

# Respond to a Petition to Decide Parentage

## Instructions and Forms



Northwest Justice Project

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## Part 1. Important Information

### A. Should I use this?

This packet will help you respond to a Petition to Decide Parentage that was filed against you in a Washington State Superior Court.

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- ❖ Read this only if your case is in a Washington State Superior Court.
  - ❖ You can find all the Do-It-Yourself packets and fact sheets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).
- 

#### Before using this packet:

**Talk with a lawyer.** The law about parentage has changed a lot over the years. Even if you cannot afford to pay one to represent you, try to meet with a lawyer once for advice. A parentage case may affect many important legal rights. See “What if I Have Questions That This Packet Does Not Answer” below, for free and reduced-cost resources if you are low income. For general information, read [Parentage and Parenting Plans](#).

**Find out if your county has local Do-it-Yourself Parentage Resources.** Some counties have their own do-it-yourself packets on responding to a parentage case, available from the family law facilitator or court clerk. It may be easier to attend a class or use a local packet. They will include your county’s rules and forms.

### B. Respond on time!

When you are served with legal papers, you must act fast to figure out how to respond. If you do not respond on time, the other party may automatically win. **If the other party has served you with a motion and the petition, you may have a few days, or in an emergency, even less, to respond to the motion.** It may take time to find legal resources and read this packet. Start as soon as you get the papers. If you cannot respond in time, you must file a *Notice of Appearance* and try to get a *continuance of any upcoming hearings*. (We explain below.)

### C. What if I do not think Washington has jurisdiction over me?

If you have not lived in Washington, Washington may lack a type of authority (called personal jurisdiction) over you. If Washington does not have jurisdiction over you, the Washington court may not be able to order certain things, such as determining that you are the child's parent, or order you to pay child support. **If you think Washington does not have jurisdiction over you, you must raise this issue before filing anything with the court.** For help deciding if Washington has jurisdiction over you, talk with a lawyer. To learn more, read [Parentage and Parenting Plans](#) and the "Dealing with Deadlines" and Legal Issues" parts of this packet.

### D. What If I do not think Washington has jurisdiction over my children?

If another state or tribal court has already entered a custody order about your children, or your children have not lived in Washington for very long before the other party filed the parentage case, Washington may lack jurisdiction over your children. In that case, the court here should not decide custody. **You usually must raise this issue yourself.** For more about the UCCJEA, talk with a lawyer. Read [Which Court Can Enter Custody Orders? Frequently Asked Questions and Answers about Jurisdiction](#) to learn more.

### E. What if I agree with the Petition?

If you agree you are the child's parent, but you do not agree with everything the other party asked for in the petition and other papers, follow the instructions here for filing a Response. If you agree with **everything** the other party is asking for, see "What if I Agree with everything in the Petition?" below.

### 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 with forms or free legal clinics where you can get legal advice about your case.

- Do you live in King County? Call 211 weekdays 8: 00 a. m. - 6: 00 p. m. From a pay or public phone, call 1-800-621-4636. They will refer you to a legal aid provider.
- Apply online - [nwjustice.org/get-legal-help](https://nwjustice.org/get-legal-help)
- Call the CLEAR Legal Hotline at 1-888-201-1014.



## Part 2. Checklist of Steps

We explain many of these steps 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.** Look at all the papers you received. The Summons should say how much time you have to file your Response. Look at the deadlines rules in section 6. Make sure you know your deadlines. Look carefully to see if you were also served with any motions (like a Motion for Temporary Family Law Orders or Immediate Restraining Order). If you were, get our [Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) packets. You usually will have less time to respond to a motion than a petition.

- **Petition:** My deadline to Respond to the Petition is \_\_\_\_\_.

**Temporary Family Law Orders:** (If you received, or later receive, a Motion for these or an Immediate Restraining Order and Hearing Notice).

- The Temporary Family Law Orders hearing date is \_\_\_\_\_.
- The deadline to respond to a Motion for Temporary Family Law Orders or a Restraining Order and Hearing Notice is \_\_\_\_\_.
- See our [Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) packet.
- I  **do**  **do not** need to deliver working papers to the judge. See “Words and Expressions You Should Know” for definition of working papers.
- Put other deadlines here:  
\_\_\_\_\_

If you cannot respond on time, you must file and serve a Notice of Appearance, and try to get a continuance of any upcoming hearings. If you cannot get a continuance, you must file and serve a Notice of Appearance and get ready for the hearing. See the “Dealing with Deadlines” section and the instructions about the Notice of Appearance form.

- 2. Read the papers carefully to find out what the other party wants. Use a yellow highlighter.** Mark things in the other party’s papers that you want to respond to. Try to take the papers to a lawyer to read and give you advice about how to respond.
  
- 3. Gather your evidence and other forms not in this packet.** If possible, get the evidence you will need now, to use when filling out forms. Think carefully about what information will help show what you are telling the court is correct or what the other party is saying is not. Examples include:
  - **Declarations of Witnesses** – Declarations (sworn written statements) by you and people with personal knowledge about you, the other parties, or the children. See the section on Declarations below.
  - **Records** – including bills, records of past criminal convictions, medical or mental health treatment, grades and other school records, and daycare records.
  - **Photos** – if they help prove or disprove any issues.
  - **Financial Information** – if there are financial issues in the case, get evidence of your income and assets, and perhaps evidence of the other party’s income and assets. **Examples:** federal income tax returns, official letters from Social Security, L&I, Employment Security or DSHS saying how much you receive in benefits, bank account statements, and business records, or 1099 forms.
  
- 4. Check for and use special local forms, procedures and rules.**

Local court requirements will affect your case. Many counties have special forms you must use or local rules you must follow. Many counties require case schedules, classes, or settlement conferences.

Ask the clerk or facilitator for the court where your case is taking place about these local requirements. Tell them it is a parentage case. Requirements may differ.



Read your local court rules at your county's law library or online at [bit.ly/31Chwns](https://www.court.wa.gov/31Chwns).

Read the “*Words and Expressions You Should Know*” section of this packet if you do not know words used here.

Find out about at least these:

- If the county has its own packets or forms for your type of family law case, use those instead of ours. If you use our packet, get any other local forms you will need.
- If the court uses case schedules, and if the court requires the Petitioner to serve the schedule on you.
- If you want or need the court to appoint a GAL, if a program allows the appointment of one at no or reduced cost, and if there are special local forms to have a GAL appointed.
- Procedures for the court to check the judicial information system and databases before entering a permanent parenting plan to identify any information relevant to placing the child.
- In cases where someone is claiming a limiting factor such as domestic violence or child abuse, local court procedures 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 the parties.

