



www.WashingtonLawHelp.org

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File a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases

Instructions and Forms



Northwest Justice Project



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Part 1. Important Information

A. Should I use this?

This should help you **if all these are true**:

- you are not married to your child's other parent
- your child's parentage (paternity) has already been established by a court order that is more than two years old
- you want a Washington court to issue a parenting plan

❖ **We only discuss parenting plans here.** We do not recommend you file for a Residential Schedule. It does not say who can make decisions for the children. A parenting plan does.

You can also use this packet to ask for a parenting plan **if** either of these is true:

- You have already established parentage with a Paternity Affidavit or Acknowledgment or by birth certificate
- You established parentage in the last twenty-four months or less, and you want to change who the child lives with

There are different legal ways to establish parentage in Washington State:

- By court order, because someone filed a parentage case in court
- By paternity affidavit, acknowledgment of parentage or paternity, or birth certificate

❖ If it has been less than 24 months since you got a court order establishing parentage, and you do not want to change who the child has been living with most of the time, skip this packet. Use [File a Motion for a Parenting Plan or Residential Schedule: Parentage Has Been Established in the Past Two Years.](#)



If you need to file a Petition to Change Parenting Plan, use [File a Petition to Change a Parenting Plan, Residential Schedule, or Custody Order](#).

If you were married at or near the time of the child's birth and you believe the other spouse is not the child's biological parent, talk with a lawyer before using this packet. DO NOT try to use this packet to decide parentage.

If you are using this after parentage was established by a Paternity or Parentage Affidavit or Acknowledgment, make sure at least 60 days have passed since your Affidavit or Acknowledgment was filed with the Washington State Department of Vital Statistics. [RCW 26.26.370\(1\)](#); [RCW 26.26.375\(1\)](#). You can find out how long it has been since your Affidavit or Acknowledgment was filed by calling the Department of Health at (360) 236-4300.

This packet assumes you want a parenting plan. If you also want a court order of child support, use [Child Support Worksheets and Order](#) with this one.

❖ **We only discuss parenting plans here.** We do not recommend you file for a Residential Schedule. It does not say who can make decisions for the children. A parenting plan does.

If you only want to ask for child support, you can simply ask the Division of Child Support to start an administrative support case for you instead.

Read [How Can I Collect Child Support?](#) and [Parentage and Parenting Plans for Unmarried Parents in Washington](#).

This packet does not cover other types of claims for custody or visitation a person who is not a biological or adoptive parent might make, such as a petition for recognition as a "de facto" parent.

Before using this packet, you should:

- 1) **Visit the WashingtonLawhelp.org.** Read [Parentage and Parenting Plans for Unmarried Parents in Washington](#) and [How is Child Support Set?](#)
- 2) **Talk with a lawyer.** (See "What If I have Questions" item below for referral information if you are low-income.) You really should talk with a lawyer before filing for a parenting plan using this. The law is complicated. Even if you cannot afford to pay one to handle your case for you, a lawyer can advise about legal rights your case may affect. **Example:** if you file to establish a parenting plan, the judge will decide which parent the children will live with, and how much time the children will spend with each parent. The judge may not order the parenting plan you ask for.



- 3) **Find out if your county has local Do-it-Yourself Parentage Resources.** Some counties have their own packets on filing for a parenting plan when parentage has already been established. You can get them from your local family law facilitator (if there is one) or court clerk. It may be easier to use a local publication. They will have your county's rules and forms.
- 4) **Make sure you have a certified copy of your Paternity or Parentage Affidavit or Acknowledgment.** See below about requesting a certified copy.

B. How much does a Petition for a Parenting Plan, Residential Schedule and/or Child Support cost?

The costs involved include a filing fee of \$200-\$350, copying fees, and (possibly) fees for service (delivering the papers to the other parent or other parties). If you cannot afford the filing fee, you can ask for court permission to file without paying it fee. See the "Other court forms and documents you may need to get" section.

C. Where should I file my Petition?

You can file it in the county where the child lives. [RCW 26.26.520](#).

If the child is not living in Washington now, you can file in the county where the other parent lives. [RCW 26.26.520](#).

If another state or tribal court has entered a custody order about the child, or the child has not lived in Washington for very long, or has moved from Washington, you may not be able to file in Washington. If you are not sure you should file in Washington, talk with a lawyer. Read [Parentage and Parenting Plans for Unmarried Parents in Washington](#) and [Which Court Can Enter Custody Orders? Frequently Asked Questions and Answers about Jurisdiction](#).

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

You should file a copy of your Affidavit or Acknowledgment with your Petition. If you do not have a copy (and you are the mother or father as listed on it), get one from the Department of Vital Statistics in the state where your child was born.

If your child was born in Washington State, follow these instructions:

1. Write a letter to **Center for Health Statistics, P.O. Box 9709, Olympia, WA 98507-9709**. Ask for a certified copy of your Paternity or Parentage Affidavit or Acknowledgment. Then you can show the court it is “official.”
2. In your letter, include:
 - Your full name and your mailing address
 - A copy of your photo ID (**examples:** current driver’s license or state ID card)
 - Full name of each child for whom you need an affidavit
 - Date of birth of each child of whom you need an affidavit
 - City and state of each child’s birth
 - Full name of child’s father
 - Full name of child’s mother
3. You must also **enclose a check or money order for \$35** for each affidavit or acknowledgment you are requesting, made payable to the Department of Health.

Usually it takes a few weeks for the Center for Health Statistics to send you your Affidavit or Acknowledgment. If you have other questions about the Affidavit or Acknowledgment, email the parentage department at the Department of Health at parentage@doh.wa.gov, call them at (360) 236-4300, or check www.doh.wa.gov.

If your child was born in another state, you must contact that state’s Department of Vital Statistics. Get this info from them:

- the address to send your check or money order
- the cost of a certified birth certificate
- how long it will take them to process your request
- what info they need in a letter from you (child’s name, birthdate, and so on)

E. Try Using Washington Forms Online



The Northwest Justice Project has a program called **Washington Forms Online**. It helps people fill out family law forms on a computer. Answer interview questions on LawHelp Interactive to create completed forms and instructions that are ready for your use. Visit



www.WashingtonLawHelp.org

www.washingtonlawhelp.org/resource/washington-forms-online to see what forms are available. Other packets we recommend here may also be available.

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

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

- **Do you live in King County? Call 211** weekdays 8:00 a.m. - 6:00 p.m. Call 1-800-621-4636. They will refer you to a legal aid provider.
- **Apply online with CLEAR*Online** - nwjustice.org/get-legal-help
- **Call the CLEAR Legal Hotline at 1-888-201-1014.**



Part 2. Checklist of Steps

We describe many of the steps listed here in more detail later in this packet.

