals. The clerk will also give you a case number. Ask the clerk to stamp the case number on your copies, or make sure that you copy your case number onto each of your copies. Take the stamped copies back from the clerk. The clerk will keep the originals of your Petition, Confidential Information form, Paternity Affidavit, Financial Declaration and Sealed Financial Source Documents form.
- ❑ **Decide which of the following applies to you:**
 - **If you need to schedule a hearing** for presentation of your final orders, or if you can’t ask the judge to sign the final papers on the same day you file your case, see **the section called “Noting Presentation” and the remainder of this packet.**
OR
 - **If you can have your final papers signed the same day you file your case,** follow these steps:
 - Make sure the other parent and any other parties, such as the State, if the child has received public assistance, have signed the final orders.
 - Go to the courtroom where “Ex Parte” matters are heard. (The court clerk may tell you where to go.) Enter quietly. Go up to the judge’s clerk, and hand the clerk your papers. Sit down and wait to be called. When you’re called, approach the judge. Explain that you’re there to present your final orders in the Petition for Parenting Plan case. The judge will review your papers, may ask you some questions, and usually will sign your final orders.
- ❑ **DON’T LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If the clerk in the courtroom gives you the original orders the judge has signed, file them with the court clerk’s office. If you don’t know what to do with the original orders, ask someone at the clerk’s office for help.
- ❑ **Getting Copies of the Orders.** You’ll need copies of the orders as signed by the judge. You need certified copies of any order with a safety restraint and of any Protection Order. (Get one certified copy for yourself, and one certified copy for each restrained party that you need to serve.) Get conformed copies of other orders.

Ask the clerk how to get the conformed and certified copies you need and follow those instructions.

- For certified copies, the clerk will need to make them and may charge you a fee (such as \$5 for the first page and \$1 for every additional page)
- For conformed copies,
 - the clerk may allow you to take the original orders and make copies in the library or at the clerk's office.
 - Or, if the copies of proposed orders you brought to court are exactly the same as the orders the judge signed, the clerk may tell you to stamp those copies with the date filed stamp and the judge's signature stamp.
- ❑ **Deliver copies of the final orders to the other parties, as explained in the Steps to Take section.**
- ❑ **Keep your own conformed copies in a safe place.** If the judge has signed your final orders and you've given copies to the other party, congratulations! You're finished with your case.

Section 9: Noting Presentation of Final Orders

Some courts require you to “note” (give official notice of) the date you’re going to ask a judge to sign your final orders, even if you and the other party agree. The Note for Motion Docket form is often used to let the court and the other parties know the date, time, location, and reason for your hearing. **However, many counties require you to use a special form. Check with your Family Law Facilitator or court clerk to find out if your county requires that you note a date to have your orders signed. If not, find out when and where to take your orders to have them signed and follow those instructions. If you must note a date, find out if your county uses a special Note for Motion form.** If your county has no special form to set up a hearing, use the form included here.

A. How to get a date for your hearing

Check your local court rules (at the law library), or ask your Family Law Facilitator or court clerk to find out what days and times you may schedule your presentation of final orders. In many courts, you’ll schedule your hearing in the Ex Parte Department. In many counties, if the State is a party to your case (example: when the children have received public assistance), you must schedule your hearing on a date that the prosecutor is present.

B. How much notice do you need to give the other parent?

Under the Washington civil rules, you must give your motion and other legal papers to the other parties and the court at least **five court days** (business days that aren’t court holidays) **before the hearing date**.¹⁶ However, some counties require more than five court days’ notice for family law hearings. Check with your local court rules, or ask your Family Law Facilitator or the court clerk to find out how many days’ notice you must give. Make sure you count Day 1 as the day **after** you delivered or mailed the papers.

Add Days for Mailing.

Mailing. If notice of the hearing will be mailed rather than personally delivered, add at least three (3) days¹⁷ to the number of days’ notice required by your county’s rules. Example: if you mail a document on a Monday, it’ll be presumed to have been served on Thursday. If the third day after the papers are mailed is a weekend or holiday, add days so that the papers arrive on a business day that isn’t a legal holiday or weekend.¹⁸

Try to give more than the minimum number of days for notice of your hearing. If for some reason the other party doesn’t get enough notice of your hearing, you must reschedule your hearing – even if the other party doesn’t show up and object.

¹⁶ [Civil Rule \(CR\) 6\(d\)](#).

¹⁷ Three days are clearly required under [CR 5](#). There’s one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

¹⁸ [CR 6\(a\) & \(e\)](#); [CR 5\(b\)\(2\)](#).

C. Instructions for the Note for Motion Docket form

Caption. Fill in the caption.