If you have been served with a motion, make sure you know any special deadlines for responding to family law motions in your county. Also, see the “Deadlines and Legal Issues” section of this packet.

- **5. Get any other packets and forms you need.** Most people will need [Make a Parenting Plan](#). If you have been served with a motion, get our [Respond to Motions for Temporary or Immediate Restraining Orders: Parentage Cases](#) packets. You may need [Serving Papers on the State](#).

**Survivors of Domestic Violence:** If another party has a history of physically harming you or the children, or has threatened to, and you have had a dating, roommate, marital, or family relationship with them, you can file for a Protection Order for immediate protection. Protection Orders offer strong safety restraints. The police may take them more seriously than a restraining

order. Read [Protection orders: Can the civil legal system help protect me?](#), contact your local domestic violence program, or call the National Domestic Violence Hotline at 1-800-799-7233.

If you get a Protection Order during your case and want to ask the court to make it permanent and/or to cover the child for longer than one year, see the instructions later in this *Responding* packet for how to make this request in your Response form.

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❖ Talk with a lawyer before filing for a Protection Order if the court has entered a temporary parenting plan or custody order very recently.

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- 6. Make any challenges to the court’s jurisdiction or other legal motions.** This packet does not describe jurisdiction or motions in detail. The section called “Deadlines and Legal Issues” discusses what issues to raise in appropriate cases. Talk with a lawyer about these issues.
- 7. Follow the General Instructions and fill out captions of all forms you plan to use.**
- 8. Fill out all the forms you plan to use from this and other packets.**
- 9. Make the needed copies of the completed forms.**
- 10. File your response with the court clerk’s office in the Superior Courthouse of the county where your case is filed.**
- 11. Serve the papers on the other parties.** Often, the other parent is the only other party. In parentage cases filed by the State of Washington, you must serve the State. Other parties may include a non-parent who has custody of the child. Some cases have more than one possible parent. If you need or want to ask for a Guardian ad Litem (GAL), or the judge appoints one, the GAL also needs a copy of any papers you file.
- 12. File any motions you need.** You can file several types of motions in a parentage case. We have other packets for some motions. You typically may file more than one motion at the same time and ask the judge to hear all motions at once. This will save you and the other party time and money.

Among these motions are:

- **Motion for Genetic Testing.** If the alleged parent claims not to be the parent, or there is doubt about who the judge should name the child’s legal parent, the judge can order genetic testing. Use our [Parentage Cases: File a Motion for Genetic Testing](#) packet. The judge is likely to order one or more parties to pay for the tests. They often cost several hundred dollars. Health insurance will not cover the cost.
  - **Motion to Appoint a Guardian ad Litem, if you need or want one.** Use our [Ask for Temporary Family Law Orders: Parentage Cases](#) packet.
  - **Motion for Temporary Family Law Orders or a Motion for Immediate Restraining Orders,** if you want one or both. In general, you should file for Immediate Restraining Orders only if you need a court order immediately (such as when the other party is harassing you or is endangering the children or you). Use our [Ask for Temporary Family Law Orders: Parentage Cases](#) and/or [Ask for Immediate Restraining Orders: Parentage Case](#) packets.
- 13. Ask for Discovery, if you want it.** Discovery is the process of gathering information you may need to reach a settlement or present your case at trial. Through this process, you can learn how Petitioner views the case. You can ask the other parties or witnesses for information and documents that could help prove your case at trial. The facilitator may be able to give basic information about the process. Read [“Doing Discovery” in Family Law Cases: Interrogatories and Requests for Production](#) to learn more. You might also want to talk to a lawyer.
- 14. Take part in locally required conferences, classes, or mediations.** Many counties require you to take parenting classes. Some require mediation, settlement conferences, or status conferences. Read [Mediation: Should I Use It](#) to learn more.
- 15. Follow court orders entered during the case.** Examples include Temporary Family Law Orders, Order Appointing a GAL, or Order Requiring Genetic Testing.
- 16. As the case goes on, make sure you give other parties copies of anything you file in your case.**

- 17. Keep for your own records a copy of all documents you file with the court or get from other parties.** Create your own folder for these papers. Take them with you to hearings.
  
- 18. Finalize your parentage case.** The case is only over after the court enters final orders. Our [Finalize a Petition to Decide Parentage](#) has more information, and forms and instructions you can use.



## Part 3. Court forms in this packet

### A. Forms you need:

Court Form Title	Court Form Number
Response to Petition to Decide Parentage	FL Parentage 302
Confidential Information Form	FL All Family 001
Notice of Appearance	FL All Family 118
Proof of Mailing or Hand Delivery	FL All Family 112

### B. Forms you may need:

Court Form Title	Court Form Number
Declaration about a Child's Best Interest	FL Parentage 306
Declaration about Genetic Parentage	FL Parentage 307
Agreement to Join Petition (Joinder)	FL All Family 119



## 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 information below carefully. Check the boxes by the other packets you need.

**Washington Forms Online** helps people fill out family law forms. Some of the forms you need are available now. Visit [WashingtonLawHelp.org](https://www.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. You may also need:

[Make a Parenting Plan Printable Packet](#) or use [Washington Forms Online](#), a Washington Forms Online interview that will help you prepare this form – to respond to the other party’s request for court orders about custody and/or visitation. If you believe you are not the child’s parent and you want the judge to disestablish parentage, you may not need to file a parenting plan.

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❖ **This packet only simply 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.

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[Child Support Worksheets and Order Printable Packet](#) or use [Washington Forms Online](#)– if someone has asked for a support order.

[Ask for Temporary Family Law Orders: Parentage Cases](#) or [Ask for Immediate Restraining Orders: Parentage Cases](#) – to ask the court for orders that will be effective before the court enters your final parentage orders. For help deciding if you should ask for temporary or immediate restraining orders, talk with a lawyer. You can also use one of these packets to ask for a **Guardian Ad Litem**. The court may not be able to enter certain kinds of temporary relief (**example**: order an

alleged parent to pay child support) if parentage is denied and there is no genetic testing proving parentage.

[Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) – if another party files a motion for temporary family law orders or immediate restraining orders.

