

File a Petition to Decide Parentage

Instructions and Forms



Northwest Justice Project

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Part 1. Important Info

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- ❖ You can find all the packets and fact sheets we link to here at WashingtonLawHelp.org.
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A. Should I use this?

Yes, you should use this packet if both of these are true:

1. You are not married to or in a domestic relationship with your child's other parent
2. You want to file a court case to decide your child's parentage (have a court decide who a parent is)

You might also be able to get a custody order (called a parenting plan) and/or a court order for child support.

Before using this packet:

1. **Talk with a lawyer.** Even if you cannot afford to pay one to represent you, a lawyer can advise you about important legal rights that may affect your case. "What If I have Questions," below, suggests where you can try to get free or reduced fee help.
2. **Read up on parentage law**, if you can. [Parentage and Parenting Plans](#) has general information.
3. **Think about asking the State (the Prosecuting Attorney's Office) to file a parentage case** on your child's behalf. They will do much of the paperwork, file the case and serve the other party, and help the case move through the court.

However, the prosecutor is not your lawyer, or the other party's. The prosecutor represents the child's interest in having parentage decided and the State's interest in any child support owed the State if the child got TANF or Medicaid, or is in foster care or out-of-home placement.

Asking the State to file may mean everything takes longer. The prosecutor must agree with any final settlement you make with the other party. Talk to a lawyer about whether you should ask the State to file.

4. Find out if your county has local Do-it-Yourself Parentage Resources.

Some have their own packets on filing a parentage case, available from your local family law facilitator or court clerk. You may find it easier to take a class or use a local packet. They will include your county's rules and forms.

B. How much will it cost to file my case?

The costs include a filing fee of \$200 - \$260, copying fees, and maybe fees for service (delivering the papers to the other parties).

If you cannot afford it, you can file a motion asking the judge to waive (cancel) the filing fee. See Section 4. Any genetic testing in the case can cost several hundred dollars.

C. Where should I file my Petition?

If Washington has authority to hear the case (jurisdiction), you can file in the county where the child lives or is found.

If the child does not live in Washington, you can file in the county where the other party lives or is found. If you have questions about this, talk with a lawyer.

D. Washington Forms Online

Washington Forms Online 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 [WashingtonLawHelp.org/resource/Washington-forms-online](https://www.WashingtonLawHelp.org/resource/Washington-forms-online) to see what forms are available. Other packets we recommend here may also be available.

E. 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. Some counties have family law facilitators who can help with forms or free legal clinics where you can get advice about your case.

- **Apply online** with [CLEAR*Online -nwjustice.org/apply-online](https://nwjustice.org/apply-online)
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at nwjustice.org/apply-online.
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.
- **Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.



Part 2. Checklist of Steps

We explain many of these steps in more detail later.

- 1. Learn about the law.** Read [Parentage and Parenting Plans](#).
- 2. Learn about special rules your court has.** This could affect how you handle your case. Many counties have special forms you must use, or local rules you must follow. You must learn and follow local court requirements.

Ask the clerk or facilitator (if there is one) about local requirements. Tell them the kind of family law case you have. Requirements may differ.

Read your local court rules at your county law library or check bit.ly/3G3MeV8.

Find out about at least these:

- If the county has its own packets or forms for your type of family law case. If so, use those, not ours. If you use our packet, get any other local forms you will need.
- If the court uses case schedules, and if you have to serve the case schedule on the other parties.
- If you need or want the court to appoint a Guardian ad Litem (GAL), if there is any program for this at no or lower cost, and if there are special local forms to have a GAL appointed.

❖ **What is a GAL?** The court may appoint a GAL to investigate and report to the court on issues affecting the child's best interests such as custody, visitation, and/or whether to order genetic testing.