To the Clerk of the Court and to. In this section, fill out the names of the other parties. The other parties in your case include the other parent, and, if the child received public assistance, the State of Washington, which is usually represented by the Prosecuting Attorney's office.¹⁹ If there is a GAL or other party in your case, s/he must be named too and must receive notice of the hearing.

- **Hearing Date/Time:** Fill in the date and the time of your hearing.
- **Location:** Fill in the name of the courthouse (example: Thurston County Superior Court).
- **Courthouse Room:** Fill in the Room Number where your hearing is scheduled.
- **Address:** Fill in the address of the courthouse.
- **Nature of Motion:** Write in "Presentation of Agreed Final Orders, Petition for Residential Schedule/Parenting Plan or Child Support."
- **Signature:** Sign and print your name, and your address.

D. Filing the Note for Notion Docket form

Make as many copies of your papers as you need before taking them to the courthouse. You'll need one copy for yourself, and one copy for each other party (except make only a copy for yourself of the Confidential Information form and any LEIS. These two forms aren't served on the other party). If your court requires working papers - see the section "Working Papers," below - make one more copy for the judge. Organize your papers into sets, with one copy of each paper in each set (except don't give the other parties the Certificate of Mailing and don't give them the LEIS).

Take your completed papers (originals and copies) to the court clerk in the Superior Courthouse where your petition was filed. Give the clerk your original Note for Motion (or other local form). **Ask the clerk to file the originals of all of your papers, except** don't file the originals of your proposed orders (any form that the judge signs at the final hearing). In most cases, you'll keep the original proposed orders and bring them to the hearing for the judge to sign then. Check with the clerk about the proposed orders. Follow the clerk's instructions. If working papers are required in your county, include copies of these proposed orders as part of the working papers.

E. Serving the Note for Motion Docket and presentation of final orders

In addition to filing with the court, you must have the note for hearing papers properly served on (delivered to) all the other parties.

¹⁹ For more information about serving the State of Washington, see our packet [Serving Papers on the State](#).

To serve other parties with the Note for Motion Docket or the form required in your county, and your final orders, use first class mail or hand delivery. See below.

- **Make sure that your motion is served in time to give the other party enough notice before the hearing date.** See the Instructions above under “How Much Notice Do You Need to Give?” You must serve all the parties on time. This includes the other parent and any other parties, such as the GAL or prosecutor. For more information on serving the prosecuting attorney, see our packet [Serving Papers on the State](#).
- **Copy and Organize Your Papers.** Make one copy of every paper (including the proposed orders) for each of the other parties. If you need Working Papers, make another copy for the judge (see the Working Papers section below). Make a set of the papers for each of the other parties and the judge. Include everything. (Don’t give the other parties the Certificate of Mailing or LEIS or Confidential Information Form.)
- Keep a full set of copies for yourself. Put each of the other parties’ sets of papers in an envelope, addressed to that party, with your return address.

Follow the instructions below for giving the papers to the other parties.

Giving the Papers to the Other Party by Mail or Personal Delivery

While the case is going on, if the party you’re serving has given an address for receiving legal papers in the case, send the papers to him/her at that location. (The other party’s address may be, for example, at the end of the Response form, the Summons, a Notice of Appearance, an Amended Notice of Appearance, or any updated notice changing the address for service.) If the party has an attorney in this case, serve the attorney.

Although many county courts allow a party to serve his/her own papers after the Summons and Petition have been served, other counties don’t. To be safe, don’t deliver or mail the papers yourself. Ask an adult friend or relative to do it for you.

When your friend has mailed or delivered the papers to a party, have him/her fill out the Certificate of Mailing or Personal Delivery the same day. Your friend should fill out a separate form for each person s/he mails or delivers the papers to. Then file the original certificates with the court clerk and keep a conformed copy for your records.

Make sure that papers are mailed or delivered before your deadline. When counting, don’t count the day of delivery or mailing, weekends, or court holidays. Try to give more than the minimum number of days for notice of your hearing. If for some reason the other party doesn’t get enough notice of your hearing, you’ll need to reschedule your hearing – even if the other party doesn’t show up and object

Mailing. If your friend mails the papers, rather than personally delivering them, add at least three (3) days²⁰ to the number of days’ notice required by your county’s rules. Example: if you mail a document on a Monday, it’ll be considered to be served on Thursday. If the third day after the papers are mailed is a weekend or holiday, add days so that the papers arrive on a business day that isn’t a legal holiday or weekend.

²⁰ Three days are clearly required under [CR 5](#). There’s one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

If a document is sent by regular first class mail, and if you think another party won't show up at a hearing, have an additional copy sent by certified mail, return receipt requested, for more proof of mailing. Staple the green return receipt card to the Certificate.