-
- ❖ Many counties have case schedules you must follow as well as the timelines and steps here. Some counties require classes, mediation or a settlement conference before a judge will sign final orders. Ask the clerk or facilitator about case schedules and local court rules for parentage cases.
-

- 1. Learn about parentage, parenting plan and child support law in Washington.** Visit WashingtonLawHelp.org and read [Parentage and Parenting Plans for Unmarried Parents in Washington](#) and our publications about how child support is set and collected.

- 2. Learn about local requirements.**

Many counties have special forms, or have other local rules you must follow. Many counties require case schedules, classes, or settlement conferences.

Call the court clerk or family law facilitator about these local requirements. Tell them the kind of family law case you have (**examples:** petition for parenting plan, a motion for ____). Requirements may differ, based on the type or stage of your case.

Read your local court rules. They are available at your county's law library and often at www.courts.wa.gov/court_rules/?fa=court_rules.local&group=superior.

Look at the "*Words You Should Know*" section of this packet if you do not know words used here.

Find out about at least these:

- whether the county has its own packets or forms for your type of family law case. If so, use those instead of ours. If you use our packet, get any other local forms you will need.
- whether the court uses case schedules (and whether the court requires the person filing the case to serve the schedule on the other parties).
- if the judge will appoint a GAL, whether there is a program allowing the appointment of a GAL or evaluator at no or reduced cost, and if there are special local forms to have a GAL or evaluator appointed.

- procedures for the court to check the judicial information system and databases before entering a permanent or parenting plan to identify any information relevant to placing the child. [RCW 26.09.182](#).
- in cases where a limiting factor such as domestic violence or child abuse is claimed, local procedure for having both parties screened to determine if a comprehensive assessment is appropriate to determine the effect of the limiting factor on the child and parties. [RCW 26.09.191\(4\)](#).

3. Make sure you know the other parent’s address.

Get the other parent’s address to serve them with your petition. If there are other parties, get their addresses too.

4. Get a copy of the paternity or parentage affidavit or acknowledgment or birth certificate for each child for whom you want to establish a Parenting Plan.

5. Fill out the forms to start a petition for a Parenting Plan.

6. Fill out the forms you need from our [Make a Parenting Plan](#) packet or use [Make a Parenting Plan](#), a Washington Forms Online interview that will help you prepare this form at WashingtonLawHelp.org.

7. Fill out other forms you need from the checklists in this packet.

8. Make the necessary copies of the completed forms you are filing with the court.

9. File your papers with the court clerk’s office in the Superior Courthouse of the county where you are filing your petition.

10. Arrange to serve the appropriate papers on the other parties.

- Consider asking the other parties to Accept Service. If they refuse (or you decide not to do this), then
- Try to get personal service on the other parties. If you cannot personally serve the other parties and they will not accept service, then serve by other means. Use our [Service by Certified Mail or Publication](#) packet. **Certain kinds of relief may not be available if you serve by mail or publication.**

11. File the completed Service Accepted or Proof of Personal Service.

12. File a Motion for Temporary Family Law Orders or a Motion for Immediate

Restraining Orders, if you want these.

For help deciding whether to file a motion for temporary family law orders or immediate restraining orders, read [Parentage and Parenting Plans for Unmarried Parents in Washington](#). In general, you should file for immediate restraining orders only if there is an emergency (such as when the other parent is harassing you or is endangering you or the children). If you decide to file for temporary family law orders, use our [Ask for Temporary Family Law Orders: Parentage Cases](#) packet. If you decide to file for immediate restraining orders, use our [Ask for Immediate Restraining Orders: Parentage Cases](#) packet.

-
- ❖ **Survivors of Domestic Violence or Harassment:** If the other parent has a history of physically harming you or the children, or has threatened to, or if you are a victim of unlawful civil harassment by the other parent, you can file for an Order for Protection for immediate protection. Orders for Protection offer strong safety restraints. [Domestic Violence: Can the Legal System Help Protect Me?](#) has general information.
 - ❖ **Protection order forms are available from** the court clerk or your local domestic violence program, or call the National Domestic Violence Hotline 1.800.799.7233. Or use our do-it-yourself interview program, [Get a Domestic Violence Protection Order](#), to fill out the forms at WashingtonLawHelp.org.
 - ❖ Talk to a lawyer before filing for an Order for Protection if the court has entered a temporary parenting plan or custody order very recently.
-

13. Give other parties proper notice of other papers you file in your case, as the case goes on.

After you have served a party with the Summons and Petition, you must still give them copies of most documents you file with the court. See [CR 5\(a\)](#).

14. Keep a copy of all documents that you file with the court or that you get from other parties for your own records.

Create your own file folder for these papers. Take the folder with you to any hearings.

15. File a Motion to Appoint a Guardian ad Litem (GAL), if you want or need one.

Read [Parentage and Parenting Plans for Unmarried Parents in Washington](#). The forms and instructions are in [Ask for Temporary Family Law Orders - Parentage Cases](#).

16. Take part in locally required conferences, classes, or mediations.

Many counties will require you to go to parenting classes. Some counties require mediation, settlement conferences, or status conferences. Find out your county's procedures.

17. Wait until the Other Party's Time to File a Response to Your Petition Ends.

The other party can file several different things in response. It is also possible they will not file anything. What they file will help you decide how to finalize your Petition. Read [Parentage and Parenting Plans for Unmarried Parents in Washington](#).

18. Ask for Discovery, if you want it.

Discovery is the process of gathering info you may need to reach a settlement or present your case at trial. Through the discovery process, you can learn about how the parties view the case, and can ask the other parties or witnesses for info and documents that could help you prove your case if you go to trial. For more about discovery, and how to request it, read "[Doing Discovery](#)" in [Family Law Cases: Interrogatories and Requests for Production](#). The facilitator may be able to give basic info.

19. Take part in a GAL investigation if the judge has ordered one, and complete steps necessary under local rules. (Examples: parenting classes, settlement conferences.)

The court must:

- check the judicial information system and databases to identify info relevant to placing the child before entering a permanent or modified parenting plan
- in cases where someone is claiming a limiting factor such as domestic violence or child abuse, have both parties screened to determine if a comprehensive assessment is appropriate to determine the effect of the limiting factor on the child and the parties

Ask the court clerk or facilitator about procedures your court is using under this law in parenting plan cases. You may need to use forms and procedures this packet does not describe.