- 3. Make sure you know the other party's address.** You need it to serve them with the Petition and other forms. If there is more than one party, you need the address for each.
- 4. Fill out the forms you plan to use.**

- 5.** Copy the finished forms.
- 6.** Pay the filing fee, or ask for the court to waive (excuse you from paying) the fee.
- 7. File your papers with the court clerk's office** in the Superior Courthouse of the county where you are filing your case.
- 8.** Make the needed extra copies of forms.
- 9.** Arrange to serve the papers on the other parties:
 - A.** Decide if you will *ask the other party to accept service*. If not, or they refuse, then
 - B.** *Try to have the other party personally served* (have the papers hand-delivered to them). If hand delivery cannot happen and they will not accept service, then
 - C.** *Serve by other means, but only if you have to*. This may not give the court the jurisdiction it needs to decide if someone is a child's parent. The court might still be able to decide some of the other issues in the case. Use our [Service by Certified Mail or Publication](#) packet.
- 10.** File the completed Service Accepted or Proof of Personal Service.
- 11.** You must give other parties copies other papers you file in your case as the case goes on.
- 12.** Keep a copy for your own records of everything you file with the court or get from other parties. Create your own folder for these papers. Take them with you to hearings in your case.
- 13. File any motions you need.** You can file a variety of motions. We have packets for some. You usually can file more than one motion at the same time and ask the judge to hear them at the same time.

This saves time and money. Some motions are:

- A. **Motion for Genetic Testing** – if the person you say is a parent denies it, or there is any doubt about it. Use our [Parentage Cases: File a Motion for Genetic Testing](#) packet. The court will probably order at least one of you to pay for genetic testing. This often costs several hundred dollars. Health insurance does not usually cover these tests.

- B. **B. Motion to Appoint a Guardian ad Litem (GAL), if you need or want one.** Use our [Ask for Temporary Family Law Orders: Parentage Cases](#) packet.

- C. **Motion for Temporary Family Law Orders or Immediate Restraining Orders** if you want either or both. In general, you should file for Immediate Restraining Orders only if you need a court order immediately.

Examples: the other party is harassing you, or endangering you or the children.) Use our [Ask for Temporary Family Law Orders: Parentage Cases](#) packet and/or our [Ask for Immediate Restraining Orders: Parentage Cases](#) packet.

- 14. Take part in locally required conferences, classes, or mediations.** Many counties require you to take parenting classes. Some require mediation, settlement conferences, or other kinds of conferences. Find out your county's procedures.

- 15. 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 the other party views the case. You can also ask the other party or witnesses for information and documents that could help you prove your case if you go to trial. Read ["Doing Discovery" in Family Law Cases: Interrogatories and Requests for Production](#). You should also talk to a lawyer.

- 16. Follow court orders entered during the case.** This could include Temporary Family Law Orders, Order Appointing a GAL, Order Requiring Genetic Testing.

- 17. Wait until the other party's time to file a response to your petition ends.** The other party may not file anything.

- **18. Finalize your parentage case. The case is not over until the court enters a final order.** Get [Finalize a Petition to Decide Parentage](#).



Part 3. Court forms in this packet

This packet has many of the forms you need to file a Petition to Decide Parentage.

A. Forms you will need

Court Form Title	Court Form Number
Family Case Information Cover Sheet	
Confidential Information Form	FL All Family 001
Proof of Personal Service	FL All Family 101
Summons (Parentage)	FL Parentage 300
Petition to Decide Parentage	FL Parentage 301

B. Forms you *may* need

Court Form Title	Court Form Number
Declaration: Personal Service Could Not be Made in Washington	FL All Family 102
Service Accepted	FL All Family 117
Declaration about a Child's Best Interest	FL Parentage 306
Declaration about Genetic Parentage	FL Parentage 307



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 this section carefully. Check the boxes by the other packets you need.

Visit [WashingtonLawHelp.org](https://www.washingtonlawhelp.org) to download packets or use [Washington Forms Online](#), which helps people fill out family law forms.

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

- [Child Support Worksheets and Order](#) or [Child Support Worksheets and Order](#) (Washington Forms Online): When someone has asked for a child support order.
 - [Make a Parenting Plan Printable Packet](#) or use [Make a Parenting Plan](#) (Washington Forms Online): To ask for court orders about custody and/or visitation.
-
- ❖ If you believe you are not the child's parent, and you are filing to get a court order saying just that, you may not need to file a parenting plan.
-
- [Ask the Court to Waive Your Filing Fee Printable Packet](#) or use [Ask the Court to Waive Your Filing Fee](#) (Washington Forms Online): To ask the court to waive (cancel) the filing fee required to file court papers in a civil case because you cannot afford to pay it.
 - [Service by Certified Mail or Publication](#): If you have tried to serve any other party by hand delivery, but could not do so, use this to ask for court permission to serve one of these ways. **This type of service may not give the court jurisdiction to decide that someone is a child's parent.**
 - Declaration about Public Assistance FL All Family 132** - This is optional form is not in our packets. You may need it if your county requires it, or to verify that no child in the case has gotten public assistance or is in foster care

or out-of-home placement. You can get this form at courts.wa.gov/forms.