Personal Delivery. You may have the papers delivered to the other party rather than mailed. "Delivering" the packet of papers to another party (or the other party's attorney) means:

- handing it to the attorney or to the party; or
- leaving it at his office with his/her clerk or other person in charge of the office²¹; or,
- if there is no one in charge, leaving it in a place in the office where someone can easily find it (for example, on top of the front desk); or,
- if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode (home) with some person of suitable age and discretion then residing there.²²

F. Instructions for the Certificate of Mailing or Personal Delivery (no mandatory form)

Make some blank copies of this form. You may need to fill it out and file it several times. Use this form to show that copies of papers you file in court have been given to the other parties. Use a separate form for each party to whom papers were mailed or delivered.

1. **Caption.** Fill in the caption.
2. **In the first paragraph,** write the date the papers were mailed or delivered in the first blank, and the name of the party served in the second blank. (If you're serving an attorney for a party, write in the party's name here and information about the attorney in the paragraphs below.) After "*with the following documents:*" write the name of **every form** sent/delivered to that person. If you leave out a form, you'll have no proof it was served. If the papers were served by mail, check the first box. Add the name and address of the person the papers were mailed to. If you mailed an additional copy by certified mail, write that in. If the papers were hand delivered, check the second box. Fill in the time and address of delivery in the blanks provided, and the name of the person to whom the papers were delivered.
3. **Signature.** The person who delivered or mailed the papers should sign and date the form, state the place signed (city and state), and print his/her name in the places indicated.

²¹ Although [CR 5\(b\)\(1\)-\(2\)](#) appears to allow a person to be served at his/her office, and you can usually deliver papers to an attorney or GAL at his/her office, we recommend that you DON'T serve other parties at their offices unless they've used that as their service address in a Notice of Appearance, Petition, or Response form.

²² [CR 5\(b\)\(1\)](#). A person of suitable age and discretion means someone who's an adult (or at least an older teenager) with no mental impairment that would prevent him/her from understanding that the legal papers should be given to the other party.

G. Filing the Certificates of Mailing or Personal Delivery

Make one copy of each completed Certificate. Don't give copies of this form to the other parties. If you mailed a copy of the forms by certified mail, and have a certified mail receipt back from the post office, attach the original receipt to the Certificate of Mailing you file with the clerk. Make a copy for your records. If you used certified mail but don't have the green receipt back when filing the Certificate, file the receipt later, attached to a page labeled with your case caption.

H. Working papers and confirming your hearing

In many counties, you must:

- deliver an extra copy of all of papers (including proposed orders) for your hearing for the judge to read. This set of copies is called Working Papers.
- confirm the hearing a few days before the hearing date. "Confirming the hearing" means telling the court that the hearing will take place as scheduled.

To learn the rules for working papers and confirming the hearing in your county, read local court rules, and check with the Family Law Facilitator or court clerk.

◆ If you don't give the judge working papers and don't confirm your hearing in a county where required, the court may cancel your hearing, or the judge might not consider any of your papers.

I. Going to the hearing

- **Take Your Court Papers with You.** Bring along all the proposed orders and other original papers you'll ask the judge to approve. If you've already delivered the original proposed orders to the court, take along an extra copy in case the judge needs it. Bring your own copies of those papers and your hearing papers. Bring copies of your proofs of service (Returns of Service and/or the Certificates of Mailing or Personal Delivery). The judge may want to see them. Also, bring your own copy of all the papers you filed and served on the other parties earlier in the case, because the judge may have a question about them and not have the court file.
- **Get to Your Hearing Early.** Try to dress neatly. Bring a pad of paper and black pen to write notes with. It's better not to bring your children—the judge will usually not let them sit in the courtroom. If you're not there on time, the hearing may be cancelled.
- **When You Get to the Courtroom.** When you get there, tell the person in charge in the courtroom (often called the clerk or the bailiff) your name, and that you're there to enter final orders by agreement. Take a seat. When the judge walks in the room, stand. When your case name is called, tell the court that you're present. Remain in court until your case is called for hearing.
- **Presenting Your Case.** When you're told to come forward, do so and give the court the originals of the Findings and Conclusions, Judgment, and, if applicable, Parenting Plan, Residential Schedule, Order of Child Support, Child Support Worksheets, and any other orders that you filled out. The judge will usually ask if any other party is present. The judge may ask you to speak to explain what you're asking the court to approve and why. Be brief. Make your statement directly to the judge. If any other party appears at the hearing, the judge may allow him/her to speak.
- **Don't interrupt the judge.** The judge may ask you questions about your final papers. The judge may also swear you in and go through the Findings of Fact, asking you questions about each paragraph. The judge may ask what county you live in, where the other party lives, where the child lives, etc. This is called "formal proof" and shows the court that there is evidence to support the judge signing the final orders. If you don't understand what the judge is asking, ask the judge to explain his/her question.
- **Getting Copies of the Orders.** Make sure you get a copy of the orders as signed by the judge. Ask the clerk how to do this. The clerk may give you the originals and tell you to go make copies in the library or at the clerk's office. **DON'T LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If you don't know what to do with the originals, ask someone at the clerk's office to help you. If your final orders contain a restraining order or Protection Order, get certified copies of those orders. (You'll need to pay for certified copies.)
- **Go to the "Steps to Take" section for information on how to properly deliver copies of the final papers to the other parties. If your final order contains a restraining order or Protection Order, the restrained party must be properly served.**