[Declaration about Public Assistance, FL All Family 132](#) - This optional form is not in our packets. You may need this form if your county requires it, or to verify that the child in the case has not gotten public assistance or been in foster care or out-of-home placement. You can get this form from [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).

[Sexual Assault Allegation, Order after Sexual Assault Fact-Finding Hearing](#), and [Child Support Order](#) (based on Order after Sexual Assault Fact-Finding Hearing) - FL Parentage 383, 385, & 386 – use these only if one of the child’s parents sexually assaulted the other and the child was born as a result.

[What are Working Copies?](#) – Even if your court rules do not require you to serve working papers or working copies, you should think about doing so. Read this to learn more.

[Serving Papers on the State](#) –If any party is asking for a child support order, and the child 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 papers you file.

[Petition for Protection Order, PO 001](#) - if you are asking, as part of this case, for a Protection Order, or to change one you already have. Get the forms from your court clerk, domestic violence advocacy program, or from [courts.wa.gov/forms](http://courts.wa.gov/forms). You can also use our printable [How to File for a Protection Order](#) packet. 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 Protection Order to your Answer does not give you any immediate protection. It only asks the court to enter a protection order at the end of your case.

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- ❖ Talk to a lawyer before filing for a Protection Order if the court has entered a temporary parenting plan or custody order very recently.
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**County Local Court Forms and Rules** – some counties have special rules for parentage cases that are not in this packet. Check with the court clerk or family law facilitator for more information.

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❖ **Some counties' forms and local rules are available online.** Check if yours are at [bit. ly/3lChwns](https://bit.ly/3lChwns).

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[Subpoenaing Witnesses or Documents](#) – to make sure important witnesses or documents are at trial.

[Parentage Cases: File a Motion for Genetic Testing](#) - If the State is not involved in your case, you can use this if someone denies they are the parent, or to let you rule out someone as child's parent.

[Finalize a Petition to Decide Parentage](#) – to finalize your case by agreement or after trial.

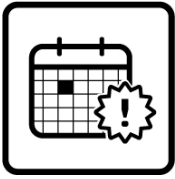
If you file certain **confidential information** during the case, you need certain forms to keep the private information out of the public court file. They are:

- 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, [courts.wa.gov/forms](https://courts.wa.gov/forms).

We also offer many other Do It Yourself packets, online forms and fact sheets. Visit [WashingtonLawHelp.org](https://WashingtonLawHelp.org) to view and download our free resources.





## Part 6. Deadlines and legal Issues

If the other party **did not** give you all the legal papers they should have, you can ask the court not to give them the relief they are asking for.

First, send the other party or their lawyer a letter listing the legal papers you believe you should have received but did not. If you got the papers late or do not get them at all, put in your response that you did not get all the papers as required. Attach a copy of your letter.

### A. Figure Out When You Must Respond

#### 1. Responding to the Petition:

You should have received a form called a **Summons** with the Petition to Decide Parentage. It should say how many days you have to Respond after the date you got the papers. If not, look at these deadlines.

IF you were personally served with parentage papers in Washington (an adult who is not the other party handed them to you, or handed them to a teenager or adult who lives with you), you have **20 days** from the date you got the papers to file your Response.

IF you were personally served in a state other than Washington, you have **60 days** from the date you got the papers to file your Response.

IF you were served by publication (a copy of the summons was published in the newspapers) in or outside of Washington, you have **60 days** from the first date the summons was published in the newspapers to file your Response.

IF you were served by certified mail in or outside of Washington, you have 90 days from the date you got the papers to file your Response.

#### 2. The deadline for responding to motions is different:

**Responding to Motions other than a Motion for Default.** If you were served with a Motion for Temporary Family Law Orders or Immediate Restraining Order and Hearing Notice with the Petition, you have much less time to respond to the motion

than to Respond to the petition. You may have only a few days, or even less. You must find out the deadline for responding to the motion, and not miss your hearing date. For non-emergency motions, the moving party must give you notice as many days before hearing as local rules require. In some counties, you must receive motion papers at least five court days before the hearing, not including the date that you got the papers. In other counties, you must get more notice. **Make Sure You Got Enough Notice. If the notice does not state the deadline, immediately call the clerk or facilitator, or check local court rules, to find out the deadline.** In most counties, you must file and serve your response to a motion no later than one court day before the hearing on the motion. In others, you must file and serve the response 4 or more days before the hearing. Read [Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) to learn more. There is more below about deadlines and responding.

a) **Responding to a Motion for Default.** If you are 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. If you are served with a Motion for Default and have not yet appeared in the case, you must prepare a Declaration and a Response, AND you may need court permission to file and serve your Response.

See more on dealing with deadlines below.

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- ❖ If you do not respond on time, the moving party may get an order automatically giving them everything they ask for. Even if you file and serve a Response, you must also go to the hearing. Otherwise, the court may give the other party what they have asked for at that hearing.
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## B. Jurisdiction

### 1. Does the court in Washington have jurisdiction over me (personal jurisdiction)?

The Washington court may be able to decide parentage and custody, even if you have never lived in this state. There are other ways a court can have personal jurisdiction. . One common reason for jurisdiction in parentage cases is the parties had sex in Washington State around the time that the mother got pregnant with the child.

If you have not had the minimum contacts with this state the law requires, Washington may not have personal jurisdiction over you. Without personal jurisdiction, the Washington court may not be able to decide you are a child's parent, or order you to pay child support.

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- ❖ If you think Washington may not have jurisdiction over you, you must challenge Washington's jurisdiction **before** filing anything else with the court. For help deciding if Washington has jurisdiction over you, talk with a lawyer.
- 

## 2. Does the court have jurisdiction to decide custody of the child (subject matter jurisdiction)?

If another state or tribal court has already entered a custody order about the child, or the child has not lived in Washington for very long before the petition was filed, the Washington court may lack jurisdiction to decide custody. (It might still be able to decide parentage and other issues.) The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), [RCW Ch. 26.27](#), determines Washington's jurisdiction to decide custody (subject matter jurisdiction).

If Washington lacks jurisdiction, the court here should not decide custody. For more about the UCCJEA, talk with a lawyer. Read [Which Court Can Enter Custody Orders? Frequently Asked Questions and Answers about Jurisdiction](#) to learn more.