- [Serving Papers on the State](#): If any party is asking the court to order child support, and a child has gotten TANF, medical coupons or Medicaid, or is in foster care or out-of-home placement, get this. You must include the state as a party and serve them with papers you file.
- [What are Working Copies?](#): Your court rules may require you to serve working papers or working copies. You should do this even if not required.
- [Ask for Temporary Family Law Orders: Parentage Cases](#) or [Ask for Immediate Restraining Orders: Parentage Cases](#): To ask for a court order before the court enters final orders. For help deciding if you should ask for either of these, or both, talk with a lawyer. The court may not be able to give you some kinds of temporary relief

Example: Order an alleged father to pay child support) if the other party denies they are the child's parent and you do not have genetic testing proof at the time you are asking for these orders.

- [Respond to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Parentage Cases](#) – if the other party files for temporary family law orders or immediate restraining orders.
- [Parentage Cases: File a Motion for Genetic Testing](#): If the State is not involved in your case, to use if someone denies they are a parent, or to rule someone out as a parent.
- 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 at courts.wa.gov/forms.

- [Subpoenaing Witnesses or Documents](#): To make sure important witnesses or documents are at trial.
- [Finalize a Petition to Decide Parentage](#): for finalizing by default, agreement, or after trial.
- **Notice of Address Change (FL All Family 120)**: If you move during or after your case, you must fill this out, file it with the court, and get all other parties a copy. Get it at courts.wa.gov/forms.
- **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 or sexual assault advocacy program, or from 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 Protection Order to your Parentage Petition **does not give you any immediate protection**. It only asks the court to enter a protection order at the end of your case.

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



Part 5. General instructions for filling out 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>In re <u>parentage</u>:</p> <p>Petitioner (<i>person who started this case</i>):</p> <p><u>Jane Doe</u></p> <p>And Respondents: (<i>parent / presumed parent / possible genetic parent</i>)</p> <p><u>Joe Smith</u></p> <p>_____</p>	<p>Superior Court of Washington, County of _____</p> <p>No. _____</p> <p>Notice of Hearing (NTHG)</p> <p><input checked="" type="checkbox"/> Clerk's action required: 1</p>
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This is the **case type**.

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

Put the **case number**. The court clerk assigns this number when the case is filed.

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

The caption includes the case name and number, court's name, title of the court paper, and, sometimes, the type of case. It appears at the top of the first page of every form. Put the county where you are filing your case after "Superior Court of Washington County of."

Case name.

- On the next blank, below "petitioner," put your name.

- On the next blanks, below “respondent”, put the other parent’s (or, if there is more than one, each possible parent’s) name. If there are other parties to the case, put their name(s) above the last blank, above “respondent.”

Case number. When you start the case by filing the initial papers and paying the filing fee (or having it waived), the court clerk assigns a case number. You must put that number on every paper you file with the court and serve on the 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.

-
- ❖ If you do not print or stamp that number on the first page of everything you file with the court and copies 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. You might have to add 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 must be on 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 you do not format your forms this way, 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. After filling out each form, re-read it. Make sure you have correctly filled in everything 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 will fill in dates in orders when the judge signs the order.

Signatures.

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

Some forms have one signature line for “petitioner” or “respondent.” After you fill out a form such as the petition, sign at the place that applies to you.

Look carefully. You may have to sign in more than one place. You may have to put the date and place (city, state) you signed.

- **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).

Other signatures: A witness or the person serving papers who must sign a form 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 2021 at Seattle, WA.)

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

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

Almost all 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: Put an address where you can get mail from the court. It does not have to be your home address. Give a phone number where the court 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 only the last four digits of the account number.

Box #2 - Private information to 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: 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: If you file papers that have health or mental health information about someone's past, present, or future physical or mental health, including insurance or payment records, you must attach them 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 should attach the private section of the report to a Sealed Confidential Reports Cover Sheet.

Retirement Plan Orders: Certain retirement information belongs in the public file. "Retirement Plan Orders" do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See 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 asking to have that paper or part of it sealed. Talk to a lawyer.