20. Finalize your Petition for a Parenting Plan or Child Support. Use our [Finalize a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) packet.



Part 3. Court forms in this packet

A. Forms in this packet you will need to start your Petition:

| Court Form Title | Court Form Number |
|---|-----------------------|
| Petition for a Parenting Plan, Residential Schedule and/or Child Support (Washington State Paternity Affidavit or Acknowledgment/birth certificate) | FL Parentage 331 |
| Summons: Notice about Petition for Parenting Plan, Residential Schedule, and/or Child Support | FL Parentage 330 |
| Confidential Information Form | FL All Family 001 |
| Sealed Birth Certificate or Paternity Document (Cover Sheet) | FL Parentage 329 |
| Proof of Personal Service | FL All Family 101 |
| Declaration re: Service Members' Civil Relief Act | WPF All Cases 01.0200 |

B. Forms you may also need in this packet:

| Court Form Title | Court Form Number |
|------------------|-------------------|
| Service Accepted | FL All Family 117 |



Part 4. Other court forms and documents you may need to get

Our packets provide only the forms you need at the stage you need them. You will need more than one packet to file and finalize your case. Read the info below carefully. Check the boxes by the other packets you need. The Northwest Justice Project has a new program called Washington Forms Online. It helps people fill out family law forms. We are adding new forms throughout 2019-2020. Some of the forms you need are available now. Visit WashingtonLawHelp.org to download packets or use Washington Forms Online.

If you have a very low income, you can get packets by mail by calling CLEAR at 1-888-201-1014.

A. To start your Petition for Parenting Plan:

- [Make a Parenting Plan |Printable Packet](#) – Also has sealed records form for filing personal financial info. Or use our do-it-yourself interview program, [Washington Forms Online](#), to complete the forms at WashingtonLawHelp.org.
- [Child Support Worksheets and Order](#) - if someone is asking for a child support order.
- [Ask the Court to Waive Your Filing Fee](#) - blank forms to print and fill out on your own, with how-to instructions for completing and filing. Use this to ask the court to waive (not ask for) the filing fee required to file court papers in a civil case because you cannot afford to pay it. Or use our do-it-yourself interview program, [Washington Forms Online](#), to complete the forms at WashingtonLawHelp.org.
- [Service by Certified Mail or Publication](#) - if you have tried to serve any other party in person, but could not do so, ask for court permission to serve by certified mail or publication. Service by mail or publication is not usually enough to get certain kinds of relief from the court, such as a child support order.
- [Serving Papers on the State](#) - if any party is asking for a child support order, and any of the children has gotten public assistance (TANF), medical coupons, or Medicaid, or is in foster care or out of home placement, you must include the state as a party and serve them with all papers you file.
- [Working Copies](#): If your court rules require you to serve working papers or working

copies. You may want to use this publication even if your county does not require them.

- If you file certain **confidential info** during the case, you need certain forms to keep the private info out of the public court file. They are:
 - Sealed Personal Health Care Records (Cover Sheet) - FL All Family 012
 - Sealed Confidential Reports (Cover Sheet) - FL All Family 013
 - Sealed Financial Source Documents Cover Sheet - FL All Family 011

Get these forms from the State Courts website: www.courts.wa.gov/forms.

B. During your case or to finalize your case:

- [Ask for Temporary Family Law Orders: Parentage Cases](#) and/or [Ask for Immediate Restraining Orders: Parentage Cases](#) – for an order that will cover the period between the date you file your petition and the date your case is final. For help deciding whether to file for temporary family law orders or immediate restraining orders, read [Parentage and Parenting Plans in Washington for Unmarried Parents](#). These packets also have the sealed records forms and instructions for confidential court reports and personal health care records. They also have the order form for appointing a Guardian ad Litem or Evaluator.
- [Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) - if the other party has filed for Temporary Family Law Orders and/or an Immediate Restraining Order. Also has sealed records forms and instructions for confidential court reports and personal health care records.
- [Subpoenaing Witnesses and Documents](#) - to make sure important witnesses or documents are at trial.
- [Finalize a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) –the judge must sign final papers before the case is complete.

C. Forms you may also need that are not in our packets:

- Order Setting Domestic Case Schedule** - Some counties, such as King, use this form. If your county has a case schedule, the court clerk will give it to you when you file your case.
- Declaration about Public Assistance:** FL All Family 132: We do not include this optional form in our packets. We tell you to serve the State in any case where TANF, Medicaid, or foster care is involved. We instruct you to get the state’s signature on all

default and agreed orders where the state might have an interest in the child support obligation in your case. You may need the form if your county requires it, or to verify that no public assistance has been paid or the children are not in foster care or out-of-home placement. You can get it at www.courts.wa.gov/forms.

- Petition for Order for Protection (Domestic violence: WPF DV 1.015)** - if you are asking as part of this case for an Order for Protection or to change your Order for Protection. Get the forms from your court clerk, domestic violence advocacy program, or from www.courts.wa.gov/forms. Or use our do-it-yourself interview program, [Get a Domestic Violence Protection Order](#), to fill out the forms at WashingtonLawHelp.org. **Attaching a Petition for an Order of Protection to your petition to Decide Parentage does not give you any immediate protection. It only asks the court to enter a protection order at the end of your case.**
- Other:** Local Do-it-Yourself packets: You may need other forms or packets as required by local court rules. Ask the clerk or facilitator if your county requires more info.
- Your paternity or parentage affidavit or acknowledgment** – The Intro and Important Info section of this packet explains how to get a certified copy.



Part 5. General instructions for filling out forms

These general instructions will apply to all forms you fill out. The instructions cover all types of family law cases. You may not use some of the information in your case.

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

| | |
|---|--|
| <p style="text-align: center;">This case type is for a divorce. Yours may be different.</p> <p style="text-align: center;">Superior Court of Washington, County of _____</p> <p>In re <u>the marriage of</u>:</p> <p>Petitioner (<i>person who started this case</i>):</p> <p style="padding-left: 40px;"><u>Jane Brown</u></p> <p>And Respondent (<i>other spouse</i>):</p> <p style="padding-left: 40px;"><u>John Brown</u></p> | <p style="text-align: center;">Put the county where you are filing this form.</p> <p style="text-align: center;">Put the case number. The court clerk assigns this number when the Petitioner files the case.</p> <p>No. _____</p> <p>Notice of Hearing (NTHG) ← This is the form's title.</p> <p><input checked="" type="checkbox"/> Clerk's action required: 1</p> |
|---|--|

Put the name of the county where you are filing your case in the blank space where the form reads "Superior Court of Washington, County of _____."