Once the judge signs your orders and they've been filed with the clerk, your case is final! The Judgment, Parenting Plan or Residential Schedule, and Order of Child Support are court orders once the judge has signed them. It's important to follow the orders. If you find that you can't follow the orders, talk with an attorney as soon as possible.

Section 10: Instructions if the Other Parent is in the Military or is the Dependent of an Active Duty Service Member.

◆ Skip this section unless the other parent is in the united states military or is the protected dependent of someone on active duty in the military.

If the other party is, or may soon be, on active duty in the military²³, or is the protected dependent²⁴ of a service member, since you're entering your final papers by agreement, ask him/her to complete and sign the *Waiver of Rights Under Service Members Civil Relief Act and Admission of Service* form when s/he signs the papers in this case. If the other party is willing to give up protections under these laws, s/he needs to 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.

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

Caption. Fill in the Caption.

- 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 petition and other court papers for 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 received the petition and other court papers, the service member's name, rank, serial number and unit. If s/he is willing to sign this form the other party will need to take the form and sign it in front of a notary public. S/he can then return the form to you for you to file, or can file the form with the clerk's office and give you a copy.

²³ 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/sscra/sscra_guide.htm#coverage. For Washington State's Service Members Civil Relief Act, see [RCW 38.42.010](#) et seq.

²⁴ 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's on active duty and is a national guard member or a reservist. [RCW 38.42.010](#).

◆ **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

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 11: 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.

**Superior Court of Washington
County of**

In re the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No.

Petition for

**Residential Schedule/
Parenting Plan**

**Child Support
(PT)**

**Para.1.10: check box if petition is
attached for:**

Order for protection DV (PTORPRT)

Order for protection UH (PTORAH)

I. Basis

1.1 Cause of Action

This action is brought pursuant to RCW 26.26.375 by (name) _____,
petitioner, for a

residential schedule/parenting plan

child support order

for

(Name) _____, (age) _____, residing with
(name) _____ in _____ County, Washington.

(Name) _____, (age) _____, residing with
(name) _____ in _____ County, Washington.

(Name) _____, (age) _____, residing with
(name) _____ in _____ County, Washington.

1.2 Acknowledgment of Paternity and Denial of Paternity

(Name) _____ is the child's acknowledged father and (name) _____ is the mother of the child. Both parents signed the Acknowledgment of Paternity, which was filed with the Washington State Registrar of Vital Statistics on (date) _____.

A copy of the Acknowledgment of Paternity is filed with this petition.

(Name) _____ signed a Denial of Paternity, which was filed with the Washington State Registrar of Vital Statistics on (date) _____.

A copy of the Denial of Paternity is filed with this petition.

1.3 Jurisdiction

The court has jurisdiction over the parties because more than 60 days have passed since the effective date of the acknowledgment of paternity and (check all that apply):

- The mother and acknowledged father engaged in sexual intercourse in the state of Washington as a result of which the child was conceived.
- Respondent was personally served with summons and petition within this state.
- Respondent submits to jurisdiction of this state by consent as evidenced by joinder or consent to jurisdiction signed by respondent.
- Respondent resided with the child in this state.
- Respondent resided in this state and provided prenatal expenses or support for the child.
- The child resides in this state as a result of the acts or directives of the respondent.
- Other:

and the following parties are presently residing in the state of Washington:

- Mother
- Acknowledged Father

1.4 Period for Challenge to the Acknowledgment or Denial of Paternity (Pick only one)

- A period of two years or more has passed since the date the acknowledgment and denial of paternity was filed with the Washington State Registrar of Vital Statistics.
- Less than two years has passed since the date the acknowledgment or denial of paternity was filed with the Washington State Registrar of Vital Statistics, and petitioner specifically alleges:
 - a) No man other than the acknowledged father is the father of the child; and
 - b) No proceeding to adjudicate the parentage of the child is currently pending; and
 - c) No other man is an adjudicated father of the child; and
 - d) Notice of this proceeding has been provided to all other men who have claimed parentage of the child.

1.5 Jurisdiction Over the Child

This court has jurisdiction over the child for the reasons set forth below.