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

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

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

Confidential Information Form

Vital Statistics Form

Part 6. How to fill out each form**A. Petition to Decide Parentage – FL Parentage 301**

Caption. Fill out the caption, as explained in the General Instructions.

1. Read this.
2. **Child.** Put the full name, birth date, and county and state of residence for each child you want this case to cover. Read the **Important!** paragraph beneath the table for instructions.
3. **Petitioner.** Put your name and the county and state you live in. Check the box directly beneath that best describes you as a parent. Fill in blanks as needed.
4. **Respondent/s.** There may be more than one respondent. Use the table to list each. Put their name and where they live. Check the box directly beneath that best describes the other party. Fill in blanks as needed.
5. **Personal Jurisdiction.** Put Respondent's name in the first available column. **Check every box that applies.** "Will be served in Washington" just means you will be able to serve Respondent in this state. Use the column next to this one if there is more than one Respondent.
6. **Correct County (Venue).** Most people will check the first or second box.
7. Genetic Testing.
 - Check the first box if you want the court to use genetic testing to decide parentage.
 - If genetic testing has not yet happened, check the first box immediately underneath. You will need to file a Motion for Genetic Testing. Use our [Parentage Cases: Filing a Motion for Genetic Testing](#) packet.
 - Check the second box immediately afterwards if genetic testing has already happened.

- Check the second box if you do not want the court to use genetic testing to decide parentage.
- Check the third box if you want the court to decide you are a parent, even if genetic testing results say otherwise. You will have to file a separate petition.

8. Presumed Parent, if any.

-
- ❖ The Words and Expressions You Should Know section of this packet has the definition of presumed parent.
-

If you check a box on the left, check any indented box under it that applies. Fill in any blanks as needed.

9. Challenge to Acknowledgment or Denial of Parentage by person who signed. Check the first box, does not apply, and skip to 10 if you are not challenging a parentage acknowledgment or denial. Otherwise, check “challenge by person who signed”. Under “reasons for challenge”, check why you are challenging the acknowledgment or denial now. Explain in the blanks underneath.

10. Challenge by Person not included in Acknowledgment or Court Decision. Check “does not apply” and skip to 11 if the title of this section does not describe you. Otherwise, check “challenge by”. Check “person not included in an acknowledgment of parentage” if you did not sign an acknowledgment or denial for the child. Check “person not included in a court decision” if there was a previous parentage court case about the child involving respondents but not you.

11. Assisted reproduction (not surrogacy). If you must check “intended parent”, and not “does not apply”, STOP HERE. Do not use this packet. Get advice from a lawyer.

12. Birth Record. Check any boxes showing what you want.

13. Other children together. Check the first box and skip to 14 if one of these is true:

- you have no other children together

- you have other children together, but you have established already parentage and a parenting plan or custody order for them
- Check the second box if you have other children together and have established parentage of them, but **do not** have a parenting plan or custody order for them. Then fill out the table.

14. Child Support. If you are asking in 8 or 9 for the judge to find that a respondent is not a legal parent, check the box. Put that respondent's name in the blank.

15. Past support and repayment of specific expense. Check the first box and skip to 16 if you do not want the judge to award past support. Check "past support" if you do. In the blank, put who should get back support.

Check "specific expenses" if you want the judge to award reimbursement of some expenses. In the blank, put whose expenses they are.

Then check the box underneath if you know exactly how much you want the judge to order. In the blank, put that amount.

Parenting Plan/Residential Schedule

- Check the first box if you do not want a parenting plan. Check the second box if you do.

16. Child's Home/s. Fill this out only if you want a parenting plan. If you answer **no** to the question, skip to 17. If you answer **yes**, follow the instructions to fill out the table with the information requested.

17. Other people with a legal right to spend time with the child. If you do not know anyone else who has or might have rights to the child, check **no** and skip to 18. Otherwise, check **yes**. In the first blank, put that person's name. In the second blank, explain their possible right to the child.

18. Other court cases involving the child. If you do not know of any of these, check **no**. Skip to 19. Otherwise, check **yes**. Give the information requested about these other cases.

19. Jurisdiction over the Child. Check the first box if you believe the court can issue a parent plan in this case. Then check every box underneath that applies. If you check **home state jurisdiction** or **temporary emergency jurisdiction**, you must check at least one box immediately underneath. Fill in the blank(s) in any item you checked.