You are the petitioner. The other party is the respondent.

Case number. When you start the case by filing the initial papers and paying the filing fee (or having the fee waived), the court clerk assigns a case number. You must put that number on everything you file with the court and serve on other parties. Put it near the top on the right-hand section of the first page of every form after "No." (abbreviation for "number")

-
- ❖ You may be able to use a special stamp at the court clerk’s counter to stamp the case number on each paper. If you do not print or stamp the case number on the first page of every copy of every paper you file with the court and copies you make for other parties, your papers may be lost, or the clerk may return them to you. Some courts will fine you for filing incorrect forms.
-

Title. Each form has a title directly under the case caption. Sometimes you must add info to it. (**Example:** On a declaration, you put the name of the person filling out the declaration.)

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

The contents. Fill out each form according to its instructions. In most counties, you may print or type. It must be readable. You must use BLACK OR DARK BLUE INK. After filling out each form, re-read it. Make sure you have correctly filled in all blanks needed. Any corrections must be neat and readable.

Do not write in the margins of any page. The clerk may reject your form.

Dates. On the last page of most forms (not including orders), there is a space for the person who filled the form out to put the date they signed it. The judge will fill in dates in orders when they sign the order.

Signatures.

- **Your Signature:** After you fill out a form, look for the place(s) to sign your name:

Some forms have one signature line for “petitioner” or “respondent.” After filling out a form such as the petition, sign at the place that applies to you. **Look carefully.** You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed the form.

When you prepare and file motions, you are the moving party. On the last page of the motion, you must fill out and sign the section called **Person making this motion (or asking for this order) fills this out.**



When you prepare an order and plan to present it for the judge to sign, look for the place at the end for your signature. Check **is presented by me**.

- **Judge's Signature:** Leave the judge's signature line and the date blank.
- **Other party's signature:** Some forms have a place for other parties to sign. You cannot force another party to sign a court paper. If you have prepared an order after a hearing, the other party may be willing to sign it if they agree it accurately states the judge's decisions, or the judge may require the other party to sign.

Agreed orders. If the other party agrees with the orders you have written, they should sign in the right place on each court order they agree to.

May be signed by the court without notice to me. If you are the nonmoving party, or you did not prepare the order, the other party may ask you to check this box and sign underneath. If you do, you are agreeing the judge should sign the order as written AND the other party can give the order to the judge to sign without letting you know when they are going to do it.

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

Identifying Information. Court rules try to protect privacy but also allow for public access to some info in court files. The next three boxes discuss these rules.

Box #1 - Things to not put in most court papers:

Court General Rules [22](#) & [31](#) try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public. They may also be available publicly online.

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

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

Social Security/Driver's License, ID Numbers of Adults and Children: put only the last four digits.

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



Box #2 - Private information you should file with sealed cover sheets:

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

Financial Information: You must attach any paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders you file to a Sealed Financial Source Documents form. Then the public cannot access them.

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

Confidential Reports: Reports intended for court use must have public and private sections. Attach the private section to a Sealed Confidential Reports Cover Sheet.

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

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

Box #3 - When to put private information in court forms:

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

You must fill in your personal info completely (including your home address, social security number, and so on):

Confidential Information Form

Vital Statistics Form

Domestic Violence Information Form

Law Enforcement Information Sheet.



Part 6. How to fill out each form

A. Petition for Parenting Plan, Residential Schedule and/or Child Support - FL Parentage 331

Caption. Fill out the caption.

1. Put your name. Check the box or boxes showing what you want.
2. **Children.** Put the other parent's name. They are the respondent. Give the info requested for each child this petition covers.
3. **Was parentage established by court order?** If you check **Yes**, fill in any blanks as needed.

❖ A paternity acknowledgment is a type of parentage acknowledgment.

4. **Was parentage established by Parentage Acknowledgement?** Check **No** and skip to 5 if you checked **Yes** in 3. Otherwise, check **Yes** and any remaining boxes. Fill in any blanks needed.
5. **Was a Parentage Acknowledgment filed in Washington state?** Check the first **No** and skip to 6 if you answered yes to 3. Check the second **No** and skip to 6 if your acknowledgment is from out-of-state.

Otherwise, check **Yes**. In the next blank, put the child's name. In paragraph (b), check the box showing why the deadline to withdraw the Acknowledgment has passed. If you check the second box there, put the date of the hearing you refer to. Check whichever box in paragraph (c) that is true in this case.

6. **Jurisdiction over parents.** Check every box that applies.
7. **Children's Home/s.** Check the box that applies. If you check **Yes**, fill out the chart below it. If a child has lived with someone besides a party, put that person's name.

❖ If the children lived with anyone other than a named party in the last five years, put their name and current address on the Confidential Information Form.

8. Other people with a legal right to spend time with a child. If you check **Yes**, you must fill out the chart with the info requested.

9. Other court cases involving a child. If you check **Yes**, fill out the chart with the info requested. **Examples** of other types of court cases involving the child: protection orders, juvenile court cases, dependency cases (CPS), parentage cases, Division of Child Support cases.

10. Jurisdiction over the children. Check all boxes that apply. For any statement starting in **bold** you check, you must also check at least one of the boxes underneath. **Example:** if you check **Home state jurisdiction**, you must check at least one of the boxes underneath it. Fill in blanks as needed.

Jurisdiction can be hard to understand. For more on whether Washington has jurisdiction over your children, talk with a lawyer, or read [Divorce and Other Options for Ending Your Marriage in Washington State](#) and [Which Court Can Enter Custody Orders? Frequently Asked Questions and Answers about Jurisdiction](#). Talk with a lawyer if:

- There has been any custody order in another state or country involving the children.
- Washington is not the children’s “**home state**.”

11. Parenting Plan or Residential Schedule. If you already have one, check the first **yes**. Then give the info requested in the “**if Yes**” section beneath..

If you do not already have one, check the first **no**. Then answer the “**If No**” section beneath.

-
- ❖ If you have not thought out what you want for a parenting plan yet, and do not need one right away, you can file and serve your proposed parenting plan later.
 - ❖ If you check the box saying you will file your proposed parenting plan later, you cannot ask for a default order without filing and serving a Proposed Parenting Plan. If you think Respondent might not respond to the petition, check that you are attaching a proposed order. You should prepare a proposed parenting plan, and file and serve it with the Petition.
-

12. Child support. If you already have one, check the first **yes**. Then give the info requested in the “**if Yes**” section beneath.

If you do not already have one, check the first **no**. Then answer the “**If No**” section beneath.