- This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- This state is the home state of the child because
 - the child lived in Washington with a parent or person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - the child is less than six months old and has lived in Washington with a parent or a person acting as parent since birth.
 - any absences from Washington have only been temporary.
 - Washington was the home state of the child within six months before the commencement of this proceeding and the child is absent from the state but a parent or person acting as a parent continues to live in this state.
- The child and the parent or the child and at least one parent or person acting as a parent have significant connection with the state other than mere physical presence, and substantial evidence is available in this state concerning the child's care, protection, training and personal relationships, and
 - the child has no home state elsewhere.
 - the child's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the child's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child is subjected to or threatened with abuse. RCW 26.27.231.
 - There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until (date) _____.
 - There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in (potential home state) _____ by the time the child has been in Washington for six months, (date) _____, then Washington's jurisdiction will be final and continuing.
- Other:

1.6 Child Support

Support and health insurance coverage for the minor child:

- has been determined administratively by the Division of Child Support and the petitioner does does not want the court to address child support.
- has not been determined administratively by the Division of Child Support and the petitioner does does not want the court to address child support.

1.7 Residential Placement

- Does not apply.
- It is in the child's best interests to enter the residential schedule/parenting plan proposed by (name) _____.

If residential placement is requested:

During the last five years, the child has lived:

- in no place other than the state of Washington and with no person other than the declarant or a named party.
- in the following places with the following persons (list each place the child lived, including the state of Washington, the dates the child lived there and the names of the persons with whom the child lived. The present addresses of those persons must be listed in the required Confidential Information form.):

Claims to custody or visitation:

- I do not know of any person other than a named party who has physical custody of, or claims to have custody or visitation rights to the child.
- The following persons have physical custody of, or claim to have custody or visitation rights to the child (list their names and the child(ren) concerned below and list their present addresses in the Confidential Information Form. Do not list the responding party.):

Involvement in any other proceeding concerning the child:

- I have not been involved in any other proceeding regarding the child.
- I have been involved in the following proceedings regarding the child (list the court, the case number, and the date of the judgment or order):

Other legal proceedings concerning the child:

- I do not know of any other legal proceedings concerning the child.
- I know of the following legal proceedings that concern the child (list the child concerned, the court, case number and the kind of proceeding):

1.8 Reimbursement

- Does not apply.
- The state of Washington or (name) _____ is entitled to reimbursement for support or assistance provided to the child, for expenses incurred on behalf of the child.

1.9 Continuing Restraining Order

- Does not apply.
- A continuing restraining order should be entered which restrains or enjoins (name) _____ from disturbing the peace of (name) _____.
- A continuing restraining order should be entered which restrains or enjoins (name) _____ from going onto the grounds of or entering the home, work place or school of (name) _____ or the day care or school of the child.
- A continuing restraining order should be entered which restrains or enjoins (name) _____ from knowingly coming within or knowingly remaining within (distance) _____ of the home, work place or school of (name) _____ or the day care or school of the child.
Other: _____.
- A continuing restraining order should be entered which restrains or enjoins (name) _____ from molesting, assaulting, harassing, or stalking (name) _____. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

1.10 Protection Order

- Does not apply.
- There is a protection order between the parties filed in case number _____, court _____, which expires on (date) _____.
- The court should grant the domestic violence antiharassment petition for order for protection:
 - attached to this petition.
 - filed separately under this case number case number _____.

If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms or RCW 10.14 Antiharassment forms.

[] I demand notice of all further proceedings in this matter. Further notice should be sent to the following 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.

Dated: _____

Signature of Joining Party

Print or Type Name

Confidential Information Form (INFO)						
County:		Cause Number:			Do not file in a public access file.	
Court Clerk: This is a Restricted Access Document						
<input type="checkbox"/> Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Other <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Antiharassment <input type="checkbox"/> Information Change (Check if you're updating information)						
<input type="checkbox"/> A restraining order or protection order is in effect protecting <input type="checkbox"/> the petitioner <input type="checkbox"/> the respondent <input type="checkbox"/> the children.						
<input type="checkbox"/> 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 <u>Addendum To Confidential Information Form</u> to list additional parties or children)						
Petitioner Information			Type or Print Only	Respondent Information		
Name (Last, First, Middle)			Name (Last, First, Middle)			
Race	Sex	Birthdate	Race	Sex	Birthdate	
Driver's Lic. or Identocard (# and State)			Driver's Lic. or Identocard (# 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 children involved in the proceeding. (Soc. Sec. No. is <u>not required</u> 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.
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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)		
Race Sex Birthdate		
Drivers Lic. or Identicard (# and State)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)		
Name (Last, first, Middle)		
Race Sex Birthdate		
Drivers Lic. or Identicard (# and State), (or, if unavailable, residential address)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
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 the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No. _____

**Sealed Acknowledgment
 Denial of Paternity
(Cover Sheet)
(SADP)**

**Clerk's Action Required: Access is
Restricted per GR 22(d)(2)**

(Complete the information below and write "Sealed" at least one inch from the top of the first page of the acknowledgment or denial of paternity.)