Check **the court cannot decide** (page 11) and skip to 20 if you do not believe the court can issue a parenting plan in this case.

-
- ❖ If you don't know if Washington has jurisdiction over the child, talk with a lawyer. [Parentage and Parenting Plans](#) and [Which Court can Enter Custody Orders? Questions and Answers about Jurisdiction](#) have general information.
-

20. Parenting Plan or Residential Schedule. In the blank, put who the child lives with.

Check the first box if you will be proposing a parenting plan. Check the second if you will not.

-
- ❖ **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.
-

21. Protection Order. Check **no** and skip to 22 if you do not want one. Check **yes** if you do. Follow the instructions. Check the third box if there is already a protection order between you and another party. Give the information requested.

-
- ❖ Read the **Important!** box.
-

22. Restraining Order. Check **no** and skip to 23 if you do not want a restraining order. Check **yes** if you do. Then check the boxes underneath showing what kind of restraints you want. In the appropriate blanks, put who you want the order against. If you check **stay away**, a common number of feet to put is 500 (about the length of a football field). If you check **Prohibit weapons and order surrender**, usually it is safest to check the box to have the other party surrender weapons to the police chief or sheriff.

❖ Read the **Important!** box.

23. Fees and Costs. Check **no** if you do not want the judge to order a respondent to pay your fees and costs of filing. Check **yes** if you do. Put the name of the Respondent who you want to pay you.

24. Other (if any). Most people will not put anything here.

Petitioner fills out below: Date the form and sign where it says to. Print or type your name in the next blank.

Petitioner's lawyer (if any) fills out below: Skip this.

Respondent fills out below if s/he agrees to join this petition: The other party should fill this out only if they agree with everything in the petition.

B. Summons: Notice about Parentage - FL Parentage 300

Caption. Fill out the caption.

In the second box under **Summons: Notice about Parentage**, check **Petitioner**. Put an address where you reliably and regularly get mail, and want to get court papers. If you put your home address here, it will be available to the other parties and in the public court record.

If you are afraid to give your home address, use a P.O. Box or the address of a friend or relative who will get mail to you quickly. Or try to get a safe address from your local domestic violence or sexual assault program or shelter.

❖ You should choose **email** only if you very regularly check that account and are okay getting court papers that way.

❖ If the mailing address you put here later changes, you must fill out, file, and give the other parties copies of a **Notice of Address Change** (FL All Family 120) form.

In the last box on page 1, you must put which county you are filing this case in, and the court's address. If you do not, and the other party doesn't respond to this court case, you still might not be able to get any favorable court orders.

Page 2: Don't make any changes to the text here.

Petitioner or his/her lawyer fills out below: Sign and date where it says. In the blank underneath that, print your name.

C. Confidential Information Form - FL All Family 001

In family law cases, you must give the court certain information about yourself and the other people involved in the case. This form is where you give this info.

You must fill out this form and file it with the court clerk. Keep a copy for yourself. **Do not serve this form on the other parties.**

This form is generally not available to the other parties or their lawyers. There are some exceptions if, for example, your family is involved with DCS (Division of Child Support) or other parts of DCYF (Washington State Department of Children, Youth & Families).

-
- ❖ When your address changes, you must update the court by filing a [Notice of Address Change](#), form FL All Family 120 (available at courts.wa.gov/forms), 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 you are filing this case. Put the case number when the clerk gives it to you.

1. Put your name.

2. Check "yes" if restraining orders or protection orders are currently in place. In the blank, put who the orders protect.

- If the orders go into effect after you filed this form, you will need to file a revised and updated version of this form.
- Check **no** and skip to 3 if there is no current restraining order or protection order in place.

3. 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.

4. Your Information: In the first table, put the information requested.

5. Other Party's Information. In the first table, put as much of the information requested as you can. Use the Attachment to Confidential Information if there is more than one respondent in your case.

6. Children's Information. If your case involves children, put as much of the information requested as you can.

7. Have the children lived with anyone other than... Check **no** if the children have only lived with you or another party to the case in the past five years. Skip to 8. Check **yes** if the children have lived with someone besides you or another party to the case in the past five years. Put the information requested.

8. Do other children (not parents)... Check **no** and skip to 9 if only you and the other parent or parents have custody or visitation rights to the children involved in this case. Check **yes** if other people besides you and the other parent or parents 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.