## 3. What if I think the court lacks jurisdiction?

If you think the court in Washington lacks personal or subject matter jurisdiction, **talk to a lawyer**. If you have a low income, call CLEAR at 1-888-201-1014. In King County, call the King County Bar Association Neighborhood Legal Clinics program at (206) 267-7070 9:00 a. m. - noon, Monday – Thursday to get an appointment at a free family law clinic.

If you think the court lacks personal jurisdiction, do not do anything that could give it jurisdiction, such as signing agreed orders, asking it for something, filing papers that do not raise your jurisdiction defense, or showing up at a hearing **without contesting jurisdiction at the start of the hearing**. If you do not tell the court you think it lacks personal jurisdiction right at the start, you will probably lose your chance to object. [CR 12 \(b\),\(g\),\(h\)](#). You should, but do not have to, object to jurisdiction over the child (subject matter jurisdiction), early. [CR 12 \(h\)\(3\)](#).

You may decide to file a motion to dismiss for lack of jurisdiction. Talk to a lawyer.

## C. Decide If You Should File Your Own Motions

You may need or want to if, for example:

- you believe the court does not have jurisdiction
- you are on active military duty, or the dependent of someone who is
- you want immediate restraining orders or temporary family law orders, or the judge to appoint a GAL (see discussion above)
- you want genetic testing

You should file any motions before the hearing on motions scheduled by another party. If you do that, you may be able to schedule the hearing for all motions on the same day.

If you do not know if you should file a motion, talk with a lawyer. See also the list of self-help resources in this packet for resources on emergency and Temporary Family Law Orders and GALs.

## D. Dealing with deadlines

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- ❖ If you are in the military, or the dependent of someone who is, you may have special legal rights. **Get legal advice before filing anything** with the court and well before the deadline to respond to the legal papers you received.
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If you deny that the court has jurisdiction, make sure you contest jurisdiction before filing and serving your other court forms. If that is not possible, at least contest jurisdiction at the beginning of your responses.

### 1. Meet your Deadlines

Review the deadlines you calculated. You must file and serve papers in time. **The deadline for responding to a motion is often shorter than the deadline to file a Response to the Petition.** If hearings are coming up in your case, be sure to deliver working papers in advance for the judge.

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- ❖ Check with the clerk or facilitator about deadlines and the need for working papers. If you miss a deadline, file and serve your papers anyway and go to the hearing. If the other party objects at the hearing, try asking for a continuance (postponement) of the hearing so the judge will consider your papers.
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## 2. If You Need More Time

***To Respond to the Petition:*** If you do not have your Response to the Petition prepared, at least file and serve a Notice of Appearance and respond to motions. If you file and serve a Notice of Appearance or motions, or appear at hearings, Petitioner should give you notice before asking for an order of default against you. You should then file your Response as soon as possible. **If you are served with a Motion for Default, see “to respond to a Motion for Default,” below.**

***To respond to motions (other than a Motion for Default):*** Make sure you have filed and served a Notice of Appearance. Do not ignore a hearing, even if you got short notice! If you did not get enough legal notice of the hearing on a motion, the judge should not rule against you at the hearing. The judge may not know you got short notice. You must explain this in a declaration you file in response to the motion, and in person at the hearing. You can ask for a continuance (delay) of the hearing. You should still be ready for the hearing. The judge might not continue (delay) the hearing.

If you got enough legal notice, but simply cannot respond in time, you can still ask for a continuance. As soon as you can, contact every other party, or their lawyer, if they have one, if possible. You can call if the hearing is coming up fast, but email or fax is better. Say you need more time to respond to the papers. Ask for a new hearing date. Depending on your reasons for asking, you could ask for a week or longer.

You must ask for a continuance in advance if you know you need one. If you just show up for the hearing and ask there, the judge may order you to pay the other party for having to waste time appearing for the hearing if you could have asked for a continuance in advance. This is especially true if another party has a lawyer. The other party must pay the lawyer for the lawyer’s time even there is not a hearing.

If the moving party agrees to the continuance, ask for written confirmation that they have rescheduled the hearing. If you do not get this, assume the hearing is still taking place. Get ready and go. The court might need to approve any continuance.

If the other party will not agree to the continuance of the hearing, you can:

- a) **Respond the best you can, and get ready for the hearing.** Your declaration should first say that you want a continuance. If you did not get enough notice, say that. If you did, but you need more time, say that. Explain why. Describe your efforts to get an agreement for the continuance. File and serve a Notice of Appearance, if you have not already.
- b) **Make a Motion for Continuance.** You may not have enough time to give the other parties the notice required for a motion for continuance. You may need to get an Order Shortening Time (allowing you to bring your motion more quickly than usual. )This packet does not discuss this motion. Check with the facilitator.
- c) **Ask for a continuance at the hearing.** Go to the hearing. When they call your case, stand up. State your name. Say you would like a continuance. The judge may ask why, and may listen to the other party's reasons for objecting. If you tried to get the other party to agree before the hearing, let the judge know.

---

❖ The judge might not grant a continuance. Be as ready as you can be to have the hearing on the original date.

---

***To respond to a Motion for Default.*** If you do as described above but the judge does not continue the hearing, you must do all these:

- a) file and serve your Response to the petition before the deadline to respond to the motion for default.
- b) file and serve your declaration in response to the motion for default before the deadline to respond to it.
- c) if the motion for default was filed before you appeared in the case, you may need court permission ("leave of court") to Respond. There are no forms for that.

- d) go to the hearing, or make sure it has been cancelled.

If you do not do these things, the judge may enter a default judgment against you. In your declaration, ask the judge to deny the motion. Explain that you have now filed and served a Response to the Petition. Include any explanation for the late filing of your Response.

### **3. If you are already late in filing a Response to the Petition**

If your deadline for filing your Response to the petition has passed, you might still be able to Respond to the **Petition**. Ask the clerk if there is a Motion for Default, an Order of Default or final orders in your court file. If not, immediately file and serve a Notice of Appearance, or file and serve your jurisdictional defenses. Then file your Response as soon as possible.

If you are served with a Motion for Default, or this Motion has been filed with the court, filing a Notice of Appearance is not enough. See “to respond to a motion for default,” above.

If you learn the judge has already entered an order of default or final orders against you, you must act fast to ask the judge to cancel those orders. Read [How to File a Motion to Vacate Judgment/Order in a Family Law Case](#) to learn more. Talk to a lawyer.