-
- ❖ **What agency sets child support?** In Washington, the Division of Child Support handles administrative child support matters, especially if you or the child has ever received public assistance.
-

13. Protection Order. Check **No** and skip to 14 if you do not want a Protection Order. Check **Yes** if you want a Protection Order. Follow the instructions. If you already have a protection order, check **There already is** and give the info requested.

-
- ❖ When you get to trial, you must prove to the judge that you need the protection you are asking for.
 - ❖ The law allows domestic violence survivors and victims of unlawful civil harassment to request a long-term Order for Protection as part of their petition for a parenting plan case. Protection orders can cover yourself and your children. **The procedures for combining protection orders with family law cases can be confusing.**
 - ❖ You must complete the appropriate protection order forms to start a separate protection order case, and go to the hearings associated with that case. For information on requesting an immediate Order for Protection, call the National Domestic Violence Hotline at 1.800.799.7233.
 - ❖ The main benefit of combining protection orders with family law cases is that a judge in a family law case can enter an Order for Protection restraining someone from contact with their minor children for longer than one year. [RCW 26.50.060\(2\)](#). Orders for Protection issued outside a family law case can only restrain contact between a parent and child for one year at a time. You can ask the court to renew those orders.
-

14. Restraining Order. Check No and skip to 15 if you do not want one. If you want a restraining order that will tell the other party not to harass or bother you, check Yes. Check boxes and fill in blanks to show what you want from the restraining order. If you check Stay away, a common distance to put is 500 feet, the length of a football field. If you check Prohibit weapons and order surrender, check police chief or sheriff.

-
- ❖ “Molesting” here is confusing. It does not mean sexually molesting. You are asking the court to order the other person not to bother you or the children.
-

15. Fees and costs. Check the box that applies.

16. Other orders. Most people skip this section. Check the second box and fill out the blank if you want the court to order something not otherwise listed here. Put your request in the



blank. **Example:** You want the court to consolidate a protection order you have in another case with this case. After checking **other**, you could put “consolidate the RCW 26.50 protection order proceeding with this case and enter a permanent order of protection changing the existing order of protection only as follows: 1) The no contact and custody provisions should be changed to follow the Final Parenting Plan, and 2) the expiration date should be changed so that the protection order is permanent.

17. Summary of requests. Check everything you are asking for in this case.

Petitioner fills out below: Put the place (city, state) where you are signing. Date the form. Sign where it says. Print or type your name in the next blank.

Respondent fills out below: If Respondent agrees with the Petition, they should fill out this section. They should fill out their name in the first blank and check the box showing what kind of notice they want about the rest of the case. If Respondent wants you to give notice before the entry of final orders, they should check **I ask the petitioner to notify me** and put their mailing address. If Respondent does not want notice, they should check **I do not need to be notified**. Respondent should sign and print their name and date the form.

If Respondent signs the joinder and agrees with your petition, skip the sections on filling out the Summons and on serving the Petition. Do not file either the Service Accepted or Proof of Personal Service forms.

-
- ❖ If you file the petition without Respondent’s signature in the joinder paragraph, but Respondent later decides to agree with the Petition, they can sign an Agreement to Join Petition (Joinder) form (in the [Respond to a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) packet).
-

B. Summons: Notice about Petition for Parenting Plan, Residential Schedule, and/or Child Support - FL Parentage 330

If the other parent has not signed the joinder paragraph at the end of the petition, you must fill this out.

You must always first try to have the other party personally served (by hand delivery). If you cannot serve them personally or by abode service (see section 8-D of this packet), you must get court permission to serve by publication or certified mail and use a different Summons form. Use our [Service by Certified Mail or Publication](#) packet.

-
- ❖ If you cannot have the other party personally served, the court may not have jurisdiction to give you everything you asked for. Talk with a lawyer before asking for court permission to serve by mail or publication.
-

Caption. Fill out the caption.

1 – 3. Do not make any changes to these sections.

4. Put the county and complete address of the courthouse where you will file your petition.

5. Do not make any changes to this section.

Petitioner or his/her lawyer fills out below: Date the form and sign where it says to. Print or type your name below that.

Check the second box. Put your name and address. If you do not want the other party to know where you live, put a P.O. box number if you have one, or put the address of a friend or relative you trust to tell you immediately if you receive any legal papers.

-
- ❖ If the mailing address you list in the Summons later changes, you must fill out, file and serve on the other parties a Change of Mailing Address. Form. You can get it at www.courts.wa.gov/forms.
 - ❖ If you are domestic violence survivor, and you want to keep your address secret, get info about the Address Confidentiality Program offered through the state of Washington. Call the National Domestic Violence Hotline at 1.800.799.7233.
-

C. Confidential Information Form and Attachment - FL All Family 001

In family law cases, you must give the court information about your address and phone number, your social security number, date of birth, driver's license, and the name and address of your employer. You must also give certain information about the other people involved in the case. [RCW 26.23.050\(5\)\(l\) & \(7\); GR 22\(g\) & \(h\)](#).

Fill out this form. File it with the court clerk. Keep a copy for yourself. **Do not serve the Confidential Information Form and Attachment on the other parties.**

The Confidential Information Form is normally not available to the other parties or the other parties' lawyers. Information in this form could go to DCS (Division of Child Support) and other parts of DCYF (Washington State Department of Social and Health Services). They may release information in this form to another party. Another party could get access to this form by following certain court procedures.

❖ When your address changes, you must update the court by filing a Notice of Address Change, even after your case is final. If you do not, legal papers may go to you at your old address. The court may enter orders against you without actual notice to you.

4. **Put your name.** Put the county where the case is filed and the case number. If you do not have a case number yet, put it when the clerk gives it to you.
5. **Check “yes” if restraining order protection orders are currently in place.** In the blank, put who the orders protect. If the orders go into effect later, file a revised and updated form. Check **no** and skip to 3 if there is no current restraining order or protection order in place.
6. **Check the first box if you believe the safety of an adult or child would be at risk by listing your home address.** In the blank, explain why.
7. **Your Information:** In the first table, put the information requested, including your driver’s license number and social security number (if you have these). Skip the second table.

❖ If you need an interpreter, check yes and put which language.

