

# Finalizing Your Divorce (with children) by Agreement

Instructions and Forms

August 2017



Northwest Justice Project

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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## Section 1: Introduction

### A. Should I use this packet?

This packet should help you fill out and file the forms and papers that you need to finalize a divorce when you and your spouse have children and you have reached an agreement (or settlement) about all issues in your divorce. **If you have no children, do not use this packet.** Use our packet called [Finalizing Your Divorce without Children by Agreement](#).

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- ❖ State law about marriage and divorce also applies to marriages between same-sex couples. The Legal Voice's publication called [Marriage for Same-Sex Couples in Washington](#) has more information. See [www.legalvoice.org](http://www.legalvoice.org).
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To use this packet, you must have already filed your divorce and served your spouse with the papers. You should also have already reached an agreement. For help finding out how to try to get your spouse to settle your case, read our publication called [Mediation: Should I Use It](#). Also, find out if you can schedule a settlement conference with the other party. Check with the family law facilitator or court clerk.

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- ❖ You will see **footnotes** in this packet. They tell the law or court case supporting the footnoted statement, or give special tips, links to websites, or other information. Use the footnotes to look up the law at your local law library, or to tell the court when you are 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](#), 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 we published this packet. The law sometimes changes before we can update the packet.
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This packet should help you get signed final orders ending your marriage, dividing property and debts, changing your name (if you want), awarding maintenance (alimony), providing for the children, and entering a restraining order or protection order (if you want).

**This packet is not a substitute for legal advice.** If possible, get advice from a lawyer about your case.

### B. What if I have questions that this packet does not answer?

Talk to a lawyer familiar with family law before filing anything with the court. Many counties have family law facilitators who can help you fill out forms or free legal clinics where you may get legal advice about your case.

- **Do you live in King County? Call 211.** 211 is open Monday through Friday between 8:00 a.m. and 6:00 p.m. From a pay/public phone, call 1-800-621-4636. 211 will identify and refer you to the appropriate legal aid provider.

- Apply online with **CLEAR\*Online** - <https://nwjustice.org/get-legal-help>
- Call the CLEAR Legal Hotline at 1-888-201-1014.

Our publication called *Ending Your Marriage in Washington – The Basics* provides more information about divorce law in Washington.

## Section 2: Words and Expressions You Should Know

*You may not need every definition in this section.*

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

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

**Calendar** (also called a Docket): The court's schedule of cases it will be hearing.

**Caption:** The heading of each legal document. It has 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. It shows major dates and deadlines in your case.

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

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

**Commissioner/Court Commissioner:** This person is like a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases<sup>1</sup>.

**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 varies by county. Not all counties require confirmation. You may have to call the court a few days before the hearing or trial. Local rules explain each county's requirements. If notice is required and not given, the clerk may cancel the hearing or trial.

**Conformed Copy:** A copy of any court document 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.

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<sup>1</sup> Court commissioners, not judges, make many decisions in family law cases. In this packet, we usually just use "judge."

Continuance: Delaying your court hearing to a later date. In your county, the judge might have to approve any request for a continuance.

Custodian (also Custodial Parent): The person the children live with most of the time.

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

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

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).

Docket: the court's schedule of cases it will hear on a particular day.

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

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

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

Grantee: In a divorce where the parties own real property (house or land) together, the grantee is the person who gets or buys a share of the property.

Grantor: In a divorce where the parties own real property (house or land) together, the grantor is the person who gives or sells their share of the property.

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 a party. The GAL's 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 does not allow live witness testimony at hearings. Instead, the parties must file and serve materials in advance in writing. In some counties, the court may decide the outcome of certain types of modification cases by hearing rather than by full trial.

Jurisdiction: The court's authority to make decisions regarding certain people and issues. If a court does not 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 "alimony"): The amount a court orders one spouse to pay for the support of the other during the case and/or after it is over. RCW 26.09.090 lists some

factors to use in deciding whether to award maintenance 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 lawyer not otherwise involved in the case), where the parties try to mediate, or reach an agreement, about all of the legal issues in their case.

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

**Motion Docket:** The court's schedule of motions it will hear.

The moving party can be either a Petitioner or the Respondent in the original case.

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

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

**Order:** A court document signed by a judge that requires someone to do (or not do) something. **Examples:** restraining orders, orders on adequate cause, parenting plans or Findings and Conclusions. The judge must have signed them for them to take effect. If you disobey an order of the court, the judge may hold you in contempt. **An order is not in effect until a judge has signed it.** Check if an order you are served with is only a proposed order or if the judge has actually signed it. (See "proposed order" definition.)

**Other party:** Every party to the case, besides you. 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.

**Parenting Plan:** A proposal or, if signed by a judge, a court order which states when the child will be with each party, who will 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. (We only refer to parenting plans. We do not recommend you use a residential schedule. It 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.

**Petition:** The document that starts a case and asks the court for a decree, judgment, or final order. **Petitioner:** The person who files a legal case. The petitioner in the caption of a form does not change, even when the other party later files motions.

**Pro Se:** Acting without a lawyer; representing yourself in court.

**Proposed Order:** A document one party will be asking the judge to sign. It will not 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 if your county does not require it, it is still better to prepare and serve them and deliver copies to the court. A proposed order becomes an order if the judge signs it.

**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 also sometimes describes 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 will 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 keep a party from doing something that may harm the other party or child.

**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, or files a petition to change a parenting plan, residential schedule, or custody order, 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 Family Law Order:** An order entered after a case is filed and before it is finalized, which is only in effect while the case is going on. Some Temporary Family Law 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 the court orders one parent to pay as that parent’s share of basic child support.

**Trial:** The hearing where 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 you should file a case. Proper venue depends upon the type of case.

**Waiver:** Asking to be excused from something. When you file a motion for a fee waiver, you are asking the court for permission not to have to pay the fee.

Working papers/working copies: Local court rules may require you to deliver an extra copy of all of papers (including proposed orders) for your hearing for the judge to read. We call this set of copies Working Papers. 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.

## Section 3: How to Finalize Your Divorce

We explain many of the steps listed below in more detail later in this packet.

- ☐ **1. Check for Special Local Rules and Forms.** Some counties have local rules you must follow. Ask the court clerk or family law facilitator about case schedules and local court rules for divorce cases. Some family law facilitators have their own packets for finalizing a divorce by agreement. If yours does, use their packet instead of ours. If you use our packet, get any other local forms that you will need.

The court must:

- 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

Ask the court clerk or family law facilitator about procedures your court is using under this law. You may need to use local forms and procedures not in this packet.

- ☐ **2. Get Any Other Packets or Forms You Need.**
- ☐ **3. Wait for 90 days After Service.** You must wait at least 90 days (three months) after the divorce was filed and served on the responding spouse to enter final orders. This is true even if you and your spouse agree.

During the 90 day waiting period, you may:

- File a motion for Temporary Family Law Orders or a motion for Immediate Restraining Orders. See our packets called [Filing for Temporary Family Law Orders](#) and [Filing for Immediate Restraining Orders](#).
- Get a Protection Order if you need one. See our publication [Domestic Violence: Can the Legal System Help Protect Me?](#)

During the waiting period, you should

- Complete any locally required procedures, such as parenting classes or settlement conferences.
- Take part in the investigation, if the court has appointed a GAL or other child custody evaluator.



☐ **4. Follow the General Instructions for the Forms.**

☐ **5. Complete the Note for hearing and Final Divorce Papers including:**

- ☐ Notice of Hearing or local Hearing form
- ☐ Findings and Conclusions about a Marriage
- ☐ Final Divorce Order
- ☐ Parenting Plan
- ☐ Child Support Order
- ☐ Child Support Worksheets
- ☐ Residential Time Summary Report
- ☐ Locally required forms
- ☐ Protection Order– if you have agreed to entering one as part of your divorce
- ☐ Restraining Order – if you have agreed to enter one as part of your divorce

You and your spouse must each sign all these papers (except for the Notice of Hearing) to finalize your case by agreement. Not all cases will have a Protection Order or Restraining Order.

- ☐ Law Enforcement Information Form (LEIS) – if you are entering a Restraining Order or Protection Order. (Do not serve the LEIS on the other party.) Get this form from the clerk. You can complete it when the judge signs the Restraining Order or Protection Order.

☐ **6. If the State of Washington (through the prosecuting attorney or attorney general) or a Guardian Ad Litem filed a Notice of Appearance in this case, or there are other parties,** deliver the originals of your final orders to them for their signature. Do not enter final orders without their approval. Give them at least two weeks to review the orders and get them back to you.

☐ **7. Follow the Instructions for Filing and Serving the Notice of Hearing and your proposed final papers.**

☐ **8. Go to the Hearing. Ask the Judge to Sign Your Final Papers.**

If both spouses have signed every final paper, only one party must go to the final hearing. But both should go if possible. If one spouse is not there and the judge has questions or wants to change the papers, you may need to come back for another hearing, so the other spouse has a chance to review and agree to any changes.

☐ **9. The Last Steps:** Do these after the judge has signed your orders, and you have filed the originals with the clerk and gotten copies for yourself and the other party/parties. (You need conformed copies of most orders, but one certified copy of any Protection Order, Restraining Order, or other Order with a safety restraint)

- ☐ Keep the certified copy of any restraining or protection order with you at all

times. Keep other court papers in a safe place.

- ☐ Have your server mail copies of the final orders the judge signed to the other party/ies at his/her last known address. Have your server fill out a Proof of Mailing or Hand Delivery. File your Proof of Mailing or Hand Delivery with the court clerk.
- ☐ **10. Keep your copies of the final divorce papers in a safe place.**
- ☐ **11. Complete After-Divorce Tasks, such as the following:**
  - ☐ If needed, give your children's school and daycare a copy of your parenting plan and any Restraining Order or Protection Order.
  - ☐ Change your will, if you have one.
  - ☐ Change beneficiaries on your life insurance, bank accounts, and so on, if applicable.
  - ☐ If you changed your name, update your
    - \_\_\_\_\_ Driver's license
    - \_\_\_\_\_ Social Security card
    - \_\_\_\_\_ Passport or immigration documents
  - ☐ If you get Social Security, inform them about your divorce.
  - ☐ Deal with any issues about converting health insurance.
  - ☐ Make sure you change title to any property the court awarded.
  - ☐ Follow the court's orders.

## Section 4: What is in This Packet?

This packet has many of the forms you will need to prepare your final papers. Read the next section. Decide what other forms and packets you will need.

The following is a list of the blank forms in this packet. These forms are also available at <http://www.courts.wa.gov/forms>.

Form Title	Form Number
Findings and Conclusions about a Marriage	FL Divorce 231
Final Divorce Order (Dissolution Decree)	FL Divorce 241
Parenting Plan	FL All Family 140
Residential Time Summary Report	FL Divorce 243
Child Support Worksheets	No Form Number
Child Support Order	FL All Family 130
Restraining Order	FL All Family 150
Notice of Hearing	FL All Family 185; Your county may have its own form
Proof of Mailing or Hand Delivery	FL All Family 112

## Section 5: What Else Will I Need?

You may need other forms or packets to finalize your divorce case. Read the information below carefully. Check the boxes by the other packets or forms you need. Get the other things you need from [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) or, if you are low-income and have no internet access, by calling CLEAR at 1-888-201-1014.

**Your county's Note for Motion Docket or Note for Divorce Calendar form and local court rules.** Some counties have their own note for motion or note for divorce calendar form. Some counties also have special rules for where and when you can note a motion to enter your final divorce orders. Some counties may allow you to appear before a judge to enter your orders without filing a note for motion. Get the local note for motion form and the local rules to set a hearing to enter your final court orders.

- ☐ To get your local rules and local forms, visit the family law facilitator or, if your county does not have one, the court clerk. Some counties' forms and local rules are online here: <http://www.courts.wa.gov/rules/local.cfm?group=superior>.
- ☐ **Restraining Order, FL All Family 150** - If you are agreeing to a restraining order, get this form from <http://www.courts.wa.gov/forms/>.
- ☐ **What are Working Copies?** - If your court rules require you to serve working papers or working copies. You may want to use this publication even if your county does not require them.
- ☐ **Law Enforcement Information Sheet (LEIS) – WPF All Cases 1.0400** - Get this form if you are entering a Restraining Order or Protection Order in your Final Divorce Order. (Do not serve this form on the other party.) Get this form from the clerk. You can complete it when the judge signs the Restraining Order or Protection Order.
- ☐ **Declaration about Public Assistance, FL All Family 132:** This form is available at the Administrator of the Courts website - <http://www.courts.wa.gov/forms/>. It is not in our packets. It is optional. Our instructions tell you to serve the State in any case where TANF, Medicaid, or foster care is involved. 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. You may need the form if your county requires it, or to verify that no public assistance has been paid or that the children are not in foster care or out-of-home placement.
- ☐ **Serving Papers on the State** - If any party is asking for an order regarding child support, and any of the children has gotten 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. Serve them with all papers you file.
- ☐ **Ending Your Marriage in Washington with Children – The Basics** - To learn more about your legal rights in a divorce.
- ☐ **Mediation: Should I Use It?** - If you have not yet reached agreement and would like help trying to settle your divorce.
- ☐ **Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington** - To understand more about how child support is set.

- ☐ [Community Debt and Bankruptcy Issues](#) - If you are concerned about being able to pay your debts.
- ☐ [Divorce and Future Retirement Benefits](#) - If you or your spouse may be entitled to retirement benefits (such as a pension) that were earned during the marriage.
- ☐ [Enforcing Your Final Divorce Order: Money and Property Issues](#) - For help enforcing a maintenance award or property division in your Divorce Decree.
- ☐ **Notice of Address Change (FL All Family 120):** Use this form if you move during or after your case. Fill it out, file it with the court, and get all other parties a copy. Get it at <http://www.courts.wa.gov/forms>.
- ☐ **Order for Protection forms** – Complete these if you want an Order for Protection from domestic violence or unlawful harassment as part of your divorce, or you want the court to change or extend your Order for Protection as part of the divorce case. Get the forms from your county clerk’s office, domestic violence advocacy program, or for domestic violence forms, online at <http://www.courts.wa.gov/forms/>. The “Petitioner” in the Protection Order form is always the protected person, even if s/he was the respondent in the divorce.

## Section 6: Follow These General Instructions before Filling out any Forms

These general instructions will apply to all forms you fill out. The instructions cover all types of family law cases. You may not use some of the information in your case. A Sample form at the end of this section may help you understand these instructions better.

**The caption.** This includes the name of your case, the case number, the court’s name, the title of the paper, and sometimes, the type of case. It appears at the top of the first page of every form. Put the county where the case was filed in the blank space where the form reads "Superior Court of Washington County of \_\_\_\_\_."

**Case name.** Copy the case name from the petition.

**Case number.** When Petitioner starts the case by filing the initial papers and paying the filing fee (or having the fee waived), the court clerk assigns a case number. All parties must put that case number on every paper they file with the court and serve on the other parties. Write the case number near the top on the right-hand section of the first page of every form after "No." (abbreviation for “number”) You may be able to use a special stamp at the court clerk’s counter to stamp the case number on each paper.

If you do not put 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, your papers may be lost, or the clerk may return them to you. Some courts will fine you for filing incorrect forms.

**Title.** Each form has a title. It is on the right-hand side of the form under the case number. Sometimes the full title is on the form. Sometimes you must add more information to

finalize it. (**Example:** On a declaration, you put the name of the person filling out the declaration.)

**Format:** Pleadings (legal forms) you file with the court and attachments to pleadings must follow court rules about size and margins ([GR 14\(a\)](#)). You must use regular size (8 ½ x 11”) white paper. You may write on only one side. The first page of each paper that you file must have a three-inch margin (three 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. 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. It must be readable. You must use BLACK OR DARK BLUE INK. A few counties require you to type all documents. After filling out each form, re-read it. Make sure you have correctly filled in all blanks you need to. Any corrections must be neat and readable.

Do not write in the margins. 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 filled the form out to put the date they signed it. The judge will put dates in orders when s/he signs the order.

### ***Signatures.***

- **Your Signature:** After you fill out a form, look for the place(s) to sign your name:
  - 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. **Look carefully.** You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed the form.
  - When you prepare and file motions, you are the moving party. On the last page of the motion, you must fill out and sign the section **Person making this motion (or asking for this order) fills out below.** When you prepare an order and plan to present it for the judge to sign, look for the place at the end for your signature. Check **is presented by me.**
- **Judge’s Signature:** Leave the judge’s signature line and the date blank.
- **Other party’s signature:** Some forms have a place for other parties to sign. You cannot force another party to sign a court paper. S/he can choose (not) to sign. If you have prepared an order after a hearing, the other party may be willing to sign it 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, s/he should sign in the right place on each court order s/he agrees to.
  - May be signed by the court without notice to me. If you are the respondent or nonmoving party, or if you did not prepare the order, the other party may ask you to check this box and sign underneath. If you do, you are agreeing the

judge should sign the order as written AND the other party can give the order to the judge to sign without letting you know when they are going to do it.

- **Other signatures:** If someone else (a witness or the person serving papers) must sign a form, they must fill out all information correctly and sign in the right space.

**Place signed.** Declarations and Proofs of Service must include the place you signed them and the date. (**Example:** Signed this 10th day of October 2014 at Seattle, WA.)

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

#### **Box #1- Things to Not Put in Most Court Papers:**

Court 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. They may also be available to the public online.

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

**Address (Where you live) and Phone Number:** You must put an address where you can get mail from the court. (It does not have to be your home address.) You should also give the court a phone number where they can reach you.

**Social Security/Driver's License, ID Numbers of Adults and Children:** If you put these in court papers, put only the last four digits, not the whole number.

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

#### **Box #2 - Private Information You Should File With Sealed Cover Sheets:**

If you use a sealed cover sheet, this information is usually available to the other party and the court. It is **not** available to the public.

**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. Then the public cannot access them.

**Medical or Mental Health Records or Information:** If you file papers that have health or mental health information (information about someone's past, present, or future physical or mental health, including insurance or payment records), you must attach the papers to a Sealed Personal Health Care Records form. Then the public cannot access them.

**Confidential Reports:** Reports intended for court use must have a public section and a private section. You should attach the private section of the report to a Sealed Confidential Reports Cover Sheet.

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

**Other Kinds of Confidential or Embarrassing Information Not Mentioned Above.** If the paper you want kept confidential is not in the above list, you may need to file a motion with the court to asking to have that paper, or part of it, sealed under General Rule [\(GR\) 15](#). There is no packet for this. There are presently no mandatory forms for this type of motion. Talk to a lawyer.

**Box #3 - When to Put Private Information in Court Forms:**

These forms are not in the public file. Information in them is **usually** not available to the other party.

You must fill in your personal information completely (including your home address, social security number, and so on): Confidential Information Form, Vital Statistics Form, Domestic Violence Information Form, and Law Enforcement Information Sheet.

This **case type** is for a divorce. Yours may be different.

Put the **county** where you are filing this form.

Put the **case number**. The court clerk assigns this number when the Petitioner files the case.

This is the form's **title**.

**Superior Court of Washington, County of** \_\_\_\_\_

In re the marriage of:

Petitioner (*person who started this case*):  
Jane Brown

And Respondent (*other spouse*):  
John Brown

No. \_\_\_\_\_

Notice of Hearing (NTHG)

☒ Clerk's action required: **1**

## Sample Form - Notice of Hearing

To the Court Clerk and all parties:

- 1.** A court hearing has been scheduled:



for: May 15, 2016 at: 9:30 ☒ a.m. ☐ p.m.  
date time

at: 1234 Maple Street in 15  
court's address room or department  
Judge Anne Smith  
docket / calendar or judge / commissioner's name

- 2.** The purpose of this hearing is (*specify*): Temporary Family Law Orders regarding a parenting plan and child support.

**Warning!** If you do not go to the hearing, the court may sign orders without hearing your side.

This hearing was requested by: ☒ Petitioner or his/her lawyer ☐ Respondent or his/her lawyer

▶ Jane Brown Jane Brown 5/1/16  
Person asking for this hearing signs here Print name (if lawyer, also list WSBA No.) Date

I agree to accept legal papers for this case at:

5252 A Street  
address

Treelane WA 98888  
city state zip

(Optional) email: jbrown@email.com

This does **not** have to be your home address. If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the *Notice of Address Change* form (FL All Family 120). A party must also update his/her *Confidential Information* form (FL All Family 001) if this case involves parentage or child support.



## Section 7: How to Fill Out and File Each Form

### A. Findings and Conclusions about a Marriage – FL Divorce 231

Have handy a copy of the Petition for Divorce you filed and any Response when you fill out this form. It will be easier if you copy some of the info from those forms.

**1. Basis for Findings and Conclusions.** Check the first box.

**2. Notice.** Check all boxes showing what is true in this case.

**3. Jurisdiction over the marriage and the spouses.** Check the boxes to show where each of you lived at the time of filing of the Petition. Then check all the other boxes that apply.

Leave the **Conclusion** boxes for the judge to check.

**4. Information about the marriage.** Check the first box. Then put the date and place of your marriage. Check the second box if you were domestic partners before you married. Put the state and date where you registered your partnership. Check the box immediately underneath showing how the partnership became a marriage. If you check the second box, put the date of your marriage.

**5. Separation date.** Either copy the information about your date of separation from the Petition or put the date of separation that you and your spouse agree upon.

**6. Status of the Marriage.** Check the first box.

**7. Separation Contract.** Check the first box and skip to 8 if you have no separation contract or prenuptial agreement. (Most couples have no separation contract or prenuptial agreement.)

Check the second box if you have a separation contract or prenuptial agreement. In the blank, put the date you signed it. **Conclusion:** check the first box.

If you have signed a separation contract or a prenuptial agreement, or if you do not know whether or not you have signed one, talk with a lawyer.

**8. Real Property.** Check the first box and skip to 9 if you and the other party own no real property.

Check the second box if you have a long list of real property. In the blank, put "A." Attach a copy of the list of all of your property as Exhibit A.

Check the third box and skip to 9 if you have a separation contract or prenuptial agreement.

Otherwise, check the fourth box. Use the chart underneath to list

- all the property
- who the court should award it to

## **9. Community personal property.**

Community property, in general, is all property you acquired between the dates of marriage and separation, except for property you got by gift or inheritance.<sup>2</sup>

Check the first box and skip to 10 if you have no community personal property at all (including money, clothes, and household items).

Check the second box and skip to 10 if true in your case.

Check the third box if you have a long list of community personal property. In the blank, put "B." Attach a copy of the list of all of your community personal property as Exhibit B.

Check the fourth box and skip to 10 if you have a separation contract or prenuptial agreement.

Otherwise, check the fifth box. Use the chart underneath to list all community personal property.

Do not put your entire bank account number or similar information on any papers in this packet. These papers will become part of the public record once filed with the court. They will be available to the public online. To identify which bank account you are referring to, use the bank name, type of account, and last four numbers only. Do the same for other accounts (such as credit card accounts) that have identifying numbers.

## **10. Separate Personal Property.**

In general, separate property is property (including money) acquired before the marriage or after separation, gifts, and inherited items.<sup>3</sup>

Check the first box and skip to 11 if neither of you has personal property.

Check the second box if Petitioner has no separate personal property.

Check the third box if Respondent has no separate personal property.

Check the fourth box if true in your case. Skip to 11.

Check the fifth box if Petitioner has a long list of separate personal property. In the blank, put "C." Attach a copy of the list of all of Petitioner's separate personal property as Exhibit C.

Check the sixth box if Respondent has a long list of separate personal property. In the blank, put "D." Attach a copy of the list of all of Respondent's separate personal property as Exhibit D.

Check the seventh box and skip to 11 if you have a separation contract or prenuptial agreement.

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<sup>2</sup> For more about community property, talk with a lawyer or read our publication [Ending Your Marriage in Washington](#).

<sup>3</sup> There are exceptions. To find out more about separate property, talk with a lawyer or read our publication [Ending Your Marriage in Washington - The Basics](#).

Otherwise, check the eighth box. Use the chart underneath to list all of the Petitioner's separate personal property. Check the ninth box. Use the chart underneath to list all of the Respondent's separate personal property.

Look back at the Petition and Response. Make sure you list here all property listed there.

### **11. Community Debt.**

Debts created during the marriage are almost always community debts, even if only one of you actually created or knew about the debt. (**Example:** Your spouse was the only one who ever used the VISA card. It is still a community debt if the debt happened during the marriage.)

Look at the Debts sections of the petition and Response. In general, you will list all debts in the petition (and the Response to it) in this form under sections 11 or 12. You must account for all the debts by identifying them as community or separate debts. Since you are entering final orders by agreement, you can add or delete debts, as appropriate.

Check the first box and skip to 12 if there are no community debts.

Check the second box if true in your case and skip to 12.

Check the third box if you have a long list of community debt. In the blank, put "E." Attach a copy of the list of all the community debt as Exhibit E.

Check the fourth box and skip to 12 if you have a separation contract or prenuptial agreement.

Otherwise, check the fifth box. Use the chart underneath to list all your community debt.

**Creditor** means who (person, store, bank, and so on) you owe money to.

**12. Separate Debt.** Use this section to list all separate debts, no matter who will pay them.

Check the first box and skip to 13 if neither of you has separate debt.

Check the second box if only Petitioner has no debts.

Check the third box if only Respondent has no debts.

Check the fourth box if this is true in your case.

Check the fifth box if Petitioner has a long list of separate debt. In the blank, put "F." Attach a copy of the list of all of Petitioner's separate personal property as Exhibit F.

Check the sixth box if Respondent has a long list of separate debt. In the blank, put "G." Attach a copy of the list of all of Respondent's separate personal property as Exhibit G.

Check the seventh box and skip to 13 if you have a separation contract or prenuptial agreement.

Otherwise, check the eighth and ninth boxes. Use the charts underneath to list each party's separate debts.

**13. Spousal support.** Check the first box and skip to 14 if neither party asked for maintenance.

Check the second box and skip to 14 if you have a separation contract or prenuptial agreement.

Check the third box if one of you asked for maintenance. In **Conclusion**, check the box showing what you agreed to about maintenance. In the appropriate blank, put your reason/s. (**Examples:** If you check the box that it should be ordered, you could put that respondent has been a stay-at-home parent for twenty years, and/or is disabled, and so on.)

**14. Fees and Costs.** Check the first box and skip to 15 if neither of you asked for fees or costs.

Check the second box and skip to 15 if you have a separation contract or prenuptial agreement.

Check the third box if you agree that one of you should pay the other fees or costs. Then check which party needs help paying those fees/costs.

Check the fourth box if the case had a GAL or other court-appointed professional.

**15. Protection Order.** Check the first box and skip to 16 if neither of you asked for a Protection Order.

Check the second box if one of you asked the court to combine an existing Protection Order with this divorce case. Then check the box showing which of you asked. Leave the **Conclusion** section for the judge to fill out.

Check the third box if one of you asked for a new Protection Order. Then check the box showing which of you asked. Leave the **Conclusion** section for the judge to fill out.

**16. Restraining Order.** Check the first box and skip to 17 if the court is not entering a restraining order.

Check the second box if the court should enter a restraining order. Then, check which party the court should restrain. In the blank, put briefly why you need a restraining order.

**17. Pregnancy.** Check the first box and skip to 18 if neither of you is pregnant. Check the second box if one of you is pregnant. Then check the box showing which of you it is. Leave the **Conclusion** section for the judge to fill out.

If one spouse is pregnant, the law presumes the other is the other parent. If this is not true in your case, there is a specific procedure and usually only a short time to challenge this legal presumption. The following **ARE NOT** enough to reverse the legal presumption that the other spouse is a parent:

- Denying paternity in the divorce papers
- Leaving the unborn child out of the parenting plan and child support orders
- Naming someone else as the parent in the divorce papers

If one spouse is pregnant and the other is not the other parent, talk with a lawyer. The court should not stop you from getting final divorce orders if you are pregnant. It may keep part of your case open until it can determine the paternity of your child.

If one spouse is pregnant and other is not a parent, the court can still end your marriage and finalize most of parts of your divorce. You cannot enter child support and a parenting plan for this child until after the birth.

**18. Children of the marriage.** Check the second box. Put the requested info for each child. This section only includes children of the marriage, not children from other relationships.

**19. Jurisdiction over the Children.** Check the second box if you agree the judge should enter a parent plan. Then check everything underneath that applies and fill out blanks as appropriate.

Check the third box only if you agree that the judge cannot enter a parenting plan.

**20. Parenting Plan.** Check the second box. Put the date judge signed the final parenting plan, if different than the date the judge will sign this Order. Check the first box underneath.

**21. Child Support.** Check the second box. Check the first box immediately underneath and put the date the judge signed or will sign the Final Child Support Order, if on a date different than the one s/he will sign this Order. Check the second box immediately underneath if you have a DCS order in place.

**22. Other.** Look at the **Other** section of the Petition and Response. Copy any information from there that is part of your agreement into this section. If a spouse is pregnant at the time the court signs the final papers ending the marriage, put, "The court should reserve all issues relating to the unborn child until after the child's birth."

DO NOT put the date or sign on the line that says Judge/Commissioner. The Judge fills those lines in when s/he signs your Findings.

**Petitioner and Respondent or their lawyers fill out below:** There are two columns of boxes to check, one column for each party. Both of you should check **is an agreement of the parties**. You should each also check whichever other boxes in your column apply to you. You should each sign and print your name and the date where indicated.

## **B. Final Divorce Order (Divorce Decree) - FL Divorce 241**

**Caption.** Fill out the Caption. Check **Final Divorce Order (Divorce Decree)** under the case number and under the Caption. Check **Clerk's Action Required** only if:

- You are including a restraining order
- This Order includes a real property (real estate) or money judgment summary

**1. Money Judgment Summary.** Check the second box if the court is entering any money judgments. Fill out sections 6, and 14 first and then come back to this table. Put any money one spouse owes the other, including any money owed for overdue spousal support or attorney's fees, or related to the property and debt division. **You cannot ask for anything you did not request in your petition.**

Most money judgments will have a 12% interest rate. If you agreed to a different interest rate, put it in the second blank in Yearly Interest Rate.

**2. Summary of Real Property Judgment.** Check **does not apply** and skip to 3 if there is no real property involved in your divorce. Otherwise, check the second box. Fill out the table with the info requested. Make extra copies of this page if you have more than one piece of real property. Use a separate table for each piece of real property.

If you do not know the tax parcel number or legal description of a piece of real property, try to get it from the county assessor's office in the county where the property is located, or from a title company. You should also try to have a lawyer look at your final papers before asking the judge to sign them.

**3. Marriage.** Check the first box.

**4. Name Changes.** Check the first box if neither spouse is changing their name. Check the second box if the petitioner is changing his/her name. Put the petitioner's full new name in the blank. Check the third box if the petitioner is changing his/her name. Put the respondent's full new name in the blank.

**5. Separation Contract.** Check the first box and skip to 6 if you do not have a separation contract.

Otherwise, check the second box. Check the box underneath that best describes the separation contract.

**6. Money Judgment.** Check the first box and skip to 7 if there is no money one spouse owes the other.

Otherwise, check the second box. Check the box showing which of you owes the other. Put the amount the spouse owes the other. Check the box under that if you have agreed to an interest rate different than 12%. Put your agreed interest rate. Explain why you have agreed to it.

**7. Real Property.** Check the first box and skip to 8 if the court is not awarding either spouse any real property.

Check the second box and skip to 8 if your separation contract covers your real property.

Check the third box and skip to 8 if you already listed your real property in a separate Exhibit. Put the Exhibit letter or number.

Check the fourth box if you have otherwise agreed how to divide your real property. Give the info requested. Check to show how the court should treat the property. (You should copy what you put in section 8 of your Findings.) Check the box immediately under the table if you need to transfer title of the property from one spouse to the other (or from both spouses' names into just one spouse's name). You must record the Quit Claim Deed with the County Auditor. The court will not do this for you.

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❖ Just signing and filing a Quit Claim Deed does not end your obligation to pay the mortgage. The spouse who is getting the property needs to be able to refinance the mortgage on his/her own.

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Check the only fifth box only if you both agree this is true.

**8. Petitioner's Personal Property.**

**If you have a retirement plan (example:** a pension or military retirement benefit): ask a lawyer to at least advise you about the retirement issues, and to prepare the retirement papers you need when you finish your case (**example:** a Qualified Domestic Relations Order, called a QDRO or “quadro,” and the retirement division portion in your divorce decree). Our packets do not describe retirement benefits and property.

Check the first box and skip to 9 if you have already divided your personal property.

Check the second box and skip to 9 if your separation contract covers your personal property.

Check the third box and skip to 9 if you already listed your personal property in a separate Exhibit. Put the Exhibit letter or number.

Check the fourth box if you have otherwise agreed how to divide your personal property. Give the info requested. Check to show how the court should treat the property. (You should copy what you put in section 10 of your Findings.)

If the court will award a vehicle to a party, you must check the right box AND list the vehicle's information: its make, model, year, and Vehicle Identification Number.

Check only the fifth box only if you both agree this is true.

**9. Respondent's Personal Property.** Check the first box and skip to 10 if you have already divided your personal property.

Check the second box and skip to 10 if your separation contract covers your personal property.

Check the third box and skip to 10 if you already listed your personal property in a separate Exhibit. Put the Exhibit letter or number.

Check the fourth box if you have otherwise agreed how to divide your personal property. Give the info requested. Check to show how the court should treat the property. (You should copy what you put in section 10 of your Findings.)

Check only the fifth box only if you both agree this is true.

**10. Petitioner's Debt.** Check the first box and skip to 11 if Petitioner has no debt.

Check the second box and skip to 11 if Petitioner will pay the debts in his/her name.

Check the third box and skip to 11 if your separation contract covers debt.

Check the fourth box and skip to 11 if you already listed debts in a separate Exhibit. Put the Exhibit letter or number.

Check the fifth box if you have otherwise agreed what Petitioner's debts will be. Give the info requested. Check to show how the court should treat the property. (You should copy what you put in section 12 of your Findings.)

Check only the sixth box only if you both agree this is true.

**11. Respondent's Debt.** Check the first box and skip to 12 if Respondent has no debt.

Check the second box and skip to 12 if Respondent will pay the debts in his/her name.

Check the third box and skip to 12 if your separation contract covers debt.

Check the fourth box and skip to 12 if you already listed debts in a separate Exhibit. Put the Exhibit letter or number.

Check the fifth box if you have otherwise agreed what Petitioner's debts will be. Give the info requested. Check to show how the court should treat the property. (You should copy what you put in section 12 of your Findings.)

Check only the sixth box only if you both agree this is true.

**12. Debt collection.** Your Final Divorce Order may make each of you alone responsible for some debts. This may not stop creditors from trying to collect from both you and your spouse.

If you check the second box and your spouse does not pay one of the debts s/he is ordered to, and the creditor goes after you, you can sue the other spouse for the amount of the debt, attorney's fees and costs. **The other spouse could sue also you if you do not pay debts you are responsible for under the Final Divorce Order.**

**13. Spousal Support.** Check the first box and skip to 14 if there will be no spousal support.

Check the second box and skip to 14 if your separation contract covers spousal support. Skip to 14.

Check the third box and skip to 14 if you already covered spousal support in a separate Exhibit. Put the Exhibit letter or number.

Otherwise, check the fourth box. Check which spouse is going to pay. Put the info requested.

- **Termination:** Check the first box if you agree spousal support will end on a specific date. Put that date. Check the second box if you agree spousal support will end upon death of either party OR remarriage of the party who is receiving. Explain in the blank when you agree spousal support will end.
- **Make all payments to:** Check the first box if the paying spouse will pay the other directly. Check the box underneath showing how the paying spouse shall make those payments. Check the third box if you want the clerk to collect spousal support.

Check the fifth box if the spouse paying spousal support might have a pension or benefits under the Washington State Department of Retirement Systems Check which box immediately underneath you agreed to.

**14. Fees and Costs.** Check the first box and skip to 15 if there will be no court award of attorney fees or costs.

Check the second box and skip to 15 if your separation contract covers attorney's fees and costs.

Check the third box if you agreed Petitioner will pay some costs. Put who Petitioner is paying. Put the amount/s Petitioner will pay for the appropriate items.



Check the fourth box if you agreed Respondent will pay some costs. Put who Respondent is paying. Put the amount/s Respondent will pay for the appropriate items.

**The interest rate is 12% unless:** Check the box immediately underneath if you agreed to a different interest rate. Explain why.

**15. Protection Order.** Check the first box and skip to 16 if neither of you asked for a Protection Order.

Check **Approved** if one of you asked for a Protection Order and you agree the court should enter one.

Check **Denied** if one of you asked for a Protection Order but you now agree that the court should deny that request.

Check **Renewed/Changed** if you agree the court should change a Protection Order. Check the box underneath showing how the court should change it.

**16. Continuing Restraining Order.** Check the first box and skip to 17 if neither of you asked for a Restraining Order.

Check **Approved** if one of you asked for a Restraining Order and you agree the court should enter one.

Check **Denied** if one of you asked for a Restraining Order but you now agree that the court should deny that request.

Check the fourth box if true in your case. Follow the directions.

**17. Children of the marriage.** Most people will check the second box. If you need to check the third box, see a lawyer.

**18. Parenting Plan.** Most people will check the second box and put the date the court signs the parenting plan if different than the date it signs this Order. Check the first box only if you agree the court cannot enter a parenting plan and see a lawyer. Check the third box if the court appointed a GAL in your case.

**19. Child Support.** Check **Court Order** if you agreed to a court order of child support. Fill out the blank if the court is signing it on a different day than it signs this Order.

Check **Administrative Order** if this is true in your case.

Check **Tax Exemptions** and put in the blanks who will get the tax exemptions and when.

Check **Post-secondary** and then the appropriate box underneath if you agreed the court should rule on post-high school child support.

**20. Other Orders.** Fill this in only to add more orders that you requested in your petition or Response and that you are agreeing to.

**DO NOT** put the date or put on the judge/commissioner line. The Judge does that.

**Petitioner and Respondent or their lawyers fill out below.** There are two columns of boxes to check, one for each party. Both of you should check **is an agreement of the parties**. You should each also check whichever other boxes in your column that applies to you. You should each sign and print your name and the date where indicated.

If you are asking for a Protection Order, fill out the Protection Order and LEIS forms. If you or the children have ever gotten welfare or Medicaid, or if the children are in foster care or out-of-home placement, the prosecuting attorney's office also must sign your Child Support Order and Child Support Worksheets before the Judge or Court Commissioner can sign it. If the court appointed a Guardian ad Litem (GAL) for either spouse, or to represent the best interests of any child of the marriage, the GAL must sign the final divorce order and, if appointed for a child, the parenting plan.

### **C. Parenting Plan – FL All Family 140**

Read the instructions carefully. Take your time. Look at the parenting plan filed with the Petition and Response. Copy the parts out of it you both have agreed to.

If you need hands-on help, your county may have a Family Law Facilitator who can give more information or help filling out problem spots in the forms.

**Caption.** Fill out the caption.

**1. “This Parenting Plan is:”** Check the second box. Then check **Final order** underneath.

**2. Children.** List the names and ages of the biological or adopted children, under age 18, that you and the other parent had together. Do not list stepchildren or children you have from other relationships.

**3. Reasons for putting limitations on a parent.** This is where you explain if you agreed restrict a parent’s time with the child(ren), and why.

**3a.** Check the first box and skip to 3b if you agree neither parent (nor someone living with him/her) has done anything listed here. Check the second box if you agree that a parent or someone living with him/her **has** done anything listed here. Then underneath check which things apply. Put the parent’s name where needed.

**3b.** Check the first box and skip to section 4 if you agree that neither parent (nor anyone living with him/her) has any issues listed here. Check the second box if you agree that a parent or someone living with him/her does have issues listed here. Then underneath check which issues. Put the parent’s name where needed.

**Abusive Use of Conflict:** Check this if you agree a parent has made derogatory comments to the children about the other parent or untrue accusation to others (**example:** makes repeated calls to CPS for no reason). In **14 (Other)**, if you agree to this, you may say the parent agrees to stop doing these things. In **4 (limitations on a parent)**, under **Evaluation or treatment required**, you can put that you agree that one parent will suspend visits if the other engages in this behavior and visits will only resume once the offending parent completes a parenting skills class.

**Neglect:** If you check this, in sections **4 (limitations on a parent)** and **14 (Other)** you can agree to supervised visitation for a parent until s/he successfully completes a parenting skills program and provides the court and other parent with written proof of this.

**4. Limitations on a parent.** Check the first box and skip to 5 if you checked the first boxes in **3a** and **3b**.

Check the second box if you checked problems or behaviors in **3a** and/or **3b** BUT you agree the parent does not need court-ordered limitations. In the blank, explain why. Skip to **section 5**.

You must convince the court the children will be safe when they are with the other parent. If you do not, the Court might not sign your parenting plan, even though both parents agreed to it.

Check the third box if you checked problems or behaviors in **3a** and/or **3b** and you agree these are harmful to the child(ren). In the blank, put the name of the parent with these issues. Then check the box(es) underneath that apply.

**Supervised contact:** Check this if you want the judge to order supervised visits or the judge ordered this after hearing. In the blank, put the other parent's name.

- Check the first box underneath if you agree to a professional supervisor. Put the supervisor's name.
- Otherwise, check the second box underneath and put the supervisor's name.
- Check the third box if the schedule for supervised visits will be in **sections 8 – 11**.
- Check the fourth box and fill out the blanks if you can briefly list the schedule here. The visitation times in **sections 8 - 11** must be consistent with the supervision in this section. **Example:** If visitation lasts all weekend, you may not realistically be able to have someone supervise.
- Check **other limitations or conditions** if, for example, the supervisor must follow any standard "supervised visitation order" your court uses and/or you agree to conditions during visits such as the supervisor being there for the entire visit and being required to stop any conduct that could harm the children.

You must agree to a supervisor who can and will protect the children from harm. If you choose a relative or household member to supervise visits, the plan must include conditions to be followed during residential time.

The court will not appoint someone who does not want to be a supervisor.

**Evaluation or treatment required:** Check this and put a parent's name in the blank if you agree that parent will be evaluated for and/or complete any kind of treatment program approved and certified by the State of Washington before allowing unsupervised or (or, in severe cases, any) visits.

- Check the first box directly underneath if you agree a parent should get an evaluation. In the blank, put the type of evaluation. **Examples:** drug/alcohol, sexual offender, domestic violence.
- Check the second box directly underneath if you agree a parent should start and complete treatment. Check the box underneath showing the specifics.
- Check the third box if you want the court to order the other parent to submit proof of their evaluation and other records of treatment, or the court ordered this.

- If you agree, put in the last blank what happens if a parent does not follow this section of the parenting plan. **Examples:** A parent gets supervised visits only. S/he loses all visitation rights if s/he does not follow this section. Her rights are suspended immediately until you can go back to court.

## **5. Decision-making.**

**a. Major Decisions:** If you agree you both should decide together about a type of major decision, check joint next to that type of decision. If you agree that only one parent should decide, check limited. At **other**, put any major issues not listed elsewhere. Some examples: getting a driver's license, getting married before age 18, or enlisting in the military before age 18.

### **b. Reasons for limits on major decision-making**

- Check the first box and skip to **section 6** if you did not check any boxes in **sections 3a or 3b**.
- Check the second box if you checked anything in **3a**.
- Check the third box if both parents are against joint decision making OR one is against it and one of the boxes below that choice applies.

Check the second box if you agree only one parent should have decision-making authority. Check the box beside the appropriate parent. Check the box showing the reason.

## **6. Dispute Resolution.**

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❖ Skip this and go to 7 if you put limitations in 3a.

---

The parenting plan has three alternative dispute resolution processes. You must use the option you check every time you and the other parent have a major difference regarding the children that you cannot work out yourselves. The process may cost a lot. Still, it can be easier and cheaper than going back to court.

**6a. Mediation:** commonly used. You and the other parent meet with a “mediator” (a neutral person who could be a lawyer, professional mediator, or mental health professional) to try to work out the problems by agreement.

**Arbitration:** you and the other parent meet with an arbitrator (a neutral person who is usually a lawyer or retired judge). The arbitrator will listen to you both and make a decision you both must follow if you cannot reach an agreement.

**Counseling:** you and the other parent meet with a counselor to try to reach agreement.

**Court:** Check this if you should not use or cannot agree to the other options, such as when you cannot afford it or one parent has committed domestic violence against the other.

**6b.** If you chose mediation, arbitration, or counseling, choose how one parent will notify the other that they want to use it. Under **the parents will pay for**, check how you will divide the cost.

You may choose to divide the cost of dispute resolution 50-50 or some other percentage, based on your incomes as shown on the child support worksheet, or to let the mediator/counselor/arbitrator help you decide.

**7. Custodian.** Put who the children will be living with more than half of the time. Read the rest of this section.

If you and the other parent have agreed on joint custody, and you will each have the child(ren) one half of the time, you may alternate the designation by odd/even year. Get legal advice about your case. Find out whether this would be a good idea for you.

### **Parenting Time Schedule**

This section may be confusing. Talk with a lawyer or your family law facilitator. Our publication called [Ending Your Marriage or Domestic Partnership in Washington with Children - The Basics](#) may help.

Check the first box and skip to **section 12** if the only contact the other parent will have with the children is in **section 4**. Otherwise, check the second box. Make sure the schedule you put is best for your children.

### **8. School Schedule.**

**8a. Children under School-Age:** Check the first box and skip to **8b** if all your children are in school already.

- Check the second box if the schedule will be the same as for school-age children.
- Check the third box if the schedule for children under school-age will be different than the one for school-age children.

“Every other week” is different from “first and third week.” There are sometimes five weeks in a month.

**8b. School-Age Children:** Fill out this section even if none of your children is yet in school. Check the boxes showing when you want this schedule to apply (or when the court ordered it to apply).

After **The children are scheduled to live with**, in the first blank, put who they will live with most of the time. In the second blank, put the other parent’s name. Then check the boxes underneath showing when they will live with the other parent. “Every other week” is different from “first and third week.” There are sometimes five weeks in a month.

**9. Summer Schedule.** In the first sentence, check the first box if you agree that “summer” starts and ends according to the school calendar. Check the second box if you agree to something other than the school calendar.

Check “the summer schedule is the **same** as” if that is what you agree to. Skip to **section 10**.

Check “the summer schedule is **different** than” if that is what you agreed to. Check the box showing when you agree the summer schedule takes effect. After **During the summer the children are scheduled to live with**, in the first blank, put who they will live with most of

the time. In the second blank, put the other parent's name. Then check the boxes underneath showing when they will live with the other parent.

Check **other** if you agree not to set specific dates. In the blank, you can put that one or both parents notify each other by a certain date of the time they would like for that summer.

**Example:** "The children will live with the father during the summer except for four weeks with the mother. The mother shall tell the father by May 15<sup>th</sup> which weeks she wants."

You can also put whether the time will be all at once or split up. **Example:** "Four weeks, taken in two, two-week sessions."

**10. Holiday Schedule.** Check the first box and skip to **section 11** if you agree to follow the school schedule.

You do not need a special schedule for holidays if you agree you do not want one.

Otherwise, check the second box. Then check the box showing which children the holiday schedule applies to. Fill out the table showing what you agree the holiday schedule will be.

If you agree to alternate holidays by year, specify "odd" and "even" years.

If you agree to split a holiday each year (**example:** Christmas morning with mom, Christmas afternoon and evening with dad), check **Every** for both parents. Fill out the split times for that holiday in the section below in the **begin day/time** and **end day/time** blanks.

**Other occasion important to the family:** You can use this for

- Any special religious or cultural holidays not otherwise listed. Some of the listed holidays may not be important in your family, particularly if you are not Christian, while the form does not list other important holidays.
- A child's birthday, a parent's birthday, an annual family reunion, and so on.

**11. Conflicts in Scheduling.** This says what happens when parts of the Parenting Time Schedule conflict, such as when mom's Christmas Day falls on dad's weekend. Check the box showing what you agree to. You can check **Other** to create your own priorities.

**12. Transportation.** In the first paragraph, check the box showing where you agree to exchange the children. You can check **other location** if you agree to a neutral, public place, like a local fast food restaurant or park. This makes sense if you agree you and the other parent may fight in front of the children.

In the second paragraph, check the box showing who is responsible for arranging transportation.

Arrangements for the cost of transportation go in the Child Support Order.

Use **other** to put other conditions on transportation. **Example:** If a parent does not have a driver's license, you can put here that s/he must arrange for someone with a license to transport the children, if you both agree about this.

**13. Moving with the Children (Relocation).** This section is about the laws that apply when a parent wants to move with the children. DO NOT put anything here. Do read this. Do not delete or change this section.

**14. Other.** Here are some suggestions for how to use this section:

- **Following Requirements of Other Court Orders:** You can agree that a parent must complete requirements already required by another court order (such as a dependency order or Protection Order) before s/he can have time with the children (or have unsupervised time). You can also agree that parent must provide written proof of completion of the requirements.
- **Removal of Children from the State:** You can put here that a parent may not remove the child(ren) from the State of Washington without the other parent's written consent. **Example:** You already know that the other parent will be taking the child to another state for an annual family reunion. You would state that as an exception.

You can put here any other rules you agree to, such as giving or denying access to school or medical records, being able to go to or get notice of school or extra-curricular events (sports, church events, music recitals, and so on), or phone contact. Here is some sample language for rules you might agree to:

- Phone Calls - Each parent shall be allowed to call the children at reasonable times when they are with the other parent.
- Activities Outside of School - Neither parent shall sign the child(ren) up for activities which will interfere with the other parent's time, without the other parent's agreement.
- Address and Phone of Parents - Both parents shall keep each other advised of their current home address and phone number.
- School and Activities - Both parents shall have the right to go to school, sports, and other activities of the children.

**15. Proposal.** Check the second box. At **parent requesting plan signs here**, sign and put the date and place you are signing. The other parent should sign and date underneath.

**16. Court Order.** Check the second box. Leave the rest of this section for the judge to fill out and sign.

**If this is a court order, the parties sign below: In the left-hand column, check is an agreement of the parties.** Have the other parent check the same in the right-hand column. Check **is presented by me** on the left-hand side and then sign and print your name and the date under that. The other parent must sign in the space on the right-hand side and put his/her name and the date under that.

When you have finished filling out your Parenting Plan, read through it **several times**. Make sure you understand it and have filled out everything you want.

## **D. Residential Time Summary Report - FL Divorce 243**

File this form with the final parenting plan. The judge does not sign it.

Use the same form for all children in the parenting plan, unless they have different schedules. In that case, fill out a separate form for each schedule.

**1. The Parenting Plan.** In the first box, put the date the court signs the parenting plan.

In the second box, on the left side, check the first box.

In the second box, on the right side, check the box showing the parenting plan ordered is an original order.

In the last box, put the number of children this schedule covers.

**2. Parenting Time Schedule from the Parenting Plan.** Look at the Parenting Time Schedule in your parenting plan. Check the one row that best summarizes the percent (%) of time the schedule shows the children will spend with petitioner and with respondent.

**Example:** The children spend four days every two weeks with the petitioner ( $4 \times 26 = 104$  days), plus one week at winter school break (7 days) and one month in the summer (30 days). You would check the row that says 60% of the time with respondent and 40% with petitioner.

( $104 + 7 + 30 = 141$  days total divided by 365 days in the year = 38% with father.)

**3. Information about the Parents.** For each parent:

- Check their relationship to the children.
- Check whether that parent represented him/herself or had a lawyer.
- Look back at paragraphs 3.a. and 3.b. of the parenting plan. Check the correct box showing what the parenting plan states.

**4. Dispute Resolution from section 6 of the Parenting Plan.** Look back at Dispute Resolution part of the Parenting Plan. Check the box showing the Dispute Resolution ordered there.

The person preparing this form signs and dates it on the last line.

## **E. Washington State Child Support Worksheets**

The instructions in the Washington State Child Support Schedule cover different types of cases and different stages of a case. You and your spouse are finalizing your case by agreement. You should use the income, child support amounts, expenses, and other information you agree is correct. Follow the instructions for preparing agreed final worksheets for the judge to sign. Make sure you complete the Child Support Order Summary Report paragraph. At your hearing, both spouses may need to produce proof of income showing your child support calculation is appropriate for the children.

You must fill these out before the Child Support Order and other forms. You will need the information when you fill out some of the other forms. Filling out the worksheets takes



time. Each party must fill out a set of child support worksheets, using the instructions and schedule that come with them.

The instructions in this packet only cover a few special issues.

The instructions and worksheets in this packet are current as of July 2015. Use them along with the Washington State Child Support Schedule published by the Administrative Office of the Courts. Get it from their website (<http://www.courts.wa.gov/forms>), or call (360) 705-5328. Also, read our publication called [Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington](#).

The instructions below are for filling out the worksheets based on the income, child support amounts, and expense figures you propose at the start of the case. If the parties all agree on the income, child support amounts, and expense figures, fill out the worksheets using the figures you agree to. You may still need to show the judge that those amounts are correct.

Use the Division of Child Support's (DCS) online [Child Support Estimator](#), <https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator> for help

- estimating the amount of support the judge might order in your case
- preparing proposed child support worksheets
- filling out your Worksheets online

The Estimator may not work if you are asking for a “deviation” from the standard child support calculation. (**Examples** of when you might ask for a deviation: the parents spend a lot of residential time with the children; there are children from other relationships; each parent has custody of one of the children.)

To fill out the worksheets, follow the instructions in the Washington State Child Support Schedule (WSCSS). They explain:

- the meaning of gross and net income
- how to list your income
- how/when to impute income to the other party
- how to fill in the rest of the financial info

These instructions address gaps in the WSCSS instructions:

1. **Above the caption**, check the box to show whether these worksheets are proposed or an order signed by the judge. If they are proposed, check the box showing who is proposing them and put your name.
2. **Caption your worksheets**: At the top of worksheet page 1, fill in your county, the case number, the parents' and children's names, and the children's ages in the appropriate spaces.
3. **List your info on the Worksheet as Parent 1. The other parent is Parent 2.**
4. **Put info for the other parent only if you know or can estimate their income and expenses.** You should put on the form if you have used estimates. If you have

any income information for the other parent, even an estimate, use that information. Explain in **Other Factors for Consideration** at **Line 26** any income information or estimates you listed which you did not base on wage stubs or tax returns. The other parent will have a chance to correct any incorrect information.

5. If any party gets SSI, TANF, or Food Stamps, list that income on line **22(f), Income from Assistance Programs**, and not line 1, **Gross Monthly Income**. You should list income from other common programs such as social security, worker's compensation, unemployment benefits, and pension or retirement benefits on line **1(e), "Other Income."**
6. **If you cannot get accurate income information about the other parent or estimate their income** based on what you know, **or you believe s/he is voluntarily unemployed or underemployed**, follow the instructions for *imputing* income to that parent. (See the WSCSS Definitions and Standards, INCOME STANDARD #6, on page 1.)
7. **Health Care Expenses (Part III):** You should include here only expenses you pay regularly (**example:** monthly health insurance premium). Do not include doctor bills that may change over time. If you are listing health care expenses on lines **10a** and **10b**, you should also list monthly payments you actually made for those expenses on line **16a, Monthly Health Care Expenses Credit**.
8. **You can Include Daycare, Education & Travel Expenses:** In **section 11**, fill in your daycare, tuition or other special childcare expense, and have that amount included in the transfer payment. Then mark the first box in section 21 of the Child Support Order under **Other shared expenses:** "Does not apply. The monthly amount covers all expenses, except health care expenses." If you are listing day care or other special expenses in part III of the Worksheets, you must also list monthly payments that parent actually made for those expenses on line **16b, Day Care and Special Expenses Credit**.

In most cases, you should **not** list your daycare, education and travel expenses here. Instead, you should list them in section 21 of the Child Support Order under **Other shared expenses**, after checking **the parents will share the cost for the expenses listed below**. This allows for changes in these expenses that may take place over time. Then you may not need to change your support order in the future. The downside of putting these expenses in the Order (instead of the Worksheets) is that it may be harder to collect payment from the other parent for these expenses. DCS will help compute and collect day care and other special expenses.

9. In the **"Other Factors for Consideration" part of the Worksheet**, you explain how you calculated income and expenses, and show factors that may allow "deviation" from the "standard calculation." If there are special circumstances, you should list this information on the worksheet. See the "Limitation Standards" and the "Deviation Standards" on pages 3 - 4 of the Definitions and Standards section of the Washington State Child Support Schedule to decide what info to put.

You can also explain how you calculated the support amount. State how you calculated each parent's income. If the income you put for someone is imputed or estimated, put how you figured out the income amount. If you believe support should be less than the standard calculation, state how much it should be and why.

If a parent gets disability benefits like Social Security and the child is eligible for them on the parent's account, you must report both parent's and child's shares under "net income." You should then explain in **Other factors for Consideration** the child's share of the benefit, who is currently getting the child's benefit, and that the parent should get credit against his/her support obligation as long as the child's benefit continues.

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❖ **You Must Fill in the Worksheet Completely.** It takes time and patience to fill it out accurately. The judge decides the child support payment based on the info in this worksheet.

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- 10. Signature.** Sign where indicated on the last page. Put the date and place (city) you signed.

## **F. Child Support Order – FL All Family 130**

Fill this out to show your agreement. When you present the order for the judge to sign, you may need to have proof of the parents' incomes and of other financial information used to calculate the child support transfer payment amount (the amount of support the parent will pay). After the judge signs the Child Support Order and other orders, get conformed copies from the court clerk.

**Caption.** Fill out the caption. Check **final**.

Check the first box and skip to 2 if you do not want a judgment for back child support (or the judge did not award a judgment for back support after hearing).

Check the second box and fill in the table.

**Other:** Use this blank if you are asking for attorney fees or the court awards them at your hearing/trial<sup>5</sup> or any costs of your legal case (filing fee, service fees, and so on).

### **Findings and Order**

**2.** Check the appropriate box.

**3 & 4.** Do not change either of these sections.

**5. Parents' Income.** Fill in all the info you can. Each parent gets their own column.

If a parent has no income, or you do not know what it is, you must impute income to them, unless there is a reason not to. **Examples:** do not impute income to a parent who is in prison or a long-term drug treatment. Check **imputed to this parent** and skip to 6 if you impute income.

If this order is based on the judge's decision at your trial or hearing: put the income information the judge announced for each parent. Check the box showing whether the judge found this amount was the parent's imputed or actual income.

**6. Imputed Income.** Check the first box for a parent and skip to 7 if you are NOT imputing income.

Check **This parent's monthly net income is imputed because** and then the boxes below that show why you are imputing income (making a reasonable guess about their income). Pages 2 and 5 of the Washington State Child Support Schedule Definitions and Standards have more information about imputing income.

**7. Limits affecting the monthly child support amount.**

Check the first box and skip to 8 if any of these is true:

The child support amount will be 45% of the paying parent's income or less.

The paying parent's monthly income is more than 125% of the federal poverty guidelines.

The parents' combined net income is less than \$12,000.

Check the second box and then:

- **low-income limits** if in anywhere in line 8 of the worksheets, you put that a parent will pay \$50 monthly.
- **the 45% net income limit** if the child support amount is more than 45% of the paying parent's net income.

**Combined Monthly Net Income over \$12,000** if that is true. Check the box immediately under if the paying parent will pay the advisory amount. Fill in the blank if it is more than the amount the economic table advises.

This packet does not explain the special rules for setting child support when the parents' combined monthly net income is over \$12,000. A parent in this situation can probably afford a lawyer. The Washington State Child Support Schedule at page 3 has more information.

**8. Standard Calculation.** Most people will check **all children living together**.

If this is a proposed order, put in the blank who you want to have custody. Then put the amount listed at line 15(a) or (e) of the worksheets you propose, even if that is not the amount of the transfer payment. If this is an order after hearing/trial, put in the blank who the judge awarded custody. Then put the figure on line 15 (a) or (e) of the worksheets the judge approved. List each parent's name on the left-hand side of the first table. Put the amount each parent will pay on the right-hand side. (One parent will probably pay nothing. Put a zero.)

Check the second box if you want to split custody between you and another party OR the judge ordered this after hearing. Then fill out the box showing how you want the court to split custody OR how the court decided after hearing. Underneath the box, put how much you want a parent to pay (if this is a proposed order) OR how much the judge ordered. You

must check one of the boxes under that showing how you (or the court) came up with this amount.

Check “**check here if there is a residential split**” if you have split custody between you. Underneath the box, put how much you want a parent to pay (if this is a proposed order) OR how much the judge ordered. You must check one of the boxes under that showing how you (or the court) came up with this amount.

**9. Deviation from standard calculation.** Check **No** if you do not want a deviation or the judge denied a request for deviation. Then check the reason underneath why there will be no deviation. Fill in any blanks as needed. If you check **there is no good reason to approve**, you must check the appropriate indented boxes underneath.

Check **Yes** if you agree to a deviation. Check underneath all your reasons. If you check **A parent or parents in this case has** or **The children in this case**, you must check the appropriate indented boxes underneath.

You might check **other reasons** in the case of, for example, a parent's temporary unemployment to get schooling or training.

**10. Monthly child support amount (transfer payment).** Most people will **check** the first box and put the name of the paying parent in the first blank and the other in the second. You then list the children, ages, and amount the parent will pay for each child.

If support will be the standard calculation child support amount (and not a deviation), the total should add up to the amount listed at line 15 of the child support worksheets for the parent this order covers. To figure out the child support for each child, multiply the basic support obligation for that child (in the left-hand box at line 5 on the child support worksheets) by this parent's proportional share of income (line 6 of the worksheets). The amounts for each child must add up to the Total Monthly Transfer Amount on the last line.

If you are agreeing to a deviation, put in the blank the amount a parent will pay, after applying the deviation.

Check **Residential Split** only if you are agreeing to this. Put who is paying support to whom and the amount.

**11. Starting date and payment schedule.** In the blank, put when child support under this order will start. (Usually, the earliest that a new Support Order can become effective is the date the petition was filed and served.) Check the box showing the schedule. Fill in the blanks where needed.

**12. Step Increase.** Most people will check **Does not apply**. Check **Approved** and fill in the blanks if:

- this order changes an earlier support order AND
- the child support payment will go up by more than 30% AND
- you agree the payments should go up gradually

Check **Denied** if you do not agree to a gradual increase.

**13. Periodic Adjustment.** Most people will check the first box. Then you may adjust or change this order according to Washington law.

Check the second box if you agree to have the child support amount adjusted periodically, such as every year due to small changes in income. Then check the box/es underneath showing when adjustments should take place. (You must still go back to court to get the adjustment. It will not automatically happen.)

**14. Payment Method.** Check the first box if

- the child has ever gotten public assistance OR
- you agree DCS should help collect support

Having DCS collect can be good. If DCS collects for you, it must help you if the parent paying support pays late or stops paying. DCS will have documented proof of the dates and amounts of all payments.

For more information about the differences between enforcement and payment processing services, contact your local DCS office.

**DCS Enforcement: Check the boxes that apply.**

**Direct Pay.** Check this if you want this or the judge ordered this after hearing. Check the first box if you want payment made by mail. Put the address where the paying parent should mail payment. Check the second box if you do not want payment by mail. Put in the blank how you want payments made.

If you are concerned about your home address being in a public record, list an address where you can get your legal mail on a regular basis even after the case is finished. If you change your address for legal mail, also give your new address to DCS, the other party and to the court as soon as possible by filing a Notice of Address Change (available at <http://www.courts.wa.gov/forms>). If you do not update your address information with the court, the other party, and with DCS, you could be served with legal papers at the address you filled in on this form, and orders could be entered without notice to you.

**15. Enforcement through income withholding (garnishment).** The usual rule is that child support is deducted from the paying parent's wages and sent to the support registry. Most people will check the first box.

Check the second box and the boxes after it that apply if you agree to a special exception. The judge must find good cause not to order wage withholding.

You should not be fired because your paycheck is being garnished for child support.<sup>4</sup> If your employer threatens to fire you if you are garnished, contact DCS, a lawyer, your local legal services office, or CLEAR at 1-888-201-1014.

**16. End date for support.** Most people will check the second box if the children are not yet in high school and are not disabled.

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<sup>4</sup> [RCW 26.18.110\(8\)](#).

Check the third box if you also checked Reserved or Granted in 17.

Check the fourth box if a child is disabled and will need support even after age 18. In the blank, put the child's name. Check the box immediately underneath showing when support should end. Fill in the blanks as appropriate.

Child support usually ends when the child turns 18 years old or completes secondary (high school) education, whichever happens later. Check other if you agree child support should end at some other time. Put when support will end.

### **17. Post-secondary educational support (for college or vocational school).**

Check **Reserved** if you agree the court should decide later, but before the child support obligation ends, whether a parent should pay post-secondary support. You might want to do this if, for example, the child is too young for you to know what her needs after high school will be, or the child's plans are not yet certain.

Check **Granted** if you agree a parent should pay post-secondary support. Check the first box immediately underneath if you agree the court should decide the amount later.

(**Example:** You agree both parents should pay for college, but the child is not going to college soon.)

Check **Denied** if someone asked for post-secondary support but you now agree the court should not order it, OR the court denied the request.

Check **Other** if you agree neither parent will ever have to help pay for the child's college.

### **18. Claiming children as dependents on tax forms.**

Most people agree the custodian should get the tax exemption for the children. If true in your case, check the second box and the first box immediately underneath. In the first blank, put the custodian's name. In the second blank, put the children's names.

If you agree a noncustodial parent should claim the exemptions part of the time, you should still check the second box. Then check the boxes showing what your arrangement will be. Check other. In the blank, put "a parent may claim an exemption at the times stated above only if the s/he has fully paid all child support, daycare, and uninsured medical expenses that are owed as of December 31<sup>st</sup> of the relevant tax year." That way, a parent who does not pay support payments on time cannot take the exemption.

If you do not have custody, you must sign an IRS form 8332 saying who gets the tax exemptions.

### **19. Health Insurance.** Check the first box and skip to 20 if true in your case.

Otherwise, check the second box. Put who you agree will pay the premium. Then check the boxes underneath and fill in blanks where needed showing what the other parent's insurance obligation is.

### **20. Health insurance if circumstances change or court has not ordered.** Do not make any changes to this section.

### **21. Children's expenses not included in the monthly child support payment.**

**Uninsured medical expenses:** In each blank at the top of the chart, put a parent's name. Then check proportional share and put that parent's share of uninsured expenses from the worksheets at line 6 in the blank.

**Other shared expenses:** Check **does not apply** if that is what you want. Otherwise, check the second box. In the chart, check the children's expenses for whatever you agree the order should cover. Then follow the instructions in uninsured medical expenses above for filling out the chart.

**22. Past due child support, medical support and other expenses.** Check the first box and skip to 23 if you agree the judge should not decide about past child support or interest.

Check the second box if you agree neither parent owes any back amounts. Then put the date the judge will sign this order, and check all the boxes that apply.

Check the second box only if you know that a paying parent owes no back child support OR the judge ordered this. If you check the first box, a paying parent could be excused from paying any back support owed.

Check **money judgments** if you agree the judge should award back support. Then fill out the chart with the info requested.

In from and to, put the dates the support is owed for.

**23. Overpayment caused by change.** Check does not apply and skip to 24 if true in your case.

Check the second box if you are asking for an order that would cause someone to have overpaid child support. Fill in the rest of the section with the info requested.

**24. Other Orders.** The judge may use this.

Ordered: LEAVE THIS FOR THE JUDGE.

**Petitioner and Respondent or their lawyers fill out below.** There are two columns of boxes to check, one column for each party. Both of you should check **is an agreement of the parties**. You should each also check whichever other boxes in your column that applies to you. You should each sign and print your name and the date where indicated.

**If any parent or child received government assistance:** An assistant prosecutor who handles support cases in this county must fill out and sign this section.<sup>5</sup>

**Parent or Non-Parent Custodian applies for DCS enforcement services:** Check this, and sign and print your name and put the date if you want this. Having DCS collect can be good. DCS must help you if the parent paying support pays late or stops paying. DCS will have documented proof of the dates and amounts of all payments.

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<sup>5</sup> If the child has ever gotten public assistance (TANF) or Medicaid, or is in foster care or out-of-home placement, and the lawyer for DCS will not sign the child support order, you must schedule a court hearing to present the order to the judge for signature and give the other parties advance notice of the hearing. This packet does not explain how to do that.



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- ❖ For more information about the differences between enforcement and payment processing services, contact your local DCS office.
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## **G. Restraining Order – FL All Family 150**

Use this form only if you both agree the judge should issue a Restraining Order as part of the final orders in your divorce. Otherwise, skip this form.

**1. This Order restrains.** Put the name of the party you agree the order should restrain. Give the info requested.

**2. This Order protects.** Put who you agree the order should protect. If you want this order to cover any of your children, fill out the table underneath with the info requested.

**3. To the Restrained Person listed in 1.** The judge will put the date this Order expires.

### **4. Findings.**

Authority: Do not make any changes to this.

Notice: Check other and explain that the parties agree to the entry of this restraining order.

Credible Threat: Check this only if you agree the judge should order a party to surrender weapons.

Intimate Partner: Check this if true in your case.

Military: Check Petitioner if true of Petitioner. Check Respondent if true of a respondent.

### **5. Court Orders to the Restrained Person listed in 1.**

Do not disturb: Check this box if you agree the order should say this.

Stay away: Check this box if you agree to this. If you check the first box immediately underneath, you should put a distance you both agree to.

Do not hurt or threaten: Check this if you agree to this.

Prohibit weapons and order surrender: Check this if you agree to this. You will also need to use our [Getting a Court Order for the Surrender of Weapons: Family Law Cases](#) packet.

Findings: Check **must** if you can check either of the boxes immediately underneath. Otherwise, check **may** and all the boxes immediately underneath it that apply.

**6. Service.** Check "the other party does not need to be served" if true. Otherwise, check "the other party must be served" and everything underneath that applies.

**7. To the clerk.** Put the name of the sheriff department or police department that will enforce this order.

**Petitioner and Respondent or their lawyers fill out below:**

You should check is presented by me and is an agreement of the parties in the column for your party. You should each sign and print your name and the date where indicated.

## **Section 8: Scheduling a Hearing to Ask a Judge to Sign Your Orders**

### **A. Getting a Hearing Date**

Check your local court rules (at the law library), or call your family law facilitator (if your county has one) court clerk about when to schedule entry of your final divorce orders. Tell the clerk you want the judge to sign AGREED final divorce orders. Some counties will allow you to appear in court to have your final orders signed without scheduling a hearing or filing a Notice of Hearing.

Motions for entry of final orders in divorce cases are often scheduled in the “ex parte” department, but on the family law calendar, or with a judge. In some counties, hearings to enter final divorce orders are scheduled only on certain days or at certain times. If the State is a party to your case (**example:** when the children have gotten public assistance), you may have to schedule your hearing on a date the prosecutor is present for family law motions.

You might be able to use the Notice of Hearing form to set up a hearing to ask the court to sign your final orders for a Divorce. **Many** counties require you to use their own “Note for Motion Docket,” “Notice of Issue,” or “Note for Hearing.” **Ask the family law facilitator or court clerk if they have a special form.** If not, use the form here.

### **B. How Much Notice to Give**

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 are not court holidays) **before the hearing date.**<sup>6</sup> (Do not count the day you deliver/mail the papers, weekends, or holidays.) Some counties require more than five court days’ notice for family law hearings. Check with your local court rules, your Family Law Facilitator, or the court clerk. 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.

**Mailing.** If you have the papers mailed, instead of personally delivered, add at least three days<sup>7</sup> to the number of days’ notice your county’s rules require. **Example:** if you mail a document on a Monday, it will be presumed to have been served on Thursday. If the third

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<sup>6</sup> [Civil Rule \(CR\) 6\(d\)](#).

<sup>7</sup> Three days are clearly required under [CR 5](#). There is one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

day after the papers are mailed is a weekend or holiday, add days so the papers arrive on a business day, not a legal holiday or weekend.<sup>8</sup>

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

### **C. Instructions for the Notice of Hearing – FL All Family 185**

**Caption.** Fill out the caption.

**To the Clerk of the Court and all parties:** Put your hearing date and time. Put the courthouse address, the courtroom number, and the name of the docket or the judge's name.

**2.** Put “Presentation of Agreed Final Divorce Orders.”

**This hearing was requested by:** Check the box showing which party you are.

**Person asking for this hearing signs here:** Sign and print your name and address. Put the date. Read the box about your address.

### **D. Getting Ready to File and Serve the Notice of Hearing and Presentation of Final Orders.**

**Before going to the courthouse, copy and organize your papers.** Make copies of every paper – see the checklists in this packet – one for yourself, one for every other party who will get notice of your hearing. Include the State of Washington if your children have gotten public assistance and a Guardian ad Litem if the court appointed one. Make one more copy for the judge if you need working papers. See the section “Working Papers,” below.<sup>9</sup> **Do not make a copy of the Law Enforcement Information Sheet (if you are using it) for any other party.**

Organize the copies into sets so each set has a copy of every paper you are filing. (Do not give the other parties the Proof of Mailing or Hand Delivery or the Law Enforcement Information Sheet.)

Keep one set for yourself. Put any Law Enforcement Information Sheet into this set.

Put the other party/parties' sets into an envelope, addressed to them. You will use these sets for service.

Make sure your papers are filed and served in time to give the court and the other party enough notice before the hearing date. See the information above in “Getting a Hearing Date” and “How Much Notice to give.”

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<sup>8</sup> [CR 6\(a\)](#) & (e); [CR 5\(b\)\(2\)](#).

<sup>9</sup> You must notify every party unless s/he has entirely failed to appear in the case. (You should still give notice even in this situation.)

## **E. Filing the Notice of Hearing and Presentation of Final Orders**

Take your completed papers (originals and copies) to the court clerk. Give the clerk your original Notice of Hearing (or other local form). **Ask the clerk to file the originals of all of your papers except** for the originals of your proposed orders (any form the judge signs at the final hearing). In most cases, you keep these originals to bring to the hearing for the judge to sign. Ask the clerk if you should file the originals of the proposed orders, too. If your county requires working papers, you must give the judge copies of these proposed orders as part of the working papers.

## **F. Serving the Notice of Hearing and Presentation of Final Orders**

To serve your spouse (and any other parties) with the Notice of Hearing or form your county requires, and your final orders, use first class mail or hand delivery. We explain below.

- **Make sure you have your papers are served in time to give the other party enough notice before the hearing date.** See the section called “How Much Notice to Give.” You must serve all the parties on time. This includes your spouse and any other parties such as the GAL or prosecutor. Our packet [Serving Papers on the State](#) has more information on serving the prosecuting attorney.
- **Double-check the copies you made of your papers.** You must have a complete set of papers for each party, and if you need Working Papers, one set for the judge (see the Working Papers section below), and a complete set for yourself. Compare the sets to the lists in this packet. Make sure everything is included. (Do not give the other parties the Proof of Mailing or Hand Delivery or LEIS.)

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

### **1. Giving the Papers to the Other Party by Mail or Hand Delivery**

If the other party has given an address for receiving legal papers in the case, send the papers to him/her there. (The other party’s address may be, for example, at the end of the Response form, the Summons, a Notice of Appearance, or Notice of Address Change.) If the party has a lawyer in this case, serve the lawyer.

Do not 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 Proof of Mailing or Hand Delivery the same day. Your friend should fill out a separate form for each person s/he mails or delivers the papers to, and then file the original Proof of Mailing or Hand Delivery with the court clerk. Keep a conformed copy for your records.

**Make sure you have the papers mailed or delivered before your deadline.** When counting, do not count the day of delivery or mailing, weekends, or court holidays.

**Mailing:** If your friend mails the papers, rather than personally delivering them, add at least three days<sup>10</sup> to the number of days' notice your county's rules require. **Example:** if you mail a document on a Monday, it will 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 the papers arrive on a business day that is not a legal holiday or weekend.<sup>11</sup>

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

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

**Hand delivery:** Your friend may deliver the papers to the other party instead of mailing them. “Delivering” the packet of papers to another party (or the other party's lawyer) means:

- handing it to the lawyer or to the party OR
- leaving it at his office with his/her clerk or other person in charge of the office<sup>12</sup> 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 home with someone of suitable age and discretion living there<sup>13</sup>

## 2. Instructions for the Proof of Mailing or Hand Delivery - FL All Family 112

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 you have given copies of papers you file in court to the other parties. Use a separate form for each party to whom you had papers mailed or delivered.

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.

**Caption.** Fill out the caption.

**1.** Have your server check the third box and put their name.

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<sup>10</sup> Three days are clearly required under [CR 5](#). There is one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

<sup>11</sup> [CR 6](#)(a) & (e); [CR 5](#)(b)(2) .

<sup>12</sup> We recommend you NOT serve other parties at their offices unless they have used that as their service address in a Notice of Appearance, Petition, or Response form.

<sup>13</sup> [CR 5](#)(b)(1). This means an adult (or at least older teenager) who does not have a mental impairment that would keep him/her from understanding that the legal papers should be given to the other party.

2. In the first blank, the server should put the date s/he served the papers. In the second blank, s/he should put who s/he served. Then s/he should check the box/es and fill out any blanks as needed to show how s/he served the other party.

**3. List all documents you served:** Your server must check the box for **every form** s/he sent/delivered to the other party. If s/he leaves out a form, you will have no proof it was served.

**I declare under penalty of perjury:** Your server should sign and date the form, state the place signed (city and state), and print his/her name in the places indicated.

### 3. Filing the Proof of Mailing or Hand Delivery

**Make one copy of each completed Proof of Mailing or Hand Delivery.** Do not 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 Proof of Mailing or Hand Delivery you file with the clerk. Make a copy for your records. If you used certified mail but do not have the green receipt back when filing the Proof of Mailing or Hand Delivery, file the receipt later, attached to a page labeled with your case caption.

1. **Take the originals and the copies to the superior court clerk's office.** Give the clerk the originals of the Proof of Mailing or Hand Delivery forms.
2. **Ask the clerk to stamp your copies** to show the date you filed the Proof of Mailing or Hand Delivery. Take each stamped copy back from the clerk. The clerk keeps the originals.
3. Keep your copies of the Proof of Mailing or Hand delivery forms in a safe place. You may need them.

### G. 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. We call this set of copies Working Papers or Working Copies. Our publication called [What are Working Copies?](#) has more information.
- **Confirm the hearing** a few days before the hearing date. "Confirming the hearing" means telling the court 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.

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❖ If you do not give the judge working papers and do not confirm your hearing in a county that requires this, the court may cancel your hearing, or the judge might not consider any of your papers.

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## H. Going to the Hearing

**Take Your Court Papers with You.** Bring along all the proposed orders and other original papers you will ask the judge to approve. If you have 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, your hearing papers, and copies of your Proof/s of Mailing or Hand Delivery). Also bring your own copy of all the papers you filed and served on the other parties earlier in the case. 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. Do not bring your children. The judge will usually not let them sit in the courtroom. If you are not there on time, the court may cancel the hearing.

**When You Get to the Courtroom.** When you get there, tell the person in charge in the courtroom (the clerk or the bailiff) your name and that you are there to enter final divorce orders by agreement. Take a seat. When the judge walks in the room, stand. When they call your case name, tell the court you are present. Remain in court until they call your case for hearing.

**Presenting Your Case.** When they tell you to come forward, do so. Give the court the originals of the Findings and Conclusion, Final Divorce Order, Parenting Plan, Child Support Order, and any other orders you agree to and have filled out. The judge will usually ask if any other party is present. The judge may ask you to explain what you are asking him/her to approve and why. Be brief. Speak directly to the judge. If any other party appears at the hearing, the judge may allow him/her to speak. The judge may ask if s/he agrees with the final orders.

**Do not interrupt the judge.** The judge may ask you about your final papers. The judge may also swear you in and go through the Findings and Conclusion, asking you about each paragraph. **Examples:** the judge may ask what county you live in, where the other party lives, whether a spouse is pregnant, whether there are children, and so on. This is “formal proof.” It shows the court there is evidence to support signing the final orders. If you do not understand what the judge is asking, ask the judge to explain the question.

**DO NOT LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THE JUDGE HAS SIGNED.** If the clerk in the courtroom gives you the signed orders, file them with the court clerk’s office. If you do not know what to do with the original orders, ask at the clerk’s office for help.

**Getting Copies of the Orders.** You will need copies of the signed orders. 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. Follow those instructions.

**Certified copies:** the clerk will need to make them. They may charge you a fee (such as \$5 for the first page and \$1 for every extra page).

**Conformed copies:**

The clerk may allow you to take the original orders and make copies in the library or at the clerk's office.

If the copies of proposed orders you brought to court are exactly the same as the orders the judge signed, the clerk may have you stamp those copies with the date filed stamp and the judge's signature stamp.

Return to the "How to Finalize Your Divorce" section of this packet for important information. If the judge signed your order(s), you must properly deliver copies of the papers to the other parties. The "How to Finalize" section explains how to do that.

**Section 9: Blank Forms**

The rest of this packet has blank forms for your use. 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. You may not need all the forms in this packet.

The Washington Administrative Office of the Courts also has Microsoft Word and PDF versions of many of these forms available on their web site at <http://www.courts.wa.gov/forms/>.



**Superior Court of Washington, County of \_\_\_\_\_**

In re the marriage of:

Petitioner (*person who started this case*):

\_\_\_\_\_

And Respondent (*other spouse*):

\_\_\_\_\_

No. \_\_\_\_\_

Findings and Conclusions about a Marriage  
(FNFCL)

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**Findings and Conclusions about a Marriage**

**1. Basis for findings and conclusions** (*check all that apply*):

- ☐ Spouses' agreement.
- ☐ Order on Motion for Default (*date*): \_\_\_\_\_.
- ☐ Court hearing on (*date*): \_\_\_\_\_, where the following people were present (*check all that apply*):
- |   |  |
|---|--|
| <input type="checkbox"/> Petitioner   | <input type="checkbox"/> Petitioner's lawyer |
| <input type="checkbox"/> Respondent   | <input type="checkbox"/> Respondent's lawyer |
| <input type="checkbox"/> Other ( <i>name and relationship to this case</i> ): _____ |  |
| <input type="checkbox"/> Other ( <i>name and relationship to this case</i> ): _____ |  |

➤ **The Court makes the following findings of fact and conclusions of law:**

**2. Notice** (*check all that apply*):

- ☐ The Respondent has appeared in this case, or has responded to or joined the *Petition*.
- ☐ The Respondent was served on (*date*): \_\_\_\_\_  
(*check all that apply*):
- |  |
|--|
| <input type="checkbox"/> in person.                                      |
| <input type="checkbox"/> by mail.  |
| <input type="checkbox"/> by publication.                                 |
| <input type="checkbox"/> waived service by joining the <i>Petition</i> . |

**3. Jurisdiction over the marriage and the spouses** (check all that apply):

At the time the *Petition* was filed,

the Petitioner ☐ lived ☐ did not live in Washington State.

the Respondent ☐ lived ☐ did not live in Washington State.

☐ The Petitioner and Respondent lived in this state while they were married, and the Petitioner still lives in this state or is stationed here as a member of the armed forces.

☐ The Petitioner is a member of the armed forces and has been stationed here for at least 90 days.

☐ The Petitioner and Respondent may have conceived a child together in this state.

☐ Other (specify): \_\_\_\_\_

**Conclusion:** The court ☐ has ☐ does **not have** jurisdiction over the marriage.

The court ☐ has ☐ does **not have** jurisdiction over the Respondent.

**4. Information about the marriage**

☐ The spouses were married on (date): \_\_\_\_\_ at (city and state): \_\_\_\_\_.

☐ Before they married, the spouses were registered domestic partners. Their domestic partnership was registered with the State of \_\_\_\_\_ on (date): \_\_\_\_\_ and:

☐ it converted into a marriage by law on June 30, 2014. (RCW 26.60.100.)

☐ they were married on (date): \_\_\_\_\_ at (city and state): \_\_\_\_\_.

**5. Separation Date**

The marital community ended on (date): \_\_\_\_\_. The parties stopped acquiring community property and incurring community debt on this date.

**6. Status of the marriage**

☐ **Divorce** – This marriage is irretrievably broken, and it has been 90 days or longer since the *Petition* was filed and the *Summons* was served or the Respondent joined the *Petition*.

☐ **Legal Separation** – The (check one or both): ☐ Petitioner ☐ Respondent want/s to be legally separated.

☐ **Invalidity** – The (check one or both): ☐ Petitioner ☐ Respondent want/s to invalidate (annul) this marriage, and the court finds the following facts about the validity of this marriage: \_\_\_\_\_

**Conclusion:** The Petition for divorce, legal separation or invalidity (annulment) should be:

☐ approved.

☐ denied.

## 7. Separation Contract

- ☐ There is no separation contract.
- ☐ The spouses signed a separation contract on *(date)*: \_\_\_\_\_.

**Conclusion:** The parties should *(check one)*:

- ☐ be ordered to comply with the terms of the contract.
- ☐ **not** be ordered to comply with the terms of the contract because: \_\_\_\_\_

- ☐ The contract provides that it shall **not** be set forth, filed, or made an exhibit to the order.

## 8. Real Property (land or home)

- ☐ Neither spouse owns any real property.
- ☐ The spouses' real property is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The spouses' real property is listed in the separation contract described in **7**.
- ☐ The spouses' real property is listed below:

Real Property Address	Tax Parcel Number	Community or Separate Property
		<input type="checkbox"/> community property <input type="checkbox"/> Petitioner's separate property <input type="checkbox"/> Respondent's separate property
		<input type="checkbox"/> community property <input type="checkbox"/> Petitioner's separate property <input type="checkbox"/> Respondent's separate property
		<input type="checkbox"/> community property <input type="checkbox"/> Petitioner's separate property <input type="checkbox"/> Respondent's separate property

- ☐ The court does not have jurisdiction to divide real property.

☐ Other *(specify)*: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Conclusion:** The division of real property described in the final order is fair (just and equitable).

**9. Community Personal Property** (possessions, assets or business interests of any kind)

- ☐ There is no community personal property.
- ☐ The community personal property has already been divided fairly between the spouses. Each spouse should keep any community personal property that s/he now has or controls.
- ☐ The spouses' community personal property is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The spouses' community personal property is listed in the separation contract described in **7**.
- ☐ The spouses' community personal property is listed below. *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)*

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide property.
- ☐ Other (specify): \_\_\_\_\_

**Conclusion:** The division of community personal property described in the final order is fair (just and equitable).

**10. Separate Personal Property** (possessions, assets or business interests of any kind)

- ☐ Neither spouse has separate personal property.
- ☐ The **Petitioner** has no separate personal property.
- ☐ The **Respondent** has no separate personal property.
- ☐ The separate personal property has already been divided fairly between the spouses. Each spouse should keep any separate property that s/he now has or controls.
- ☐ The **Petitioner's** separate personal property is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The **Respondent's** separate personal property is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The spouses' separate personal property is listed in the separation contract described in **7**.
- ☐ The **Petitioner's** separate personal property is listed below. *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)*

1.	5.
----	----

2.	6.
3.	7.
4.	8.

- ☐ The **Respondent's** separate personal property is listed below. *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)*

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide property.
- ☐ Other (*specify*): \_\_\_\_\_

**Conclusion:** The division of separate personal property described in the final order is fair (just and equitable).

## 11. Community Debt

- ☐ There is no community debt.
- ☐ The community debt has already been divided fairly between the spouses.
- ☐ The spouses' community debt is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The spouses' community debt is listed in the separation contract described in **7**.
- ☐ The spouses' community debt is listed below:

Debt Amount	Creditor (person or company owed this debt)	Account Number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debt.
- ☐ Other (*specify*): \_\_\_\_\_

**Conclusion:** The division of community debt described in the final order is fair (just and equitable).

## 12. Separate Debt

- ☐ Neither spouse has separate debt.

- ☐ The **Petitioner** has no separate debt.
- ☐ The **Respondent** has no separate debt.
- ☐ The community debt has already been divided fairly between the spouses.
- ☐ The **Petitioner's** separate debt is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The **Respondent's** separate debt is listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of these Findings.
- ☐ The spouses' separate debt is listed in the separation contract described in **7**.
- ☐ The **Petitioner's** separate debt is listed below:

Debt Amount	Creditor (person or company owed this debt)	Account Number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The **Respondent's** separate debt is listed below:

Debt Amount	Creditor (person or company owed this debt)	Account Number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debt.
- ☐ Other (*specify*): \_\_\_\_\_

**Conclusion:** The division of separate debt described in the final order is fair (just and equitable).

### 13. Spousal Support (maintenance/alimony)

- ☐ Spousal support was **not** requested.
- ☐ Spousal support should be based on the separation contract listed in **7**.
- ☐ Spousal support was requested.

**Conclusion:** Spousal support should (*check one*):

☐ be ordered because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ **not** be ordered because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 14. Fees and Costs

- ☐ Each party should pay his/her own fees or costs.
- ☐ Fees and costs should be paid according to the separation contract listed in **7**.
- ☐ The (*check one*): ☐ Petitioner ☐ Respondent incurred fees and costs, and needs help to pay those fees and costs. The other spouse has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the final order. The court finds that the amount ordered is reasonable.
- ☐ Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the final order. The court has considered relevant factors including each party's ability to pay, and finds the fees as ordered are reasonable.
- ☐ Other findings: \_\_\_\_\_  
\_\_\_\_\_

#### 15. Protection Order

- ☐ No one requested an *Order for Protection* in this case.
- ☐ (*Name*) \_\_\_\_\_ requested an *Order for Protection* in this case.

**Conclusion:** The court should (*check one*):

- ☐ **not** approve an *Order for Protection* because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ approve an *Order for Protection* because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 16. Restraining Order

- ☐ No one requested a *Restraining Order* in this case.
- ☐ The (*check one*): ☐ Petitioner ☐ Respondent requested a *Restraining Order*.

**Conclusion:** The court should (*check one*):

- ☐ **not** approve a *Restraining Order* because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ approve a *Restraining Order* because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## 17. Pregnancy

- ☐ Neither spouse is pregnant.
- ☐ One of the spouses is pregnant (*check one*): ☐ Petitioner ☐ Respondent

**Conclusion:** The pregnancy shall not delay finalization of this case. Finalization of this case shall not affect any future case about the unborn child's parentage that is filed within the time limits allowed by law.

- ☐ A case about the parentage of the unborn child has been joined (combined) with this case. The court's *Findings and Conclusions about Parentage* will be filed separately.
- ☐ Other (*specify*): \_\_\_\_\_

**Note:** The law considers the other spouse to be the parent of any child born during the marriage or within 300 days after it ends. If the other spouse is **not** the parent, either spouse may file a *Petition to Disprove Parentage of Presumed Parent* (FL Parentage 355) in court. In most cases, the deadline to file the *Petition to Disprove* is before the child turns four. (See RCW 26.26.116, 26.26.500 – 26.26.625.)

If everyone agrees, both spouses and the child's biological father can sign an *Acknowledgment (and Denial) of Paternity*. Those forms must be notarized and filed with the Washington State Registrar of Vital Statistics to be valid.

## 18. Children of the marriage

- ☐ The spouses have **no** children together who are still dependent.
- ☐ The spouses have the following children together who are still dependent (*only list children the spouses have together, not children from other relationships*):

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

If there are children listed above who do not have both spouses listed on their birth certificates, the State Registrar of Vital Statistics should be ordered to amend the children's birth certificates to list both spouses as parents.

- ☐ Other (*specify*): \_\_\_\_\_

## 19. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

- ☐ Does not apply. The spouses have **no** children together who are still dependent.
- ☐ The court can approve a *Parenting Plan* for the children the spouses have together because (*check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names*):



- ☐ **Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for *(children's names)*:
- 

- ☐ **Home state jurisdiction** – Washington is the children's home state because *(check all that apply)*:

- ☐ *(Children's names)*: \_\_\_\_\_  
lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.

- ☐ There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.

- ☐ *(Children's names)*: \_\_\_\_\_  
do not live in Washington right now, but Washington was the children's home state some time in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.

- ☐ *(Children's names)*: \_\_\_\_\_  
do not have another home state.

- ☐ **No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for *(children's names)*:

,  
**or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:

- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
- There is a lot of information (substantial evidence) about the children's care, protection, education and relationships in this state.

- ☐ **Other state declined** – The courts in other states (or tribes) that might be *(children's names)*: \_\_\_\_\_'s home state have refused to take this case because it is better to have this case in Washington.

- ☐ **Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over *(children's names)*: \_\_\_\_\_  
when the case was filed, and now has jurisdiction to make a final custody decision because:

- When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children's parent, brother or sister) was abused or threatened with abuse;
- The court signed a temporary order on *(date)* \_\_\_\_\_ saying that Washington's jurisdiction will become final if no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months;
- The children have now lived in Washington for 6 months; **and**
- No case concerning the children has been started in the children's home state (or tribe).

- ☐ Other reason (*specify*): \_\_\_\_\_
- ☐ The court cannot approve a *Parenting Plan* because the court does not have jurisdiction over the children.

## 20. Parenting Plan

- ☐ The spouses have **no** children together who are still dependent.
- ☐ The court signed the final *Parenting Plan* filed separately today or on (*date*): \_\_\_\_\_.
- ☐ Both parents agreed to and signed the *Parenting Plan*.
- ☐ Other (*specify*): \_\_\_\_\_
- \_\_\_\_\_
- ☐ The court cannot approve a *Parenting Plan* because the court does not have jurisdiction over the children.

## 21. Child Support

- ☐ The spouses have **no** children together who are still dependent.
- ☐ The dependent children should be supported according to state law.
- ☐ The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (*date*): \_\_\_\_\_.
- ☐ There is no need for the court to make a child support order because the DSHS Division of Child Support (DCS) has already established an administrative child support order for the children of this marriage in DCS case number(s) \_\_\_\_\_.
- ☐ Other (*specify*): \_\_\_\_\_

## 22. Other findings or conclusions (if any)

\_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Judge or Commissioner*

### Petitioner and Respondent or their lawyers fill out below.

This document (check any that apply):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

This document (check any that apply):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

\_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

Superior Court of Washington, County of \_\_\_\_\_

In re the marriage of:

Petitioner (person who started this case):  
\_\_\_\_\_

And Respondent (other spouse):  
\_\_\_\_\_

No. \_\_\_\_\_

- ☐ Final Divorce Order (Dissolution Decree) (DCD)  
☐ Final Legal Separation Order (Decree) (DCLGSP)  
☐ Invalid Marriage Order (Annulment Decree) (DCINMG)  
☐ Valid Marriage Order (Decree) (DCVMO)  
☐ Clerk's action required: **1, 2, 6, 13, 14, 16**

**Final** ☐ **Divorce Order** ☐ **Legal Separation Order**

☐ **Invalid Marriage Order** ☐ **Valid Marriage Order**

**1. Money Judgment Summary**

- ☐ No money judgment is ordered.  
☐ Summarize any money judgments from sections **6** or **14** in the table below.

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
Money Judgment (section <b>6</b> )			\$	\$
Fees and Costs (section <b>14</b> )			\$	\$
Other amounts (describe):			\$	\$
Yearly Interest Rate: ____% (12% unless otherwise listed)				
Lawyer (name):		represents (name):		
Lawyer (name):		represents (name):		

**2. Summary of Real Property Judgment (land or home)**

- ☐ No real property judgment is ordered  
☐ Summarize any real property judgment from section **7** in the table below.

Grantor's name (person giving property)	Grantee's name (person getting property)	Real Property (fill in at least one)	
		Assessor's property tax parcel or account number:	Legal description of property awarded (lot/block/plat/section, township, range, county, state)
Lawyer (name):		represents (name):	
Lawyer (name):		represents (name):	

**The court has made Findings and Conclusions in this case and now Orders:**

**3. Marriage**

- ☐ This marriage is dissolved. The Petitioner and Respondent are divorced.
- ☐ The Petitioner and Respondent are granted a Legal Separation.
- ☐ This marriage is invalid (annulled).
- ☐ This marriage is valid (not annulled).

**4. Name Changes**

- ☐ Neither spouse asked to change his/her name.
- ☐ The Petitioner's name is changed to (new name):

\_\_\_\_\_

first middle last

- ☐ The Respondent's name is changed to (new name):

\_\_\_\_\_

first middle last

**5. Separation Contract**

- ☐ There is no enforceable separation contract.
- ☐ The spouses must comply with the terms of the separation contract signed on (date): \_\_\_\_\_. This contract is (check one):
- ☐ attached as an Exhibit and made part of this Order.
- ☐ **not** filed with the court and is incorporated by reference. (RCW 26.09.070(5))
- ☐ filed with the court as a separate document and is incorporated by reference.

**6. Money Judgment** (summarized in section **1** above)

- ☐ None.
- ☐ The (check one): ☐ Petitioner ☐ Respondent must pay the other party (amount) \$\_\_\_\_\_. The court grants a judgment for this amount.  
The **interest rate** is 12% unless another amount is listed below.  
☐ The interest rate is \_\_\_\_\_% because (explain): \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**7. Real Property** (land or home) (summarized in section **2** above)

- ☐ Neither spouse owns any real property.
- ☐ The real property is divided according to the separation contract described in **5** above.
- ☐ The real property is divided as listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of this Order.
- ☐ The real property is divided as explained below:

Real Property Address	Tax Parcel Number	Given to which spouse as his/her separate property?
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

- ☐ The spouse giving up ownership must sign a Quit Claim Deed and Real Estate Excise Tax Affidavit to transfer the real property to the other spouse by (date): \_\_\_\_\_.
- ☐ The court does not have jurisdiction to divide real property.
- ☐ Other (specify): \_\_\_\_\_

**8. Petitioner's Personal Property** (possessions, assets or business interests of any kind)

- ☐ The personal property that Petitioner now has or controls is given to Petitioner as his/her separate property. No transfer of property between Petitioner and Respondent is required.
- ☐ The personal property listed as Petitioner's in the separation contract described in **5** above is given to Petitioner as his/her separate property.

- ☐ The personal property listed in Exhibit \_\_\_\_ is given to Petitioner as his/her separate property. This Exhibit is attached and made part of this Order.
- ☐ The personal property listed below is given to Petitioner as his/her separate property. *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)*

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide personal property.
- ☐ Other *(specify)*: \_\_\_\_\_

## 9. Respondent's Personal Property (possessions, assets or business interests of any kind)

- ☐ The personal property that Respondent now has or controls is given to Respondent as his/her separate property. No transfer of property between Petitioner and Respondent is required.
- ☐ The personal property listed as Respondent's in the separation contract described in **5** above is given to Respondent as his/her separate property.
- ☐ The personal property listed in Exhibit \_\_\_\_ is given to Respondent as his/her separate property. This Exhibit is attached and made part of this Order.
- ☐ The personal property listed below is given to Respondent as his/her separate property. *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)*

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide personal property.
- ☐ Other *(specify)*: \_\_\_\_\_

## 10. Petitioner's Debt

The Petitioner must pay all debts s/he has incurred (made) since the date of separation, unless the court makes a different order about a specific debt below. *(Check one)*:

- ☐ The Petitioner has no debt.
- ☐ The Petitioner must pay the debts that are now in his/her name.

- ☐ The Petitioner must pay debts as required by the separation contract described in **5** above.
- ☐ The Petitioner must pay the debts listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of this Order.
- ☐ The Petitioner must pay all debts listed below:

Debt Amount	Creditor (person or company owed this debt)	account number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debts.
- ☐ Other (specify): \_\_\_\_\_

## 11. Respondent's Debt

The Respondent must pay all debts s/he has incurred (taken on) since the date of separation, unless the court makes a different order about a specific debt below. (Check one):

- ☐ The Respondent has no debt.
- ☐ The Respondent must pay the debts that are now in his/her name.
- ☐ The Respondent must pay debts as required by the separation contract described in **5** above.
- ☐ The Respondent must pay the debts listed in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of this Order.
- ☐ The Respondent must pay all debts listed below:

Debt Amount	Creditor (person or company owed this debt)	account number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debts.
- ☐ Other (specify): \_\_\_\_\_

## 12. Debt Collection (hold harmless)

- ☐ Does not apply.
- ☐ If one spouse fails to pay a debt as ordered above and the creditor tries to collect the debt from the other spouse, the spouse who was ordered to pay the debt must hold the other spouse harmless from any collection action about the debt. This

includes reimbursing the other spouse for any of the debt he/she paid and for attorney fees or costs related to defending against the collection action.

☐ Other (specify): \_\_\_\_\_

### 13. Spousal Support (maintenance/alimony)

- ☐ No spousal support is ordered.
- ☐ Spousal support must be paid as required by the separation contract described in **5** above. Spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership, *unless* the separation contract provides differently.
- ☐ Spousal support must be paid as described in Exhibit \_\_\_\_\_. This Exhibit is attached and made part of this Order. Spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership, *unless* the Exhibit provides differently.
- ☐ The (check one): ☐ Petitioner ☐ Respondent must pay spousal support as follows:

Amount:	Start date:	Payment schedule:
\$ _____ each month	_____ Date 1 <sup>st</sup> payment is due	_____ Day(s) of the month each payment is due (for example, "the 5 <sup>th</sup> ," "weekly," or "half on the 1 <sup>st</sup> and half on the 15 <sup>th</sup> ")
<b>Termination:</b> Spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership <i>unless</i> a different date or event is provided below: <input type="checkbox"/> Date: _____ <input type="checkbox"/> Other (specify): _____		
<b>Make all payments to (check one):</b> <input type="checkbox"/> the other spouse directly by (check one): <input type="checkbox"/> mail to: _____ Street address or PO box City State Zip <input type="checkbox"/> direct deposit/transfer to a bank account identified by the receiving party. The receiving party must notify the paying party of any address or account change. <input type="checkbox"/> the Washington State Support Registry. The Registry will forward the support to the other spouse (only if child support is also ordered). (If you check this box, also check the "Clerk's action required" box in the caption on page 1.) <b>To the Clerk:</b> forward a copy of this order to WSSR. <input type="checkbox"/> the court clerk, who will forward the support to the other spouse (only if there is <b>no</b> child support order). (If you check this box, also check the "Clerk's action required" box in the caption on page 1.) <input type="checkbox"/> Other (specify): _____		

- ☐ The spouse paying support has public (state) retirement benefits. (RCW 26.09.138)
- ☐ The spouse owed support may ask, without giving notice, for the other spouse's retirement benefits to be assigned to him/her if:  
\$100 or more in spousal support is more than 15 days late, or



The other spouse asks to take money out of his/her public retirement account.  
(RCW 41.50)

☐ The Department of Retirement Systems may pay all or part of a withdrawal from a retirement account directly to the spouse owed support. (RCW 41.50.550(3))

☐ Other (specify): \_\_\_\_\_

**14. Fees and Costs** (Summarize any money judgment in section 1 above.)

☐ Each spouse will pay his/her own fees and costs.

☐ Fees and costs must be paid as required by the separation contract described in 5 above.

☐ The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> lawyer fees			\$	\$
<input type="checkbox"/> guardian ad litem (GAL) fees			\$	\$
<input type="checkbox"/> court costs			\$	\$
<input type="checkbox"/> other fees and expenses (specify):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

☐ The interest rate is \_\_\_\_\_% because (explain): \_\_\_\_\_

☐ Other: \_\_\_\_\_

**15. Protection Order**

☐ No one requested an *Order for Protection*.

☐ **Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.

☐ **Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.

☐ **Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in following order, filed separately (check one):

☐ *Order on Renewal of Order for Protection*

☐ *Order Modifying/Terminating Order for Protection*

☐ Other: \_\_\_\_\_

## 16. Restraining Order

- ☐ No one requested a *Restraining Order*.
- ☐ **Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.
- ☐ **Denied** – The request for a *Restraining Order* is denied.
- ☐ Check this box if the court previously signed a temporary *Restraining Order* and is **not** signing a final *Restraining Order* in this case. Also check the “Clerk’s action required” box in the caption on page 1.

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: \_\_\_\_\_

**To the Clerk:** Provide a copy of this Order to the agency listed above within one court day. The law enforcement agency must remove the temporary *Restraining Order* from the state’s database.

## 17. Children of the marriage

- ☐ The spouses have **no** children together who are still dependent.
- ☐ This court has jurisdiction over the children the spouses have together as explained in the *Findings and Conclusions* for this case.

If there are children of both spouses listed in the *Findings and Conclusions* who do not have both spouses listed on their birth certificates, the State Registrar of Vital Statistics is ordered to amend the children’s birth certificates to list both spouses as parents upon receipt of a certified copy of this order and the *Findings and Conclusions*.

*Note* – The court does not forward this order to Vital Statistics. To amend the birth certificate, a party must provide a certified copy of this order and the *Findings and Conclusions* and pay a filing fee to the State Registrar of Vital Statistics (360-236-4347). You may order a copy of the amended birth certificate for an additional fee.

- ☐ This court does **not** have jurisdiction over the children as explained in the *Findings and Conclusions* for this case.

## 18. Parenting Plan

- ☐ Does not apply. The spouses have no dependent children together, or the court does not have jurisdiction over the children.
- ☐ The court signed the final *Parenting Plan* filed separately today or on (date): \_\_\_\_\_.
- ☐ The guardian ad litem (GAL) is discharged.

## 19. Child Support

- ☐ Does not apply. The spouses have no dependent children together, or the court does not have jurisdiction over child support.
- ☐ **Court Order** – The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (date): \_\_\_\_\_.  
*Tax exemptions and post-secondary (college or vocational school) support are covered in the Child Support Order.*

- ☐ **Administrative Order** – The court is **not** issuing a child support order. There is an administrative child support order established by DSHS Division of Child Support (DCS) for the dependent children of this marriage.

DCS child support orders do not cover tax exemptions or post-secondary (college or vocational school) support. Therefore, the court orders:

- ☐ **Tax Exemptions** – The parties have the right to claim the children as their dependents on their tax forms as follows (*describe*):

---

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

**Warning!** Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.

- ☐ **Post-secondary (college or vocational school)** –The court orders:
- ☐ A parent may ask the court for post-secondary support at a later date, but he/she must file that request before the duty to pay child support ends.
  - ☐ The parents must pay for the children's post-secondary support. The parents will make a post-secondary support plan or the court will order one.
  - ☐ Post-secondary support is **not** required.
  - ☐ Other (*specify*): \_\_\_\_\_

**20. Other Orders (if any):**

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**Ordered.**

\_\_\_\_\_  
Date

▶ \_\_\_\_\_  
Judge or Commissioner

**Petitioner and Respondent or their lawyers fill out below.**

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

▶ \_\_\_\_\_  
Petitioner signs here **or** lawyer signs here + WSBA #

▶ \_\_\_\_\_  
Respondent signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

And Respondent/s *(other party/parties)*:

\_\_\_\_\_

No. \_\_\_\_\_

Parenting Plan  
(PPP / PPT / PP)

☒ Clerk's action required: **1**.

## Parenting Plan

**1.** This parenting plan is a *(check one)*:

☐ **Proposal** (request) by a parent *(name/s)*: \_\_\_\_\_.  
It is not a signed court order. (PPP)

☐ **Court order** signed by a judge or commissioner. This is a *(check one)*:

☐ Temporary order. (PPT)

☐ Final order. (PP)

☐ This final parenting plan changes the last final parenting plan.

**2. Children** – This parenting plan is for the following children:

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

**3. Reasons for putting limitations on a parent** (under RCW 26.09.191)

**a. Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**

*(If a parent has any of these problems, the court **must** limit that parent's contact with the children, the right to make decisions for the children, and may not require dispute resolution other than court.)*

- ☐ Neither parent has any of these problems. (*Skip to 3.b.*)
- ☐ A parent has one or more of these problems as follows (*check all that apply*):
- ☐ **Abandonment** – (*Parent's name*): \_\_\_\_\_ intentionally abandoned a child listed in **2** for an extended time.
  - ☐ **Neglect** – (*Parent's name*): \_\_\_\_\_ substantially refused to perform his/her parenting duties for a child listed in **2**.
  - ☐ **Child Abuse** – (*Parent's name*): \_\_\_\_\_ (or someone living in that parent's home) abused or threatened to abuse a child. The abuse was (*check all that apply*): ☐ physical ☐ sexual ☐ repeated emotional abuse.
  - ☐ **Domestic Violence** – (*Parent's name*): \_\_\_\_\_ (or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010(1).
  - ☐ **Assault** – (*Parent's name*): \_\_\_\_\_ (or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm, causing fear of such harm or resulting in a pregnancy.
  - ☐ **Sex Offense** –
    - ☐ (*Parent's name*): \_\_\_\_\_ has been convicted of a sex offense as an adult.
    - ☐ Someone living in (*parent's name*): \_\_\_\_\_'s home has been convicted as an adult or adjudicated as a juvenile of a sex offense.

**b. Other problems** that may harm the children's best interests. (*If a parent has any of these problems, the court **may** limit that parent's contact with the children and right to make decisions for the children.*)

- ☐ Neither parent has any of these problems. (*Skip to 4.*)
- ☐ A parent has one or more of these problems as follows (*check all that apply*):
- ☐ **Neglect** – (*Parent's name*): \_\_\_\_\_ neglected his/her parental duties towards a child listed in **2**.
  - ☐ **Emotional or physical problem** – (*Parent's name*): \_\_\_\_\_ has a long-term emotional or physical problem that gets in the way of his/her ability to parent.
  - ☐ **Substance Abuse** – (*Parent's name*): \_\_\_\_\_ has a long-term problem with drugs, alcohol, or other substances that gets in the way of his/her ability to parent.
  - ☐ **Lack of emotional ties** – (*Parent's name*): \_\_\_\_\_ has few or no emotional ties with a child listed in **2**.
  - ☐ **Abusive use of conflict** – (*Parent's name*): \_\_\_\_\_ uses conflict in a way that endangers or damages the psychological development of a child listed in **2**.

- ☐ **Withholding the child** – (Parent's name): \_\_\_\_\_  
has kept the other parent away from a child listed in **2** for a long time, without a good reason.
- ☐ **Other** (specify): \_\_\_\_\_

#### 4. Limitations on a parent

- ☐ Does not apply. There are no reasons for limitations checked in **3.a. or 3.b.** above.  
(Skip to **5.**)
- ☐ **No limitations despite reasons** (explain why there are no limitations on a parent even though there are reasons for limitations checked in **3.a. or 3.b.** above): \_\_\_\_\_  
\_\_\_\_\_
- ☐ **The following limits or conditions apply to** (parent's name): \_\_\_\_\_  
(check all that apply):
- ☐ No contact with the children.
- ☐ Limited contact as shown in the Parenting Time Schedule (sections **8 – 11**) below.
- ☐ Limited contact as follows (specify schedule, list all contact here **instead** of in a Parenting Time Schedule, skip sections **8 – 11**): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ **Supervised contact.** All parenting time shall be supervised. Any costs of supervision must be paid by (name): \_\_\_\_\_
- The supervisor shall be:
- ☐ a professional supervisor (name): \_\_\_\_\_
- ☐ a non-professional supervisor (name): \_\_\_\_\_
- The dates and times of supervised contact will be:
- ☐ as shown in the Parenting Time Schedule (sections **8 – 11**) below.
- ☐ as follows (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (Specific rules for supervision, if any): \_\_\_\_\_  
\_\_\_\_\_
- ☐ Other limitations or conditions during parenting time (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ **Evaluation or treatment required.** (Name): \_\_\_\_\_ must:
- ☐ be evaluated for: \_\_\_\_\_.
- ☐ start (or continue) and comply with treatment:
- ☐ as recommended by the evaluation.
- ☐ as follows (specify kind of treatment and any other details): \_\_\_\_\_

---

☐ provide a copy of the evaluation and compliance reports (*specify details*): \_\_\_\_\_

---

If this parent does not follow the evaluation or treatment requirements above, then (*what happens*): \_\_\_\_\_

---

## 5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows.

### a. Who can make major decisions about the children?

Type of Major Decision	Joint ( <i>parents make these decisions together</i> )	Limited ( <i>only the parent named below has authority to make these decisions</i> )
School / Educational	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Health care (not emergency)	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):

### b. Reasons for limits on major decision-making, if any:

- ☐ There are no reasons to limit major decision-making.
- ☐ Major decision-making **must** be limited because one of the parents has problems as described in **3.a.** above.
- ☐ Major decision-making **should** be limited because (*check all that apply*):
- ☐ Both parents are against shared decision-making.
  - ☐ One of the parents does not want to share decision-making and this is reasonable because of:
    - ☐ problems as described in **3.b.** above.
    - ☐ the history of each parent's participation in decision-making.
    - ☐ the parents' ability and desire to cooperate with each other in decision-making.
    - ☐ the distance between the parents' homes makes it hard to make timely decisions together.

## 6. Dispute Resolution – If you and the other parent disagree...

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean. To solve disagreements about this parenting plan,

the parents will go to a dispute resolution provider or court. The court may only require a dispute resolution provider if there are no limitations in **3a**.

**a.** The parents will go to (*check one*):

☐ The dispute resolution provider below (before they may go to court):

☐ Mediation (*mediator or agency name*): \_\_\_\_\_

*If there are domestic violence issues, you may only use mediation if the victim asks for mediation, mediation is a good fit for the situation, and the victim can bring a support person to mediation.*

☐ Arbitration (*arbitrator or agency name*): \_\_\_\_\_

☐ Counseling (*counselor or agency name*): \_\_\_\_\_

If a dispute resolution provider is not named above, or if the named provider is no longer available, the parents may agree on a provider or ask the court to name one.

**Important!** Unless there is an emergency, the parents must participate in the dispute resolution process listed above in good faith, before going to court. This section does **not** apply to disagreements about money or support.

☐ Court (without having to go to mediation, arbitration, or counseling).

*(If you check this box, skip to section **7** below, do not fill out **6.b.**)*

**b.** If mediation, arbitration, or counseling is required, one parent must notify the other parent by (*check one*): ☐ certified mail ☐ other (*specify*): \_\_\_\_\_

The parents will pay for the mediation, arbitration, or counseling services as follows (*check one*):

☐ (*Name*): \_\_\_\_\_ will pay \_\_\_\_\_%,

(*Name*): \_\_\_\_\_ will pay \_\_\_\_\_%.

☐ based on each parents' Proportional Share of Income (percentage) from line 6 of the *Child Support Worksheet*.

☐ as decided through the dispute resolution process.

**What to expect in the dispute resolution process:**

- Preference shall be given to carrying out the parenting plan.
- If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
- If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
- You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

## **7. Custodian**

The custodian is (*name*): \_\_\_\_\_ solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.



(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled reside a majority of their time.)

## ➤ **Parenting Time Schedule (Residential Provisions)**

Check one:

- ☐ **Skip** the parenting time schedule in sections **8 - 11** if one parent has no contact with the children other than what is described in section **4** – Limitations.

The children live with (name): \_\_\_\_\_ except as described in section **4**.

- ☐ **Complete** the parenting time schedule in sections **8 - 11**.

### **8. School Schedule**

#### **a. Children under School-Age**

- ☐ Does not apply. All children are school-age.
- ☐ The schedule for children under school-age is the same as for school-age children.
- ☐ Children under school-age are scheduled to live with (name): \_\_\_\_\_, except when they are scheduled to live with (name): \_\_\_\_\_ on (check all that apply):
- ☐ WEEKENDS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.
- ☐ WEEKDAYS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.
- ☐ OTHER (specify): \_\_\_\_\_  
\_\_\_\_\_
- ☐ Other (specify): \_\_\_\_\_

#### **b. School-Age Children**

This schedule will apply when (check one): ☐ the youngest child ☐ the oldest child  
☐ each child begins:

(check one): ☐ Kindergarten ☐ 1st grade ☐ Other: \_\_\_\_\_

The children are scheduled to live with (name): \_\_\_\_\_, except when they are scheduled to live with (name): \_\_\_\_\_ on (check all that apply):

- ☐ WEEKENDS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

☐ WEEKDAYS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

☐ OTHER (specify): \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

## 9. Summer Schedule

Summer begins and ends ☐ according to the school calendar. ☐ as follows: \_\_\_\_\_

☐ The Summer Schedule is the **same** as the School Schedule. (Skip to **10**.)

☐ The Summer Schedule is the **same** as the School Schedule **except** that each parent shall spend \_\_\_\_\_ weeks of uninterrupted vacation time with the children each summer. The parents shall confirm their vacation schedules in writing by the end of (date) \_\_\_\_\_ each year. (Skip to **10**.)

☐ The Summer Schedule is **different** than the School Schedule. The Summer Schedule will begin the summer before:

(check one): ☐ the youngest child ☐ the oldest child ☐ each child

begins (check one): ☐ Kindergarten ☐ 1st grade ☐ Other: \_\_\_\_\_

During the summer the children are scheduled to live with (name): \_\_\_\_\_, except when they are scheduled to live with (name): \_\_\_\_\_ on (check all that apply):

☐ WEEKENDS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

☐ WEEKDAYS: ☐ every week ☐ every other week ☐ other (specify): \_\_\_\_\_

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.

☐ OTHER (specify): \_\_\_\_\_

## 10. Holiday Schedule (includes school breaks)

☐ The Holiday Schedule is the **same** as the School and Summer Schedules above for all holidays and school breaks. (Skip to **11**.)

- ☐ This is the Holiday Schedule for ☐ all children ☐ school-age children only:  
*(Put one parent's name in each column and fill out when the children will be with that parent for holidays and school breaks.)*

Holiday	Children with (name):	Children with (name):
Martin Luther King Jr. Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input type="checkbox"/> Other plan: _____	
Presidents' Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input type="checkbox"/> Other plan: _____	
Mid-winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each parent has the children for the half of break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____.	
	<input type="checkbox"/> Other plan: _____	
Spring Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each parent has the children for the half of break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____.	
	<input type="checkbox"/> Other plan: _____	
Mother's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan: _____	
Memorial Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____

Holiday	Children with (name):	Children with (name):
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input type="checkbox"/> Other plan:	
Father's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Fourth of July	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Summer Schedule in section 9.	
	<input type="checkbox"/> Other plan:	
Labor Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input type="checkbox"/> Other plan:	
Thanksgiving Day / Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Christmas Eve	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____

Holiday	Children with (name):	Children with (name):
	End day/time:	End day/time:
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan:	
Christmas Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan:	
New Year's Eve / New Year's Day <i>(odd/even is based on New Year's Day)</i>	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan:	
Children's Birthdays	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
All three-day weekends not listed elsewhere	<i>(Federal holidays, school in-service days, etc.)</i> <input type="checkbox"/> The children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend. <input type="checkbox"/> Other plan:	
Other occasion important to the family: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Other occasion important to the family: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	

## 11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (*check all that apply*):

- ☐ Named holidays shall be followed before school breaks.
  - ☐ Children's birthdays shall be followed before named holidays and school breaks.
  - ☐ Other (*specify*): \_\_\_\_\_
- 

## 12. Transportation Arrangements

The children will be exchanged for parenting time (picked up and dropped off) at:

- ☐ each parent's home
- ☐ school or day care when in session
- ☐ other location (*specify*): \_\_\_\_\_

Who is responsible for arranging transportation?

- ☐ The **picking up** parent – The parent who is about to **start** parenting time with the children must arrange to have the children picked up.
- ☐ The **dropping off** parent – The parent whose parenting time is **ending** must arrange to have the children dropped off.

Other details (if any): \_\_\_\_\_

---

## 13. Moving with the Children (Relocation)

If the person with whom the children are scheduled to reside a majority of their time plans to move (relocating person), s/he **must notify** every person who has court-ordered time with the children.

### ***Move to a different school district***

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

#### ***Exceptions:***

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

***Move within the same school district***

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

***Warning! If you do not notify...***

A relocating person who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

***Right to object***

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

***Right to move***

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

***Parenting Plan after move***

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

### Forms

You can find forms about moving with children at:

- The Washington State Courts' website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms),
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org), or
- The Superior Court Clerk's office or county law library (for a fee).

*(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)*

## 14. Other

## 15. Proposal

- ☐ Does not apply. This is a court order.
- ☐ This is a **proposed** (requested) parenting plan. (*The parent/s requesting this plan must read and sign below.*)

I declare under penalty of perjury under the laws of the state of Washington that this plan was proposed in good faith and that the information in section **3** above is true.

\_\_\_\_\_  
Parent requesting plan signs here

\_\_\_\_\_  
Signed at (city and state)

\_\_\_\_\_  
Other parent requesting plan (if agreed) signs here

\_\_\_\_\_  
Signed at (city and state)

## 16. Court Order

- ☐ Does not apply. This is a proposal.
- ☐ This is a court order (if signed by a judge or commissioner below).

**Findings of Fact** – Based on the pleadings and any other evidence considered:

The Court adopts the statements in section **3** (Reasons for putting limitations on a parent) as its findings.

- ☐ The Court makes additional findings which are:
- ☐ contained in an order or findings of fact entered at the same time as this *Parenting Plan*.
  - ☐ attached as Exhibit A as part of this *Parenting Plan*.
  - ☐ other: \_\_\_\_\_



**Conclusions of Law** – This *Parenting Plan* is in the best interest of the children.

☐ Other: \_\_\_\_\_

**Order** – The parties must follow this *Parenting Plan*.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge or Commissioner signs here

**Warning!** If you don't follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't. Violation of **residential** provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

**If this is a court order, the parties and/or their lawyers (and any GAL) sign below.**

This order (*check any that apply*):

- ☐ is an agreement of the parties.  
☐ is presented by me.  
☐ may be signed by the court without notice to me.

This order (*check any that apply*):

- ☐ is an agreement of the parties.  
☐ is presented by me.  
☐ may be signed by the court without notice to me.

\_\_\_\_\_  
Petitioner signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Respondent signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name Date

\_\_\_\_\_  
Print Name Date

This order (*check any that apply*):

- ☐ is an agreement of the parties.  
☐ is presented by me.  
☐ may be signed by the court without notice to me.

This order (*check any that apply*):

- ☐ is an agreement of the parties.  
☐ is presented by me.  
☐ may be signed by the court without notice to me.

\_\_\_\_\_  
Other party signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Other party **or** Guardian ad Litem signs here

\_\_\_\_\_  
Print Name Date

\_\_\_\_\_  
Print Name Date

Superior Court of Washington, County of \_\_\_\_\_

In re the marriage / domestic partnership of:

Petitioner *(person who started this case)*:

\_\_\_\_\_

And Respondent *(other spouse / partner)*:

\_\_\_\_\_

No. \_\_\_\_\_

Residential Time Summary Report  
(RTSR)

Clerk's action required.

## Residential Time Summary Report

Submit with final Parenting Plan, *only*.

### 1. The Parenting Plan

The court signed the Parenting Plan on (Date) _____.	
It was: <input type="checkbox"/> by agreement of the parties <input type="checkbox"/> after a contested hearing or trial <input type="checkbox"/> by default	It is: <input type="checkbox"/> an original order <input type="checkbox"/> a modification of a prior order
How many children under the parenting plan have the residential schedule summarized in paragraph 2, below? _____	

### 2. Parenting Time Schedule (Residential Provisions) from the Parenting Plan

*If the same schedule does not apply to all children, fill out a separate Residential Time Summary Report for each schedule.*

Check the box that comes closest to representing the time spent with each parent:	% of time the children spend with Petitioner	% of time the children spend with Respondent
<input type="checkbox"/>	0%	100%
<input type="checkbox"/>	10%	90%
<input type="checkbox"/>	20%	80%
<input type="checkbox"/>	30%	70%

<input type="checkbox"/>	40%	60%
<input type="checkbox"/>	50%	50%
<input type="checkbox"/>	60%	40%
<input type="checkbox"/>	70%	30%
<input type="checkbox"/>	80%	20%
<input type="checkbox"/>	90%	10%
<input type="checkbox"/>	100%	0%

### 3. Information about the Parents

<b>Petitioner:</b> has the following relationship to the child(ren) <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> _____, and is <input type="checkbox"/> self-represented <input type="checkbox"/> represented by an attorney.
The court found under sections <b>3.a.</b> and <b>3.b.</b> from the Parenting Plan: <input type="checkbox"/> does not apply, or Petitioner <input type="checkbox"/> committed domestic violence <input type="checkbox"/> abused or neglected a child <input type="checkbox"/> has chemical dependency issues <input type="checkbox"/> has mental health issues <input type="checkbox"/> other: _____

<b>Respondent:</b> has the following relationship to the child(ren) <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> _____, and is <input type="checkbox"/> self-represented <input type="checkbox"/> represented by an attorney.
The court found under sections <b>3.a.</b> and <b>3.b.</b> from the Parenting Plan: <input type="checkbox"/> does not apply, or Respondent <input type="checkbox"/> committed domestic violence <input type="checkbox"/> abused or neglected a child <input type="checkbox"/> has chemical dependency issues <input type="checkbox"/> has mental health issues <input type="checkbox"/> other: _____

### 4. Dispute Resolution from section 6 of the Parenting Plan

<input type="checkbox"/> Arbitration action <input type="checkbox"/> Mediation <input type="checkbox"/> Counseling <input type="checkbox"/> No dispute resolution process except court action
---

Prepared by: \_\_\_\_\_, on (date) \_\_\_\_\_.

## Washington State Child Support Schedule Worksheets

☐ Proposed by ☐ (name) \_\_\_\_\_ ☐ State of WA ☐ Other \_\_\_\_\_.  
(CSWP)

Or, ☐ Signed by the Judicial/Reviewing Officer. (CSW)

County \_\_\_\_\_ Case No. \_\_\_\_\_

Child/ren and Age/s: \_\_\_\_\_

Parent 1 \_\_\_\_\_ Parent 2 \_\_\_\_\_

	Parent 1	Parent 2
<b>Part I: Income</b> (see Instructions, page 6)		
<b>1. Gross Monthly Income</b>		
a. Wages and Salaries	\$	\$
b. Interest and Dividend Income	\$	\$
c. Business Income	\$	\$
d. Maintenance Received	\$	\$
e. Other Income	\$	\$
f. Imputed Income	\$	\$
g. Total Gross Monthly Income (add lines 1a through 1f)	\$	\$
<b>2. Monthly Deductions from Gross Income</b>		
a. Income Taxes (Federal and State)	\$	\$
b. FICA (Soc. Sec.+ Medicare)/Self-Employment Taxes	\$	\$
c. State Industrial Insurance Deductions	\$	\$
d. Mandatory Union/Professional Dues	\$	\$
e. Mandatory Pension Plan Payments	\$	\$
f. Voluntary Retirement Contributions	\$	\$
g. Maintenance Paid	\$	\$
h. Normal Business Expenses	\$	\$
i. Total Deductions from Gross Income (add lines 2a through 2h)	\$	\$
<b>3. Monthly Net Income (line 1g minus 2i)</b>	\$	\$
<b>4. Combined Monthly Net Income</b> (add parent 1's and parent 2's monthly net incomes from line 3)	\$	
<b>5. Basic Child Support Obligation (enter total amount in box →)</b> Child #1 _____ Child #3 _____ Child #5 _____ Child #2 _____ Child #4 _____	\$	

	Parent 1	Parent 2
6. Proportional Share of Income (divide line 3 by line 4 for each parent)	.	.
<b>Part II: Basic Child Support Obligation</b> (see Instructions, page 7)		
7. Each Parent's Basic Child Support Obligation without consideration of low income limitations. (Multiply each number on line 6 by line 5.)	\$	\$
8. Calculating low income limitations: Fill in only those that apply.		
Self-Support Reserve: (125% of the Federal Poverty Guideline.)	\$	
a. Is Combined Net Income Less Than \$1,000? <b>If yes</b> , for each parent enter the presumptive \$50 <b>per child</b> .	\$	\$
b. Is Monthly Net Income Less Than Self-Support Reserve? <b>If yes</b> , for that parent enter the presumptive \$50 <b>per child</b> .	\$	\$
c. Is Monthly Net Income equal to or more than Self-Support Reserve? <b>If yes</b> , for each parent subtract the self-support reserve from line 3. If that amount is less than line 7, enter that amount or the presumptive \$50 per child, whichever is greater.	\$	\$
9. Each parent's basic child support obligation after calculating applicable limitations. For each parent, enter the lowest amount from line 7, 8a - 8c, but not less than the presumptive \$50 per child.	\$	\$
<b>Part III: Health Care, Day Care, and Special Child Rearing Expenses</b> (see Instructions, page 8)		
10. Health Care Expenses		
a. Monthly Health Insurance Premiums Paid for Child(ren)	\$	\$
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	\$	\$
c. Total Monthly Health Care Expenses (line 10a plus line 10b)	\$	\$
d. Combined Monthly Health Care Expenses (add parent 1's and parent 2's totals from line 10c)	\$	
11. Day Care and Special Expenses		
a. Day Care Expenses	\$	\$
b. Education Expenses	\$	\$
c. Long Distance Transportation Expenses	\$	\$
d. Other Special Expenses (describe)	\$	\$
	\$	\$
	\$	\$
	\$	\$
e. Total Day Care and Special Expenses (add lines 11a through 11d)	\$	\$
12. Combined Monthly Total Day Care and Special Expenses (add parent 1's and parent 2's day care and special expenses from line 11e)	\$	
13. Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)	\$	
14. Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	\$	\$

	Parent 1	Parent 2
<b>Part IV: Gross Child Support Obligation</b>		
15. Gross Child Support Obligation (line 9 plus line 14)	\$	\$
<b>Part V: Child Support Credits</b> (see Instructions, page 9)		
16. Child Support Credits		
a. Monthly Health Care Expenses Credit	\$	\$
b. Day Care and Special Expenses Credit	\$	\$
c. Other Ordinary Expenses Credit (describe)		
	\$	\$
d. Total Support Credits (add lines 16a through 16c)	\$	\$
<b>Part VI: Standard Calculation/Presumptive Transfer Payment</b> (see Instructions, page 9)		
17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$	\$
<b>Part VII: Additional Informational Calculations</b>		
18. 45 % of each parent's net income from line 3 (.45 x amount from line 3 for each parent)	\$	\$
19. 25% of each parent's basic support obligation from line 9 (.25 x amount from line 9 for each parent)	\$	\$
<b>Part VIII: Additional Factors for Consideration</b> (see Instructions, page 9)		
20. Household Assets (List the estimated present value of all major household assets.)		
a. Real Estate	\$	\$
b. Investments	\$	\$
c. Vehicles and Boats	\$	\$
d. Bank Accounts and Cash	\$	\$
e. Retirement Accounts	\$	\$
f. Other (describe)	\$	\$
	\$	\$
21. Household Debt (List liens against household assets, extraordinary debt.)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
22. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action)		
Name _____	\$	\$
Name _____	\$	\$
b. Income Of Other Adults In Household		

	Parent 1	Parent 2
Name _____	\$	\$
Name _____	\$	\$
c. Gross income from overtime or from second jobs the party is asking the court to exclude per Instructions, page 8 _____	\$	\$
d. Income Of Child(ren) (if considered extraordinary) Name _____ Name _____	\$ \$	\$ \$
e. Income From Child Support Name _____ Name _____	\$ \$	\$ \$
f. Income From Assistance Programs Program _____ Program _____	\$ \$	\$ \$
g. Other Income (describe) _____ _____	\$ \$	\$ \$
23. Non-Recurring Income (describe) _____ _____	\$ \$	\$ \$
24. Child Support Owed, Monthly, for Biological or Legal Child(ren)		
Name/age: _____ Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$
Name/age: _____ Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$
Name/age: _____ Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$
25. Other Child(ren) Living In Each Household		
(First name(s) and age(s))		
26. Other Factors For Consideration		





Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

And Respondent/s *(other party/parties)*:

\_\_\_\_\_

No. \_\_\_\_\_

Child Support Order

☐ Temporary (TMORS)

☐ Final (ORS)

☒ Clerk's action required: WSSR

## Child Support Order

### 1. Money Judgment Summary

☐ No money judgment is ordered.

☐ Summarize any money judgments from section **22** in the table below.

Judgment for	Debtor's name <i>(person who must pay money)</i>	Creditor's name <i>(person who must be paid)</i>	Amount	Interest
Past due child support from _____ to _____			\$	\$
Past due medical support from _____ to _____			\$	\$
Past due children's exp. from _____ to _____			\$	\$
Other amounts <i>(describe)</i> :			\$	\$
<b>Yearly Interest Rate</b> for child support, medical support, and children's expenses: 12% . For other judgments: _____% <i>(12% unless otherwise listed)</i>				
<b>Lawyer (name):</b>		Represents <i>(name)</i> :		
<b>Lawyer (name):</b>		Represents <i>(name)</i> :		

## ➤ Findings and Orders

2. The court orders child support as part of this family law case. This is a (*check one*):  
☐ temporary order. ☐ final order.
3. The *Child Support Schedule Worksheets* attached or filed separately are approved by the court and made part of this Order.

### 4. Parents' contact and employment information

Each parent must fill out and file with the court a *Confidential Information* form (FL All Family 001) including personal identifying information, mailing address, home address, and employer contact information.

**Important!** If you move or get a new job any time while support is still owed, you must:

- Notify the Support Registry, and
- Fill out and file an updated *Confidential Information* form with the court.

**Warning!** Any notice of a child support action delivered to the last address you provided on the *Confidential Information* form will be considered adequate notice, if the party trying to serve you has shown diligent efforts to locate you.

### 5. Parents' Income

<p><b>Parent (name):</b> _____</p> <p><b>Net monthly income \$</b> _____  <i>(line 3 of the Worksheets)</i></p> <p>This income is (<i>check one</i>):</p> <p><input type="checkbox"/> imputed to this parent. (<i>Skip to 6.</i>)</p> <p><input type="checkbox"/> this parent's actual income (<i>after any exclusions approved below</i>).</p> <p><b>Does this parent have income from overtime or a 2<sup>nd</sup> job?</b></p> <p><input type="checkbox"/> No. (<i>Skip to 6.</i>)</p> <p><input type="checkbox"/> Yes. (<i>Fill out below.</i>)</p> <p>Should this income be excluded? (<i>check one</i>):</p> <p><input type="checkbox"/> No. The court has <b>included</b> this income in this parent's gross monthly income on line 1 of the <i>Worksheets</i>.</p> <p><input type="checkbox"/> Yes. This income should be <b>excluded</b> because:</p> <ul style="list-style-type: none"> <li>▪ This parent worked over 40 hours per week averaged over 12 months, and</li> <li>▪ That income was earned to pay for  <input type="checkbox"/> current family needs <input type="checkbox"/> debts from a past relationship <input type="checkbox"/> child support debt, and</li> <li>▪ This parent will stop earning this extra income after paying these debts.</li> </ul> <p>The court has <b>excluded</b> \$ _____  from this parent's gross monthly income on line 1 of the <i>Worksheets</i>.</p>	<p><b>Parent (name):</b> _____</p> <p><b>Net monthly income \$</b> _____  <i>(line 3 of the Worksheets)</i></p> <p>This income is (<i>check one</i>):</p> <p><input type="checkbox"/> imputed to this parent. (<i>Skip to 6.</i>)</p> <p><input type="checkbox"/> this parent's actual income (<i>after any exclusions approved below</i>).</p> <p><b>Does this parent have income from overtime or a 2<sup>nd</sup> job?</b></p> <p><input type="checkbox"/> No. (<i>Skip to 6.</i>)</p> <p><input type="checkbox"/> Yes. (<i>Fill out below.</i>)</p> <p>Should this income be excluded? (<i>check one</i>):</p> <p><input type="checkbox"/> No. The court has <b>included</b> this income in this parent's gross monthly income on line 1 of the <i>Worksheets</i>.</p> <p><input type="checkbox"/> Yes. This income should be <b>excluded</b> because:</p> <ul style="list-style-type: none"> <li>▪ This parent worked over 40 hours per week averaged over 12 months, and</li> <li>▪ That income was earned to pay for  <input type="checkbox"/> current family needs <input type="checkbox"/> debts from a past relationship <input type="checkbox"/> child support debt, and</li> <li>▪ This parent will stop earning this extra income after paying these debts.</li> </ul> <p>The court has <b>excluded</b> \$ _____  from this parent's gross monthly income on line 1 of the <i>Worksheets</i>.</p>
--	--

Parent (name): _____	Parent (name): _____
<input type="checkbox"/> Other Findings: _____ _____ _____	<input type="checkbox"/> Other Findings: _____ _____ _____

## 6. Imputed Income

To calculate child support, the court may **impute** income to a parent:

- whose income is unknown, or
- who the court finds is unemployed or under-employed by choice.

Imputed income is not actual income. It is an assigned amount the court finds a parent could or should be earning. (RCW 26.19.071(6))

Parent (name): _____	Parent (name): _____
<input type="checkbox"/> Does not apply. This parent's actual income is used. (Skip to <b>7</b> .)	<input type="checkbox"/> Does not apply. This parent's actual income is used. (Skip to <b>7</b> .)
<input type="checkbox"/> This parent's monthly net income is imputed because (check one): <ul style="list-style-type: none"> <li><input type="checkbox"/> this parent's income is unknown.</li> <li><input type="checkbox"/> this parent is voluntarily unemployed.</li> <li><input type="checkbox"/> this parent is voluntarily under-employed.</li> <li><input type="checkbox"/> this parent works full-time but is purposely under-employed to reduce child support.</li> </ul> <p>The imputed amount is based on the information below: (Options are listed in order of required priority. The Court used the first option possible based on the information it had.)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Full-time pay at current pay rate.</li> <li><input type="checkbox"/> Full-time pay based on reliable information about past earnings.</li> <li><input type="checkbox"/> Full-time pay based on incomplete or irregular information about past earnings.</li> <li><input type="checkbox"/> Full-time pay at minimum wage in the area where the parent lives because this parent (check all that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> is a high school student.</li> <li><input type="checkbox"/> recently worked at minimum wage jobs.</li> <li><input type="checkbox"/> recently stopped receiving public assistance, supplemental security income (SSI), or disability.</li> <li><input type="checkbox"/> was recently incarcerated.</li> </ul> </li> <li><input type="checkbox"/> Table of Median Net Monthly Income.</li> <li><input type="checkbox"/> Other (specify): _____ _____</li> </ul>	<input type="checkbox"/> This parent's monthly net income is imputed because (check one): <ul style="list-style-type: none"> <li><input type="checkbox"/> this parent's income is unknown.</li> <li><input type="checkbox"/> this parent is voluntarily unemployed.</li> <li><input type="checkbox"/> this parent is voluntarily under-employed.</li> <li><input type="checkbox"/> this parent works full-time but is purposely under-employed to reduce child support.</li> </ul> <p>The imputed amount is based on the information below: (Options are listed in order of required priority. The Court used the first option possible based on the information it had.)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Full-time pay at current pay rate.</li> <li><input type="checkbox"/> Full-time pay based on reliable information about past earnings.</li> <li><input type="checkbox"/> Full-time pay based on incomplete or irregular information about past earnings.</li> <li><input type="checkbox"/> Full-time pay at minimum wage in the area where the parent lives because this parent (check all that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> is a high school student.</li> <li><input type="checkbox"/> recently worked at minimum wage jobs.</li> <li><input type="checkbox"/> recently stopped receiving public assistance, supplemental security income (SSI), or disability.</li> <li><input type="checkbox"/> was recently incarcerated.</li> </ul> </li> <li><input type="checkbox"/> Table of Median Net Monthly Income.</li> <li><input type="checkbox"/> Other (specify): _____ _____</li> </ul>

## 7. Limits affecting the monthly child support amount

- ☐ Does not apply. The monthly amount was not affected by the upper or lower limits in RCW 26.19.065.
- ☐ The monthly amount has been affected by (*check all that apply*):
- ☐ **low-income limits.** The self-support reserve and presumptive minimum payment have been calculated in the *Worksheets*, lines 8.a. - c.
- ☐ **the 45% net income limit.** The court finds that the paying parent's child support obligations for his/her biological and legal children are more than 45% of his/her net income (*Worksheets*, line 18). Based on the children's best interests and the parents' circumstances, it is (*check one*): ☐ fair ☐ **not** fair to apply the 45% limit. (*Describe both parents' situations*):
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ **Combined Monthly Net Income over \$12,000.** Together the parents earn more than \$12,000 per month (*Worksheets* line 4). The child support amount (*check one*):
- ☐ is the presumptive amount from the economic table.
- ☐ is **more** than the presumptive amount from the economic table because (*specify*):
- \_\_\_\_\_
- \_\_\_\_\_

## 8. Standard Calculation

<i>Parent Name</i>	<i>Standard calculation Worksheets line 17</i>
	\$
	\$

- ☐ **Check here if there is a Residential Split**– (each parent has at least one of the children from this relationship living with him/her most of the time.)

These children ( <i>names and ages</i> ):	These children ( <i>names and ages</i> ):
Live with ( <i>parent's name</i> ):	Live with ( <i>parent's name</i> ):

The standard calculation for the parent paying support is \$\_\_\_\_\_. This is from (*check one*):

- ☐ The *Attachment for Residential Split Adjustment (Arvey calculation)*, line G (form WSCSS–Attachment for RSA). This *Attachment* to the *Child Support Schedule Worksheets* is approved by the court and made part of this order.

☐ Other calculation (*specify method and attach Worksheet/s*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 9. Deviation from standard calculation

Should the monthly child support amount be different from the standard calculation?

- ☐ **No** – The monthly child support amount ordered in section **10** is the **same** as the standard calculation listed in section **8** because (*check one*):
- ☐ Neither parent asked for a deviation from the standard calculation. (*Skip to 10.*)
  - ☐ There is no good reason to approve the deviation requested by (*name/s*): \_\_\_\_\_  
The facts supporting this decision are (*check all that apply*):
    - ☐ detailed in the *Worksheets*, Part VIII, lines 20 through 26.
    - ☐ the parent asking for a deviation:
      - ☐ has a new spouse or domestic partner with income of \$\_\_\_\_\_.
      - ☐ lives in a household where other adults have income of \$\_\_\_\_\_.
      - ☐ has income from overtime or a 2<sup>nd</sup> job that was excluded in section **5** above.
    - ☐ other (*specify*): \_\_\_\_\_
- ☐ **Yes** – The monthly child support amount ordered in section **10** is **different** from the standard calculation listed in section **8** because (*check all that apply*):
- ☐ A parent or parents in this case has:
    - ☐ children from other relationships.
    - ☐ paid or received child support for children from other relationships.
    - ☐ gifts, prizes or other assets.
    - ☐ income that is not regular (non-recurring income) such as bonuses, overtime, etc.
    - ☐ unusual unplanned debt (extraordinary debt not voluntarily incurred).
    - ☐ tax planning considerations that will not reduce the economic benefit to the children.
    - ☐ very different living costs, which are beyond their control.
  - ☐ The children in this case:
    - ☐ spend significant time with the parent who owes support. The non-standard amount still gives the other parent's household enough money for the children's basic needs. The children do not get public assistance (TANF).
    - ☐ have extraordinary income.
    - ☐ have special needs because of a disability.
    - ☐ have special medical, educational, or psychological needs.
  - ☐ There are (or will be) costs for court-ordered reunification or a voluntary placement agreement.
  - ☐ The parent who owes support has shown it is not fair to have to pay the \$50 per child presumptive minimum payment.

☐ The parent who is owed support has shown it is not fair to apply the self-support reserve (calculated on lines 8.a. – c. of the *Worksheets*).

☐ Other reasons: \_\_\_\_\_

**The facts that support the reasons checked above are** (check all that apply):

☐ detailed in the *Worksheets*, Part VIII, lines 20 through 26.

☐ the parent asking for a deviation:

☐ has a new spouse or domestic partner with income of \$\_\_\_\_\_.

☐ lives in a household where other adults have income of \$\_\_\_\_\_.

☐ has income from overtime or a 2<sup>nd</sup> job that was excluded in section **5** above.

☐ as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## 10. Monthly child support amount (transfer payment)

After considering the standard calculation in section **8**, and whether or not to apply a deviation in section **9**, the court orders the following monthly child support amount (transfer payment).

☐ (Name): \_\_\_\_\_ must pay child support to (name): \_\_\_\_\_ each month as follows for the children listed below (add lines for additional children if needed):

Child's Name	Age	Amount
1.		\$
2.		\$
3.		\$
4.		\$
5.		\$
Total monthly child support amount:		\$

☐ Child turning twelve years old – The monthly amount for (child's name) \_\_\_\_\_ will change to \$\_\_\_\_\_ starting with the month this child turns twelve (month, year): \_\_\_\_\_.

☐ **Residential Split** – Each parent has at least one of the children from this relationship living with him/her most of the time. (Name): \_\_\_\_\_ must pay child support to (name): \_\_\_\_\_ each month as follows:

Total monthly child support amount: \$

### 11. Starting date and payment schedule

The monthly child support amount must be paid starting (*month, year*): \_\_\_\_\_  
on the following payment schedule:

- ☐ in one payment each month by the \_\_\_\_ day of the month.
- ☐ in two payments each month: ½ by the \_\_\_\_ and ½ by the \_\_\_\_ day of the month.
- ☐ other (*specify*): \_\_\_\_\_

### 12. Step Increase (for modifications or adjustments only)

- ☐ Does not apply.
- ☐ **Approved** – The court is changing a final child support order. The monthly child support amount is increasing by more than 30% from the last final child support order. This causes significant financial hardship to the parent who owes support, so the increase will be applied in two equal steps:
- For six months from the Starting Date in section **11** above, the monthly child support amount will be the old monthly amount plus ½ of the increase, for a total of \$\_\_\_\_\_ each month.
  - On (*date*): \_\_\_\_\_, six months after the Starting Date in section **11**, the monthly child support amount will be the full amount listed in section **10**.
- ☐ **Denied** – The court is changing a final child support order (*check one*):
- ☐ but the monthly payment increased by less than 30%.
  - ☐ and the monthly payment increased by more than 30%, but this does not cause a significant hardship to the parent who owes support.

### 13. Periodic Adjustment

- ☐ Child support may be changed according to state law. The Court is not ordering a specific periodic adjustment schedule below.
- ☐ Any party may ask the court to adjust child support periodically on the following schedule **without** showing a substantial change of circumstances:  
The *Motion to Adjust Child Support Order* may be filed:
- ☐ every \_\_\_\_ months.
  - ☐ on (*date/s*): \_\_\_\_\_
  - ☐ other (*describe condition or event*): \_\_\_\_\_

**Important!** A party must file a *Motion to Adjust Child Support Order* (form FL Modify 521), and the court must approve a new *Child Support Order* for any adjustment to take effect.

- ☐ Deadlines, if any (*for example, deadline to exchange financial information, deadline to file the motion*): \_\_\_\_\_

**14. Payment Method** (check either Registry or Direct Pay)

- ☐ **Registry** – Send payment to the Washington State Support Registry. The Division of Child Support (DCS) will forward the payments to the person owed support and keep records of all payments.

Address for payment: Washington State Support Registry  
PO Box 45868, Olympia, WA 98504

Phone number/s: 1 (800) 922-4306 or 1 (800) 442-5437

**Important!** If you are ordered to send your support payments to the Washington State Support Registry, and you pay some other person or organization, you will **not** get credit for your payment.

**DCS Enforcement** (if Registry is checked above):

- ☐ DCS will **enforce** this order because (check all that apply):
- ☐ this is a public assistance case.
  - ☐ one of the parties has already asked DCS for services.
  - ☐ one of the parties has asked for DCS services by signing the application statement at the end of this order (above the *Warnings*).
- ☐ DCS will **not** enforce this order unless one of the parties applies for DCS services or the children go on public assistance.
- ☐ **Direct Pay** – Send payment to the other parent or non-parent custodian by:
- ☐ mail to: \_\_\_\_\_
- |                          |      |       |     |
|--------------------------|------|-------|-----|
| street address or PO box | city | state | zip |
|--------------------------|------|-------|-----|
- or any new address the person owed support provides to the parent who owes support. (This does not have to be his/her home address.)
- ☐ other method: \_\_\_\_\_

**15. Enforcement through income withholding (garnishment)**

DCS or the person owed support can collect the support owed from the wages, earnings, assets or benefits of the parent who owes support, and can enforce liens against real or personal property as allowed by any state's child support laws without notice to the parent who owes the support.

*If this order is **not** being enforced by DCS and the person owed support wants to have support paid directly from the employer, the person owed support must ask the court to sign a separate wage assignment order requiring the employer to withhold wages and make payments. (Chapter 26.18 RCW.)*

Income withholding may be delayed until a payment becomes past due if the court finds good reason to delay.

- ☐ Does not apply. There is no good reason to delay income withholding.
- ☐ Income withholding will be **delayed** until a payment becomes past due because (check one):



- ☐ the child support payments are enforced by DCS and there are good reasons in the children's best interest **not** to withhold income at this time. If this is a case about changing child support, previously ordered child support has been paid on time.

List the good reasons here: \_\_\_\_\_

- ☐ the child support payments are **not** enforced by DCS and there are good reasons **not** to withhold income at this time.

List the good reasons here: \_\_\_\_\_

- ☐ the court has approved the parents' written agreement for a different payment arrangement.

## 16. End date for support

Support must be paid for each child until (*check one*):

- ☐ the court signs a different order, if this is a temporary order.
- ☐ the child turns 18 or is no longer enrolled in high school, whichever happens last, unless the court makes a different order in section **17**.
- ☐ the child turns 18 or is otherwise emancipated, unless the court makes a different order in section **17**.
- ☐ after (*child's name*): \_\_\_\_\_ turns 18. Based on information available to the court, it is expected that this child will be unable to support him/herself and will remain dependent past the age of 18. Support must be paid until (*check one*):
- ☐ this child is able to support him/herself and is no longer dependent on the parents.
- ☐ other: \_\_\_\_\_
- ☐ other (*specify*): \_\_\_\_\_

## 17. Post-secondary educational support (for college or vocational school)

- ☐ **Reserved** – A parent or non-parent custodian may ask the court for post-secondary educational support at a later date without showing a substantial change of circumstances by filing a *Petition to Modify Child Support Order* (form FL Modify 501). The *Petition* must be filed *before* child support ends as listed in section **16**.
- ☐ **Granted** – The parents must pay for the children's post-secondary educational support. Post-secondary educational support may include support for the period after high school and before college or vocational school begins. The amount or percentage each person must pay (*check one*):
- ☐ will be decided later. The parties may make a written agreement or ask the court to set the amount or percentage by filing a *Petition to Modify Child Support Order* (form FL Modify 501).
- ☐ is as follows (*specify*): \_\_\_\_\_
- ☐ **Denied** – The request for post-secondary educational support is denied.

☐ Other (specify): \_\_\_\_\_

## 18. Claiming children as dependents on tax forms

☐ Does not apply.

☐ The parties have the right to claim the children as their dependents on their tax forms as follows (check one):

☐ Every year – (name): \_\_\_\_\_  
has the right to claim (children's names): \_\_\_\_\_  
and (name): \_\_\_\_\_  
has the right to claim (children's names): \_\_\_\_\_.

☐ Alternating – (name): \_\_\_\_\_  
has the right to claim the children for (check one): ☐ even ☐ odd years. The other parent has the right to claim the children for the opposite years.

☐ Other (specify): \_\_\_\_\_

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

**Warning!** Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.

## 19. Health Insurance

**Important!** Read the Health Insurance Warnings at the end of this order.

☐ The court is not ordering how health insurance must be provided for the children because the court does not have enough information to determine the availability of accessible health insurance for the children (insurance that could be used for the children's primary care). The law requires every parent to provide or pay for health insurance. The Division of Child Support (DCS) or any parent can enforce this requirement. (Skip to **20**.)

**OR**

☐ (Name): \_\_\_\_\_ must pay the premium to provide health insurance coverage for the children. The court has considered the needs of the children, the cost and extent of coverage, and the accessibility of coverage.

☐ The other parent must pay his/her proportional share\* of the premium paid. Health insurance premiums (check one):

☐ are included on the Worksheets (line 14). No separate payment is needed.

☐ are **not** included on the Worksheets. Separate payment is needed. A parent or non-parent custodian may ask DCS or the court to enforce payment for the proportional share.

\* Proportional share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.

☐ The other parent is **not** ordered to pay for any part of the children's insurance because (explain): \_\_\_\_\_

- ☐ A parent has been ordered to pay an amount that is more than 25% of his/her basic support obligation (*Worksheets*, line 19). The court finds this is in the children's best interest because: \_\_\_\_\_

*Neither parent can be ordered to pay an amount towards health insurance premiums that is more than 25% of his/her basic support obligation (Worksheets, line 19) unless the court finds it is in the best interest of the children.*

- ☐ Other (*specify*): \_\_\_\_\_

## 20. Health insurance if circumstances change or court has not ordered

If the parties' circumstances change, or if the court is not ordering how health insurance must be provided for the children in section **19**:

- A parent, non-parent custodian, or DCS can enforce the medical support requirement.
- If a parent does not provide proof of accessible private insurance (insurance that can be used for the children's primary care), that parent must:
  - Get (or keep) insurance through his/her work or union, unless the insurance costs more than 25% of his/her basic support obligation (line 19 of the *Worksheets*),
  - Pay his/her share of the other parent's monthly premium up to 25% of his/her basic support obligation (line 19 of the *Worksheets*), or
  - Pay his/her share of the monthly cost of any public health care coverage, such as Healthy Kids, BHP, or Medicaid, for which there is an assignment.

## 21. Children's expenses not included in the monthly child support amount

**Uninsured medical expenses** – Each parent is responsible for a share of uninsured medical expenses as ordered below. Uninsured medical expenses include premiums, co-pays, deductibles, and other health care costs not covered by insurance.

Children's Expenses for:	Parent ( <i>name</i> ): _____ pays monthly	Parent ( <i>name</i> ): _____ pays monthly	Make payments to:	
			Person who pays the expense	Service Provider
Uninsured medical expenses	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>

\* *Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

\*\* *If the percentages ordered are different from the Proportional Share, explain why:*

**Other shared expenses (check one):**

- ☐ Does not apply. The monthly amount covers all expenses, except health care expenses.
- ☐ The parents will share the cost for the expenses listed below (check all that apply):

Children's Expenses for:	Parent (name):	Parent (name):	Make payments to:	
	pays monthly	pays monthly	Person who pays the expense	Service Provider
<input type="checkbox"/> Day care: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Education: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Long-distance transportation: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other (specify): _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>

\* Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.

\*\* If any percentages ordered are different from the Proportional Share, explain why:

- ☐ Other (give more detail about covered expenses here, if needed)

**A person receiving support can ask DCS to collect:**

- expenses owed directly to him/her.
- reimbursement for expenses the person providing support was ordered to pay.
- an order for a money judgment that s/he got from the court.

**22. Past due child support, medical support and other expenses**

- ☐ This order does not address any past due amounts or interest owed.
- ☐ As of (date): \_\_\_\_\_, neither parent owes (check all that apply):
- |   |   |
|---|---|
| <input type="checkbox"/> past due child support   | <input type="checkbox"/> interest on past due child support   |
| <input type="checkbox"/> past due medical support | <input type="checkbox"/> interest on past due medical support |
| <input type="checkbox"/> past due other expenses  | <input type="checkbox"/> interest on past due other expenses  |

to (check all that apply): ☐ the other parent or non-parent custodian. ☐ the state.

☐ The court orders the following **money judgments** (summarized in section **1** above):

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> Past due child support from _____ to _____			\$	\$
<input type="checkbox"/> Past due medical support (health ins. & health care costs not covered by ins.) from _____ to _____			\$	\$
<input type="checkbox"/> Past due expenses for: <input type="checkbox"/> day care <input type="checkbox"/> education <input type="checkbox"/> long-distance transp. from _____ to _____			\$	\$
<input type="checkbox"/> Other (describe):			\$	\$

The **interest rate** for child support judgments is 12%.

☐ Other (specify): \_\_\_\_\_  
\_\_\_\_\_

### 23. Overpayment caused by change

☐ Does not apply.

☐ The *Order* signed by the court today or on date: \_\_\_\_\_  
caused an overpayment of \$\_\_\_\_\_.

☐ (Name): \_\_\_\_\_ shall repay this amount  
to (Name): \_\_\_\_\_ by (date): \_\_\_\_\_.

☐ The overpayment shall be credited against the monthly support amount owed each  
month at the rate of \$\_\_\_\_\_ each month until paid off.

☐ Other (specify): \_\_\_\_\_  
\_\_\_\_\_

## 24. Other Orders

All the *Warnings* below are required by law and are incorporated and made part of this order.

☐ Other (specify): \_\_\_\_\_

**Ordered.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge or Commissioner

### Petitioner and Respondent or their lawyers fill out below:

This document (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This document (check any that apply):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

\_\_\_\_\_  
Petitioner signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Respondent signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

### ☐ If any parent or child received public assistance:

The state Department of Social and Health Services (DSHS) was notified about this order through the Prosecuting Attorney's office, and has reviewed and approved the following:

☐ child support

☐ medical support

☐ past due child support

☐ other (specify): \_\_\_\_\_

\_\_\_\_\_  
Deputy Prosecutor signs here

\_\_\_\_\_  
Print name and WSBA #

\_\_\_\_\_  
Date

### ☐ Parent or Non-Parent Custodian applies for DCS enforcement services:

I ask the Division of Child Support (DCS) to enforce this order. I understand that DCS will keep \$25 each year as a fee if DCS collects more than \$500, unless I ask to be excused from paying this fee in advance. (You may call DCS at 1-800-442-5437. DCS will **not** charge a fee if you have ever received TANF, tribal TANF, or AFDC.)

\_\_\_\_\_  
Parent or Non-Parent Custodian signs here  
(lawyer cannot sign for party)

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Date

---

**All the warnings below are required by law and are part of the order. Do not remove.**

---

### Warnings!

#### If you don't follow this child support order...

- DOL or other licensing agencies may deny, suspend, or refuse to renew your licenses, including your driver's license and business or professional licenses, and
- Dept. of Fish and Wildlife may suspend or refuse to issue your fishing and hunting licenses and you may not be able to get permits. (RCW 74.20A.320)

#### If you receive child support...

You may have to:

- Document how that support and any cash received for the children's health care was spent.
- Repay the other parent for any day care or special expenses included in the support if you didn't actually have those expenses. (RCW 26.19.080)

---

### **Health Insurance Warnings!**

**Both parents** must keep the Support Registry informed whether or not they have access to health insurance for the children at a reasonable cost, and provide the policy information for any such insurance.

\* \* \*

#### **If you are ordered to provide children's health insurance...**

You have **20 days** from the date of this order to send:

- proof that the children are covered by insurance, or
- proof that insurance is not available as ordered.

Send your proof to the other parent or to the Support Registry (if your payments go there).

If you do **not** provide proof of insurance:

- The other parent or the support agency may contact your employer or union, without notifying you, to ask for direct enforcement of this order (*RCW 26.18.170*), and
- The other parent may:
  - Ask the Division of Child Support (DCS) for help,
  - Ask the court for a contempt order, or
  - File a Petition in court.

**Don't** cancel your children's health insurance without the court's approval, unless your job ends and you can no longer get or continue coverage as ordered in section **19** through your job or union. If your insurance coverage for the children ends, you must notify the other parent and the Support Registry.

If an insurer sends you payment for a medical provider's service:

- you must send it to the medical provider if the provider has not been paid; or
- you must send the payment to whoever paid the provider if someone else paid the provider; or
- you may keep the payment if you paid the provider.

If the children have public health care coverage, the state can make you pay for the cost of the monthly premium.

**Always** inform the Support Registry and other parent if your access to health insurance changes or ends.

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

And Respondent/s *(other party/parties)*:

\_\_\_\_\_

No. \_\_\_\_\_

Restraining Order

☐ Temporary (TRO)

☐ Final (RSTO)

☒ Clerk's action required: **7**

## Restraining Order

*This order replaces all earlier Restraining Orders restraining the same person signed in this case number. Use a separate order for each restrained person.*

**1. This Order restrains (name):**

\_\_\_\_\_

Restrained Party's Distinguishing Features:

\_\_\_\_\_

**Restrained Party's Identifiers**

Sex	Race	Hair
Height	Weight	Eyes

**Caution:** Access to weapons: ☐ yes ☐ no ☐ unknown

**2. This Order protects (name/s):** \_\_\_\_\_  
**and the following children, who are under 18 (if any)**

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

**3. To the Restrained Person listed in 1:**

This Order starts immediately, and ends in 12 months or on (date): \_\_\_\_\_



**Warning! You must obey this order.** Violation of this order with actual notice of its terms is a **criminal offense** under Chapter 26.50 RCW and will subject the violator to arrest (*RCW 26.09.060*). This order is enforceable in all 50 U.S. states, the District of Columbia, and U.S. territories and tribal lands (*18 U.S.C. § 2265*).

#### 4. Findings

**Authority:** The court has jurisdiction over the parties, the children listed in **2**, and the subject matter.

**Notice:** The Restrained Person had reasonable notice and an opportunity to be heard. He/She was notified of the hearing by ☐ personal service ☐ service by mail allowed by the court ☐ service by publication allowed by the court

The Restrained Person ☐ was ☐ was not present at the hearing.

☐ The Restrained Person had actual notice of the hearing.

☐ other (*specify*): \_\_\_\_\_.

☐ **Credible Threat:** The Restrained Person represents a credible threat to the physical safety of the Protected Person.

☐ **Intimate Partner:** The Restrained Person is/was an intimate partner to the Protected Person (including current and former spouses and domestic partners, parents of a child-in-common, and people who lived together as part of a dating relationship).

☐ **Military:** The (*check one*): ☐ Petitioner ☐ Respondent lives in the state of Washington, but was not able to go to the hearing because s/he is an active-duty member of the National Guard or Reserves (or a dependent of one). A failure to act despite the absence of the service member will result in a manifest injustice to the other party.

#### 5. Court Orders to the Restrained Person listed in **1**:

**Warning!** You must obey this order until it ends. If you know about this order but do not obey, you may be arrested and charged with a crime.

☐ **Do not disturb**

The Restrained Person must not disturb the peace of the Protected Person or of any child listed in **2**.

☐ **Stay away**

The Restrained Person must not go onto the grounds of or enter the Protected Person's home, workplace, or school, or the daycare or school of any child listed in **2**.

☐ Also, the Restrained Person must not knowingly go or stay within \_\_\_\_\_ feet of the Protected Person's home, workplace, or school, or the daycare or school of any child listed in **2**.

☐ **Do not hurt or threaten**

The Restrained Person must not:

- Assault, harass, stalk or molest the Protected Person or any child listed in **2**; or

- Use, try to use, or threaten to use physical force against the Protected Person or children that would reasonably be expected to cause bodily injury.

**Warning!** If the court checks this box, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

☐ **Prohibit weapons and order surrender**

The Restrained Person must:

- not possess or obtain any firearms, other dangerous weapons, or concealed pistol license; and
- follow the **Order to Surrender Weapons** (form All Cases 02-050), signed by the court and filed separately.

**Findings** – The court (*check all that apply*):

- ☐ **must** issue the above orders about weapons because:
- ☐ the “*Do not hurt or threaten*” restraints are ordered above, and the court found in section **4** that the Restrained Person had *actual notice*, represented a *credible threat*, and was an *intimate partner*. RCW 9.41.800.
  - ☐ the court finds by clear and convincing evidence that the restrained person has:
    - ☐ used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or
    - ☐ previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040.
- ☐ **may** issue the above orders about weapons because the court finds by a preponderance of evidence that the Restrained Party:
- ☐ presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon; or
  - ☐ has used, displayed or threatened to use a firearm or other dangerous weapon in a felony; or
  - ☐ previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040.

☐ **Other restraining orders:** \_\_\_\_\_

**6. Service:**

Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk.  
(Check one):

- ☐ **The other party must be served.**

**You have a right to have law enforcement serve this order free of charge.**

- ☐ The clerk of the court shall forward a copy of this order on or before the next judicial day to \_\_\_\_\_ ☐ County Sheriff's Office ☐ City Police Department *where the restrained person lives* which shall personally serve

the restrained person with a copy of this order and shall promptly complete and return to this court proof of service.

- ☐ The protected person shall give a copy of this order to law enforcement for service free of charge.
- ☐ The protected person **waives free service** by law enforcement and shall make private arrangements for service of this order. Do not serve the *Law Enforcement Information Sheet* on the Restrained person – it is only for law enforcement.

After serving, the server fills out a *Proof of Personal Service* (form FL All Family 101) and gives it to you. File the original *Proof of Personal Service* with the court clerk, and give a copy to the law enforcement agency listed below.

- ☐ **The other party does not have to be served** because the other party or his/her lawyer signed this order or was at the hearing when this order was made.

## 7. To the clerk:

Provide a copy of this Order and the *Law Enforcement Information Sheet* to the agency listed below within one court day. The law enforcement agency must enter this Order into the state's database.

Name of law enforcement agency where the Protected Person lives: \_\_\_\_\_.

*The restrained person's information will be removed from the state's database when this Order ends unless the court signs a new Order or extends the end date of this Order.*

## Ordered.

_____		▶ _____
<i>Date</i>	<i>Time</i>	<i>Judge or Commissioner</i>

## Petitioner and Respondent or their lawyers fill out below.

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

▶ \_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA #*

▶ \_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s (*person/s who started this case*):

\_\_\_\_\_

And Respondent/s (*other party/parties*):

\_\_\_\_\_

No. \_\_\_\_\_

Notice of Hearing  
(NTHG)

☒ Clerk's action required: **1**

## Notice of Hearing

To the Court Clerk and all parties:

**1.** A court hearing has been scheduled:



for: \_\_\_\_\_ at: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
*date* *time*

at: \_\_\_\_\_ in \_\_\_\_\_  
*court's address* *room or department*

\_\_\_\_\_  
*docket / calendar or judge / commissioner's name*

**2.** The purpose of this hearing is (*specify*): \_\_\_\_\_

**Warning!** If you do not go to the hearing, the court may sign orders without hearing your side.

This hearing was requested by: ☐ Petitioner or his/her lawyer ☐ Respondent or his/her lawyer



\_\_\_\_\_  
*Person asking for this hearing signs here*

\_\_\_\_\_  
*Print name (if lawyer, also list WSBA #)*

\_\_\_\_\_  
*Date*

I agree to accept legal papers for this case at:

\_\_\_\_\_  
*address*

\_\_\_\_\_  
*city*

\_\_\_\_\_  
*state*

\_\_\_\_\_  
*zip*

(Optional) email: \_\_\_\_\_

This does **not** have to be your home address. If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the *Notice of Address Change* form (FL All Family 120). A party must also update his/her *Confidential Information* form (FL All Family 001) if this case involves parentage or child support.

Superior Court of Washington, County of \_\_\_\_\_

In re:

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

And Respondent/s *(other party/parties)*:

\_\_\_\_\_

No. \_\_\_\_\_

Proof of Mailing or Hand Delivery  
(for documents after Summons and Petition)  
(AFSR)

**Proof of Mailing or Hand Delivery**  
**(for documents after Summons and Petition)**

**Warning!** Do **not** use this form to prove you mailed or delivered a Summons, Petition, Order to Go to Court, or any kind of Restraining Order. For those documents, use Proof of Personal Service (FL All Family 101), or if you have court permission to serve by mail, use Proof of Service by Mail (FL All Family 107).

I declare:

1. I am *(check one)*: ☐ the Petitioner ☐ the Respondent ☐ *(name)*: \_\_\_\_\_  
and am competent to be a witness in this case.

2. On *(date)*: \_\_\_\_\_, I served copies of the documents listed in 3 below to  
(name of party or lawyer served): \_\_\_\_\_ by:

☐ mail *(check all that apply)*: ☐ first class ☐ certified ☐ other \_\_\_\_\_

\_\_\_\_\_ *mailing address* \_\_\_\_\_ *city* \_\_\_\_\_ *state* \_\_\_\_\_ *zip*

☐ email to *(address)*: \_\_\_\_\_  
*(only if allowed by agreement, order, or your county's Local Court Rule)*

☐ fax to *(number)*: \_\_\_\_\_  
*(only if allowed by agreement, order, or your county's Local Court Rule)*

☐ Hand delivery at *(time)*: \_\_\_\_\_ ☐ a.m. ☐ p.m. to this address:

\_\_\_\_\_ *street address* \_\_\_\_\_ *city* \_\_\_\_\_ *state* \_\_\_\_\_ *zip*

I left the documents (*check one*):

- ☐ with the party or lawyer named above.
- ☐ at his/her office with the clerk or other person in charge.
- ☐ at his/her office in a conspicuous place because no one was in charge.
- ☐ with (*name*): \_\_\_\_\_, at the address listed in court documents where the party agreed to receive legal papers for this case.
- ☐ (*For a party or lawyer who has no office or whose office is closed*) at his/her home with (*name*): \_\_\_\_\_, a person of suitable age and discretion who lives in the same home.

**3. List all documents you served (*check all that apply*):**

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

<input type="checkbox"/> Notice of Hearing _____	<input type="checkbox"/> Notice Re Military Dependent
<input type="checkbox"/> Motion for Temporary Family Law Order <input type="checkbox"/> and Restraining Order	<input type="checkbox"/> Sealed Financial Documents
<input type="checkbox"/> Proposed Temporary Family Law Order	<input type="checkbox"/> Financial Declaration
<input type="checkbox"/> Proposed Parenting Plan	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Proposed Child Support Order	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Proposed Child Support Worksheets	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

**4. Other:** \_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (*city and state*): \_\_\_\_\_ Date: \_\_\_\_\_



\_\_\_\_\_  
*Signature of server*

\_\_\_\_\_  
*Print or type name of server*

3251EN FINALIZING YOUR DIVORCE WITH CHILDREN - 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:

LeeAnn Friedman  
Northwest Justice Project  
500 W. 8<sup>th</sup>, Suite 275  
Vancouver, WA 98660  
Or email to [webmaster@nwjustice.org](mailto:webmaster@nwjustice.org)

1. Where did you get this packet?  
☐ CLEAR   ☐ [washingtonlawhelp.org](http://www.washingtonlawhelp.org)   ☐ Court Clerk or Facilitator  
☐ Other: \_\_\_\_\_
2. What is your primary language? \_\_\_\_\_
3. Are you low-income?   ☐ yes   ☐ no
4. What is the last grade you finished in school? \_\_\_\_\_
5. Did you read the instructions?   ☐ yes   ☐ no
6. Did you need the help of an agency, court facilitator, or advocate to complete your case?   ☐ yes   ☐ no  
If yes, what agency or individual helped you? \_\_\_\_\_
7. Did you find anything hard to understand?   ☐ yes   ☐ no  
If yes, please tell us what. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Did you find any mistakes?   ☐ yes   ☐ no  
Describe mistakes. Include the page #. \_\_\_\_\_
9. Additional Comments [use back if you need to]: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Today's Date: \_\_\_\_\_