### **4. If the hearing on a motion has already happened**

If you find out a hearing on a motion already happened, or the judge has entered orders against you, for example on a motion for Temporary Family Law Orders, talk with a lawyer right away. If you cannot afford a lawyer and live outside King County, contact CLEAR at 1-888-201-1014. If you live in King County, contact the King County Bar Association Neighborhood Legal Clinics program.

You may be able to ask the court to vacate (cancel) the orders, if you act fast. The longer you wait, the harder it may be.

Even if you missed the hearing on a motion, you can still file and serve a Response to the Petition, unless an Order of Default has been entered against you. (See the additional caution above, if a motion for default has been filed but you have not appeared in the case. )



## Part 7. General instructions for filling out forms

These instructions apply to all forms you fill out. They cover all family law cases. You may not use some of the information in your case. Read these before you start filling out any forms.

The caption is the name of your case. It is a section appearing at the top of the first page of every form. See the sample below:

<p style="text-align: center;"><b>Superior Court of Washington, County of _____</b></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>No. _____</p> <p>Notice of Hearing (NTHG) ←</p> <p><input checked="" type="checkbox"/> Clerk's action required: <b>1</b></p>
--	---

This **case type** is for a divorce.

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

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

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

**The caption** includes your case name and number, court name, title of the court paper, and, sometimes, type of case.

**Name of the court** is on the top of the first page in the space where it reads "Superior Court of Washington County of ." Put the name of the county shown on the petition you got.



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

**Case number.** When Petitioner first files the case and pays the filing fee, the court clerk assigns a case number. You must put that number on every paper you file and serve. Put it near the top on the right-hand section of the first page of every form after "No. " (abbreviation for "number")

- 
- ❖ You can print the case number **or** there may be a special stamp at the court clerk's counter to stamp it on each paper. If you do not put the number on the first page of everything you file and serve, your papers may be lost, or the clerk may return them to you. Some courts will fine you for filing incorrect forms.
- 

Each form has a **title** directly under the case caption. You might have to add more information to finish 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 them must follow court rules about format. 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. 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.** The last page of most forms (not including orders) has a space for the person who filled the form out to put the date they signed it. The judge puts dates in orders when the judge signs them.

**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.” 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.

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

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

- **Judge’s Signature:** Leave the judge’s signature line and the date blank.
- **Other party’s signature:** Some forms have a place for other parties to sign. You cannot force another party to sign a court paper. If you have prepared an order after a hearing, the other party might agree to sign it if she agrees it accurately states the judge’s decisions (or the judge may require the other party to sign), even if the party is not happy with the decision itself.

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

*May be signed by the court without notice to me.* If you are the respondent or nonmoving party, or you did not prepare the order, the other party may ask you to check this box and sign underneath. Doing this is 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:** A witness or the person serving papers must fill out all information correctly and sign in the right space.

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



## Part 8. Identifying information in court forms

Court rules try to protect privacy but also allow public access to some information in court files.

### A. Things you should not put in most court papers

Court rules try to protect privacy in family law cases. Almost everything filed with the court is available to the public. It may also be publicly available online.

Except where instructions about a specific form tell you otherwise (Example: the forms in section C below), use these rules for papers you file with the court.

- **Address (Where you Live) and Phone Number:** Put an address where you can get mail from the court. It does not have to be your home address. Give the court a phone number where they can reach you.
- **Social Security/Driver's License, ID Numbers of Adults and Children:** Put only the last 4 digits.
- **Bank Account, Credit Card Numbers:** Put the bank name, type of account (savings, checking, and so on), and last four digits of the account number.

### B. Private information you should file with sealed cover sheets

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

- **Financial Information:** You must attach any file 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 anything with information 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. You attach the private section to a Sealed Confidential Reports Cover Sheet.
- **Retirement Plan Orders:** Certain retirement information belongs in the public file. “Retirement Plan Orders” do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See 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 have that paper, or part of it, sealed. Talk to a lawyer.

### C. What forms to put private information on

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

You must fill out your personal information 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 9. How to fill out each form

### A. Response to Petition to Decide Parentage – FL Parentage 302

The Response is your chance to answer what the Petition to Decide Parentage says. Look at the Petition while filling out the Response.

**Caption.** Fill out the caption as shown in the General Instructions.

**1. Your response.** When filling out this part, read each corresponding part of the Petition.

Check **I agree** if you agree with that section’s statement in the Petition. Check **I disagree** if that is true of any statement in that section. Check **I do not know** if true of that section. You must do this for each section of the petition. If an item in the petition refers to another document, read that document before deciding to admit or deny that paragraph in the petition. **Example:** Petitioner checked the box in the petition asking for a protection order. You must read the protection order petition she filed or attached before deciding if you agree with this section in the petition to change custody.

Starting on page 2, you must explain anything you disagreed with in the first part of this section. After the section number, in **reason**, put a sentence or two about why you disagreed with that section.

- 
- ❖ **If you are not sure Washington has jurisdiction over you**, talk with a lawyer. [Parentage and Parenting Plans](#) has general information about what the court may **not** be able to do if Washington does not have jurisdiction over you.
  
  - ❖ **For more on deciding if Washington has jurisdiction over your children**, read [Parentage and Parenting Plans](#) and [Which Court Can Enter Custody Orders? Questions and Answers about Jurisdiction](#) to learn more, or talk to a lawyer.
-

**2. Parentage.** Check the box that applies to you. Put the child's name in the blank.

**3. Sexual Assault.**

Check the second box if this is true in your case. Follow the directions in **Important!** Otherwise, check the first box and skip to 4.

**4. Protection Order.**

Check **no** and skip to 5 if you do not need a protection order.

Check **yes** and follow the instructions if you want one.

Check the third box if true. Put the information requested.

---

❖ **If you attach a petition for a protection order to your Response**, you must have the Response and Petition for Protection Order hand-delivered to (personally served on) the other party. Use our [File a Petition to Change Your Parenting Plan, Residential Schedule, or Custody Order](#) packet.

---

**5. Restraining order.** Check **no** and skip to 6 if you do not need a restraining order. Check **yes** if you do. Then check the boxes underneath showing what you want the restraining order to do. Follow the instructions in the **Important!** box at the end of the section if you want a restraining order now, instead of waiting until the end of the case. If you check **stay away** and then the first box immediately underneath, a common distance to put is 500 feet, about the length of a football field.

**6. Requests.** Check **Dismiss** if you want the court to dismiss the petition. This means the court will not decide if you are the child's parent. In the blank, put why you want the court to dismiss the case.