8. **Other Party’s Information.** In the first table, put as much of the information requested as you can. Skip the second table. Use the Attachment to Confidential Information if there is more than one respondent.
9. **Children’s Information.** Put as much of the information requested as you can.
10. **Have the children lived with anyone other than...** Check **no** if the children have only lived with you or a respondent in the past five years. Skip to 8. Check **yes** if the children have lived with someone besides you or Respondent/s in the past five years. Put the information requested.
11. **Do other children (not parents)...** Check **no** and skip to 9 if only you and Respondents have custody or visitation rights. Check **yes** if other people besides you and Respondents have custody or visitation rights. Put as much the information requested as you know.
12. **If you are asking for custody and are not the parent...** List any other adults living in your home. Use the Attachment if there are more than two other adults living in your home.



Sign and date the form and put the place you signed it.

D. Sealed Birth Certificate or Paternity Document – FL Parentage 329

Caption. Fill out the caption.

Check the box under the title showing which document(s) you have attached. You should always have an acknowledgment or affidavit to attach. You may also have a denial and/or birth certificate. In this form, “Acknowledgment” also means Affidavit.

At the top of the first page of your Affidavit or Acknowledgment, put **Sealed**. Attach the copy of your Affidavit or Acknowledgment to the Sealed Birth Certificate or Affidavit or Acknowledgment. If you are also filing a Denial, attach it, after putting “sealed” at the top.

Submitted by: Check the appropriate box. Then sign and print your name.

Read the notice at the bottom of the page. Follow the instructions there if you are concerned about your safety.

E. Civil Case Cover Sheet

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

Under the words, “Case Types 3-6,” put the county where you are filing.

Put the case number when the clerk assigns one.

Put the title of the case from your Petition.

Then in the first column, under “Domestic Relations,” check **Parenting Plan/Child Support (PPS 3)**.

❖ **Before filing your papers,** you will need forms from our [Make a Parenting Plan](#) packet. You may also need [Child Support Worksheets and Order](#) if you want a child support order.

If a respondent is in the military or a military dependent, follow the instructions in the Section “If the Other Party is in the Military or the Dependent of a Military Service Member.” Otherwise, you are ready to file and serve your papers.



Part 7. How to file papers with the court

After filling out the forms, you must file them with the court and have them served on the other parties. This section explains how. **Before filing and serving, make sure you have completed all the forms you need, including forms from any other packets.** You will need our [Make a Parenting Plan](#) packet. Use the checklists in this packet. Make sure you have what you need.

A. Filing your Petition

When you are ready to file the petition, put the date that you are filing your petition in the “date” blank on the *Sealed Acknowledgement/Denial of Paternity* form.

You will file the original forms in court.

If you are applying for immediate restraining orders, you may do so at the same time you file your Petition. Use our [Ask for Immediate Restraining Orders: Parentage Cases](#) packet.

- Make one copy of every form you filled out.** (You will need more copies of most forms later. Just make one copy now, and the other copies later, after you have the case number and date filed stamps from the court clerk.)
- Organize your forms into sets** by putting all originals in one set and copies in the other. Each set should have each form you have filled out. Compare each set with the checklists in this packet. Make sure you have the forms you need.
- Take the originals and the copies to the county court clerk’s office** in the superior courthouse where you are filing your case. Tell the clerk you want to file a petition. Give the clerk the originals of your forms and the filing fee. If you cannot afford the filing fee, ask the court to waive it (forgive it). Use our [Ask the Court to Waive Your Filing Fee](#) packet or interview, or contact the court clerk or family law facilitator for forms used in your county.
- If you are asking for a waiver of the filing fee,** an immediate restraining order, or other orders at the start of the case, ask the clerk or facilitator how to present your requests to a judge. (Our packets on these subjects have more information.)

- Pay the filing fee**, or give the clerk your Order Waiving Filing Fee signed by the judge.
- The clerk may give you some forms.
 - The clerk may give you a Vital Statistics form to fill out and return.
 - In some counties, the clerk will give you a case schedule, parenting seminar form, and/or other local forms. Case schedules list some important dates in the case. Parenting seminar forms explain how to sign up for a class about the effect of conflict on children. (Many courts require you to complete the parenting seminar for cases involving children before the court will sign a final parenting plan or residential schedule.) If you get a case schedule and a parenting seminar form, **you must serve copies of them on the other parties.**
- The clerk stake your originals for filing and assigns a case number.** Write or stamp the case number on the front page of the copy of every form.
- Stamp** the top of the front page of the copy of every form with the clerk's file- date stamp. This way you and the other parties have a record of the filing date.
- If the judge has signed any orders,
 - File the original order as signed by the judge.
 - Ask the clerk to stamp the judge's signature on your copy of the order.
 - If the judge has signed an Immediate Restraining Order,
 - Ask the clerk to make two certified copies of it. Keep one with you at all times, have the other served on the restrained person. There is an extra fee for certified copies.
 - Fill out the Law Enforcement Information Sheet (LEIS), available at the clerk's office. Do not serve the LEIS on the other parties.
 - Never leave the courthouse with the original of an order the judge has signed. Never change an order after the judge has signed it.
- Take the stamped copies back from the clerk.** The clerk keeps the originals.



Part 8. How to serve court forms

After filing your papers, **you** must have them properly served on (delivered to) the other parties. **The court does not serve the other parties.** You must arrange for service and make sure your server delivers the papers properly. **You cannot serve the papers on another party yourself.** The next paragraphs explain the rules for service. **Carefully follow the rules. If you do not do service properly, your court orders could be set aside, even years later.**

Who to serve: Every party to the case. Usually, the other parent is the only other party. If your child has ever gotten public assistance (TANF) or Medicaid, or if a child in the case is in foster care or out-of-home placement, you must serve copies on the State of Washington. If someone besides the other parent has legal or physical custody of any child in your parenting plan, or claims a right to custody or visitation, talk to a lawyer about adding that person to your case or giving them notice.

What to serve: You must have all papers you filed with the court served, **except** the Confidential Information form and Attachment and any Law Enforcement Information Sheet¹. You must have served at least the Summons, Petition, Declaration re Service Members' Civil Relief Act, Notice re Military Dependent, Sealed Birth Certificate or Paternity Document, Parenting Plan, and, in many cases, child support worksheets, financial declaration, case schedule, and so on. Use the checklist. Make sure you have the forms you need.

How to serve:

❖ You cannot serve the other parties yourself.

- Try to ask another party to agree to accept service of the Petition. If they do, you must give them copies of the papers you filed² and they must sign a Service Accepted form admitting they have received the papers you filed. We explain accepting service below.

¹ The Law Enforcement Information Sheet (LEIS) is in the Immediate Restraining Orders packets Use it only when the court enters restraining orders.

² Except for the Confidential Information Sheet and Added um and any LEIS.



- If you decide not to ask a party to accept service, or they refuse, or agree to sign but do not follow through, you must have them personally served. We explain personal service below.
- If you need to serve the State of Washington, use our [Serving Papers on the State](#) packet.