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

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

1. You are challenging a legal parent in this case
2. 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

❖ Use this **only** if you are or may be 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.

F. Family Court Case Information Cover Sheet

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

- In the first blank, 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.
- In the second column, check “PAT, Parentage – Parental Determination.”

❖ **Before filing your papers:** you may also need forms from our [Parenting Plans](#) packet.



Part 7. How to file forms with the court

After filling out the forms, you file them with the court and have them served on the other parties. This section explains how. **Before filing, make sure you have filled out everything you need, including forms from later in this packet and from other packets.** Use the checklists in this packet.

You file the original forms with the Superior Court Clerk (court clerk) in the county where the child lives or is found, or, if the child does not live in Washington, in the county where the respondent lives or can be found. If you are applying for immediate restraining orders, you can do so at the same time you file your Petition.

❖ If the child or the other parent does not live in Washington, talk with a lawyer before filing. Depending on what you want the court to order, a court in this state may not be able to give you what you want.

- ❑ **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 filled out. Compare each set with the checklists in this packet. Make sure you have what 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 (forgive) it. Use our [Ask the Court to Waive Your Filing Fee](#) packet or [interview](#), or contact the clerk or facilitator for forms your county uses.
 - **If you want a filing fee waiver**, an Immediate Restraining Order, or other orders at the start of your case, ask the clerk or facilitator (if there is one) how to present your requests to a judge.
- ❑ 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.

The clerk might give you a case schedule, a parenting seminar form, or other local forms. Case schedules list important dates in the case. Parenting seminar forms tell you how to sign up for a class about the effect of conflict on children. (Many courts require parents to complete the parenting seminar for cases involving children.) If you get a case schedule and a parenting seminar form, **you must serve copies of them on the other parties.**

- The clerk will take your originals for filing and assign a case number.** Print or stamp that 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. We call this **conforming** your copies. This way you and the other parties will have a record of the filing date.
- If the judge has signed any orders,
 - File the original order as signed by the judge **and**
 - 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 2 certified copies of it: Keep one with you at all times. You will have the other served on the restrained person. You must pay for certified copies.

Fill out the Law Enforcement Confidential Information Form (LECIF), available at the clerk's office. Do not serve the LECIF on the other parties.

❖ Never leave the courthouse with the original of an order the judge has signed. Never change an order after it the judge has signed it.

- Take the stamped copies back from the clerk. The clerk keeps the originals.
- If you have upcoming hearings and need to deliver working papers to the judge, do that before leaving the courthouse.



Part 8. How to serve forms

After you file your papers, **you** must have them properly served on (delivered to) the other parties. **The court will not do this for you.** You must arrange for service and make sure your server delivers the papers properly. **Do not do it yourself.**

-
- ❖ If you do not have service done properly, your court orders could be set aside, even years later.
-

Who to serve: Every party to the case. Often, the other parent is the only other party. Some cases have more than one alleged or presumed parent.

Some cases may have still other parties. If any child in the petition has ever received public assistance (TANF) or Medicaid, or is in foster care or out-of-home placement, you must serve copies on the State of Washington. (Use our [Serving Papers on the State](#) packet.) If someone else has legal or physical custody or guardianship of any child your petition covers, or claims a right to custody or visitation, talk to a lawyer about adding that person to your case as a party. If you leave out a party, your orders may be invalid, even years later.

What to serve: Almost all the papers you filed with the court need to be served. **Do not serve** the Confidential Information form and Attachment and any Law Enforcement Confidential Information Form (LECIF).

-
- ❖ You only need the LECIF if you are getting restraining orders. You can get it from the clerk's office.
-

The papers to be served include at least the Summons and Petition. Depending on the case, you might also file other forms.

How to serve:

Do not serve the other parties yourself.

You may ask another party to agree to accept service of the Petition. If they agree, you give them copies of the papers you filed and they sign a Service Accepted form confirming they have gotten the papers. We explain accepting service below.

-
- ❖ You never have to serve the Confidential Information Sheet and Attachment and any (LEIS).
-

If you decide not to ask a party to accept service, or they refuse, or they agree but then do not sign the Service Accepted form, you must arrange to have them personally served. We explain personal service below.

If you must serve the State of Washington, see our [Serving Papers on the State](#) packet.