Otherwise, check **Decide Parentage** if that is what you want, and all boxes underneath that apply. If you are not the biological parent, but you believe you should be a legal parent because you have acted as one, check the third box immediately underneath (about being a *De Facto* parent) and follow its instructions.

**And approve the following orders:** If the child was conceived from a rape, check **sexual assault**. You will need to get the form mentioned in this section and fill it out. If you want to submit your own **Parenting Plan** or **Child Support** order for the court to sign, check those boxes as appropriate. You will need to get those forms if you want to propose a parenting plan or child support order. If you said you want a **protection order** in #4, or a **restraining order** in #5, check those boxes here and get the forms you need.

- 
- ❖ See “Other court forms and documents you may need to get,” below for links to additional forms and packets.
- 

**Respondent fills out below.** Check the box if you are attaching anything to your Response, and put how many pages it is. Date the form. Sign and print your name where it says. Check **the following address** and put where you want to get notices from the court and the other parties about the case. If you do not use your home address, use one where you can reliably, immediately get mail. **Examples:** you can use a P. O. Box, or the address of a responsible friend who will give you mail as soon as it arrives. List your email address **only** if it is an account you will check regularly, like every day.

## **B. Confidential Information Form - FL All Family 001**

In family law cases, you must give the court certain private information about yourself and the other people involved in the case.

You must fill out this form with that information and file the original of it with the court clerk. Make a copy of this form to keep for yourself. **Do not serve the Confidential Information Form on the other parties.**

The Confidential Information Form is normally not available to the other parties or their 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). Those agencies 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.
- 

**In the box in the top left-hand corner,** 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.

### **1. Put your name.**

2. If there is no current restraining order or protection order in place, check no and skip to 3. If the court issues such orders later in this case, you will need to file a revised and updated form. **Check “yes” if restraining orders or protection orders are currently in place.** In the blank, put who the orders protect.

**Check “yes” if you believe an adult’s or a child’s safety would be at risk by listing your home address.** In the blank, explain why.

**Your Information:** Put the information requested.

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

---

**Other Party’s Information.** Put as much of the information requested as you can. Use the Attachment to Confidential Information if there is more than one respondent.

**Children’s Information.** Put as much of the information requested as you can.

**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.

**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.

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

## C. Notice of Appearance – FL All Family 118

You will use this form to tell the court you are going to take part in the case and you want notice of what is happening.

**Caption.** Fill out the caption.

1. Put your name.
2. Read this.



3. Put your mailing address. If you are afraid to give the other parties your address, use an address where you will **reliably and immediately** learn about mail that arrives for you.

4. You can list an additional email address if you want, and if you will check that email account often.

Sign and date where it says.

- 
- ❖ If the mailing address you use in the Notice of Appearance later changes, you must fill out, file, and serve the other party with a [Notice of Address Change](#), FL All Family 120.
- 

## D. Declaration about a Child's Best Interest– FL Parentage 306

Use this form **only** if one or both of these is true:

- You are challenging a legal parent in this case
- There is more than one respondent

If there is more than one child in your case, you must fill out a separate form for each child.

**Caption.** Fill out the caption.

**I declare.** Put your name.

**1. Child.** Put the information requested.

**2. Type of claim.** Follow the instructions. Take your time with this section and the next. Read carefully. It may help to have the **Words and Expressions You Should Know** from this packet handy.

**3. through 8.** Answer these truthfully the best you are able.

**Signed at:** Put the place and date you are signing this form. Then sign and print your name.

## E. Declaration about Genetic Parentage – FL Parentage 307

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❖ Use this **only** if you are or maybe a genetic parent. Otherwise, skip it.

---

Fill out the caption.

**I declare:** Give the information requested.

**1. My relationship to this child:** If you gave birth to the child, check **I am this child's parent because** and then the first box underneath.

If you had sex with the woman who gave birth to the child around the time the child was probably conceived, check **I may be this child's parent because**. Put the child's name in the blank. Check the first box under that if you are sure you are the parent. Check the second box if you are not sure.

Check **I am not this child's parent because** if you do filed this Petition to establish someone else as parent. Put the child's name. Check the first box underneath.

**2. Could this child have been conceived in Washington state?** If you check **yes**, fill out the blanks as needed.

**3. Lawyer for the State:** Read this. Do not make any changes to it.

**4. Other information about parentage:** Most people will not put anything here.

**Signed at:** Put the place and date you are signing this form. Then sign and print your name



## Part 10. How to file forms with the court

**Make sure you know who must be served or is a party to the case.** The caption should list the other parties by name. The petitioner might be the only other party. If the child has ever gotten public assistance (TANF) or Medicaid, or is in foster care or out-of-home placement, you must serve copies on the State of Washington. Our [Serving Papers on the State](#) packet has forms and instructions for this. If the court has appointed a GAL, you must have the GAL served, too. **Figure out how many copies of each form you will need. Make the copies.**

You will file the original of each form with the court clerk in the county where Petitioner filed the case. Make copies as follows: (**except**, if you have prepared the Confidential Information Form, make just make one copy, for yourself, of these three forms).

- \_\_\_\_\_ One copy of each form for yourself.
- \_\_\_\_\_ One copy of each form for the other party.
- \_\_\_\_\_ If there are other individual parties one copy of each form for each of these parties (1 x \_\_\_ number of other parties).
- \_\_\_\_\_ One for the State (if you are serving the State).
- \_\_\_\_\_ One for the GAL if there is one in your case.
- \_\_\_\_\_ One copy as working papers, if local court rules require it and 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 any Attachment. Do not serve these forms on any other party).

**Organize Your Papers.** Make a set of the papers for the court and for each party. Put all the originals into the court's set. Put the copy of the Confidential Information Form and any Attachment, if you are using these, into your own set. Compare each set to the checklists in this packet. Make 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. Use the address on your Response or Notice of Appearance.
- Take the originals and copies to the superior court clerk's office in the courthouse where the case has been filed.** Give the clerk the originals for filing. If you have any proposed orders for upcoming hearings, ask the clerk what to do with the originals of them.



## Part 11. How to serve forms

After filing your papers with the court, you must have them properly served on (delivered to) the other parties. **Do not** serve the Confidential Information form and any Attachment.

### A. **Make sure service is completed before the deadline for your response.**

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

The court does not 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, you can have most papers served on the other party by mail or hand delivery. We explain below.

Carefully follow the rules about service.