The attached Acknowledgment of Paternity Denial of Paternity is filed with the:

petition

response

other: _____ [name of document],

which I filed on _____ [date].

Submitted by:

Signature

Print or Type Name

Notice: The other party will have access to the acknowledgment or denial of paternity. If you're 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 the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No.

**Findings of Fact and
Conclusions of Law on Petition
for Residential
Schedule/Parenting Plan or
Child Support
(FNFCL)**

I. Basis for Findings

The findings are based upon:

- agreement of the parties.
- an order of default signed by the court on this date or dated _____.
- a hearing held on (date) _____. The following people attended:

- | | |
|--|---|
| <input type="checkbox"/> Mother | <input type="checkbox"/> Mother's Attorney |
| <input type="checkbox"/> Acknowledged Father | <input type="checkbox"/> Acknowledged Father's Attorney |
| <input type="checkbox"/> Guardian ad Litem | <input type="checkbox"/> Other: |

II. Findings of Fact

Upon the basis of the court record, the court ***finds***:

2.1 Notice and Basis of Personal Jurisdiction Over the Parties

All parties necessary to adjudicate the issues were served with a copy of the summons and petition and are subject to the jurisdiction of this court. The facts below establish personal jurisdiction over the parties:

- The mother and acknowledged father engaged in sexual intercourse in the state of Washington as a result of which the child was conceived.
- Respondent was personally served with summons and petition within this state.
- Respondent submits to jurisdiction of this state by consent.
- Respondent resided with the child in this state.
- Respondent resided in this state and provided prenatal expenses or support for the child.
- The child resides in this state as a result of the acts or directives of respondent.
- Other:

2.2 Period for Challenge to the Acknowledgement or Denial of Paternity

(Name) _____, the child’s acknowledged father and (name) _____, the child’s mother signed the Acknowledgment of Paternity, which was filed with the Washington State Registrar of Vital Statistics on (date) _____ .

(Name) _____ the child’s presumed father, signed a Denial of Paternity, which was filed with the Washington State Registrar of Vital Statistics on (date) _____.

This proceeding was begun more than 60 days from the effective date of the Acknowledgement of Paternity and

- a period of two years or more has passed since the date the acknowledgment and denial of paternity was filed with the Washington State Registrar of Vital Statistics.
- less than two years has passed since the date the acknowledgment or denial of paternity was filed with the Washington State Registrar of Vital Statistics, and petitioner specifically alleges:
 - a) No man other than the acknowledged father is the father of the child; and
 - b) No proceeding to adjudicate the parentage of the child is currently pending; and
 - c) No other man is an adjudicated father of the child; and
 - d) Notice of this proceeding has been provided to all other men who have claimed parentage of the child.

2.3 The Child Affected in This Action

This action affects:

(Name) _____, (age) _____
 (Name) _____, (age) _____
 (Name) _____, (age) _____

2.4 Basis for Jurisdiction Over the Child

This court has jurisdiction over the child for the reasons set forth below:

- This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- This state is the home state of the child because:
 - the child lived in Washington with a parent or person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - the child is less than six months old and has lived in Washington with a parent or a person acting as parent since birth.
 - any absences from Washington have only been temporary.
 - Washington was the home state of the child within six months before the commencement of this proceeding and the child is absent from the state but a parent or person acting as a parent continues to live in this state.
- The child and the parents or the child and at least one parent or person acting as a parent have significant connection with the state other than mere physical presence, and substantial evidence is available in this state concerning the child's care, protection, training and personal relationships, and
 - the child has no home state elsewhere.
 - the child's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the child's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child is subjected to or threatened with abuse. RCW 26.27.231.
- There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until (date) _____.
- There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in (potential home state) _____ by the time the child has been in Washington for six months, (date) _____, then Washington's jurisdiction will be final and continuing.
- Other:

2.5 Child Support

- Does not apply.
- A child support order was signed by the court on this date or dated _____ requiring (name) _____ to pay \$_____ per month for the support of the child.
- The child is in need of support and child support should be set pursuant to the Washington State child support statutes. The order of child support signed by the court on this date or dated _____, and the child support worksheet which has been approved by the court are incorporated by reference in these findings.
- Other:

2.6 Residential Schedule/Parenting Plan

- Does not apply.
- The residential schedule/parenting plan signed by the court on this date or dated _____, is approved and incorporated as part of these findings.
- This residential schedule/parenting plan is the result of an agreement of the parties.
- Other:

2.7 Reimbursement

- Does not apply.
- The state of Washington or (name) _____ is entitled to reimbursement for support or assistance provided to the child, for expenses incurred on behalf of the child.