How to copy and organize your papers for service (personal service or Service Accepted):

Make the correct number of copies. Figure out how many of each you will need.

You will need:

- ___ One for you
- ___ One for each respondent (1 x ___ number of respondents ___). Do **not** serve the Confidential Information Form and Attachment or LEIS (if you have a restraining order) on any other parties. Make just one copy of these forms, for you to keep.
- ___ 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.

Organize the forms into sets. Each set should have a copy of each form you have filled out, except for the Confidential Information form and any LEIS. Those are just for you.

Compare each set with the checklists in this packet. Make sure you have what you need.

Make sure you keep a full set of copies for yourself. Put the Confidential Information form and any LEIS into that set.

Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address. Use these sets for service.

How to show that service has been completed:

After service is complete, get a signed Service Accepted or Proof of Personal Service for each party to file 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 petition's requests. **Accepting service** is not agreeing to what your petition says. They are only agreeing to say they received the court papers you filed. If they will not accept service, or they agree but do not sign the Service Accepted form, or you do not want to ask about accepting service, skip to the instructions for Personal Service.

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

Use this **only** for a party who agrees to sign a paper saying they have received the court papers you filed. If they fill out and file this (or give it to you to file), do not file a Proof of Personal Service.

Give them copies of everything you filed with the court (except the Confidential Information form and any LEIS) before they sign the Service Accepted form.

-
- ❖ If only one party accepts service in a case with multiple parties, you must still serve the others or have signed Service Accepted forms from each of them.
-

Caption. Fill in the caption.

1. In the blank, put the party's name. In the list of forms, 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. **You must list every form you are giving a party.** If you do not list a form here, you will have no proof the party received it.

2. Personal Jurisdiction. Check the first box if the party will not agree that Washington has jurisdiction over them. For more about personal jurisdiction issues, talk with a lawyer.

Check the second box if the party agrees Washington has personal jurisdiction over them. Put the party's name.

Signature. The party (or their lawyer) should date the form, sign where it says to, and 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 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 party does not sign a Service Accepted form, try to have them personally served. If you have tried hard to have them personally served but could not, you need court permission to serve them another way. Use our [Service by Certified Mail or Publication](#) packet.

1. Personal service in Washington

You must properly follow the rules when you are having the other parties personally served. Do not serve the papers 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 competent age 18 or over who is not a party in the case can do it for you. Your server must understand how important it is to serve the papers and fill out the Proof of Personal Service form correctly. If you do not do service properly, the court could set aside your orders, even years later.

If you are using a friend as server, let them know hand delivery 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. It may be 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 that would be unsafe.
- **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 fill out a separate Proof of Personal Service for each party they serve. After your server has completed service and signed the Proof of Personal Service form(s), follow our instructions for filing it with the court.

1. Caption. Fill out the caption.

2. Personal Service. Put the server's name.

In the blank, put the name of the party being served. The server must check the box showing how they served the other party. If the server checks the second box, put the name of the person to whom the server gave the papers.

3. Date, time and address of service. The server should put the date, time (show 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. Sometimes you must fill in a blank.

Example: If you check **Declaration of**, put the name of the person who wrote the declaration.) If you had the other party served with any forms not listed, check **other**. Put the names of those forms. You **must** list all the forms served on the other party. If you leave a form off your list, you will have no proof the other party received it.

5. Fees charged for service. Check the first box if your server does not charge for service. Otherwise, check the second box. Put how much the server charged you. Usually, only professional servers use the box for fees and mileage.

6. Other information. Your server may put other info here.

- **Example 1:** Your server tries several times to serve the other party but they are never home or cannot be found. The server should put the dates, times, and descriptions of each time they tried to serve the other party.
- **Example 2:** the server gave the papers to an adult living with the other party who would not give their name. The server should put what the person who received the papers looks like.

The server should put the city and state where they signed the form, put the date, and sign where it says **Signature**. They should then print or type their name where it says **Print or Type Name**.

C. Personal service in another state

If you need to, you may have the other party personally served in another state using the same general directions for personal service in Washington. You must fill out the Proof of Personal Service **and** a *Declaration Regarding Personal Service Outside of the State of Washington*.

A person served outside the state has more time to respond to your petition.

1. Declaration: Personal service could not be made in Washington - FL All Family 102

If you had someone served outside of Washington State, you must file the previous form plus this one.