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

## **B. Mail or deliver your papers to the other parties or their lawyers.**

Since you are responding, you can give the other parties your papers by regular mail or hand delivery. While the case is going on, if a party has given you an address for service of legal papers (**examples:** in the Summons form, a Notice of Appearance, or a Response), serve them there. If a party has a lawyer, have the papers delivered to the lawyer.

## **C. Service must be completed before your deadline.**

**Do not deliver or mail the papers yourself.** Ask an adult friend or relative to do it for you.

**When your friend has mailed or delivered the papers to a party, have your friend fill out the Proof of Mailing or Hand Delivery the same day.** Your server should fill out a separate form for each person she mails or delivers papers to. You then file the original Proof of Mailing or Hand Delivery. Keep a conformed copy for your records.

- **Mailing:** If your friend mails the papers, she must add three days to the number of days' notice required for your response. When counting, do not count the day of service (or mailing), weekends, or court holidays. **Example: a document mailed on a Monday is 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 "served" until the next court day.

If you have a document sent by regular mail, have an extra copy sent by certified mail, return receipt requested, for more proof of mailing. Staple the green return receipt card to the Proof of Mailing or Hand Delivery.

- **Hand delivery:** You can have the papers hand-delivered to the other party, instead of mailed. "Delivering" means one of these:
  - handing it to the lawyer or party

- leaving it at his office with their clerk or other person in charge of the office

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❖ You should only serve other parties at their offices if they have used that as their service address in a Notice of Appearance, Petition, Notice of Address Change, or Response form.

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- 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)
- If the office is closed or the person has no office, leaving it at the party's home with an adult living there

## D. Instructions for the Proof of Mailing or Hand Delivery – FL All Family 112

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

**Caption.** Fill in the caption.

1. Have your server check the third box and put their name.
2. In the first blank, the server should put the date they delivered the papers. In the second blank, the server should put who they delivered the papers to. Then the server should check the boxes and fill out any blanks as needed to show how they delivered the other party.
3. **List all documents you served:** Your server must check the box for **every form the server** delivered to the other party. If the server leaves out a form, you will have no proof it was served.

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

## E. Filing the Proofs of Mailing or Hand Delivery

**Make one copy of each completed Proof of Mailing or Hand Delivery.** Do not give the other parties copies of this form. If you mailed a copy of the forms by certified mail, and have a receipt back from the post office, attach it to the Proof of Mailing or Hand Delivery you file with the clerk. Make a copy for your records. If you used certified mail but do not have the green receipt back when filing the Proof of Mailing or Hand Delivery, file it later, attached to a page labeled with your case caption.



## Part 12. What if I agree with everything in the petition?

If you agree with everything requested in the petition and related forms (parenting plan, child support worksheets), fill out and sign the Agreement to Join Petition form in this packet. Then you may finalize the case more quickly and easily.

- 
- ❖ You do not **have** to sign an Agreement to Join Petition form.
  
  - ❖ If you disagree with anything in the petition or any related paper, or you agree with everything but want to be sure the court does not approve final agreed papers until you sign them, do not sign the Agreement to Join Petition.
  
  - ❖ Signing the Agreement to Join Petition gives the other party permission to enter final papers without your further approval or your signature on the papers.
- 

Even if you agree to everything requested, instead of signing the Agreement to Join Petition, you should ask to see and read the proposed final orders before the other party takes them to the judge. If the proposed final papers correctly show your agreement, sign them. You can be more confident the final papers accurately show your agreement.

If you agree with everything the petition and every related paper asked for, and do not think you need to sign the final orders before they are presented to the judge, fill out the Agreement to Join Petition. Signing it can make it easier and quicker to finish the case. It also has risks. Talk with a lawyer (**not the other party's lawyer**) before signing an Agreement to Join Petition to understand any legal rights you are giving up.

### A. Agreement to Join Petition (Joinder) form - FL All Family 119 (if you decide to use it)

Signing this form



- Gives the other party **permission to enter final papers without your further approval** or signature on the final papers.
- **Tells the judge you agree** that the court can enter final orders as requested in the petition and related papers.

---

❖ Read the above before deciding to sign this form.

---

**Caption.** Fill out the caption.

**1.** Put your name.

**2.** Check the first box if you do not want notice of any future hearings or decisions. Check the second box if you want the other party to send you the notice of hearings to finish your case. **Checking this box does not mean Petitioner must get your signature on the final papers.** It just means you want him to send you notice. In the blank, put your address. If you do not give your home address, make sure you use a reliable mailing address where you will immediately learn of papers arriving for you. If you are sure that you do not want the other party to give you notice before the court enters final orders, check the first box.

**Other.** Most people will not put anything here.

**Signature.** Sign and date where it says.

## **B. How to file the Agreement to Join Petition (if you chose to sign it)**

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



## Part 13. If you are in the military or the dependent of someone who is

If you are on active duty in the U. S. Armed Forces, or the dependent of someone who is, you have special protections under the Service Members' Civil Relief Acts. **Before doing anything else in this case, contact a lawyer or your JAG (Judge Advocate General) right away for advice about how to protect your rights under the SCRA.** Act quickly. Your time to respond is limited.



## Part 14. Checklists of Forms

**List A:** Get these forms to respond to the petition:

- Notice of Appearance (in this packet)
- Response (in this packet)
- Confidential Information Form & Attachment (in this packet) - do not serve this on the other parties.
- Locally required forms
- Declaration about Genetic Parentage (as needed) (in this packet)
- Declaration about a Child's Best Interest (as needed) (in this packet)

**List B:** Most people will also need these forms. They are in the [Make a Parenting Plan](#) and the [Child Support Worksheets and Order](#) packets.

- Proposed Parenting Plan
- Child Support Worksheets
- Financial Declaration
- Sealed Financial Source Documents Coversheet with required proof of income attached
  - Last 2-3 years of income tax returns (or W2s, 1099s or other proof of yearly income if you have not filed yet)
  - Paystubs for the most recent month (or more. See your local court rules).
  - If you do not have paystubs, other proof of your income (statement showing the amount of benefits you receive, business records & expense records, and so on)
  - Other financial documents, such as bank statements, may be required by your local court rules.

- Proof of child-related expenses, if you are asking that they be included in calculating support (**examples:** daycare payments, health insurance premiums, uninsured medical, and so on)

**List C:** Get these forms if a party requests financial relief such as attorney fees, or payment of a GAL fee.

- Financial Declaration (in the Child Support Worksheets and Order packet)
- Sealed Financial Source Documents Coversheet with Required proof of income
- Proof of the expenses you claim (**example:** bills from your lawyer)

**List D:** If you are requesting a domestic violence protection order as part of your parentage case, get the Petition for Protection Order, and related forms, from the court clerk, or use our [How to File for a Protection Order](#) packet, or go to a domestic violence advocacy program for help. The Call National Domestic Violence Hotline at 1. 800. 799. 7233.

**List E:** Get these if the child the Petition covers was conceived from a rape: Sexual Assault Allegation, Order after Sexual Assault Fact-Finding Hearing, and Child Support Order (based on Order after Sexual Assault Fact-Finding Hearing) (not in this packet)

**List F:** Use this form to prove service on the other parties of your Response and other papers:

- Proof of Mailing or Hand Delivery (in this packet)

**List G:** If you file any confidential reports, financial records, or health care records during your case, use one or more of the following forms:

- Sealed Personal Health Care Records (Cover Sheet)
- Sealed Confidential Report (Cover Sheet)
- Sealed Financial Source Documents (Cover Sheet)

**List H:** If you file or respond to motions for temporary or immediate restraining orders, use forms from our packets on responding to motions for temporary or immediate restraining orders.

**List I:** If your case goes to trial, or you finalize your case by agreement, you need more papers not covered here.



## Part 15. Words and expressions you should know

You may not need every definition in this section.

Administrative order: an order issued not by a court, but by a government agency, like [Washington's Office of Administrative Hearings](#), in matters involving citizens and government agencies.

Acknowledgment of Parentage: See Paternity Affidavit.

Alleged parent: Someone who might be a child's parent. Their parentage has not been legally determined yet.

Appearance: Letting the court and the parties know about your whereabouts and your desire to take part in the case. You can do this in-person at a court hearing or in writing. Most people do this by filing and serving a Notice of Appearance. Certain informal actions, such as negotiating, calling about the case, or writing a letter, might also count as an appearance.

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

Caption: The heading of each legal document. It has the court's name, parties' names, case number, name of the document itself, and, sometimes, type of case.

Case Schedule: A printed schedule some courts issue. It shows major dates and deadlines in your case.

Clerk of the Court, or Court Clerk: Officer of the court handling clerical matters like keeping records, entering judgments, and providing certified copies. Each courthouse has a Superior Court Clerk's Office. Someone on clerk's office staff is usually in the courtroom during hearings.

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

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

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

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

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

Default Order: An order Petitioner can request if one of these is true:

- Respondent does not file a Response before the deadline
- if she has appeared in the case, if she does not file a Response after being served with a Motion for Default

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

Guardian ad Litem (GAL): a person the judge appoints in some cases to investigate the issues and make recommendations to the court about the children's best interests. If the judge appoints a GAL, you must serve the GAL with any papers filed. The GAL's signature may be required on court orders.

Hearing: Going before a judge to request a court order or argue against another party's request. Hearings usually take place before the trial and concern specific issues (**example**: temporary relief). Hearings on important issues (**example**: motions to dismiss) may end the case. In many counties, the court does not allow live witness testimony at hearings. Instead, you must file and serve materials in advance in writing.

Immediate Restraining Order: An order the judge signs if emergency circumstances require protection before there can be a temporary hearing.

Jurisdiction: The court's authority to make decisions regarding certain people and issues. A court that does not have jurisdiction has no authority to make orders over the person or subject affected.

Mediation: A meeting between the parties to a court case and a neutral third party (**examples**: a mental health professional, retired judge, or lawyer not otherwise involved in the case), where you try to reach agreement (mediate) about the issues.

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

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

Notice of Appearance: A paper you file with the court and serve on other parties showing you want to take part in the case, and saying where to send papers filed about the case.

Order: A court document a judge signs requiring someone to do (or not do) something. **Examples**: restraining orders, parenting plans, Findings and Conclusions. If you disobey a court order, the judge may hold you in contempt. **An order is not in effect until a judge has signed it.** Check if an order you are served with is only a proposed order or if the judge has actually signed it. (See “proposed order” definition. )

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

Parentage: Legal name for the legal relationship between an unmarried parent and their child. Also the name of the type of court case.

Parentage Acknowledgment: See Paternity Affidavit, below.

Parentage Case: A court case to decide parentage of a child of unmarried parents.

Parenting Plan: A proposal or, if signed by a judge, a court order stating when the child will be with each party, who will make major decisions about the child, and how you will resolve disputes about the child.

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

Paternity Affidavit or Paternity Acknowledgment: Starting in 2019, we call this a Parentage Acknowledgment. Before 2019, unmarried parents could only use this form to state the identity of a child’s father. Starting in 2019, unmarried parents can now use this form to state the identity of any parent.

Petition: The document that starts a case and asks the court for a final order.

Petitioner: The person who files a legal case. Parentage cases filed by the State of Washington are often filed as “the State of Washington on behalf of” the child.

Proposed Order: A document you will ask the judge to sign. Your county may require you to file and serve proposed orders with motions or responses to motions, to show how you want the court to decide the motion. Even if your county does not require it, you should do this anyway. A proposed order becomes an order if the judge signs it.

Respondent: The person against whom a legal case was originally filed. Here, that is you.

Response: Your formal written answer to the Petition. It can also mean the papers you file in response to a motion. It can be confusing. Here, “Response” with a capital “R” refers to the Response form. We use a small “r” for all types of responses.

Restraining Order: A court order to keep a party from doing something that may harm you or the child.

Service: Giving court papers to the other party. The law defines ways of service that are legally acceptable. A Petitioner who files a case must arrange for the Summons, Petition, and other papers that start the case to be properly hand-delivered or, in some cases, sent by certified mail or published in a newspaper. After service of the initial Summons and Petition, you can have many later papers served by mail.

Summons: Written notice that Petitioner has filed a case.

Temporary Family Law Order: An order entered before a case is final, and only in effect while the case is going on. Some Temporary Family Law Orders may end at a fixed time, even before the case ends.

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

Working papers or working copies: Local court rules may require you to deliver an extra copy of all of papers for your hearing, including proposed orders, for the judge to read. We call this set Working Papers. Read local court rules and [What are Working Copies](#), and check with the Facilitator or clerk.





## Part 16. 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 many 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](http://www.courts.wa.gov/forms).