2.8 Continuing Restraining Order

- Does not apply.
- A continuing restraining order against the father mother both parties is necessary because:

Other:

2.9 Protection Order

- Does not apply.
- The domestic violence antiharassment Order for Protection signed by the court on this date or dated _____, is approved and incorporated as part of these findings.

2.10 Other

III. Conclusions of Law

3.1 Jurisdiction

- The court has jurisdiction to enter an order in this matter.
- The court does not have jurisdiction to enter an order because this matter was commenced less than 60 days from the effective date of the acknowledgment of paternity and the case is dismissed.
- The court does not have jurisdiction to enter an order in this matter and it is dismissed.

3.2 Disposition

The court shall enter an order that:

- Declares this proceeding was was not properly begun.
- Makes provision for a residential schedule/parenting plan, or past and current support, and health insurance coverage for the child.
- Awards court costs, guardian ad litem, attorney, and other reasonable fees.
- Makes provision for reimbursement for support or assistance provided to the child, for expenses incurred on behalf of the child.
- Makes provision for a domestic violence protection order.
- Making provision for an antiharassment protection order.
- Makes provision for a continuing restraining order.

**Superior Court of Washington
County of**

In re the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No.

Judgment and Order Establishing
**[] Residential Schedule/
Parenting Plan**
[] Child Support
(JDORS)
Clerk's action required para. 3.4, 3.7, 3.8
[] Law Enforcement Notification, ¶ 3.8

I. Judgment/Order Summaries

1.1 Restraining Order Summary

Does not apply. Restraining Order Summary is set forth below:

Name of person(s) restrained: _____ . Name of person(s) protected: _____ . **See Paragraph 3.8.**

Violation of a Restraining Order in paragraph 3.8 below with actual knowledge of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.26.590.

1.2 Money Judgment Summary

Does not apply. Judgment Summary is set forth below:

- A. Judgment creditor _____
- B. Judgment debtor _____
- C. Total judgment amount \$ _____
- D. Principal judgment amount (back support) \$ _____
From _____ to _____
- E. Interest to date of judgment \$ _____
- F. Attorney fees \$ _____
- G. Costs \$ _____
- H. Other recovery amount \$ _____
- I. Principal judgment shall bear interest at _____ % per annum

J. Attorney fees, costs and other recovery amounts shall bear interest at _____ % per annum

K. Attorney for judgment creditor _____

L. Attorney for judgment debtor _____

II. Basis

This matter has come before this court, the court considered the case record and has previously entered its findings of fact and conclusions of law.

III. Order

It is ordered:

3.1 Jurisdiction Over the Child

The court has jurisdiction over the child(ren) as set forth in the findings of fact and conclusions of law.

3.2 Order of Child Support

Does not apply.

(Name) _____ shall pay child support as set forth in the order of child(ren) support which was signed by the court on this date or dated _____.

3.3 Residential Schedule/Parenting Plan

The primary residence of the child shall be with (name) _____, who is designated custodian solely for the purpose of other state and federal statutes.

The residential plan/parenting plan signed by the court on this date or dated _____, is adopted and incorporated by reference.

(Name) _____ shall be designated the custodian of the child, and the child shall reside with (name) _____ at all times.

Determination of residential time of (name) _____ with the child is denied.

Other:

3.4 Judgment for Back Child Support

(Note – do not repeat this judgment in the order of child support WPF PS 01.0500.)

Does not apply.

(Name) _____ is awarded a judgment against (name) _____ in the amount of \$_____, for back child support for the period from (date) _____ to (date) _____.

The unpaid support due to (name) _____ by (name) _____ is waived and will not be collected by (name) _____. This does not waive any support owing to the state as a result of payment of public assistance.

All support due under temporary court orders has been paid.

Unpaid support due under a court or administrative order is preserved for collection and is not merged in or extinguished by this order.

Other:

Collection Limitation Against Wages:

The back child support provision above shall be paid at a rate of at least \$_____ per month beginning (date) _____. So long as the payments for current support, back support and the judgment are timely, collection against the judgment debtor's wages, excluding bonuses and other lump sum payments, shall be limited to \$_____ per month (for current support, back support and judgment). ***This limitation terminates if a single payment is past due.*** This provision does not limit or bar the state of Washington from using other collection remedies available to it by law, including, but not limited to, certification for collection to the Internal Revenue Service. Payment shall be made to:

Wage Withholding Action:

Withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state, without further notice to the judgment debtor at any time after entry of an order by the court, except as limited by the Collection Limitation Against Wages paragraph above.