Caption. Fill in the Caption.

1. Check the first box.
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 outside state) 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. How do I file my proof of service?

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

If any party is served in another state, you also need the *Declaration Regarding Personal Service outside the State of Washington* for that party.

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 or restraining order (**Example:** An Immediate Restraining Order and Hearing Notice, or Temporary Family Law Order with restraining order paragraphs), you must 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.

You are done filing your petition!

E. What if I need to serve other papers as the case goes on?

After a party has been 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.

Exception: Do not keep giving papers to a party against whom you have an Order on Motion for Default.

Often, you can do ongoing service by mail or hand delivery. Your proof can be a Proof of Mailing or Hand Delivery. Instructions and forms for this type of service are in the packet [Ask for Temporary Family Law Orders: Parentage Cases](#).

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. Words and expressions you should know

You may not need every definition in this Section.

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

Bailiff: Member of the judge’s staff in charge of courtroom procedure and security. Can be the same person as the clerk.

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

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

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

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

Clerk of the Court: 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 from clerk’s office staff is usually in the courtroom during hearings.

Commissioner/Court Commissioner: This person is like a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases. We just say “judge” here.

Confirm a Hearing or Trial: Notifying the court that you still plan to have the hearing or trial scheduled in your case. How to confirm varies by county. Not all counties require it.

You may have to call the court a few days before the hearing or trial. Local rules explain each county’s requirements. If notice is required and you do not give it, the clerk may cancel the hearing or trial.

Conformed Copy: A copy of any court document filed with the clerk. Must be stamped with the date filed. A court order 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. You might have to get the judge's approval for a continuance.

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

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

Dispute Resolution: the part of the parenting plan stating how you will try to resolve disagreements about the parenting plan (**Examples:** mediation, counseling, court action).

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

Ex Parte: Going before the court without notifying the other party, or giving very little notice. Can also refer to the courtroom where you see a judge without notifying the other party.

Exhibit: Documents, records, and photos introduced into evidence at trial or hearing. Attachments to legal forms that are exhibits should follow format rules for court forms. (The General Instructions Section of this packet has basic information about format rules.)

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

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

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

Guardian ad Litem (GAL): a person the court can appoint to investigate the issues and make recommendations to the court about the children's best interests. If there is a GAL in your case, you must serve them with any papers filed. The GAL may be a party. The GAL's signature may be required on court orders.

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

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.

LECIF: abbreviation for Law Enforcement Confidential Information Form.

Maintenance: (used to be "alimony") The amount a court orders one spouse to pay the other during the case and/or after it is over. State law at [RCW 26.09.090](#) lists some factors to use in deciding whether to award maintenance and, if so, how much and for how long.

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

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

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

Note/Notice of Hearing/Note for Motion Docket: A form letting the clerk know to schedule a hearing and telling the other parties the hearing time, place, and reason.

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

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

Parenting Plan: A proposal or, if signed by a judge, a court order 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.

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

Petitioner: The person who files a legal case. The petitioner in the caption of a form does not change, even when the other party later files motions.

Proposed Order: A document you will ask the judge to sign. Many counties 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 still do this. A proposed order becomes an order if the judge signs it.

Respondent: The person against whom a legal case was originally filed.

Response: A formal written answer to a Petition filed with the court. It can also describe 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 say “response” with a small “r” for all types of responses, including for example, responses to motions as well as to petitions.

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

Ruling: A decision by the court.

Service: Giving court papers to the other party. The law defines how to serve. When a petitioner starts a case, they must arrange for the Summons and Petition and other papers starting 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.

Settlement Conference: A formal meeting between the parties to a court case and a neutral third party (such as a judge, retired judge, or attorney not otherwise

involved in the case), where you try to reach agreement about the issues. Some counties require you to have a settlement conference before going to trial. Some counties have programs to provide family law settlement conferences available free of charge.

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

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

Time to Respond (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 on the type and location of service. The time to respond to motions is usually much shorter.

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

Venue: The County where you should file a case. Proper venue depends upon the type of case.

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

To learn the rules for working papers and confirming the hearing in your county, read local court rules and [What are Working Copies](#), and check with the facilitator or clerk.

Part 10. Blank Forms

The rest of this packet has blank forms for your use. Make a copy of each form so 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 here.

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