Copying and organizing your papers for service:

- Make the correct number of copies: Figure out how many copies of each form you will need.
- You will need:
 - ___ one for you
 - ___ one for each respondent (1 x ___ number of respondents = ___)
(except do not serve the Confidential Information Form and Attachment or any LEIS. Make just one copy of these forms)
 - ___ one for the judge if you have upcoming hearings (“working papers”)
 - ___ one for the State (if you are serving the State)
 - ___ Total = ___ This is how many copies you need of each document.
- You also need an extra copy of each Summons to attach to the Proofs of Personal Service.
- Make one copy of every form you filed with the court (except the Confidential Information Form and any LEIS) for every person you must serve, and one copy for yourself. Make an extra copy of the Summons to attach to the Proof of Personal Service.
- Organize the forms into sets. Each set should have a copy of each form you filled out, except for the Confidential Information form and any LEIS. Do not serve those two on anyone.
- Compare each set with the checklists in this packet. Make sure you have the forms you need.
- Keep a full set of copies for yourself. Put the Confidential Information form and any LEIS into the set you are keeping
- Put each of the other parties’ sets of papers in an envelope, addressed to that party, with your return address. You will use these sets for service.



How to show that service has been completed:

After service is complete, you need a signed Service Accepted or Proof of Personal Service for each party. You will file these with the court clerk.

A. Service Accepted

The other party might agree to receive the papers informally (“accept service”), even if they do not agree with your requests in your petition. “Accepting service” just means they confirm that they got the court papers. If they will not accept service of the papers, or do not sign the Service Accepted form, or you do not want them to accept service, skip to the instructions for Proof of Personal Service.

1. Instructions for Service Accepted Form - FL All Family 117

Use this only if the other party agrees to sign it.³ If they complete and file this form (or give it to you to file), do not file a Proof of Personal Service for them. Give the other party copies of everything you filed with the court (except the Confidential Information form and any LEIS), before they sign the Service Accepted.

Caption. Fill in the caption.

1. In the blank, put the party’s name. Read the list of forms. You must check the box to the left of every form you give them. If a form is not listed, check **Other**. Put that form’s title in the blank. (**Examples:** if you gave the party the Notice re Military Dependent, check **other**. Put this title. If you gave them a Declaration, check “Declaration of ___ and give the name of the person who signed it.) **You must list every form you give a party.** If you do not list something, you will have no proof the party received it.

2. Personal Jurisdiction.

Check the first box if the party agrees Washington has personal jurisdiction over them. Put their name.

Check the second box if the party will not agree that Washington has jurisdiction over them. For more about personal jurisdiction issues, see our publications for your type of case, or talk with a lawyer.

³ You must have all other parties served or agree to sign Service Accepted forms.

Signature. The party (or their lawyer) should date the form, sign where it says, and then print or type their name and address in the blank. If the party has a lawyer, they should check the very last box and put the party's name in the blank.

-
- ❖ If you get a signed Service Accepted form from a party, skip to the section on Filing Proof of Service. You must arrange to have personally served a party who will not sign a Service Accepted form.
-

B. Instructions for personal service and the Proof of Personal Service

If the other parties do not each sign a Service Accepted form, you must try to have them personally served. If you have diligently tried to have them personally served, and need to have the other parties served some other way, [Service by Certified Mail or Publication](#) has forms and instructions.

1. Instructions for personal service in Washington

- You must properly follow the rules when having the other parties personally served. Do not serve the documents on the other parties yourself. Find someone age 18 or over to do it for you.
- **Think about hiring a professional process server or the sheriff to serve the papers.** It usually costs \$30 - \$80. A professional process server may be best. The sheriff may not be willing to try more than once to serve the other party
- **Ask an adult friend to be your process server.** If you cannot afford a process server or the sheriff, anyone age 18 or over who is competent can do it for you. Your server must understand how important it is to serve the papers and fill out the proof of service form correctly. If you do not serve the other parties properly, your court orders could be set aside, even years later.

If you are using an adult friend as server, let the friend know hand-to-hand service is best. This means putting the papers in the other party's hand.

The other party may refuse to accept the papers. Let your server know they must use their best judgment about how to leave the papers. Here are some common situations in service.



Example 1: The other party may be expecting you to serve them, and is avoiding people who look like servers. Here, it is okay for your server to, for example, pretend to be delivering an innocent package.

Example 2: The other party may let your server in, but refuse to take the papers. There have been times when it is okay for the server to leave the papers on the floor in the other party's home. Your server should always try to hand the papers to the server, unless it would be unsafe to try to do so.

Example 3: The other party opens the door for your server. The other party does not let your server in. The other party refuses the papers. Your server can leave the papers in the doorway or just outside.

Example 4: The other party may be home, but refuses to get the door when your server knocks. Your server may have to make a few such visits to the other party's home before you can ask the court for help. Tell your server **NOT TO LEAVE THE PAPERS OUTSIDE**.

2. Instructions for Proof of Personal Service – FL All Family 101

Your server must complete a separate Proof of Personal Service for each party they serve. After your server has completed service and signed the Return of Service form(s), follow the instructions in this packet for filing it with the court.

Caption. Fill out the caption.

1. Put your server's name.

2. **Personal Service.** In the blank, put Respondent's name. The server must check the box showing how they delivered the papers to Respondent. If they check the second box, the server should put in the blank the name of the person they gave the papers to.

3. **Date, time, and address of service.** The server should put the date, time (check a.m. or p.m.) and address where they served the papers.

4. **List all documents you served.** Read the list of forms. Check the box to the left of each form served on that party. You might have to fill in a blank to describe a form. (**Example:** if you check **declaration**, put the name of the person who wrote it.) Check **other** if you had Respondent served with any forms not listed. Put what those other forms are. You **MUST** list all forms you had served on your partner. If you leave one off your list, you will have no proof that the other party received it.



5. Fees charged for service. Usually, only professional servers use the second box for fees and mileage.

6. Other information. Your server may put here other info. **Examples:**

- Your server tries several times to serve Respondent. Respondent is never home or cannot be found. The server should put the dates and times and descriptions of each time they tried to serve Respondent.
- The server gave the papers to an adult living with Respondent who would not give their name. The server should put what the person who received the papers looks like.

Signature. The server should put the city and state where they signed the form and the date, and sign where it says to and print or type their name where it says.

To the Server. The server should check this box and fill it out in front of a notary public or court clerk **ONLY** if they served your partner outside Washington state.

-
- ❖ The server should staple a copy of the summons to the completed Proof of Service form and give it to you for filing with the court.
-

C. Personal service in another state

If you must, you may have the other party personally served in another state using the same general directions as for personal service in Washington. You must fill out a Proof of Service **and** a *Declaration: Personal Service Could Not be Made in Washington*.

A person served outside the state has a longer deadline for responding to the petition.

1. Instructions for Declaration: Personal Service Could Not be made in Washington - FL All Family 102

Use this form if any party is served outside the State of Washington.⁴

Caption. Fill in the Caption.

1. Check the first box.

⁴ If you are serving a party out of state, you must complete and file this form before the judge will sign the final order. The party personally served out of state has **60 days** to Respond if the papers are personally handed to them.



2. Put the name of the person you served outside Washington State.
3. Explain why you could not serve the other party in Washington. **Example:** The other party lives and works out of state. You would put that “____ (name of person served) lives and works in ____ State and _____ (other details showing the person cannot be served within Washington).”

Signature. The person who signs this form prints the date and place (city and state), signs the form, and prints their name.

If you use this form, file it with the court clerk. Keep a conformed copy for your records.

D. Filing your proof of service

Gather your original signed proof(s) of service (*Service Accepted* or *Proof of Personal Service*). You will need proof for each party.

If any party is served in another state, you also need the *Declaration: Personal Service Could Not be Made in State of Washington* for them.

Make one copy of each original. Take the originals and copies to the court clerk’s office. Give the clerk the originals. Ask the clerk to stamp the date of filing on your copies.

If the papers served included a protection order or restraining order (**examples:** an Immediate Restraining Order), you must also deliver a copy of the Proof of Personal Service to the law enforcement agency covering the place where you live. The order names the agency.

If the other parent is in the military or a protected military dependent, follow the instructions in the “If the Other Parent is in the Military” section. Otherwise, you are finished filing your petition.

You must wait until the other parent’s time for responding to your petition has passed before finalizing your case. (Generally, that will be twenty days from the date of service if you had the other parent served in Washington, and 60 days if you had the other parent served outside Washington.) The “How to File Your Petition” section, earlier, has more about next steps.

To ask for court orders before your trial (or before you get final orders), use our [Ask for Temporary Family Law Orders: Parentage Cases](#) and [Ask for Immediate Restraining Orders: Parentage Cases](#) packets.



For more about finalizing your case, get our [Finalize a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) packet.

E. Serving More Papers as the Case Goes On

Follow the steps above to have every party served with the Summons, Petition, and other documents you used to start the case.

Even after having a party served with the Summons and Petition and other beginning documents, you must still give them copies of most documents you file with the court as the case goes on. See [CR 5\(a\)](#). (**Exception:** do not keep giving papers to a party against whom you have an Order of Default.) Often, you can do ongoing service by mail or hand delivery, and prove service with a Proof of Mailing or Hand Delivery. Instructions and forms for this type of service are in our Temporary Family Law Orders packets.

-
- ❖ Do not use the Proof of Mailing or Hand Delivery procedure to serve the Summons and Petition or other documents you must serve to start your case.
-



Part 9. If the other parent is in the military or the dependent of someone in the military

If the other party is, or may soon be, on active military duty⁵, or is a protected military dependent,⁶ your initial service packet to them must include a copy of the *Waiver of Rights under Service Members Civil Relief Act and Admission of Service* form. If the other party is willing to give up protections under these laws, they must sign the form and either return it to you or file it with the court. **If they will not agree to do this, see a lawyer.** Special rules for military members and their dependents limit the court's ability to make orders adversely affecting the rights of the service member or dependent.

Here are some ways to find out if another party is on active duty:

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

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

⁵ The Service Members Civil Relief Act of March 4, 1918, as amended, 50 U.S.C. App., 501 et seq..For Washington State's Service Members Civil Relief Act, see RCW 38.42.010 et seq.

⁶ Dependents are usually the spouse, minor child, or a person who received more than half his/her support in the last six months from a Washington resident who is on active duty and a National Guard member or reservist. RCW 38.42.010.



Part 10. If you and the other parent agree

If you and the other parent (and any other parties in the case) agree on the final papers, you can fill out fewer forms and follow a simpler process to finalize your case. Here is how:

1. Complete these forms from this packet:

- Petition for Parenting Plan, Residential Schedule and/or Child Support
- Confidential Information Form (you should each fill out and file your own form)
- Sealed Birth Certificate or Parentage Document (and attached Paternity or Parentage Affidavit or Acknowledgment)
- Waiver of Rights Under Service Members Civil Relief form (if other parent is in military or a protected military dependent)
- Civil Case Cover Sheet

2. Complete the Parenting Plan form from the [Make a Parenting Plan](#) packet. Parenting Plan

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- ❖ This packet only discusses parenting plans. We do not recommend you file for a Residential Schedule. It does not say who can make decisions for the children. A parenting plan does. If you must use a Residential Schedule or have a strong preference, get the form (FL Parentage 304) at www.courts.wa.gov/forms.
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3. If you also want a court order of child support, fill out these forms from the [Child Support Worksheets and Order](#) packet:

- Financial Declaration(s) (each party should complete their own)
- Child Support Worksheets
- Sealed Birth Certificate or Paternity Document (with financial information attached) (each party should complete their own)
- Child Support Order

4. Complete these forms from the [Finalize a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) packet:

- Final Order and Findings for a Parenting Plan, Residential Schedule and/or Child Support

5. If you are agreeing to a Protection Order as part of this case, complete any necessary protection order forms.
6. To show the court you agree, you must both sign the Parenting Plan, any support worksheets and Child Support Order, and Final Order and Findings for a Parenting Plan, Residential Schedule and/or Child Support. Respondent can sign either the Joinder at the end of the Petition or a separate Agreement to Join Petition form. If Respondent is in the military or a protected military dependent, they must sign the Waiver of Rights under Service Members Civil Relief form.
7. Any other parties in your case must also sign the final papers.
8. You should each submit your own Financial Declaration, with supporting financial information attached to a Sealed Financial Source Documents Cover Sheet, so the judge can see you are setting child support correctly.
9. Find out how your county is implementing the law requiring JIS and database checks before entry of final parenting plans, and screening/assessments where limiting factors of domestic violence or child abuse are claimed. See the information box earlier in this packet. Follow necessary local procedures under this law.
10. Our [File an Agreed Petition for a Parenting Plan, Residential Schedule or Child Support: Parentage Cases](#) packet explains how to enter agreed final orders.



Part 11. Blank Forms

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

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