Wage withholding, by notice of payroll deduction or other income withholding action under Chapter 26.18 RCW or Chapter 74.20 RCW, without further notice to the judgment debtor, is delayed until a payment is past due, because:

- there is good cause not to require immediate income withholding.
- the parties have reached a written agreement which the court approves that provides for an alternative arrangement. (See below):

Judgment and Back Support Payments Shall Be Made to:

Washington State Support Registry
P.O. Box 45868
Olympia, Washington 98504
Phone: 1-800-922-4306
1-800-442-5437

3.5 Judgment

(Note – do not repeat this judgment in the order of child support WPF PS 01.0500.)

Does not apply.

(Name) _____ is awarded a judgment against
(name) _____ in the amount of \$ _____, as follows:

\$ _____ for genetic testing costs.

\$ _____ for guardian ad litem fees.

\$ _____ for attorney fees.

\$ _____ costs.

\$ _____ for other fees and expenses.

\$ _____ other:

(Name) _____ shall have judgment against
(name) _____ for _____
in the amount of \$ _____.

3.6 County Costs

Does not apply.

The Superior Court of _____ shall have judgment against
(name) _____ for costs of this action specified as follows:

Other:

3.7 Guardian ad Litem

Does not apply.

Any guardian ad litem appointed by the court is discharged.

Other:

3.8 Continuing Restraining Order

Does not apply.

A continuing restraining order is entered as follows:

(Name) _____ is restrained and enjoined from
disturbing the peace of the other party.

(Name) _____ is restrained and enjoined from
going onto the grounds of or entering the home, work place or school of the other
party, or the day care or school of the following named children:

(Name) _____ is restrained and enjoined from
knowingly coming within or knowingly remaining within
(distance) _____ of the home, work place or school of the other party,
or the day care or school of these children:

Other: _____.

(Name) _____ is restrained and enjoined from
molesting, assaulting, harassing or stalking (name) _____.
(The following firearm restrictions apply if this box is checked: Effective
immediately and continuing as long as this continuing restraining order is in effect,

the restrained person may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issue firearms. 18 U.S.C. § 925(a)(1).)

Other:

Violation of a restraining order in paragraph 3.8 with actual knowledge of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.26.130.

- Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to (name of the appropriate law enforcement agency) _____ which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. **(A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)**

Service

- The restrained party or attorney appeared in court or signed this order; service of this order is not required.
- The restrained party or attorney did not appear in court; service of this order is required. The protected party must arrange for service of this order on the restrained party. File the original Return of Service with the clerk and provide a copy to the law enforcement agency listed above.

Expiration

This restraining order expires on: (month/day/year) _____. This restraining order supersedes all previous temporary restraining orders in this cause number.

- Any temporary restraining order previously entered in this cause number is terminated. **Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to: _____ law enforcement agency where **petitioner** resides which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants.

Full Faith and Credit

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

**Superior Court of Washington
County of _____**

In re the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No. _____

Note for Motion Docket

(No Mandatory Form)

TO THE CLERK OF COURT AND TO: _____

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: _____

HEARING TIME: _____

LOCATION: _____

COURTHOUSE ROOM: _____

ADDRESS: _____

NATURE OF MOTION: _____

Date: _____

Signature

**Superior Court of Washington
County of _____**

In re the Parenting and Support of:

Child(ren),

Petitioner,

and

Respondent.

No. _____

**Certificate of Mailing or
Personal Delivery**

(No Mandatory Form Developed)

I hereby certify that I am over the age of 18 and competent to be a witness.

On _____, I served _____, with the following documents: _____

_____ in the following

manner

Via first class U.S. Mail, postage prepaid; to

(Name & Address of Party Being Served):

Hand Delivery

At the following address:

by handing to and leaving with _____ (name) a true and correct copy of said pleadings at ____ a.m./p.m.

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

DATED this _____ day of _____, 20_____ at
_____(city), _____(state).

Signature

Print or Type Name

**Superior Court of Washington
County of _____**

In re the Parenting and Support of:

Child(ren)

Petitioner

and

Respondent.

No. _____

**Waiver of Rights Under Service
Members Civil Relief Act and
Admission of Service**

(No Mandatory Form Developed)

My name is _____. I am the Respondent/Nonrequesting Party in the above-entitled action. The Petitioner/Requesting Party has requested entry of a parenting plan/residential schedule and/or 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 petitioner/requesting party.

I received a copy of the Petition and Proposed Parenting Plan or Residential Schedule and the following other documents: _____
in this matter on _____ (date).

**Filing an Agreed Petition for Parenting Plan/Residential Schedule and Child Support
When Paternity Has Already Been Established – 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: