



Northwest Justice Project

Responding to a Petition for Modification of a Child Support Court Order

**Forms and Instructions
June 2010**

Table of Contents

| | |
|---|-----------|
| Section 1 : Introduction and Important Information | 1 |
| A. You must respond on time! | 1 |
| B. What if I agree with the modification? | 2 |
| C. What if I have questions that aren't answered in this packet?..... | 2 |
| A. What if I'm in the military or am the dependent of a military service member? | 2 |
| Section 2 : Words You May Need to Know | 3 |
| Section 3 : Steps to Take to Respond to a Petition for Modification of Child Support..... | 8 |
| Section 4 : Forms and Documents in this Packet that You'll need to Respond..... | 11 |
| A. Forms That You'll need to File Your Response that Are in This Packet:..... | 11 |
| B. Forms That You May Also Need that are in this Packet:..... | 11 |
| Section 5 : What Other Documents or Forms Will I Need That Aren't In This Packet? | 12 |
| Section 6 : Getting Ready to Respond..... | 14 |
| A. Figure Out How Much Time You Have To Respond And Whether The Petition is Filed In The Right Place..... | 14 |
| B. Read the papers that have been given to you..... | 16 |
| C. Gather your evidence..... | 16 |
| Section 7 : Follow These General Instructions Before You Begin To Fill Out the Forms..... | 18 |
| Section 8 : Instructions for Filling Out and Filing Individual Forms | 23 |
| A. Washington State Child Support Worksheets | 23 |
| B. Financial Declaration – WPF DRPSCU 01.1550..... | 26 |
| C. Sealed Financial Source Documents (Cover Sheet) – WPF DRPSCU 09.0220 | 29 |
| D. Response to Petition for Modification of Child Support - WPF DRPSCU 06.0300 | 30 |
| E. Declaration – WPF DRPSCU 01.0100..... | 31 |
| F. Sealed Personal Health Care Records (Cover Sheet) – WPF DRPSCU 09.0260 | 34 |

| | | |
|---------------------|---|-----------|
| G. | Confidential Information Form and Addendum – WPF DRPSCU 09.0200 & 09.0210 | 35 |
| H. | Notice of Appearance – WPF DRPSCU 01.0320..... | 36 |
| Section 9 : | Filing and Serving Your Papers..... | 37 |
| A. | Preparing to File and Serve | 37 |
| B. | Filing your papers in court..... | 38 |
| C. | Serving the other parties..... | 38 |
| Section 10 : | What if I Agree with Everything in the Petition? | 41 |
| Section 11 : | What if I’m in the Military or am the Dependent of a Person in Military Service? | 43 |
| A. | Waiver of Rights Under Service Member’s Civil Relief Act form | 43 |
| B. | Notice by Military Dependent | 44 |
| Section 12 : | Blank Forms | 46 |

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Section 1: Introduction and Important Information

This packet will help you fill out and file the forms and papers you need to respond to a Petition for Modification of a Washington State child support court order in superior court. If you read the information carefully and follow the instructions, you may be able to respond to the support modification on your own.

Don't use this packet if you're served with a petition to modify an administrative child support order. If you're served with a petition asking a Washington Court to modify a support order from another state, talk to an attorney before using this packet. This packet doesn't discuss special issues that may be involved if you have a support order from another state.

However, even if you have a Washington order, try to talk with a family law attorney before using this packet. Even if you can't afford to pay an attorney to represent you, try to meet with an attorney for advice. There are many important legal rights that can be affected in a support modification case. Many counties have family law facilitators who can help you fill out forms, or have free legal clinics where you may get specific legal advice about your case. Also see the resources listed in "What If I Have Questions?" For general information, visit the Washington LawHelp web site (www.washingtonlawhelp.org) to read our legal information publications called [Changing Your Child Support Court Order](#) and [Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington](#). These publications are designed to help you understand the law relating to child support in Washington.

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

A. You must respond on time!

When you're served with legal papers, you must take steps right away to figure out how to respond. In many cases, if you don't respond on time, the other party will automatically win what they're requesting. **If the other party has served you with a motion (for example, a Motion for Temporary Orders), you may have as few as four business days after receiving the papers to respond.** It may take time to locate legal resources and to read through this packet. Do this as soon as you receive the papers. If you can't respond on time, file and serve a Notice of Appearance and try to get a continuance of any upcoming hearings. If you can't get a continuance, prepare for the hearings.

B. What if I agree with the modification?

If there is anything that the other party asked for in the legal papers you received that you disagree with, then follow the instructions in this packet for filing a Response to the Petition. (This packet doesn't discuss responding to motions. Read the packet [Responding to Motions for Temporary or Emergency Orders in Dissolution Cases](#) for general information about temporary orders.

If you agree with EVERYTHING the other party is asking for (or you and the other parties can work out an agreement between the two of you), see the packet [Finishing a Modification of Your Support Order](#). See also information in the section in this packet called "What if I Agreed with Everything?" on filling out a Joinder form and the alternative to filling out a Joinder.

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

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

A. What if I'm in the military or am the dependent of a military service member?

If you're on active duty in the military or are the dependent of certain active duty service members, you may have special legal protections. Before you file any papers with the court and well before your deadline for filing, get legal advice about your rights. Talk with your JAG office or an attorney who knows about the federal and state Service Members Civil Relief Acts. For general information, see the section on military service members and their dependents later in this packet.

Section 2: Words You May Need to Know

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

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

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

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

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

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

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

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

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

Commissioner/Court Commissioner: Similar to a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases¹.

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

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

¹ Many decisions in family law cases are made by court commissioners instead of judges. However, to make this packet simpler, in most places we just use "judge."

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

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

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

Custody Decree: A court order, other than a parenting plan or residential schedule, that decides custody of a child. Since the law changed in 1987, most court orders in Washington dissolution and parentage cases are residential schedules or parenting plans, not custody decrees. (Exception: a final order in a nonparental custody case is still called a decree.) Orders from other states may still be called custody decrees, and in some circumstances, a Washington court has the right to modify another state's custody decree.²

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

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

Decree: One type of final court order.

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

Dissolution: The legal word for divorce.

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

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

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

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

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

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

Judgment: One type of final court order.

² Our publication, [Which Court has the Right to Enter a Custody Order: Frequently Asked Questions and Answers about Whether or Not a Washington Court Has Jurisdiction](#) gives general information about when Washington has the right to consider modifying another state's custody decree and when it doesn't.

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

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

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

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

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

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

Nonrequesting party:

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

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

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

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

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

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

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

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

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

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

Process: Written notice to appear in court.

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

Requesting Party:

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

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

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

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

Ruling: A decision by the court.

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

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

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

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

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

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

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

Section 3: Steps to Take to Respond to a Petition for Modification of Child Support

The following are the steps to follow, to file a Response to a Petition for Modification of Child Support. Many of the steps listed in the paragraphs below are explained in more detail later in this packet.

Check the boxes as you go through the process.

1. Figure Out How Much Time You have to Respond. See the section “Getting Ready to Respond.” Review the papers you received, and then write your deadlines here:

- **Petition:**
 - My deadline to respond to the Petition is _____.
- **Temporary Orders/Orders to Show Cause:** (If you received, or later receive, a Motion for Temporary Order or an Ex Parte Restraining Order/Order to Show Cause).
 - The Temporary Orders/Show Cause hearing date is _____.
 - The deadline to respond to a Motion for Temporary Orders or an Ex Parte Order/Order to Show Cause is _____.

If you were served with a motion or an ex parte restraining order/order to show cause, see our packet, [Responding to Temporary or Emergency Orders in a Dissolution](#).³

- **I do [] don't [] need to deliver working papers to the judge.**
- **Notice re: Dependent of a Person in Military Service**

If you received this notice and are the dependent of a military service member as explained in the notice, notify petitioner and the court within 20 days after you received the notice.

- The deadline to respond to this notice is _____.
- **Write other deadlines here:** _____
- If you can't respond on time, file and serve a Notice of Appearance and try to get a continuance of any upcoming hearings. If you can't get a continuance, prepare for

³ If your support order was entered in a divorce, get our packet [Responding to Temporary or Emergency Orders in Dissolution Cases](#). If it was entered in a paternity case, get our packet [Responding to Motions for Temporary or Emergency Orders in Parentage Cases](#).

2. Read the Papers Carefully.

- **Make sure that the party filing the petition gave you the required forms and information.** If you didn't receive all the papers listed below, write in your Response that the other party failed to serve you with some of the required papers. Then list the names of the papers you didn't receive.

- _____ Summons (Support Modification)
- _____ Petition for Modification of Child Support
- _____ Child Support Worksheets
- _____ Financial Declaration (of Requesting Party)
- _____ Sealed Financial Source Documents form with at least:
 - _____ Last two years federal income tax returns
 - _____ Pay stubs (at least one month or the number of paystubs required by your local court rules, whichever is more)
 - _____ Proof of any expenses being claimed
 - _____ Other Financial Information Required by your County. (List)

- 3. Check for Special Local Rules and Forms.** Some counties have case schedules that must be followed or require that child support cases go through mandatory arbitration. Check with the court clerk's office or the Family Law Facilitator in the county where your support modification was filed to find out about case schedules and local court rules for support modification actions. Some Family Law Facilitators have their own responding to child support modification packets. Use that packet instead of ours. If you use our packet, get any additional local forms that you'll need.
- 4. Gather Your Evidence and Get Any Additional Packets That You Need.**
- 5. Decide What You Want To Ask For.** Decide whether you agree with the other party's requests, or which parts you deny or disagree with.
- 6. Follow the General Instructions**
- 7. Complete All of the Forms You Plan to Use.**
- 8. Make the Necessary Copies of the Completed Forms.**
- 9. File Your Response with the Court Clerk's Office** in the Superior Courthouse of the county where your child support modification was filed. .
- 10. Serve the Papers on the Other Parties.** Usually, the other parent's the only other party. However, sometimes there are additional parties. If a child has received public assistance (TANF) or Medicaid, or is in foster care or out of home placement, include DSHS as a party.

- ❑ **11. File a Motion for Temporary Orders, if you want one.** If you want the court to sign an order that'll change child support until your trial by affidavit, file a Motion for Temporary Orders. You may not need a motion for temporary orders. In many counties, you can schedule your final support modification hearing within a month or six weeks after you serve the papers. In some counties, your case is scheduled for trial within about three months. The court won't want you to file a motion for temporary orders, since your trial is set fairly soon. Check with your Family Law Facilitator or Court Clerk for more information about your county's local practice. If you decide to file a motion for temporary orders, get the forms and instructions to do this in our packet called [*Filing a Motion for Temporary Orders in Dissolution Cases*](#).
- ❑ **12. Ask for Discovery, if you want it.** The rules require the other parties to give the court and you certain financial information. If they don't follow the rules, or you need additional information, see your Family Law Facilitator or talk with an attorney about asking for discovery.
- ❑ **13. File a Motion for Oral Testimony, if necessary.** Generally, child support modifications are decided in a trial by affidavit (on papers). If you want a trial with oral testimony (more like the ones you see on television, in which you or other witnesses will answer questions under oath), file a motion for oral testimony. See our packet called [*Finishing a Modification of Your Child Support Court Order*](#) for more information.
- ❑ **14. Participate in locally required procedures.** Find out the procedures in your county and follow them. For example, arbitration may be required in some counties.
- ❑ **15. Finish Your Child Support Modification.** If all the parties agree about the final papers and sign them, ask the court to sign the agreed papers before your trial date. If you don't reach agreement, prepare for your trial by affidavit (or trial with oral testimony if a party has requested it and the court approved the request) and you may need to ask for a date for trial. In some counties, you may need to go to mandatory arbitration. Get our packet called [*Finishing a Modification of Your Child Support Court Order*](#).

Section 4: Forms and Documents in this Packet that You'll need to Respond

This packet contains many of the forms for responding to the Petition for Modification.

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

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

A. Forms That You'll need to File Your Response that Are in This Packet:

| Form Title | Form Number |
|--|--|
| Child Support Worksheets and Schedule | |
| Financial Declaration | WPF DRPSCU 01.1550 |
| Sealed Financial Source Documents Form | WPF DRPSCU 09.0220 |
| Response to Petition for Modification of Child Support | WPF DRPSCU 06.0300 |
| Declaration of Witness | WPF DRPSCU 01.0100 |
| Confidential Information Form & Addendum | WPF DRPSCU 09.0200 & WPF DRPSCU 09.0210 |
| Notice of Appearance (Pro Se) | WPF DRPSCU 01.0320 |
| Certificate of Mailing or Personal Service | No Mandatory Form |

B. Forms That You May Also Need that are in this Packet:

| Form Title | Form Number |
|---|--------------------|
| Sealed Personal Health Care Records (Cover Sheet) | WPF DRPSCU 09.0260 |
| Sealed Confidential Reports (Cover Sheet) | WPF DRPSCU 09.0270 |
| Joinder | WPF DRPSCU 01.0330 |
| Waiver of Rights Under the Service Members Civil Relief Act | No Form Number |
| Notice of Military Dependent | No Form Number |

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

You'll need more than just this packet to file your Response and finish your case. Check the boxes by the documents and packets that you think you'll need. Then get those documents or packets before filling out your forms. Our packets are available at www.washingtonlawhelp.org.

- County Local Court Forms and Rules** - Some counties have their own special forms that you'll need when responding to a Petition for Modification of a Child Support court order. (Those forms aren't in this packet.) Many counties have special "local rules" that you'll need to know about to file a Petition for Modification in that county. **Check with the Court Clerk's office or Family Law Facilitator in your county for more information.**

◆ Some county clerks' offices have forms and local rules available online. See www.courts.wa.gov/court_rules/?fa=court_rules.local&group=superior

- Declaration Regarding Public Assistance: WPF SRPSCU 01.0600: We don't include this form in our packets. It's optional. Our instructions tell you to serve the State in any case where TANF, Medicaid, or foster care are involved, and we instruct you to get the state's signature on all default and agreed orders where the state might have an interest in the child support obligation in your case. However, some people may need the form if it's required in your county or if you need to verify that no public assistance has been paid or that the children aren't in foster care or out of home placement. Get this form at the Administrator of the Courts website <http://www.courts.wa.gov/forms/index.cfm?fa=forms.static&staticID=14>.
- [Serving Papers on the State](#) - if any party is asking for an order regarding child support, and any of the children has received public assistance (TANF), or medical coupons/Medicaid or is in foster care or out of home placement, get this packet. Include the state as a party and serve them with papers you file.
- [Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington](#). This publication gives basic information about the laws for setting child support in Washington State.
- [Changing Your Child Support Court Order](#). This publication gives basic information about the laws that apply to changing a Washington State Child Support court order, or responding to a proposed change.
- Filing a Motion for Temporary Orders (in a [Dissolution](#) or [Parentage](#))** - If you'll be asking the court to enter an order that will cover the time period between the date your support modification was filed and the date your modification is final, get this packet.
- Responding to a Motion for Temporary or Emergency Orders (in a [Dissolution](#) or [Parentage](#) case)** - if the other party has filed a motion for temporary orders and/or an ex parte restraining order/order to show cause, get this packet.

- ❑ **Sealed Confidential Court Report Cover Sheets.** The Confidential Court Reports Cover Sheet isn't included in this packet because most people won't need it in a support modification case. If you're filing the kind of report that requires this cover sheet (see Box #2 of the "General Instructions" section), it's in our packet [*Filing a Motion for Temporary Orders in a Dissolution*](#). Or download the form directly from the court's website at <http://www.courts.wa.gov/forms/>.
- ❑ **[How to Subpoena Witnesses and Documents](#)** - if you'll have a trial with oral testimony and need to make sure important witnesses or documents are at trial. (Remember: many child support modification case trials are decided with declarations, not with live testimony.)
- ❑ **[Finishing a Modification of Your Child Support Court Order](#)** –use this packet if you need to file a motion for oral testimony, prepare for your trial by affidavit, and finish your child support modification case.

Section 6: Getting Ready to Respond

A. Figure Out How Much Time You Have To Respond And Whether The Petition is Filed In The Right Place

◆ If you don't respond on time, the requesting party may get an order in which the judge automatically gives that party everything s/he asks for. In addition, even if you file a Response, if you don't attend a hearing, the court may give the other party what s/he's asked for at that hearing.

1. Deadline for Filing a Response to the Petition:

Find the form called a Summons, which you should've received with the Petition for Modification of Child Support. Your Summons should say how many days you have to respond after the date you received the papers, or look at the deadlines that follow.

- **If you were served with the support modification papers in Washington either *personally* (someone who isn't the other party handed them to you, or an adult handed them to a teenager or adult who lives with you) **OR by *certified mail***, you have **20 DAYS** from the date the papers were served to file and serve your Response.⁴**
- **If you were served with the support modification papers outside of Washington either *personally or by certified mail***, you have **60 DAYS** from the date the papers were served to file and serve your Response.⁵

2. The Deadline for Responding to a Motion is Different:

If you were served with a Motion for Temporary Orders or an Ex Parte Restraining Order/Order to Show Cause when you received the Petition for Modification of Child Support, you'll have much less time to file and serve a response to the motion than you have to file the Response to the petition. You must find out the deadline for responding to the motion, and you must not miss your hearing date. When you get the papers, look at the Notice for Hearing (sometimes also called Note for Motion, Note for Calendar Hearing, Note for Motion Docket). You must file and serve your response by the date stated in the notice. If the notice doesn't state a deadline, immediately call the court clerk's office or your family law facilitator, or check your local court rules, to find out the deadline. For most counties, you must respond (the other parties and the court clerk and judge must receive your papers) no later than 4:30 p.m. the *court* day before the hearing.⁶ Court days are all business days (not weekends or federal and state holidays). For information about how to

⁴ [RCW 26.09.175\(3\)](#). If your current Order of Child Support wasn't entered in Washington, you should be personally served with the papers. In your response, make sure to tell the court if you weren't personally served with the petition and summons. See an attorney if your support order's from another state.

⁵ [RCW 26.09.175\(3\)](#). If your current Order of Child Support wasn't entered in Washington, you should be personally served with the papers. See an attorney if your support order's from another state.

⁶ [Civil Rule \(CR\) 6\(d\)](#).

file a response to a motion, see our packet called *Responding to a Motion for Temporary or Emergency Orders (in a [Dissolution](#) or [Parentage](#))*.

3. The Deadline for Requesting Oral Testimony:

The deadline for filing a motion to request oral testimony (if you want oral testimony and not a trial by affidavit) is ten days after the time of notice of hearing.⁷

4. What if I need more time?

If you've been served with a motion other than a motion for default and you can't file and serve a response on time, see our packet called *Responding to a Motion for Temporary or Emergency Orders (in a [Dissolution](#) or [Parentage](#))*.

If you won't be able to file your Response to the petition by the deadline, file a Notice of Appearance right away and try to get a continuance of any upcoming hearings. If you can't get a continuance, file and serve a Notice of Appearance and prepare for the hearings. If you file a Notice of Appearance, the other party will need to give you notice before asking the court for an order of default against you. Then file your Response as soon as possible. (See next paragraph if you're served with a Motion for Default before or after you file a Notice of Appearance.)

5. What if I receive a Motion for Default?

If you're served with a Motion for Default, you must file and serve your declaration in response to the motion and your Response to the petition before the deadline on this motion, or all the moving party's requests may be granted. Filing a Notice of Appearance isn't enough. If you're served with a Motion for Default and haven't yet appeared in the case, in addition to preparing a Declaration and a Response, you may also need to get court permission to file your Response.⁸

If you don't do these things, a default judgment may be entered against you. Your declaration should request that the motion be denied and explain that a Response to the Petition is now filed and served. Also include any explanation for the late filing of your Response.

6. What If I'm already late filing my Response?

If your deadline for filing your Response to the petition has passed, you might still be able to Respond to the Petition. Check with the court clerk's office to see if there is a Motion for Default, an Order of Default or final orders in your court file.

If no order of default has been signed by the judge, **immediately** file and serve a Notice of Appearance (or file and serve your jurisdictional defenses). Then file your Response as soon as possible.

⁷ [RCW 26.09.175\(6\)](#).

⁸ See [CR 55\(a\)\(2\)](#). This packet doesn't tell you how to request court permission. If you're unable to file a formal motion for court permission before the hearing on the motion for default, at least prepare your Response and declaration, file and serve both, go to court for the default hearing, and ask the judge for permission to participate at the hearing.

If you're served with a Motion for Default, or if a Motion for Default has been filed with the court, filing and serving a Notice of Appearance isn't enough. See the information above, called "What if You Receive a Motion for Default."

However, when you check with the clerk's office, if you learn that an order of default or final orders have already been entered against you, you must act very quickly to ask the court to cancel those orders. If an Order of Default has been entered, you may be able to ask the court to vacate (cancel) the orders. However, you must do so very quickly. The longer you wait, the harder it may be for you to vacate the orders. For court orders that are over one year old, it can be extremely difficult to vacate the order. See our packet called [*Motion to Vacate in a Family Law Case*](#) and talk with an attorney.

B. Read the papers that have been given to you

Next, carefully read each paper you received. While reading the papers, highlight the main points (and those you disagree with) with yellow highlighter pen, or write notes on a separate piece of paper. Look for:

- The date, time and place of the hearing
- What new amount of child support the other party is asking for
- Whether the other party is asking for other things (a judgment for back support or relief from back support or interest, daycare, uninsured medical expenses, insurance, educational expenses, long distance transportation, claiming the children as a federal income tax exemption, etc.)
- Whether the other party provided all the proof of his/her income that is required by the court rules and what the information shows
- Claims the other party has made about you or the case

You must understand what the papers say so that you can write a good response to what has been filed and prepare for your hearing.

C. Gather your evidence

Get the evidence you'll need first, for use when you're filling out your forms. Think carefully about whether there is information that will help show that what you're telling the court is correct, or that what the other party is telling the court isn't true. Examples include:

- Declarations by You or By Witnesses – Declarations of other people who have personal knowledge about you or the other party or your finances. See the instructions in this packet for declarations.
- Financial Information. You must provide the court and the other party with financial documents that prove how much your income is. In general you should provide:
 - Your federal income tax returns from the last two (2) years.

◆ If you have no copies of your income tax returns, get copies from the IRS (there is a fee). Contact your local IRS office for the request form. Or ask your local IRS office to give you a computer printout of your income tax returns. These aren't as good as photocopies, but they're better than not having your tax returns, and they may be free. Go to your local IRS office for more information. If you filed no income tax returns, explain that in your declaration and give the court other papers verifying your income.

- Your pay stubs. (Provide them for at least the previous month. Try to give the last six months or back to January 1st, whichever is longer.)
- If you receive some type of benefits, get official letters from Social Security, L&I, Employment Security, or DSHS showing how much you receive in benefits.
- If you're self-employed, or you have no pay stubs or tax returns, get papers proving what your income is. Examples include:
 - Bank account statements and check registers
 - Business tax returns or records, or 1099 forms
- Any other information necessary to support your request for financial relief (examples: copies of children's medical bills not covered by insurance, daycare payments, tuition for the children, etc.).
- In some counties, you may need to provide more financial information as required by local court rules. Ask your court clerk's office or Family Law Facilitator to find out if your county requires more information.

It's your responsibility to prove what your income is, and what the amount of support should be (if it should be changed at all). If you don't provide enough financial information, the court can impute income to you, or may set your income according to what the other party claims it is.

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

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

The caption. The caption includes the name of your case, the case number, the name of the court, the title of the court paper, and sometimes, the type of case. It appears at the top of the first page of every form.

Name of the court. Write in the name of 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 names from the upper left-hand side of the Petition for Modification. List the petitioner and respondents just as they appear on the petition.

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

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

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

◆ **Format:** Pleadings (legal forms) that you file with the court and attachments to those pleadings must follow the court rules about size and margins (GR 14(a)). You must use regular size (8 ½ x 11") white paper and you may write on only one side of the paper. The first page of each paper that you file must have a 3 inch margin (3 inches of space) at the top. The other margins (left, right and bottom, and the top from the second page on) must be at least one-inch wide. Use black or dark blue ink. If your forms don't follow these rules, the court clerk may refuse to file them or may make you pay a fine.

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

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

Signatures.

- **Your signature**

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

- Some forms have one signature line for "petitioner" or "respondent." After you fill out a form such as the petition, sign at the place that applies to you. Look carefully. Some forms require you to sign in more than one place. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
 - When you prepare and file motions, you are the moving party. After you prepare a motion look for each place marked "signature of moving party or lawyer." Look carefully. Some forms require you to sign in more than one place. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
 - When you prepare an order and plan to present it for the judge to sign, look for each place marked "presented by." Sign in the space underneath.
- **Judge's Signature:** Leave the judge's signature line and the date blank.
 - **Other party's signature:** Certain forms you prepare have a place for other parties to sign. You cannot force another party to sign a court paper – s/he can choose to sign, or not. However, if you've prepared an order after a hearing, the other party may be willing to sign the form you have prepared if s/he agrees it accurately states the judge's decisions (or the judge may require the other party to sign), even if the party isn't happy with the decision itself.
 - Agreed orders. If the other party agrees with the orders you've written, that party should sign in the appropriate place (petitioner/respondent/moving or nonmoving party) on each court order that is agreed.
 - Approved for entry/Notice of Presentation Waived. If you are the respondent or nonmoving party, or if you didn't prepare the order, you may be asked to sign in a blank under these words. If you check "Approved for entry," this means that you are agreeing that the judge should sign the order as it is written. If "Notice of Presentation Waived" is checked, that means that you're agreeing that the other party can give the order to the judge for him/her to sign without letting you know when the other party is going to take that order to the judge.
 - **Other signatures/Declarant's Signature:** If someone else must sign a form (such as a

witness or the person serving papers), be sure they fill out all information correctly and sign in the proper space provided. In a declaration form, the “declarant” is the person who’s writing the declaration.

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

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

Box #1

Things You Should Not Write in Most of Your Court Papers:

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

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

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

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

Dates of Birth of Children: Don’t write them in court papers.

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

Box #2:

Private Information That Should Be Filed With Sealed Cover Sheets:

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

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

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

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

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

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

Box #3

When You Should Write Private Information In Court Forms:

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

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

SAMPLE FORM

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

Fill in the name of the Petitioner here.

or Court of Washington
County Of Evergreen

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

Petitioner,
 and
 Opposing party.

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

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

Form title.

NO. 08-3-99999-9

Note for Motion Docket

(No Mandatory Form Developed)

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

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

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

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

LOCATION: **Treelane Superior Courthouse**

COURTHOUSE ROOM: **2**

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

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

 Jane Doe, Petitioner
 1212 S. Harriet Drive
 Treelane, WA 99999

Section 8: Instructions for Filling Out and Filing Individual Forms

A. Washington State Child Support Worksheets

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

When child support is an issue, each party fills out a set of child support worksheets, using the instructions and schedule that come with the worksheets. You may have to file and serve worksheets more than once during the course of your case:

- First with the Petition and Response, and
- New worksheets when there are motions and hearings involving child support (to update information in your 1st set of worksheets).

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

The instructions and worksheets included in this packet are current as of June 2010. Use this set of instructions along with the Washington State Child Support Schedule published by the Administrative Office of the Courts. Download it from their website at <http://www.courts.wa.gov/forms/>, or call (360) 705-5328. You should also read our publication called [*Understanding the Washington State Child Support Schedule and How Child Support is Set in Washington*](#).

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

If, however, you're filling in these worksheets after the judge has announced a decision, use the income, child support amounts, expenses, and other information announced by the judge, even if you disagree with them and even if they're different from what you proposed.

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

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

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

1. **Caption your worksheets:** At the top of worksheet page 1, fill in, where indicated, the name of the mother and father, the name of your county, and the case number.
2. **Above the caption,** check the box to show whether these worksheets are proposed or an order signed by the judge. If they're proposed, check the box showing who's proposing them.
3. **Child Support Order Summary Report.** Fill out this section only if you're also preparing a child support order to be signed by the judge. If so, come back to it after you've filled out the rest of the form.
4. **List the names and ages** of the children you have with the other parent in the very first box under the heading, *Worksheets*.
5. **To fill out the worksheets, follow the instructions in the Washington State Child Support Schedule.** The instructions explain the meaning of gross and net income and also explain how to list your income. They also tell you how to fill in the rest of the financial information.
6. **Fill in the columns of the Worksheet that apply to you (Father or Mother).**
7. **Fill in the information for the other parent, if you know or can estimate his/her income and expenses.** If you've used estimates, write that on the form. If you have any income information for the other parent, even if it's an estimate, use that information. Explain in the "Other Factors for Consideration" at Line 26 any income information you listed which isn't based on wage stubs or tax returns. The other parent will have the chance to correct any information that's wrong.

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

8. **Low-income limitations.** If you're very low-income, there are 3 different ways to adjust your child support payment using the worksheets. See the "Limitation Standards" section of the Schedule, page 3, paragraphs 2 – 4. (Paragraph 1 of that section describes a method you can use to adjust your income when you're filling out the Order of Child Support.)
9. **Health Care Expenses.** If you pay uninsured medical expenses for the children that you want to include in the transfer payment, write the expenses in section 10 of the worksheets. **Only include regular expenses (such as a monthly health insurance premium) in this section.** Don't include doctor bills that may change over time.

On line 10a, fill in any payments that either parent makes for the children's health insurance premiums. Only that part of the premium that the parent actually pays for the child or children in the order of child support should be included. **DON'T INCLUDE** the part paid by the employer, or parts for the parent or other family members. **On line 10b,** fill in any other monthly uninsured medical expenses.

Child Support adjustment and modification cases only: If your existing order includes uninsured medical expenses in the transfer payment, and the expense has changed, fill in the new expense in section 10 of the worksheets.

10. **Daycare, Education & Travel Expenses May Be Included.** In section 11, fill in your daycare, tuition or other special child care expense if you want to have that amount included in the transfer payment. If you do this, you should mark the first box in paragraph 3.15 of the Order of Child Support. However, in most cases, you shouldn't list your daycare, education and travel expenses in the worksheets at all. Instead, include them under paragraph 3.15 of the Order of Child Support.

Child Support adjustment and modification cases only: If your existing order includes day care education and travel expenses in the transfer payment, and the expense has changed, fill in the new expense in section 11 of the worksheets.

Think carefully about whether to include your daycare amounts in your worksheets. Daycare expenses tend to change over time, and may decrease as your children get older and no longer need to be in daycare. If you include daycare in the transfer payment, but your daycare expenses later aren't as large as the amount in your worksheets, the other parent may file an administrative or a court action to try to make you repay the overpaid daycare. The court may order you to repay the daycare if you were overpaid by 20% or more.⁹ This could result in your owing a large debt to the other parent.

You may want to have DCS compute and collect daycare. See the instructions for paragraph 3.15 of the Order of Child Support.¹⁰

11. If there are other adults contributing money to you or to the other parent's household, or if you or the other parent has other children to support, or has many debts to pay, or if there is other income, or if there are other special circumstances, list such information on the worksheet. See the "Limitation Standards and the "Deviation Standards" on pages 3- 4 of the Definitions and Standards section of the Washington State Child Support Schedule to decide what information to fill in.
12. **On the last page of the worksheet,** you can write in additional information. You can also explain how you calculated the amount of support. State how you calculated each parent's income. If the income you put for either parent is imputed or estimated, write how you figured out the income amount. If you believe support should be less than the standard calculation, state how much it should be and why.

Make Sure You Fill in the Worksheet Completely. There are many lines on the worksheets. It takes time and patience to fill them out completely. Complete the worksheet as accurately and completely as you can.

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

Child Support Order Summary Report.

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

⁹ [RCW 26.19.080\(3\)](#).

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

Item B. Fill in the amount on item 17 of the worksheets signed by the judge.

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

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

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

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

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

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

B. Financial Declaration – WPF DRPSCU 01.1550

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

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

I. Summary of Basic Information.

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

II. Personal Information.

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

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

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

III. Income Information.

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

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

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

- **Fill in the income information and income deduction information requested,** making sure that you use the correct column for each party named at the top of the column.
- **Income From Benefits.** Do not include income from needs-based public assistance (TANF, SSI, GA-U, VA benefits, food stamps) under section 3.1.¹¹ If a parent receives Social Security Disability (SSDI) or workers' compensation (L&I, or other disability benefits from an employer), fill that amount in under 3.1.e "Other Income."
- **Work-Related Disability Benefits:** If the child/ren receive dependent benefits as a result of a parent's disability (as may happen when the parent gets SSDI, L&I and some employer-paid disability benefits) or Social Security retirement, the payments that they receive directly count as income to that parent even if the money is actually paid to the other parent or custodian. Make sure to add those amounts to income of the parent who gets SSDI, L & I) under 3.1.e. **Those benefits should also be credited as child support paid by the parent** (in other words, the obligated parent's support should be reduced dollar for dollar by the amount of the dependent benefits his/her children receive directly for current child support). See RCW 26.18.190; In re Marriage of Maples, 78 Wash. App. 696 (1995).
- **Deductions From Income.** If you include deductions from income other than income tax, FICA, and L&I payments, provide documents that prove each deduction.¹² Pay stubs may show union and pension plan deductions; however, you will need to provide additional documents (such as some pages from a collective bargaining agreement or employee handbook, or a letter from the employer) showing

¹¹ [RCW 26.19.071\(4\).](#)

¹² [RCW 26.19.071\(5\).](#)

that these deductions are required. If pension deductions are voluntary, show documents to prove that the deduction has been taken for at least two years or it may not be allowed. If you are claiming business expenses, be prepared to present business records and receipts showing how much your expenses are if the other party disputes your claims. Follow the instructions at the end of the Financial Declaration Form and attach private financial information to the Financial Source Documents Cover Sheet.

Paragraph 3.3

Follow the instructions to fill in monthly net income.

Paragraph 3.4. Miscellaneous Income.

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

Paragraph 3.5. Income of Other Adults in the Household.

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

Paragraph 3.6. Disputed income.

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

IV. Available Assets.

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

V. Monthly Expense Information.

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

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

Paragraphs 5.10. Installment Debts & 5.11 Other Debts. Section 5.10 is for giving more details about expenses that are already listed as expenses in 5.1 through 5.8. For example, you

would fill in your mortgage and your car loan here, even though you probably already included your mortgage as an expense under 5.1. If you have other debts, such as credit card debts that you have not already included as expenses in sections 5.1 – 5.8, you should fill them in under 5.11.

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

VI. Attorney Fees.

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

Signature:

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

Financial Records List:

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

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

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

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

D. Response to Petition for Modification of Child Support - WPF
DRPSCU 06.0300

◆ If the mailing address you use in the Response or Notice of Appearance later changes, prepare an updated Notice of Appearance. Use the Notice of Appearance form in this packet. Write “Amended” above “Notice of Appearance.” State the new address the court and other parties should use. File this notice with the court and provide a copy to the other parties. Use the Certificate of Mailing or Personal Delivery form and procedure to show that notice has been given.

The Response to Petition for Modification of Child support (called "Response," for short) is your chance to answer the other party's claims in his or her Petition for Modification of Child Support. Look at the Petition for Modification you got from the other party while filling out the Response form.

Caption. Fill out the caption.

Section I. Admissions and Denials.

When completing this part of the Response, read through each corresponding paragraph of the Petition for Modification.

If you agree with the statement in the Petition, check the box to the left of the word "Admitted." If you disagree, check the "Denied" box.

If you don't know, check the "Lacks Information" box.

Do this for each paragraph of the petition. If you disagree with ANY PART of the information in a paragraph, check the “Denied” box for the whole paragraph. For any paragraphs you're marking "Denied," explain why you're denying them in the space provided at the end of part 1.

Listed below are the paragraphs of the petition that you're responding to.

- **Paragraph 1.1. Place of Residence.** Check to make sure that the other party has correctly filled in the county and state where you, the other parent, and the children live. If this information is correct in the Petition, mark the “Admitted” box next to 1.1 on your Response form. If any of the information in paragraph 1.1 of the Petition is incorrect, mark the “Denied” box on your Response form. If you don't know whether everything is correct or not, mark the “Lacks Information” box. Then, if you marked the second or third boxes (Denied or Lacks Information), go to the blank section below 1.6, where there is a sentence reading “Each allegation of the petition that is denied is denied for the following reasons.” Write 1.1, and then write what is incorrect about paragraph 1.1 of the Petition. Continue doing this for each paragraph of the Petition.
- **Paragraph 1.2. Jurisdiction over Parents.** Again, look at paragraph 1.2 of the Petition and make sure all statements the other party checked are true. If so, “admit” this paragraph. If any are false, “deny” this paragraph. If you don't know whether everything is correct or not, check “lacks information.”
- **Paragraph 1.3. Most Recent Support Order.** Follow the same procedure as above.

- **Paragraph 1.4. Reasons for Modifying Child Support.** Make sure that every box that the other party checked on the Petition under paragraph 1.4 is correct. If any of paragraph 1.4 is incorrect, mark the “denied” box. Write why you’re denying the other party’s claim.
- **Paragraph 1.5. Starting Date of the Modified Order.** After the child support modification is finished, if the judge changes support, the court may start the new support order as early as the date the petition was filed, or may choose a later date (such as the date the final orders are signed, or the first of the month after the orders are signed). Depending upon whether child support is increased or decreased in the final orders, the date the orders are effective can create a child support debt or can mean that the receiving parent might have to repay some support. If the other party checked the box asking that the starting date be the date the petition was filed, but you don’t want support modified back to the date the petition was filed, check “Denied.” Then explain why. If you do want support modified back to the date the petition was filed, but the other party didn’t request that, check “Denied.” Then write “Support should be modified effective the date of the filing of the petition.”
- **Paragraph 1.6. Other.** If nothing is filled in this space in the Petition, write “Does not apply” next to 1.6 on the Response.

Section II. Request for Relief.

If you’re not asking the court to do anything, check the first box.

Otherwise, check the second box. Then write a list of what you’d like the court to order. Look at the “Relief Requested” part of the Petition for Modification of Child Support form for ideas about what to write in your Request for Relief section.

If you don’t want child support modified as of the date of the petition, check the third box. Then check the reason that applies in your case.

Section III. Notice of Further Proceedings.

Sign and date the form, and print your name in the blank below your signature. Fill in your mailing address. The other parties will get a copy of this form, so if you don’t want to give your home address, write in a post office box, confidential address, or another address (such as that of a family member or friend) where you’ll receive mail quickly and reliably.

E. Declaration – WPF DRPSCU 01.0100

Use this form to tell the court details about what you want, and why the other party’s requests should be denied (if you disagree with them). Write the caption on this form and make several copies of it before filling out the rest, in case you need to use them.

1. Your own declaration

Your declaration is your chance to help the court understand your financial situation and why you want (or don’t want) a support modification. Remember: in most support modifications, you get no chance to testify. Use the declaration to tell the judge what you believe the judge needs to know. The declaration is your chance to tell your side of the story. If the other party has said things in their papers that you disagree with, tell the court that you think what they’re saying isn’t correct. Then give the court the correct version of what happened. If you want child

support to be modified, but you think the amount of child support should be different from what the other party is requesting, explain what you want and why you believe support should be that amount.

Sometimes it helps the judge if you use headings at the top of each paragraph. Example: *Why Child Support Shouldn't Be Changed, My Financial Situation, The Other Parent's Financial Situation*, etc. Attach supporting evidence to your declarations, as explained in the "Some Brief Rules" section below.

2. Declarations of Other Witnesses

Try to get other people to write declarations for you, too. Think about anyone else who knows important facts about your case – such as your income, your ability to work, and the other parent's financial status.

Example: you work a 33 hour week and that is considered full time at your company. You'd try to get a declaration from your employer or supervisor explaining that. Or, if you're unable to work full time based upon your doctor's recommendation, get a declaration from your doctor explaining her/his recommendation.

Another example: if the other parent is asking that support be reduced, but a friend of yours recently saw the other parent driving a brand new expensive car, try to get a declaration from that friend.

You may also use declarations to ask doctors or counselors to state the reasons why the children have special needs for certain expenses, or from your daycare provider about the amount that daycare costs.

a) Some brief rules about witness Declarations

Put the most important points at the beginning. Less important points should come later.

Base the statement on the writer's own personal knowledge (what s/he saw or experienced firsthand), not what someone else told the writer. Exception: the writer may talk about what one of the other parties has said.

The writer should explain how well s/he knows you or the people s/he is writing about, how often s/he sees the people, and in what situations. Example: "Mr. Jones has worked for me at Acme Plumbing for 15 years. I see him almost every day at the office. In addition, because our sons are on competing soccer teams, I have seen him coaching his son's games three or four times this season. I've been invited into his home a two or three times for dinner with his family over the years I've known him."

The writer must type the declaration or print it neatly in **black or dark blue ink**. (A few courts require that all declarations be typed.) If the declaration is difficult to read, the judge may not try.

Don't make the declarations too long.

Stick to the issues the judge will be deciding. Be specific on those issues.

- Example: in a parenting dispute, general statements, such as "she is a bad mother," or "the children are much happier now living with Mary," aren't helpful. Instead,

the declaration should describe specific things, and state when and where incidents occurred, such as, “I live on the same street as Joe. About a year ago, Joe knocked over our mailbox while driving. I ran out to the street to see what had happened. Joe was standing next to his car. I smelled liquor on his breath. I’ve seen him weaving down the road in his car three other times this year.”

- In a child support dispute without parenting issues, the statement above may not be relevant to the issues before the court. If it’s not relevant, don’t include it.

Attach extra pages to the declaration if you need more space. However, make sure that the writer of the declaration signs and dates the declaration in the space that says “I declare under penalty of perjury...” Your extra pages should also have margins of at least one inch, and you should number all the pages at the bottom.

Some courts (such as King Co.) limit the number of pages that you can file with a motion or response. Check your local rules, or ask the court clerk’s office or the facilitator.

If you attach documents to declarations, such as printouts of bills, school records, medical or treatment records, police records, etc., refer to them in the declaration and call the attached documents exhibits and number them Exhibit Number 1, Exhibit Number 2, etc.

- If the papers to be attached don’t require a sealed cover sheet (see the General Instructions section if you’re not sure), staple them to the declaration.
- If the papers to be attached do have personal medical or mental health information, or financial records, or confidential court reports, write an exhibit number or letter on each paper that will be attached. When the person writing the declaration mentions that paper, they should use that exhibit number or letter & write it’s “filed with the Sealed Personal Health Care Records cover sheet on _____ (date).” Don’t staple the paper to the declaration. Instead, attach the paper to the appropriate Sealed Cover Sheet form before you file and serve it.

The sealed cover sheet forms are described elsewhere in this packet. (Also see the General Instructions section about the types of papers to keep out of the public file.)

If the declaration talks about personal medical or mental health information, or financial records, attach the declaration to the appropriate Sealed Cover Sheet form before you file and serve it. The sealed cover sheet forms are described elsewhere in this packet. (Also see the General Instructions section of this packet about the types of papers to keep out of the public file.)

b) Filling out the Declaration form

Caption.

Fill out the caption and make as many copies of this form as you’ll need before any other information is added. This way, you’ll have blank forms with just the caption on them, so that you may give a copy to each witness to fill out and have one for you to use, where necessary.

On the right side of the caption, after the words “declaration of...,” write in the witness’s name.

This declaration is made by.

Write in the name, age and the relationship to the parties in the case (example: “Maria Garcia” “29,” “petitioner’s friend,” “mother’s counselor,” “child’s daycare provider”) in the blanks.

Blank Lines

On the blank lines, after the words “I declare,” the person writing the declaration should type or print neatly in black ink the information that s/he wants to tell the judge. (A few courts require all declarations to be typed.) Follow the suggestions in the paragraphs above.

Signature Line

Have the witness date and sign at the signature line, and print his/her name and the city and state where s/he signed the declaration. Declarations don’t have to be notarized because the witness is swearing the statements are true under the penalty of perjury.

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

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

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

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

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

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

Attach the confidential personal health care records to this form.

Fill out the caption.

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

G. Confidential Information Form and Addendum – WPF DRPSCU
09.0200 & 09.0210

In family law cases, you must give the court information about your address and telephone number, your social security number, date of birth, driver's license, and the name and address of your employer, as well as certain information about the other people involved in the case.¹³

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

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

◆ Update the court by filing a new Confidential Information Form when your address changes, even after your case is finished. If you don't, legal papers may be sent to you at your old address and orders may be entered against you without actual notice to you.¹⁴

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

¹³ [RCW 26.23.050\(5\)\(l\) & \(7\); GR 22\(g\) & \(h\).](#)

¹⁴ [RCW 26.23.055\(2\) & \(3\).](#)

driver's license number and social security number (if you have one). If you're filing this form as part of a nonparental custody case, list the other adults in petitioner's household on page 2 in the place indicated.

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

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

H. Notice of Appearance – WPF DRPSCU 01.0320

Use this form to tell the court that you're going to participate in the court case and you want to get notice of what is happening. If the mailing address you use on the Notice of Appearance changes, you must complete a new Notice of Appearance form, write "Amended" over the title, and fill in your new address. File it with the court and send it to the other parties.

Caption. Fill out the caption

Service Address. Write in the name and full address where you want the court or other parties to send you legal papers. If you don't use your home address, use a reliable address, such as a post office box, your work address, or a friend or relative's address, where you'll know very quickly after it arrives.

Signature. Sign and date the form and print your name.

Section 9: Filing and Serving Your Papers

A. Preparing to File and Serve

Figure out how many copies of each form you'll need. Make the copies.

The original of each form will be filed with the court clerk in the county where the case has been filed. Make copies as follows: (**except**, if you've prepared the Confidential Information Form and addendum and/or LEIS,¹⁵ make just make one copy, for yourself, of these 3 forms).

_____ one copy of each form for yourself

_____ one copy of each form for the other party

_____ if there are additional individual parties one copy of each form for each of these parties (1 x ___ number of additional parties)

_____ one for the State (if you're serving the State)

_____ one for the GAL if a GAL has been appointed in your case

_____ one copy as working papers, if your local court requires you to give the judge "working papers" before a hearing and if you have upcoming hearings.

_____ : **total.** This is how many copies to make of each document (except just make one copy, for yourself, of the Confidential Information Form and addendum and any LEIS. These forms aren't served on any other party).

Organize Your Papers.

Make a set of the papers for the court and for each party. Put all the original forms into the set for the court. Put the copy of the Confidential Information Form and addendum and the LEIS (if you're using these forms) into your own set.

Compare each set to the checklists in this packet to be sure you have what you need.

Put each of the other parties' sets of papers in an envelope addressed to that party at the legal address they have provided.

Add your return address for legal mail. (For your return address, use the address on your Response or Notice of Appearance.)

¹⁵ The Confidential Information Sheet and addendum are in our basic Responding packets. They're filed with your first court papers and must be updated when the information in it, such as your address, changes. The LEIS isn't in this packet. Use it with restraining orders and Orders for Protection. Get it at the court clerk's office.

B. Filing your papers in court

Take the originals and the copies to the superior court clerk's office in the courthouse where the case has been filed. Give the clerk the original copies of your documents for filing. (The clerk doesn't put the Confidential Information form or any LEIS in the public file.) If you have any proposed orders for upcoming hearings, ask the clerk what to do with the original proposed orders and follow the clerk's instructions.

If you must deliver working papers for any upcoming hearings¹⁶, do so before leaving the courthouse. If you have proposed orders, include them with the working papers.

C. Serving the other parties

In addition to filing your papers with the court, you must have them properly served on (delivered to) the other parties, except **don't** serve the Confidential Information form and addendum and any LEIS.

1. Make sure service is completed before the deadline for your response.

Service is required because the other parties have the right to know your response to the papers you've received.

The court doesn't serve the other parties for you. You must arrange for service and make sure your server delivers the papers properly.

After the Summons and Petition have been properly served, most papers prepared by either the petitioner or the respondent can be served on the other party by mail or personal delivery, as explained below.¹⁷ Carefully follow the rules about service.

After service is completed, file proof of service with the court, explained below.

2. Mail or deliver your papers to the other parties or their attorneys.

Because you're responding, your papers can be given to the other parties by regular mail or by personal delivery. While the case is going on, if a party has given you an address for service of legal papers (for example in the Summons form, a Notice of Appearance, or a Response), serve him/her at that address. If a party is represented by an attorney, the papers are delivered to the attorney, not the party.

¹⁶ See the Words You May Need to Know section for a definition of "working papers." Our packets containing information about hearings also have a section on Judge's Working Papers/Confirmation.

¹⁷ [CR 5\(b\)\(1\)-\(2\)](#). However, if you prefer, you may have a party personally served (using the same procedures as described in our Filing packets for serving the Summons and Petition), and have a Return of Service prepared and filed. This packet tells you if a form needs to be personally served.

3. Service must be completed before your deadline.

Although many county courts allow you to do your own service, other counties don't. To be safe, **don't deliver or mail the papers yourself**. Ask an adult friend or relative to do it for you.

When your friend has mailed or delivered the papers to a party, have your friend fill out the Certificate of Mailing or Personal Delivery the same day. Your friend should fill out a separate form for each person s/he mails or delivers the papers to. You then file the original certificates. Keep a conformed copy for your records.

- **Mailing.** If your friend mails the papers, make sure s/he adds three (3) days to the number of days' notice required for your response. When counting, don't count the day of service (or mailing), weekends, or court holidays. **Example: if a document is mailed on a Monday, it's considered served on Thursday.** This is important when setting up or responding to hearings. There are deadlines by which papers must be served. If the third day is on a weekend or holiday, the document is not considered to have been "served" until the next court day.

If a document is sent by regular first class mail, have an additional copy sent by certified mail, return receipt requested, for additional proof of mailing. Staple the green return receipt card to the Certificate.

- **Personal Delivery.**

The papers may be delivered to the other party, instead of mailed. "Delivering" the papers to another party or his/her attorney means:

- handing it to the attorney or to the party; or
- leaving it at his office with his/her clerk or other person in charge of the office¹⁸; or,
- if no one is in charge, leaving it in a place in the office where someone can easily find it (example: on top of the front desk); or,
- If the office is closed or the person has no office, leaving it at his/her residence or usual place of abode (home) with some person of suitable age and discretion then residing there.¹⁹

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

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

¹⁸ Although [CR 5\(b\)\(1\)-\(2\)](#) appears to allow a person to be served at his/her office, and you can usually deliver papers to an attorney or GAL at his/her office, we recommend that you NOT serve other parties at their offices, unless they've used that as their service address in a Notice of Appearance, Petition, or Response form.

¹⁹ [CR 5\(b\)\(1\)](#). A person of suitable age and discretion means someone who is an adult (or at least an older teenager) who does not have a mental impairment that would prevent him/her from understanding that the legal papers should be given to the other party.

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

5. Filing the Certificates of Mailing or Personal Delivery

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

Section 10: What if I Agree with Everything in the Petition?

If you agree with everything that the other parent has asked for in the Petition for Modification (and the child support worksheets), you may want to complete the Joinder form included in this packet.

- ◆ **You're never required to sign a joinder form.**
- ◆ If you disagree with any requests in the petition or any related paper, or if you agree with all the requests but want to be sure the court doesn't approve final agreed papers until you sign them, **don't** sign the joinder form.
- ◆ By signing the joinder form, you give the other party permission to enter final papers without your further approval or your signature on the papers.

In most cases, we recommend that, even if you agree to everything requested, instead of signing the joinder form, ask to see and read the proposed final papers before the other party takes them to the judge. (The final papers may include, for example, depending upon the type of case, Decree, Order on Modification, Parenting Plan or Residential Schedule, Order of Child Support, etc.) If the proposed final papers correctly show your agreement, sign them. That way you can reduce the chance of misunderstanding and be more confident the final papers accurately show your agreement.

However, if you agree with everything the other party asked for in the petition and in every related paper, and don't think it necessary to sign the final orders before they're presented to the judge, complete the Joinder form included in this packet. Signing the form can make it easier and quicker to finish the case. However, it also has risks. Talk with an attorney (NOT THE OTHER PARTY'S ATTORNEY) before signing a Joinder so you fully understand any legal rights you're giving up.

1. **Instructions for the Joinder form (WPF DRPSCU 01.0330) if you decide to use it.**

The signed joinder form gives the other party permission to enter final papers without your further approval or your signature on the final papers. It also tells the judge you agree that final orders can be entered as requested in the petition and related papers. **Read the information above before deciding to sign this form.**

1. **Caption.** Fill out the caption.
2. **Paragraph 1.** Read the paragraph carefully.
3. **Paragraph 2.** You should check the second box, so that the other party must send you the notice of hearings to finish your case. Checking this box doesn't mean the petitioner/requesting party must get your signature on the final papers. It only means you're asking him/her to send you notice. Write your address in the blank space. You don't need to give your home address, but make sure you use a reliable mailing address where you'll immediately learn of papers arriving for you. If you're sure that you don't want the other party to give you notice before final orders are entered, check the first box.

4. **Other.** Write in other information here.
5. **Signature.** Date the form and sign where it says “Signature of Joining Party.” Print or type your name on the line below it.

2. How to file the Joinder form, if you chose to sign it.

If you signed the joinder form, follow the same steps to file and serve it as described for filing your Response and other forms. Mail or deliver a copy of the Joinder form to the other parties. Keep a copy for yourself.

Section 11: What if I'm in the Military or am the Dependent of a Person in Military Service?

If you're on active duty²⁰ in the United States Armed Forces, or if you're the dependent (usually the spouse or minor child of a resident of Washington who is on active duty and is a National Guard Member or Reservist, or a person receiving over half his/her support from that service member²¹), you have special protections under the Service Members' Civil Relief Acts. Protections under the law can include protection against being defaulted in some circumstances, the right to ask for a stay (delay) of a court case if the active military duty limits ability to participate in the case, and other rights.

Before you do anything else in this case, you should contact an attorney or your JAG (Judge Advocate General) right away to get advice about how to protect your rights under the SCRA. You must act quickly as your time to respond is limited – for example, if you received a Notice re: Dependent of a Person in Military Service, you must respond to it within 20 days. To find your JAG, you may want to go to the U.S. Armed Forces Legal Assistance website: <http://legalassistance.law.af.mil/content/locator.php>. Note that your JAG will know military law, but you may also need to consult a Washington attorney about your family law issues.

The form called a *Waiver of Rights Under the Service Members Civil Relief Act* can be used to give up the rights under these laws. Instructions are below, if you decide to use this form.

The form called *Notice by Military Dependent* can be used if you qualify under the law as a military dependent to notify the court and the petitioner that you are the dependent. Instructions for this form are also below

A. Waiver of Rights Under Service Member's Civil Relief Act form

You are not required to fill out this form. It is your choice. If you are concerned that you will not be able to participate in the case because of military duties, or you are thinking about signing the waiver form, you should see an attorney or the JAG office. If you sign the waiver form, you are giving up protections under this law.

1. Instructions for filling out the Waiver form, if you choose to sign it.

Caption. Fill in the Caption.

In the first blank, write your full name.

²⁰ The Service Members Civil Relief Act of March 4, 1918, as amended, [50 U.S.C. App., 501 et seq.](#) protects service members including: All members on Federal active duty, including regular members of the Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard); Reserve, National Guard and Air National Guard personnel who have been activated and are on Federal active duty (whether as volunteers or as a result of involuntary activation); inductees serving with the armed forces; Public Health Service and National Oceanic and Atmospheric Administration Officers detailed for duty with the armed forces; persons who are training or studying under the supervision of the United States preliminary to induction; and National Guard and Air National Guard personnel on duty for training or other duty authorized by 32 U.S.C. §502(f) at the request of the President, for or in support of an operation during a war or national emergency declared by the President or Congress. *U.S. Coast Guard Legal Assistance Service Members Civil Relief Act Guide* at http://www.uscg.mil/legal/la/topics/sscra/sscra_guide.htm#coverage. For Washington State's Service Members Civil Relief Act, see [RCW 38.42.010](#) et seq.

²¹ [RCW 38.42.010](#).

If you decide to sign this form fill out the rest of the form with the date that you were served with the Summons and Petition, the service member's name, rank, serial number and unit. If you sign this form, do so in front of a notary public.

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

2. File the Waiver form.

If you sign this form you can then give the form to petitioner to file, or you can file it with the court clerk's office. You should keep a conformed copy for yourself and give the other parties a copy.

B. Notice by Military Dependent

If you haven't yet appeared in the case, and

- you receive a form called Notice re: Dependent of a Person in Military Service, and
- you are a qualified dependent of a military service member (see definition in the Notice re: Dependent of a Person in Military Service) and
- the service member is a member of the National Guard or a military reserve component under a call to active duty service for 30 days in a row or more, and
- you want to inform the court and petitioner/moving party of your status to prevent them from assuming you are not a military dependent, then
- you may file and serve a Notice by Military Dependent form.

◆ You must notify the court and the other party of your dependent status within 20 days after you receive the Notice re: Dependent of a Person in Military Service. If you don't, the court may presume you are not a dependent of a person in military service and may enter an order of default against you.

If you are the dependent of a person in the military, we recommend that you get talk to an attorney about

- whether you are entitled to the protections of the law concerning military service members' dependents, and,
- if you are protected, whether you should or should not file a Notice of Appearance and a Response to the Petition and other documents in this packet

You may use the form in this packet or you may create your own form or letter to give notice that you are a military dependent.

1. Instructions for filling out the form.

Caption. Fill in the Caption.

Check the box that explains why you are a dependent of a service member.

Write in the name of the service member you are the dependent of, and fill in the other information about the service member that is requested by the form.

Signature. Date the form and sign where it says “Signature of Party” and then print or type your name on the line below it and show the place signed (e.g. Yakima, Washington).

Service Address. Write in your mailing address. If you are afraid to give your address to the other parties, use an address at which you will **reliably and immediately** learn about mail that arrives for you.

2. File and serve the form.

File your original form with the court clerk’s office and keep a conformed copy for your records. Serve the other the other parties with a copy. Make sure that you file and serve notice of your military dependent status within 20 days after you receive the Notice re: dependent of a Person in Military Service. Complete and file a Certificate of Mailing or Personal Delivery (see the general instructions for the Certificate of Mailing).

Section 12: Blank Forms

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

WASHINGTON STATE CHILD SUPPORT SCHEDULE

Including:

- Definitions and Standards
- Instructions
- Economic Table
- Worksheets

Effective Dates:

| | |
|-------------------------|-----------------|
| Definitions & Standards | June 10, 2010 |
| Instructions | June 10, 2010 |
| Economic Table | October 1, 2009 |
| Worksheets | June 10, 2010 |
| Worksheets – RDP | June 10, 2010 |



**WASHINGTON
COURTS**
ADMINISTRATIVE OFFICE OF THE COURTS

Order forms--voice mail telephone number **(360) 705-5328**
Internet--download forms: <http://www.courts.wa.gov/>
Questions about the Instructions or Worksheets? Contact: Merrie Gough
Tel. (360) 357-2128 Fax (360) 956-5794
E-mail merrie.gough@courts.wa.gov or webmaster@courts.wa.gov

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

WASHINGTON STATE CHILD SUPPORT SCHEDULE DEFINITIONS AND STANDARDS

Definitions

Unless the context clearly requires otherwise, these definitions apply to the standards following this section. RCW 26.19.011.

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

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

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

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

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

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

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

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

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

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

Application Standards

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

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

The provisions of RCW 26.19 for determining child support and reasons for deviation from the standard calculation shall be applied in the same manner by the court, presiding officers and reviewing officers. RCW 26.19.035(1).

2. **Written findings of fact supported by the evidence:** An order for child support shall be supported by written findings of fact upon which the support determination is based and shall include reasons for any deviation from the standard calculation and reasons for denial of a party's request for deviation from the standard calculation. RCW 26.19.035(2).
3. **Completion of worksheets:** Worksheets in the form developed by the Administrative Office of the Courts shall be completed under penalty of perjury and filed in every proceeding in which child support is determined. The court shall not accept incomplete worksheets or worksheets that vary from the worksheets developed by the Administrative Office of the Courts. RCW 26.19.035(3).
4. **Court review of the worksheets and order:** The court shall review the worksheets and the order setting child support for the adequacy of the reasons set forth for any deviation or denial of any request for deviation and for the adequacy of the amount of support ordered. Each order shall state the amount of child support calculated using the standard calculation and the amount of child support actually ordered. Worksheets shall be attached to the decree or order or if filed separately, shall be initialed or signed by the judge and filed with the order. RCW 26.19.035(4).

Income Standards

1. **Consideration of all income:** All income and resources of each parent's household shall be disclosed and considered by the court when the court determines the child support obligation of each parent. Only the income of the parents of the children whose support is at issue shall be calculated for purposes of calculating the basic support obligation. Income and resources of any other person shall not be included in calculating the basic support obligation. RCW 26.19.071(1).
2. **Verification of income:** Tax returns for the preceding two years and current paystubs shall be provided to verify income and deductions. Other sufficient verification shall be required for income and deductions which do not appear on tax returns or paystubs. RCW 26.19.071(2).
3. **Income sources included in gross monthly income:** Monthly gross income shall include income from any source, including: salaries; wages; commissions; deferred compensation; overtime, except as excluded from income in RCW 26.19.071(4)(h); contract-related benefits; income from second jobs except as excluded from income in RCW 26.19.071(4)(h); dividends; interest; trust income; severance pay; annuities; capital gains; pension retirement benefits; workers' compensation; unemployment benefits; maintenance actually received; bonuses; social security benefits; disability insurance benefits;

and income from self-employment, rent, royalties, contracts, proprietorship of a business, or joint ownership of a partnership or closely held corporation. RCW 26.19.071(3).

Veterans' disability pensions: Veterans' disability pensions or regular compensation for disability incurred in or aggravated by service in the United States armed forces paid by the Veterans' Administration shall be disclosed to the court. The court may consider either type of compensation as disposable income for purposes of calculating the child support obligation. See RCW 26.19.045.

4. Income sources excluded from gross monthly income: The following income and resources shall be disclosed but shall not be included in gross income: income of a new spouse or domestic partner or income of other adults in the household; child support received from other relationships; gifts and prizes; temporary assistance for needy families; Supplemental Security Income; general assistance; food stamps; and overtime or income from second jobs beyond forty hours per week averaged over a twelve-month period worked to provide for a current family's needs, to retire past relationship debts, or to retire child support debt, when the court finds the income will cease when the party has paid off his or her debts. Receipt of income and resources from temporary assistance for needy families, Supplemental Security Income, general assistance and food stamps shall not be a reason to deviate from the standard calculation. RCW 26.19.071(4).

VA aid and attendant care: Aid and attendant care payments to prevent hospitalization paid by the Veterans Administration solely to provide physical home care for a disabled veteran, and special compensation paid under 38 U.S.C. Sec. 314(k) through (r) to provide either special care or special aids, or both to assist with routine daily functions shall be disclosed. The court may not include either aid or attendant care or special medical compensation payments in gross income for purposes of calculating the child support obligation or for purposes of deviating from the standard calculation. See RCW 26.19.045.

Other aid and attendant care: Payments from any source, other than veterans' aid and attendance allowance or special medical compensation paid under 38 U.S.C. Sec. 314(k) through (r) for services provided by an attendant in case of a disability when the disability necessitates the hiring of the services or an attendant shall be disclosed but shall not be included in gross income and shall not be a reason to deviate from the standard calculation. RCW 26.19.055.

5. Determination of net income: The following expenses shall be disclosed and deducted from gross monthly income to calculate net monthly income: federal and state income taxes (see the following paragraph); federal insurance contributions act deductions (FICA); mandatory pension plan payments; mandatory union or professional dues; state industrial insurance premiums; court-ordered maintenance to the extent actually paid; up to five thousand dollars per year in voluntary retirement contributions actually made if the contributions show a pattern of contributions during the one-year period preceding the action establishing the child support order unless there is a determination that the contributions were made for the purpose of reducing child support; and normal business expenses and self-employment taxes for self-employed persons. Justification shall be required for any business expense deduction about

which there is a disagreement. Items deducted from gross income shall not be a reason to deviate from the standard calculation. RCW 26.19.071(5).

Allocation of tax exemptions: The parties may agree which parent is entitled to claim the child or children as dependents for federal income tax exemptions. The court may award the exemption or exemptions and order a party to sign the federal income tax dependency exemption waiver. The court may divide the exemptions between the parties, alternate the exemptions between the parties or both. RCW 26.19.100.

6. Imputation of income: The court shall impute income to a parent when the parent is voluntarily unemployed or voluntarily underemployed. The court shall determine whether the parent is voluntarily underemployed or voluntarily unemployed based upon that parent's work history, education, health and age or any other relevant factors. A court shall not impute income to a parent who is gainfully employed on a full-time basis, unless the court finds that the parent is voluntarily underemployed and finds that the parent is purposely underemployed to reduce the parent's child support obligation. Income shall not be imputed for an unemployable parent. Income shall not be imputed to a parent to the extent the parent is unemployed or significantly underemployed due to the parent's efforts to comply with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child. In the absence of records of a parent's actual earnings, the court shall impute a parent's income in the following order of priority:
- (a) Full-time earnings at the current rate of pay;
 - (b) Full-time earnings at the historical rate of pay based on reliable information, such as employment security department data;
 - (c) Full-time earnings at a past rate of pay where information is incomplete or sporadic;
 - (d) Full-time earnings at minimum wage in the jurisdiction where the parent resides if the parent has a recent history of minimum wage earnings, is recently coming off public assistance, general assistance-unemployable, supplemental security income, or disability, has recently been released from incarceration, or is a high school student;
 - (e) Median net monthly income of year-round full-time workers as derived from the United States bureau of census, current population reports, or such replacement report as published by the bureau of census. (See "Approximate Median Net Monthly Income" table on page 6.)
- RCW 26.19.071(6).

Allocation Standards

1. Basic child support: The basic child support obligation derived from the economic table shall be allocated between the parents based on each parent's share of the combined monthly net income. RCW 26.19.080(1).
2. Health care expenses: Health care costs are not included in the economic table. Monthly health care costs shall be shared by the parents in the same proportion as the basic support obligation. Health care costs shall include, but not be limited to, medical,

dental, orthodontia, vision, chiropractic, mental health treatment, prescription medications, and other similar costs for care and treatment. RCW 26.19.080(2).

3. Day care and special child rearing expenses: Day care and special child rearing expenses, such as tuition and long distance transportation costs to and from the parents for visitation purposes, are not included in the economic table. These expenses shall be shared by the parents in the same proportion as the basic child support obligation. RCW 26.19.080(3).
4. The court may exercise its discretion to determine the necessity for and the reasonableness of all amounts ordered in excess of the basic child support obligation. RCW 26.19.080(4).

Limitations Standards

1. Limit at 45 percent of a parent's net income: Neither parent's child support obligation owed for all his or her biological or legal children may exceed 45 percent of net income except for good cause shown.
 - a. Each child is entitled to a pro rata share of the income available for support, but the court only applies the pro rata share to the children in the case before the court.
 - b. Before determining whether to apply the 45 percent limitation, the court must consider the best interests of the child(ren) and the circumstances of each parent. Such circumstances include, but are not limited to, leaving insufficient funds in the custodial parent's household to meet the basic needs of the child(ren), comparative hardship to the affected households, assets or liabilities, and any involuntary limits on either parent's earning capacity including incarceration, disabilities, or incapacity.
 - c. Good cause includes, but is not limited to, possession of substantial wealth, child(ren) with day care expenses, special medical need, educational need, psychological need, and larger families. RCW 26.19.065(1).
2. Presumptive minimum support obligation: When a parent's monthly net income is below 125% of the federal poverty guideline, a support order of not less than fifty dollars per child per month shall be entered unless the obligor parent establishes that it would be unjust to do so in that particular case. The decision whether there is a sufficient basis to go below the presumptive minimum payment must take into consideration the best interests of the child(ren) and circumstances of each parent. Such circumstances can include leaving insufficient funds in the custodial parent's household to meet the basic needs of the child(ren), comparative hardship to the affected households, assets or liabilities, and earning capacity. RCW 26.19.065(2)(a).
3. Self-support reserve: The basic support obligation of the parent making the transfer payment, excluding health care, day care, and special child-rearing expenses, shall not reduce his or her net income below the self-support reserve of 125% of the federal poverty level, except for the presumptive minimum payment of fifty dollars per child per month or when it would be unjust to apply the self-support reserve limitation after considering the best interests of the child(ren) and the circumstances of each parent. Such circumstances include, but are not limited to,

leaving insufficient funds in the custodial parent's household to meet the basic needs of the child(ren), comparative hardship to the affected households, assets or liabilities, and earning capacity. This section shall not be construed to require monthly substantiation of income. (See the Self-Support Reserve memorandum on the courts' website www.courts.wa.gov/forms and at www.WashingtonLawHelp.org.) RCW 26.19.065(2)(b).

4. Income above twelve thousand dollars: The economic table is presumptive for combined monthly net incomes up to and including twelve thousand dollars. When combined monthly net income exceeds twelve thousand dollars, the court may exceed the maximum presumptive amount of support upon written findings of fact. RCW 26.19.065(3).

Deviation Standards

1. Reasons for deviation from the standard calculation include but are not limited to the following:
 - a. Sources of income and tax planning: The court may deviate from the standard calculation after consideration of the following:
 - i. Income of a new spouse or new domestic partner if the parent who is married to the new spouse or the parent who is in a domestic partnership with the new domestic partner is asking for a deviation based on any other reason. Income of a new spouse or domestic partner is not, by itself, a sufficient reason for deviation;
 - ii. Income of other adults in the household if the parent who is living with the other adult is asking for a deviation based on any other reason. Income of the other adults in the household is not, by itself, a sufficient reason for deviation;
 - iii. Child support actually received from other relationships;
 - iv. Gifts;
 - v. Prizes;
 - vi. Possession of wealth, including but not limited to savings, investments, real estate holdings and business interests, vehicles, boats, pensions, bank accounts, insurance plans or other assets;
 - vii. Extraordinary income of a child; or
 - viii. Tax planning considerations. A deviation for tax planning may be granted only if child(ren) would not receive a lesser economic benefit due to the tax planning;
 - ix. Income that has been excluded under RCW 26.19.071(4)(h) if the person earning that income asks for a deviation for any other reason. RCW 26.19.075(1)(a)
 - b. Nonrecurring income: The court may deviate from the standard calculation based on a finding that a particular source of income included in the calculation of the basic support obligation is not a recurring source of income. Depending on the circumstances, nonrecurring income may include overtime, contract-related benefits, bonuses or income from second jobs. Deviations for nonrecurring income shall be based on a review of the nonrecurring income received in the previous two calendar years. RCW 26.19.075(1)(b).

- c. Debt and high expenses: The court may deviate from the standard calculation after consideration of the following expenses:
- i. Extraordinary debt not voluntarily incurred;
 - ii. A significant disparity in the living costs of the parents due to conditions beyond their control;
 - iii. Special needs of disabled child(ren); or
 - iv. Special medical, educational or psychological needs of the child(ren).
 - v. Costs anticipated to be incurred by the parents in compliance with court-ordered reunification efforts under chapter 13.34 RCW or under a voluntary placement agreement with an agency supervising the child. RCW 26.19.075(1)(c).

- d. Residential schedule: The court may deviate from the standard calculation if the child(ren) spend(s) a significant amount of time with the parent who is obligated to make a support transfer payment. The court may not deviate on that basis if the deviation will result in insufficient funds in the household receiving the support to meet the basic needs of the child or if the child is receiving temporary assistance for needy families. When determining the amount of the deviation, the court shall consider evidence concerning the increased expenses to a parent making support transfer payments resulting from the significant amount of time spent with that parent and shall consider the decreased expenses, if any, to the party receiving the support resulting from the significant amount of time the child spends with the parent making the support transfer payment. RCW 26.19.075(1)(d).

- e. Children from other relationships: The court may deviate from the standard calculation when either or both of the parents before the court have children from other relationships to whom the parent owes a duty of support.
- i. The child support schedule shall be applied to the parents and children of the family before the court to determine the presumptive amount of support.
 - ii. Children from other relationships shall not be counted in the number of children for purposes of determining the basic support obligation and the standard calculation.
 - iii. When considering a deviation from the standard calculation for children from other relationships, the court may consider only other children to whom the parent owes a duty of support. The court may consider court-ordered payments of child support for children from other relationships only to the extent that the support is actually paid.
 - iv. When the court has determined that either or both parents have children from other relationships, deviations under this section shall be based on consideration of the total circumstances of both households. All child support obligations paid, received, and owed for all children shall be disclosed and considered. RCW 26.19.075(1)(e).

2. All income and resources of the parties before the court, new spouses or domestic partners, and other adults in the household shall be disclosed and considered as provided. The presumptive amount of support shall be determined according to the child support schedule. Unless specific reasons for deviation are set forth in the written findings of fact and are supported by the evidence, the court shall order each parent to pay the amount of support determined by using the standard calculation. RCW 26.19.075(2).

3. The court shall enter findings that specify reasons for any deviation or any denial of a party's request for any deviation from the standard calculation made by the court. The court shall not consider reasons for deviation until the court determines the standard calculation for each parent. RCW 26.19.075(3).
4. When reasons exist for deviation, the court shall exercise discretion in considering the extent to which the factors would affect the support obligation. RCW 26.19.075(4).
5. Agreement of the parties is not by itself adequate reason for any deviations from the standard calculations. RCW 26.19.075(5).

Post-Secondary Education Standards

1. The child support schedule shall be advisory and not mandatory for post-secondary educational support. RCW 26.19.090(1)
2. When considering whether to order support for post-secondary educational expenses, the court shall determine whether the child is in fact dependent and is relying upon the parents for the reasonable necessities of life. The court shall exercise its discretion when determining whether and for how long to award post-secondary educational support based upon consideration of factors that include but are not limited to the following: age of the child; the child's needs; the expectations of the parties for their child(ren) when the parents were together; the child(ren)'s prospects, desires, aptitudes, abilities or disabilities; the nature of the post-secondary education sought and the parent's level of education, standard of living and current and future resources. Also to be considered are the amount and type of support that the child would have been afforded if the parents had stayed together. RCW 26.19.090(2).
3. The child must enroll in an accredited academic or vocational school, must be actively pursuing a course of study commensurate with the child's vocational goals and must be in good academic standing as defined by the institution. The court-ordered post-secondary educational support shall be automatically suspended during the period or periods the child fails to comply with these conditions. RCW 26.19.090(3).
4. The child shall also make available all academic records and grades to both parents as a condition of receiving post-secondary educational support. Each parent shall have full and equal access to the post-secondary education records as provided by statute (RCW 26.09.225). RCW 26.19.090(4).
5. The court shall not order the payment of post-secondary educational expenses beyond the child's twenty-third birthday, except for exceptional circumstances, such as mental, physical or emotional disabilities. RCW 26.19.090(5).
6. The court shall direct that either or both parents' payments for post-secondary educational expenses are made directly to the educational institution if feasible. If direct payments are not feasible, then the court in its discretion may order that either or both parents' payments are made directly to the child if the child does not reside with either parent. If the child resides with one of the parents, the court may direct that the parent making the support transfer payments make the payments to the child or to the parent who has been receiving the support transfer payments. RCW 26.19.090(6).

WASHINGTON STATE CHILD SUPPORT SCHEDULE INSTRUCTIONS FOR WORKSHEETS

Child Support Order Summary Report:

Fill out the Child Support Order Summary Report only if you are also submitting a temporary or a final child support order to be signed by a judicial or reviewing officer.

Worksheets:

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

Part I: Basic Child Support Obligation

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

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

Gross Monthly Income

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

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

Monthly Average of Income:

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

LINE 1a, Wages and Salaries: Enter the average monthly total of all salaries, wages, contract-related benefits, bonuses, and income from overtime and second jobs that is not excluded from income by RCW 26.19.071(4)(h).

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

LINE 1c, Business Income: Enter the average monthly income from self-employment, rent, royalties, contracts, proprietorship of a business, or joint ownership of a partnership or closely held corporation.

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

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

LINE 1f, Imputed Income: Enter the imputed gross monthly income for a parent who is voluntarily unemployed, underemployed or if you do not have records of a parent’s actual earnings. Refer to “INCOME STANDARD #6: Imputation of income.” (See page 2.) Impute income using the first method possible based on the information you have in the following order:

Calculate full-time earnings using either:

1. Current rate of pay;
2. Historical rate of pay based on reliable information;
3. Past rate of pay, if current information is incomplete or sporadic; or
4. Minimum wage where the parent lives when the parent has a history of minimum wage or government assistance is recently released from incarceration or is a high school student.

Historical rate of pay information may be available from the Division of Child Support. Use form 18-701: “Request for Income Information for Purposes of Entering a Child Support Order”, available online at: <http://www.dshs.wa.gov/dcs/Resources/Forms.asp>

If you impute income using one of the four methods, above, enter the amount in line 1f. Also, in line 26 of the Worksheets, explain which method you used to impute income and how you calculated the amount of imputed income.

If you cannot use any of the above methods, impute the parent’s net monthly income using the table below, and enter the appropriate amount for the parent’s age and gender **on line 1f and on line 3**. The table, below, shows net income, after deductions. So if you impute using this table, you will not enter any deductions on the worksheet under line 2. Leave lines 2a through 2i blank. For this parent, go to line 4. Also, in line 26 of the Worksheets, explain that net income was imputed using the Approximate Median Net Monthly Income Table.

Approximate Median Net Monthly Income

| MALE | age | FEMALE |
|---------|-------|---------|
| \$1,832 | 15-24 | \$1,632 |
| \$2,804 | 25-34 | \$2,446 |
| \$3,448 | 35-44 | \$2,693 |
| \$3,569 | 45-54 | \$2,714 |
| \$3,735 | 55-64 | \$2,814 |
| \$4,084 | 65 + | \$2,960 |

U.S. Census Bureau, Current Population Survey, 2009 Annual Social and Economic Supplement, Table PINC-01. Selected Characteristics of People 15 Years Old and Over by Total Money Income in 2008, Work Experience in 2008, Race, Hispanic Origin, and Sex, Worked Full Time, Year Round.

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

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

Monthly Deductions from Gross Income

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

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

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

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

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

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

LINE 2e, Mandatory Pension Plan Payments: Enter the monthly cost of mandatory pension plan payments amount.

LINE 2f, Voluntary Retirement Contributions: Enter the monthly cost of voluntary Retirement Contributions. Divide the amount of the voluntary retirement contribution, up to \$5,000 per year, by 12 to calculate the monthly cost. (For more information regarding limitations on the allowable deduction of voluntary retirement contributions, refer to INCOME STANDARD #5: Determination of net income. See page 2.)

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

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

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

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

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

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

Economic Table Instructions

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

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

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

Part II: Basic Child Support Obligation

LINE 7, Each Parent's Basic Child Support Obligation without consideration of low income limitations: Multiply the total basic child support obligation (amount in box on line 5) by the income share proportion for each parent (line 6) and enter these amounts on line 7. (The amounts entered on line 7 added together should equal the amount entered on line 5.)

LINE 8, Calculating low income limitations: Fill in only those that apply:

To calculate the low-income limitation standards in lines 8b and 8c, you will need to know the self-support reserve amount, which is 125 % of the current federal poverty guideline. As of February 2009, self-support reserve is \$1,128. The guideline and self-support reserve change roughly annually. To check the current self-support reserve amount go to the courts' web site at: www.courts.wa.gov, or go to www.WashingtonLawHelp.org. Enter the self-support reserve amount in the space provided in line 8. (For more information, see Limitation Standard #2 on page 3 of the Definitions and Standards.)

8a. Is combined net income less than \$1,000? If combined net monthly income on line 4 is less than \$1,000, enter each parent's presumptive support obligation of \$50 per child. Do not enter an amount on line 8a if combined income on line 4 is more than \$1,000.

8b. Is monthly net income less than self-support reserve? For each parent whose monthly net income on line 3 is less than the self support reserve, enter the parent's presumptive support obligation of \$50 per child. Do not use this box for a parent whose net income on line 3 is greater than the self-support reserve.

8c. Is monthly net income greater than self-support reserve? Subtract the self-support reserve from line 3 and enter this amount or enter \$50 per child whichever is greater. Do not use this box if the amount is greater than the amount in line 7.

LINE 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.

Part III: Health Care, Day Care, and Special Child Rearing Expenses

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

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

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

Health Care Expenses

LINE 10a, Monthly Health Insurance Premiums Paid For Child(ren): List the monthly amount paid by each parent for health care insurance for the child(ren) of the relationship. (When determining an insurance premium amount, do not include the portion of the premium paid by an employer or other third party and/or the portion of the premium that covers the parent or other household members.)

LINE 10b, Uninsured Monthly Health Care Expenses Paid For Child(ren): List the monthly amount paid by each parent for the child(ren)'s health care expenses not reimbursed by insurance.

LINE 10c, Total Monthly Health Care Expenses: For each parent add the health insurance premium payments (line 10a) to the uninsured health care payments (line 10b) and enter these amounts on line 10c.

LINE 10d, Combined Monthly Health Care Expenses: Add the parents' total health care payments (line 10c) and enter this amount on line 10d.

Day Care and Special Child Rearing Expenses

LINE 11a, Day Care Expenses: Enter average monthly day care costs.

LINE 11b, Education Expenses: Enter the average monthly costs of tuition and other related educational expenses.

LINE 11c, Long Distance Transportation Expenses: Enter the average monthly costs of long distance travel incurred pursuant to the residential or visitation schedule.

LINE 11d, Other Special Expenses: Identify any other special expenses and enter the average monthly cost of each.

LINE 11e, Total Day Care and Special Expenses: Add the monthly expenses for each parent (lines 11a through 11d) and enter these totals on line 11e.

LINE 12, Combined Monthly Total of Day Care and Special Expenses: Add the parents' total expenses (line 11e) and enter this total on line 12.

LINE 13, Total Health Care, Day Care and Special Expenses: Add the health care expenses (line 10d) to the combined monthly total of day care and special expenses (line 12) and enter this amount on line 13.

LINE 14, Each Parent's Obligation For Health Care, Day Care And Special Expenses: Multiply the total health care, day care, and special expense amount (line 13) by the income proportion for each parent (line 6) and enter these amounts on line 14.

LINE 15, Gross Child Support Obligation: For each parent, add the basic child support obligation (line 9) to the obligation for extraordinary health care, day care and special expenses (line 14). Enter these amounts on line 15.

Part V: Child Support Credits

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

LINE 16a, Monthly Health Care Expenses Credit: Enter the total monthly health care expenses amounts from line 10c for each parent.

LINE 16b, Day Care And Special Expenses Credit: Enter the total day care and special expenses amounts from line 11e for each parent.

LINE 16c, Other Ordinary Expense Credit: If approval of another ordinary expense credit is being requested, in the space provided, specify the expense and enter the average monthly cost in the column of the parent to receive the credit. (It is generally assumed that ordinary expenses are paid in accordance with the child(ren)'s residence. If payment of a specific ordinary expense does not follow this assumption, the parent paying for this expense may request approval of an ordinary expense credit. This credit is discretionary with the court.)

LINE 16d, Total Support Credits: For each parent, add the entries on lines 16 a through c and enter the totals on line 16d.

Part VI: Standard Calculation/Presumptive Transfer Payment

LINE 17, For Each Parent: subtract the total support credits (line 16d) from the gross child support obligation (line 15) and enter the resulting amounts on line 17. If the amount is less than \$50 per child for either parent, then enter the presumptive minimum support obligation of \$50 per child, instead of the lower amount.

Part VII: Additional Informational Calculations

LINE 18, 45% of Each Parent's Net Income From Line 3: For each parent, multiply line 3 by .45. Refer to LIMITATIONS Standards #1: Limit at 45% of a parent's net income.

LINE 19, 25% of Each Parent's Basic Support Obligation from Line 9: For each parent, multiply line 9 by .25.

Part VIII: Additional Factors for Consideration

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

LINE 20 a-h, Household Assets: Enter the estimated present value of assets of the household.

LINE 21, Household Debt: Describe and enter the amount of liens against assets owned by the household and/or any extraordinary debt.

Other Household Income

LINE 22a, Income of Current Spouse or Domestic Partner: If a parent is currently married to or in a domestic partnership with someone other than the parent of the child(ren) for whom support is being determined, list the name and enter the income of the present spouse or domestic partner.

LINE 22b, Income of Other Adults In The Household: List the names and enter the incomes of other adults residing in the household.

LINE 22c, Gross income from overtime or from second jobs the party is asking the court to exclude per INCOME STANDARD #4, Income sources excluded from gross monthly income (see page 2).

LINE 22d, Income of Children: If the amount is considered to be extraordinary, list the name and enter the income of children residing in the home.

LINE 22e, Income from Child Support: List the name of the child(ren) for whom support is received and enter the amount of the support income. Do not include the child(ren) for whom support is being determined.

LINE 22f, Income from Assistance Programs: List the program and enter the amount of any income received from assistance programs. (Assistance programs include, but are not limited to: temporary assistance for needy families, SSI, general assistance, food stamps and aid and attendance allowances.)

LINE 22g, Other Income: Describe and enter the amount of any other income of the household. (Include income from gifts and prizes on this line.)

LINE 23, Nonrecurring Income: Describe and enter the amount of any income included in the calculation of gross income (LINE 1g) which is nonrecurring. (Pursuant to DEVIATION STANDARD #1b: Nonrecurring income, “depending on the circumstances, nonrecurring income may include overtime, contract-related benefits, bonuses or income from second jobs.” See page 3.)

LINE 24, Child Support Owed, Monthly, for Biological or Legal Child(ren). List the names and ages and enter the amount of child support owed for other children, (not the children for whom support is being determined). Is the support paid? Check Yes or No.

LINE 25, Other Child(ren) Living in Each Household: List the names and ages of children, other than those for whom support is being determined, who are living in each household.

LINE 26, Other Factors For Consideration: In the space provided list any other factors that should be considered in determining the child support obligation. (For information regarding other factors for consideration, refer to DEVIATION STANDARDS. See page 3.) Also use this space to explain how you calculated the income and deductions in lines 1 and 2.

Nonparental Custody Cases: When the children do not reside with either parent, the household income and resources of the children’s custodian(s) should be listed on line 26.

**WASHINGTON STATE CHILD SUPPORT SCHEDULE
ECONOMIC TABLE**

MONTHLY BASIC SUPPORT OBLIGATION PER CHILD

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

| Combined Monthly Net Income | One Child Family | | Two Children Family | | Three Children Family | | Four Children Family | | Five Children Family | |
|--|---------------------|------|------------------------|------|--------------------------|-----|-------------------------|-----|-------------------------|-----|
| | A | B | A | B | A | B | A | B | A | B |
| For income less than \$1,000, the obligation is based upon the resources and living expenses of each household. Minimum support shall not be less than \$50 per child per month except when allowed by RCW 26.19.065(2). | | | | | | | | | | |
| 1000 | 220 | 272 | 171 | 211 | 143 | 177 | 121 | 149 | 105 | 130 |
| 1100 | 242 | 299 | 188 | 232 | 157 | 194 | 133 | 164 | 116 | 143 |
| 1200 | 264 | 326 | 205 | 253 | 171 | 211 | 144 | 179 | 126 | 156 |
| 1300 | 285 | 352 | 221 | 274 | 185 | 228 | 156 | 193 | 136 | 168 |
| 1400 | 307 | 379 | 238 | 294 | 199 | 246 | 168 | 208 | 147 | 181 |
| 1500 | 327 | 404 | 254 | 313 | 212 | 262 | 179 | 221 | 156 | 193 |
| 1600 | 347 | 428 | 269 | 333 | 225 | 278 | 190 | 235 | 166 | 205 |
| 1700 | 367 | 453 | 285 | 352 | 238 | 294 | 201 | 248 | 175 | 217 |
| 1800 | 387 | 478 | 300 | 371 | 251 | 310 | 212 | 262 | 185 | 228 |
| 1900 | 407 | 503 | 316 | 390 | 264 | 326 | 223 | 275 | 194 | 240 |
| 2000 | 427 | 527 | 331 | 409 | 277 | 342 | 234 | 289 | 204 | 252 |
| 2100 | 447 | 552 | 347 | 429 | 289 | 358 | 245 | 303 | 213 | 264 |
| 2200 | 467 | 577 | 362 | 448 | 302 | 374 | 256 | 316 | 223 | 276 |
| 2300 | 487 | 601 | 378 | 467 | 315 | 390 | 267 | 330 | 233 | 288 |
| 2400 | 506 | 626 | 393 | 486 | 328 | 406 | 278 | 343 | 242 | 299 |
| 2500 | 526 | 650 | 408 | 505 | 341 | 421 | 288 | 356 | 251 | 311 |
| 2600 | 534 | 661 | 416 | 513 | 346 | 428 | 293 | 362 | 256 | 316 |
| 2700 | 542 | 670 | 421 | 520 | 351 | 435 | 298 | 368 | 259 | 321 |
| 2800 | 549 | 679 | 427 | 527 | 356 | 440 | 301 | 372 | 262 | 324 |
| 2900 | 556 | 686 | 431 | 533 | 360 | 445 | 305 | 376 | 266 | 328 |
| 3000 | 561 | 693 | 436 | 538 | 364 | 449 | 308 | 380 | 268 | 331 |
| 3100 | 566 | 699 | 439 | 543 | 367 | 453 | 310 | 383 | 270 | 334 |
| 3200 | 569 | 704 | 442 | 546 | 369 | 457 | 312 | 386 | 272 | 336 |
| 3300 | 573 | 708 | 445 | 549 | 371 | 459 | 314 | 388 | 273 | 339 |
| 3400 | 574 | 710 | 446 | 551 | 372 | 460 | 315 | 389 | 274 | 340 |
| 3500 | 575 | 711 | 447 | 552 | 373 | 461 | 316 | 390 | 275 | 341 |
| 3600 | 577 | 712 | 448 | 553 | 374 | 462 | 317 | 391 | 276 | 342 |
| 3700 | 578 | 713 | 449 | 554 | 375 | 463 | 318 | 392 | 277 | 343 |
| 3800 | 581 | 719 | 452 | 558 | 377 | 466 | 319 | 394 | 278 | 344 |
| 3900 | 596 | 736 | 463 | 572 | 386 | 477 | 326 | 404 | 284 | 352 |
| 4000 | 609 | 753 | 473 | 584 | 395 | 488 | 334 | 413 | 291 | 360 |
| 4100 | 623 | 770 | 484 | 598 | 404 | 500 | 341 | 422 | 298 | 368 |
| 4200 | 638 | 788 | 495 | 611 | 413 | 511 | 350 | 431 | 305 | 377 |
| 4300 | 651 | 805 | 506 | 625 | 422 | 522 | 357 | 441 | 311 | 385 |
| 4400 | 664 | 821 | 516 | 637 | 431 | 532 | 364 | 449 | 317 | 392 |
| 4500 | 677 | 836 | 525 | 649 | 438 | 542 | 371 | 458 | 323 | 400 |
| 4600 | 689 | 851 | 535 | 661 | 446 | 552 | 377 | 467 | 329 | 407 |
| 4700 | 701 | 866 | 545 | 673 | 455 | 562 | 384 | 475 | 335 | 414 |
| 4800 | 713 | 882 | 554 | 685 | 463 | 572 | 391 | 483 | 341 | 422 |
| 4900 | 726 | 897 | 564 | 697 | 470 | 581 | 398 | 491 | 347 | 429 |
| 5000 | 738 | 912 | 574 | 708 | 479 | 592 | 404 | 500 | 353 | 437 |
| 5100 | 751 | 928 | 584 | 720 | 487 | 602 | 411 | 509 | 359 | 443 |
| 5200 | 763 | 943 | 593 | 732 | 494 | 611 | 418 | 517 | 365 | 451 |
| 5300 | 776 | 959 | 602 | 744 | 503 | 621 | 425 | 525 | 371 | 458 |
| 5400 | 788 | 974 | 612 | 756 | 511 | 632 | 432 | 533 | 377 | 466 |
| 5500 | 800 | 989 | 622 | 768 | 518 | 641 | 439 | 542 | 383 | 473 |
| 5600 | 812 | 1004 | 632 | 779 | 527 | 651 | 446 | 551 | 389 | 480 |
| 5700 | 825 | 1019 | 641 | 791 | 535 | 661 | 452 | 559 | 395 | 488 |
| 5800 | 837 | 1035 | 650 | 803 | 543 | 671 | 459 | 567 | 401 | 495 |
| 5900 | 850 | 1050 | 660 | 815 | 551 | 681 | 466 | 575 | 407 | 502 |
| 6000 | 862 | 1065 | 670 | 827 | 559 | 691 | 473 | 584 | 413 | 509 |
| 6100 | 875 | 1081 | 680 | 839 | 567 | 701 | 479 | 593 | 418 | 517 |
| 6200 | 887 | 1096 | 689 | 851 | 575 | 710 | 486 | 601 | 424 | 524 |
| 6300 | 899 | 1112 | 699 | 863 | 583 | 721 | 493 | 609 | 430 | 532 |
| 6400 | 911 | 1127 | 709 | 875 | 591 | 731 | 500 | 617 | 436 | 539 |
| 6500 | 924 | 1142 | 718 | 887 | 599 | 740 | 506 | 626 | 442 | 546 |
| 6600 | 936 | 1157 | 728 | 899 | 607 | 750 | 513 | 635 | 448 | 554 |
| 6700 | 949 | 1172 | 737 | 911 | 615 | 761 | 520 | 643 | 454 | 561 |
| 6800 | 961 | 1188 | 747 | 923 | 623 | 770 | 527 | 651 | 460 | 568 |
| 6900 | 974 | 1203 | 757 | 935 | 631 | 780 | 533 | 659 | 466 | 575 |
| 7000 | 986 | 1218 | 767 | 946 | 639 | 790 | 540 | 668 | 472 | 583 |
| 7100 | 998 | 1233 | 776 | 958 | 647 | 800 | 547 | 677 | 478 | 591 |
| 7200 | 1009 | 1248 | 785 | 971 | 654 | 809 | 554 | 684 | 484 | 598 |
| 7300 | 1021 | 1262 | 794 | 982 | 662 | 818 | 560 | 693 | 490 | 605 |
| 7400 | 1033 | 1276 | 803 | 993 | 670 | 828 | 567 | 701 | 496 | 613 |
| 7500 | 1044 | 1290 | 812 | 1004 | 677 | 837 | 574 | 709 | 502 | 620 |
| 7600 | 1055 | 1305 | 821 | 1015 | 685 | 846 | 581 | 718 | 507 | 627 |
| 7700 | 1067 | 1319 | 830 | 1026 | 692 | 855 | 587 | 726 | 513 | 634 |
| 7800 | 1078 | 1333 | 839 | 1037 | 700 | 865 | 594 | 734 | 519 | 642 |
| 7900 | 1089 | 1346 | 848 | 1048 | 707 | 874 | 601 | 742 | 525 | 649 |
| 8000 | 1100 | 1360 | 857 | 1059 | 714 | 883 | 607 | 750 | 531 | 656 |
| 8100 | 1112 | 1374 | 865 | 1069 | 722 | 892 | 614 | 759 | 536 | 663 |
| 8200 | 1123 | 1387 | 874 | 1080 | 729 | 901 | 620 | 767 | 542 | 670 |
| 8300 | 1134 | 1401 | 882 | 1091 | 736 | 910 | 627 | 775 | 548 | 677 |
| 8400 | 1144 | 1414 | 891 | 1101 | 743 | 919 | 633 | 783 | 553 | 684 |
| 8500 | 1155 | 1428 | 899 | 1112 | 750 | 928 | 640 | 791 | 559 | 691 |
| 8600 | 1166 | 1441 | 908 | 1122 | 758 | 936 | 646 | 799 | 565 | 698 |

| | | | | | | | | | | |
|-------|------|------|------|------|-----|------|-----|------|-----|-----|
| 8700 | 1177 | 1454 | 916 | 1133 | 765 | 945 | 653 | 807 | 570 | 705 |
| 8800 | 1187 | 1467 | 925 | 1143 | 772 | 954 | 659 | 815 | 576 | 712 |
| 8900 | 1198 | 1481 | 933 | 1153 | 779 | 962 | 665 | 822 | 582 | 719 |
| 9000 | 1208 | 1493 | 941 | 1163 | 786 | 971 | 672 | 830 | 587 | 726 |
| 9100 | 1219 | 1506 | 949 | 1173 | 792 | 980 | 678 | 838 | 593 | 732 |
| 9200 | 1229 | 1519 | 957 | 1183 | 799 | 988 | 684 | 846 | 598 | 739 |
| 9300 | 1239 | 1532 | 966 | 1193 | 806 | 996 | 691 | 854 | 604 | 746 |
| 9400 | 1250 | 1545 | 974 | 1203 | 813 | 1005 | 697 | 861 | 609 | 753 |
| 9500 | 1260 | 1557 | 982 | 1213 | 820 | 1013 | 703 | 869 | 614 | 759 |
| 9600 | 1270 | 1570 | 989 | 1223 | 826 | 1021 | 709 | 877 | 620 | 766 |
| 9700 | 1280 | 1582 | 997 | 1233 | 833 | 1030 | 716 | 884 | 625 | 773 |
| 9800 | 1290 | 1594 | 1005 | 1242 | 840 | 1038 | 722 | 892 | 631 | 779 |
| 9900 | 1300 | 1606 | 1013 | 1252 | 846 | 1046 | 728 | 900 | 636 | 786 |
| 10000 | 1310 | 1619 | 1021 | 1262 | 853 | 1054 | 734 | 907 | 641 | 793 |
| 10100 | 1319 | 1631 | 1028 | 1271 | 859 | 1062 | 740 | 915 | 647 | 799 |
| 10200 | 1329 | 1643 | 1036 | 1281 | 866 | 1070 | 746 | 922 | 652 | 806 |
| 10300 | 1339 | 1655 | 1044 | 1290 | 872 | 1078 | 752 | 930 | 657 | 812 |
| 10400 | 1348 | 1666 | 1051 | 1299 | 879 | 1086 | 758 | 937 | 662 | 819 |
| 10500 | 1358 | 1678 | 1059 | 1308 | 885 | 1094 | 764 | 944 | 668 | 825 |
| 10600 | 1367 | 1690 | 1066 | 1318 | 891 | 1102 | 770 | 952 | 673 | 832 |
| 10700 | 1377 | 1701 | 1073 | 1327 | 898 | 1109 | 776 | 959 | 678 | 838 |
| 10800 | 1386 | 1713 | 1081 | 1336 | 904 | 1117 | 782 | 966 | 683 | 844 |
| 10900 | 1395 | 1724 | 1088 | 1345 | 910 | 1125 | 788 | 974 | 688 | 851 |
| 11000 | 1404 | 1736 | 1095 | 1354 | 916 | 1132 | 794 | 981 | 693 | 857 |
| 11100 | 1413 | 1747 | 1102 | 1363 | 922 | 1140 | 799 | 988 | 698 | 863 |
| 11200 | 1422 | 1758 | 1110 | 1371 | 928 | 1147 | 805 | 995 | 703 | 869 |
| 11300 | 1431 | 1769 | 1117 | 1380 | 934 | 1155 | 811 | 1002 | 708 | 876 |
| 11400 | 1440 | 1780 | 1124 | 1389 | 940 | 1162 | 817 | 1009 | 714 | 882 |
| 11500 | 1449 | 1791 | 1131 | 1398 | 946 | 1170 | 822 | 1017 | 719 | 888 |
| 11600 | 1458 | 1802 | 1138 | 1406 | 952 | 1177 | 828 | 1024 | 723 | 894 |
| 11700 | 1467 | 1813 | 1145 | 1415 | 958 | 1184 | 834 | 1031 | 728 | 900 |
| 11800 | 1475 | 1823 | 1151 | 1423 | 964 | 1191 | 839 | 1038 | 733 | 906 |
| 11900 | 1484 | 1834 | 1158 | 1431 | 970 | 1199 | 845 | 1045 | 738 | 912 |
| 12000 | 1492 | 1844 | 1165 | 1440 | 975 | 1206 | 851 | 1051 | 743 | 919 |

The economic table is presumptive for combined monthly net incomes up to and including twelve thousand dollars. When combined monthly net income exceeds twelve thousand dollars, the court may exceed the maximum presumptive amount of support upon written findings of fact.

Washington State Child Support Schedule Worksheets

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

Mother _____ Father _____

County _____ Case No. _____

Child Support Order Summary Report

This section must be completed for all Worksheets signed by the judicial/reviewing officer.

- A. The order **does** **does not** replace a prior court or administrative order.
- B. The **Standard Calculation** listed on line 17 of the Worksheet for the paying parent is:
\$_____.
- C. The **Transfer Amount** ordered by the Court from the Order of Child Support is: \$_____ to be paid by mother father
- D. The Court deviated (changed) from the **Standard Calculation** for the following reasons:
 Does not apply
 Nonrecurring income Sources of income and tax planning
 Split custody Residential schedule (including shared custody)
 Child(ren) from other relationships for whom the parent owes support
 High debt not voluntarily incurred and high expenses for the child(ren)
 Other (please describe): _____

_____.
- E. Income for the father is imputed actual income.
Income for the mother is imputed actual income.

Income was imputed for the following reasons: _____

_____.
- F. If applicable: All health care, day care and special child rearing expenses are included in the worksheets in Part III.

Worksheets

| Child(ren) and Age(s): | | | |
|--|---------------|---------------|----|
| Part I: Income (see Instructions, page 6) | | | |
| | Father | Mother | |
| 1. Gross Monthly Income | | | |
| a. Wages and Salaries | \$ | | \$ |
| b. Interest and Dividend Income | \$ | | \$ |
| c. Business Income | \$ | | \$ |
| d. Maintenance Received | \$ | | \$ |
| e. Other Income | \$ | | \$ |
| f. Imputed Income | \$ | | \$ |
| g. Total Gross Monthly Income (add lines 1a through 1f) | \$ | | \$ |
| 2. Monthly Deductions from Gross Income | | | |
| 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) | \$ | | \$ |
| 3. Monthly Net Income (line 1g minus 2i) | \$ | | \$ |
| 4. Combined Monthly Net Income (add father's and mother's monthly net incomes from line 3) | | \$ | |
| 5. Basic Child Support Obligation (enter total amount in box →) | | | |
| Child #1 _____ Child #3 _____ Child #5 _____ Child #2 _____ Child #4 _____ | | \$ | |
| 6. Proportional Share of Income (each parent's net income from line 3 divided by line 4) | | . | |
| Part II: Basic Child Support Obligation (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? If yes, for each parent, enter the presumptive \$50 per child. | \$ | | \$ |
| b. Is Monthly Net Income Less Than Self-Support Reserve? If yes, for that parent enter the presumptive \$50 per child. | \$ | | \$ |
| c. Is Monthly Net Income Greater Than Self-Support Reserve? If yes, for each parent subtract the self-support reserve from line 3. If that amount is less than line 7, then 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. | \$ | | \$ |

| Part III: Health Care, Day Care, and Special Child Rearing Expenses (see Instructions, page 8) | | |
|--|--------|--------|
| 10. Health Care Expenses | Father | Mother |
| 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 father's and mother'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 father's and mother'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) | \$ | \$ |
| Part IV: Gross Child Support Obligation | | |
| 15. Gross Child Support Obligation (line 9 plus line 14) | \$ | \$ |
| Part V: Child Support Credits (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) | \$ | \$ |
| Part VI: Standard Calculation/Presumptive Transfer Payment (see Instructions, page 9) | | |
| 17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater) | \$ | \$ |
| Part VII: Additional Informational Calculations | | |
| 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) | \$ | \$ |

| Part VIII: Additional Factors for Consideration (see Instructions, page 9) | | |
|---|---------------------------|---------------------------|
| 20. Household Assets (List the estimated present value of all major household assets.) | Father's Household | Mother's Household |
| 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 Name _____ Name _____ | \$ \$ | \$ \$ |
| c. Gross income from overtime or from second jobs the party is asking the court to exclude per Instructions, page 10 _____ | \$ | \$ |
| 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) | Father's Household | Mother's Household |
|--|--------------------|--------------------|
| 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 (attach additional pages as necessary) | | |
| | | |
| | | |
| | | |
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| | | |
| | | |
| | | |
| | | |
| Signature and Dates | | |
| I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct. | | |
| _____ | _____ | |
| Mother's Signature | Father's Signature | |
| _____ | _____ | |
| Date | City | Date |

Judicial/Reviewing Officer

Date

**This worksheet has been certified by the State of Washington Administrative Office of the Courts.
Photocopying of the worksheet is permitted.**

Superior Court of Washington
County of _____

In re:

Petitioner,

and

Respondent.

No. _____

Financial Declaration

Petitioner

Respondent

(FNDCLR)

Name: _____

Date of Birth: _____

I. Summary of Basic Information

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

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

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

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

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

unknown

II. Personal Information

2.1 Occupation:

2.2 The highest year of education completed:

2.3 Are you presently employed? Yes No

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

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

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

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

III. Income Information

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

3.1 Gross Monthly Income

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

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

3.2 Monthly Deductions From Gross Income

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

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

3.4 Miscellaneous Income

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

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

IV. Available Assets

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

V. Monthly Expense Information

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

5.1 Housing

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

5.2 Utilities

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

5.3 Food and Supplies

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

5.4 Children

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

5.5 Transportation

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

5.6 Health Care (Omit if fully covered)

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

5.7 Personal Expenses (Not including children)

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

5.8 Miscellaneous Expenses

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

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

5.10 Installment Debts Included in Paragraphs 5.1 Through 5.8

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

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

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

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

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

VI. Attorney Fees

6.1 Amount paid for attorney fees and costs to date: \$ _____
6.2 The source of this money was:
6.3 Fees and costs incurred to date: \$ _____

6.4 Arrangements for attorney fees and costs are:

6.5 Other:

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

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

Signature of Declarant

Print or Type Name

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

Financial records pertaining to myself:

Individual Partnership or Corporate Income Tax returns for the years _____ including all W-2s and schedules;

Pay stubs for the dates of _____

Other: _____

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

**Superior Court of Washington
County of _____**

In re:

Petitioner(s),

and

Respondent(s).

No. _____

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

Sealed Financial Source Documents

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

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

Submitted by: _____

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

**Superior Court of Washington
County of**

In re:

and

Petitioner,

Respondent.

No.

**Response to Petition for
Modification of Child Support
(RSP)**

To:

1. Admissions and Denials

The allegations of the petition in this matter are **admitted** or **denied** as follows (check only one for each paragraph):

Paragraph of the Petition

| | | | | | | |
|-----|--------------------------|----------|--------------------------|--------|--------------------------|-------------------|
| 1.1 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |
| 1.2 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |
| 1.3 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |
| 1.4 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |
| 1.5 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |
| 1.6 | <input type="checkbox"/> | Admitted | <input type="checkbox"/> | Denied | <input type="checkbox"/> | Lacks Information |

Each allegation of the petition that is denied, is denied for the following reasons (list separately):

2. Request for Relief

- Does not apply.
- The court should modify the order of child support by:

- If the modification is granted, it should not start on the date the petition was filed because:

- it will result in an overpayment of child support.
- it will result in an underpayment of child support.
- other:

3. Notice of Further Proceedings

Notice of all further proceedings in this matter should be sent to the address below.

Dated: _____

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

Signature

Print or Type Name

Address

**Superior Court of Washington
County of _____**

In re:

Petitioner(s),

and

Respondent(s).

No. _____

Declaration of

[Name]
(Optional Use)
(DCLR)

This declaration is made by:

Name: _____

Age: _____

Relationship to the parties in this action: _____

I Declare:

**Superior Court of Washington
County of _____**

In re:

Petitioner(s),

and

Respondent(s).

No. _____

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

Sealed Personal Health Care Records

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

Records or correspondences that contain health information that:

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

Submitted by:

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

**Superior Court of Washington
County of _____**

In re:

Petitioner(s),

and

Respondent(s).

No. _____

**Sealed Confidential Reports
(Cover Sheet)
(SEALRPT)
Clerk's Action Required**

Sealed Confidential Reports

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

This cover sheet shall be used to file the sealed portion of the following reports:

- Parenting evaluations
- Domestic Violence Assessment Reports created by Family Court Services or a qualified expert appointed by the court
- Risk Assessment Reports created by Family Court Services or a qualified expert
- CPS Summary Reports created by Family Court Services or supplied directly by Children's Protective Services
- Sexual abuse evaluations
- Reports of a guardian ad litem or Court Appointed Special Advocate
- Other:

The sealed portion of these reports include: 1) Detailed descriptions of material, or information gathered or reviewed; 2) Detailed descriptions of all statements reviewed or taken; 3) Detailed descriptions of tests conducted or reviewed; 4) Analysis to support the conclusions and recommendations.

Submitted by:

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

Confidential Information Form (INFO)

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

| |
|---|
| <input type="checkbox"/> Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Other <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Antiharassment <input type="checkbox"/> Information Change (Check if you are updating information) |
| <input type="checkbox"/> A restraining order or protection order is in effect protecting <input type="checkbox"/> the petitioner <input type="checkbox"/> the respondent <input type="checkbox"/> the children. |
| <input type="checkbox"/> The health, safety, or liberty of a party or child would be jeopardized by disclosure of address information because: _____ _____ _____ |

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

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

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

| |
|--|
| 1) Child's Name (Last, First, Middle) |
| Child's Race/Sex/Birthdate |
| Child's Soc. Sec. No. (If required) |
| Child's Present Address or Whereabouts |
| 2) Child's Name (Last, First, Middle) |

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

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

Additional information: _____

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

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

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

 Petitioner/Respondent

| Addendum to Confidential Information Form (AD) | | | | | | |
|--|-----|---------------|---|--|---|--|
| County: | | Cause Number: | | | Do not file in a public access file. | |
| Court Clerk: This is a Restricted Access Document | | | | | | |
| The following information about additional parties is required in all cases. | | | | | | |
| Additional Petitioner Information | | | Type or Print Only | Additional Respondent Information | | |
| Name (Last, First, Middle) | | | Name (Last, first, Middle) | | | |
| Race | Sex | Birthdate | Race | Sex | Birthdate | |
| Drivers Lic. or Identicard (# and State) | | | Drivers Lic. or Identicard (# and State), (or, if unavailable, residential address) | | | |
| Mailing Address (P.O. Box/Street, City, State, Zip) | | | Mailing Address (P.O. Box/Street, City, State, Zip) | | | |
| Relationship to Child(ren) | | | Relationship to Child(ren) | | | |
| The following information is required if there are additional children involved in the proceeding. (Soc. Sec. No. is <u>not required</u> for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault).) | | | | | | |
| 3) Child's Name (Last, First, Middle) | | | | | | |
| Child's Race/Sex/Birthdate | | | | | | |
| Child's Soc. Sec. No. (If required) | | | | | | |
| Child's Present Address or Whereabouts | | | | | | |
| 4) Child's Name (Last, First, Middle) | | | | | | |
| Child's Race/Sex/Birthdate | | | | | | |
| Child's Soc. Sec. No. (If required) | | | | | | |
| Child's Present Address or Whereabouts | | | | | | |
| <u>Except for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault), the following information is required:</u> | | | | | | |
| Additional Petitioner Information | | | Additional Respondent Information | | | |
| Soc. Sec. No.: | | | Soc. Sec. No.: | | | |
| Residential Address (Street, City, State, Zip) | | | Residential Address (Street, City, State, Zip) | | | |
| Telephone No.: () | | | Telephone No.: () | | | |
| Employer: | | | Employer: | | | |
| Empl. Address: | | | Empl. Address: | | | |
| Empl. Phone No.: () | | | Empl. Phone No.: () | | | |

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Pro se Notice of Appearance
(APPS)**

The undersigned enters an appearance in this action, and demands notice of all further proceedings. The Clerk of the Court and the opposing party will be informed of any change in address. Any notices may be sent to [You may list an address that is not your residential address where you agree to accept legal documents.]

Service Address:

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

Phone Number: Listed on Confidential Information Form.

Dated: _____

Signature of Party Appearing

Print or Type Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Certificate of Mailing or
Personal Delivery**

(No Mandatory Form Developed)

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

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

_____ in the following
manner

- Via first class U.S. Mail, postage prepaid; to
(Name & Address of Party Being Served):

- Hand Delivery

At the following address:

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

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

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

Signature

Print or Type Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

**Joinder
(JN)**

1. Joinder

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

2. Notice of Further Proceedings

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

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

3. Other

Dated: _____

Signature of Joining Party

Print or Type Name

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

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

(No Mandatory Form Available)

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

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

Name of Service member: _____

Rank: _____

Serial No.: _____

**Superior Court of Washington
County of _____**

In re:

Petitioner,

and

Respondent.

No. _____

Notice of Military Dependent

(No Mandatory Form Developed)

I declare under penalty of perjury under the laws of the State of Washington that I am the dependent of a member of the National Guard or a military reserve component under a call to active service for a period of more than thirty consecutive days. I am filing this Notice to inform the court that I believe I am entitled to protections under the Servicemembers' Civil Relief Acts and that I do not waive those protections.

I am:

the service member's spouse

the service member's minor child

an individual for whom the service member provided more than one-half of my support for the last 180 days.

I am the dependent of the following service member:

Name of Service member: _____

Rank: _____

Serial No.: _____

Unit: _____

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

Signature

Print or Type Name

Responding to a Petition for Modification of a Child Support Order – 6/10

EVALUATION FORM

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

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

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

9. Did you find any mistakes? yes no
10. Today's Date: _____
Other Comments or Suggestions:
