

**File a Motion for a Parenting Plan or
Residential Schedule:
Parentage has been Established in
the Past Two Years**

Instructions and Forms



Northwest Justice Project

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Part 1. Important Info

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- ❖ Use this *only* if you are going to file in a Superior Court in Washington State.
 - ❖ You can find all the packets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).
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A. Should I use this?

This will help you fill out and file the forms you need if all these are true:

1. The paternity (parentage) of your child has already been established by court order in the past two years.
2. You want a Washington court to enter a parenting plan or child support court order.
3. Your proposed parenting plan does not change custody.

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- ❖ **We discuss parenting plans only.** We do not recommend you use a Residential Schedule. It does not say who can make decisions for the children. A parenting plan does.
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Do **not** use this packet to change custody. Use [File a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases](#) instead.

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

B. What if the other party is in the military, or is the dependent of someone who is in the military?

Talk to a lawyer before filing your motion.

Special rules for members of the military and certain dependents may limit the court's ability to make any orders affecting the rights of the service member or their protected dependent.

C. How much does it cost to file this Motion?

You do not have to pay to file the motion. You should only have to pay copying fees.

D. Where should I file my motion?

In the same county where the paternity or parentage suit was filed.

E. Try Using Washington Forms Online

Washington Forms Online helps people fill out family law forms on a computer. Answer interview questions 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.

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 you fill out forms or free legal clinics where you may get legal advice about your case.

- **Do you live in King County? Call 2-1-1** weekdays 8:00 a.m. and 6:00 p.m. You can also call toll-free 1-800-621-4636. They will refer you to a legal aid provider.
- **Apply online with [CLEAR*Online](https://www.clearonline.org)** -nwjustice.org/get-legal-help
- **Call the CLEAR Legal Hotline at 1-888-201-1014.**



Part 2. Checklist of Steps

This is a general description of how to file this type of Motion. We explain many of these steps in more detail later in this packet.

❖ Many counties also have case schedules you must follow. Some counties require classes, mediation or a settlement conference before a judge will sign final orders. Ask the court clerk or family law facilitator, if your county has one, about case schedules and local court rules for parentage cases.

- 1. Learn about Washington’s parentage, parenting plan and child support laws.** Read [Parentage and Parenting Plans](#).
- 2. Make sure you know the other parent’s address.** Get the other parent’s address to serve them with your motion. And get the addresses of any other parties to your case.
- 3. Fill Out the forms for starting a motion for a parenting plan.**
- 4. Fill out your Proposed Parenting Plan.**
- 5. Fill out other forms you need.** Ask the court clerk about any local procedures you need to follow, and any local forms or packets you will need.
- 6. Make the needed copies of the finished forms** you are filing with the court.
- 7. File your papers with the court clerk’s office** in the Superior Courthouse of the county where you are filing your motion.
- 8. Arrange to serve the appropriate papers on the other parties.**
- 9. File the Service Accepted form or Proof of Mailing or Hand Delivery form.**

If the other parent has harmed or threatened to harm you or the children, or has stalked, harassed, or sexually assaulted you, you can file for a Protection Order for immediate protection. Protection orders offer strong safety restraints. Read [Protection Orders: Can the Civil Legal System Help Protect Me?](#) to learn more.

There are several ways to get protection order forms. You can get them from the court clerk or your local domestic violence program. You can call the National Domestic Violence Hotline at 1-800-799-7233 or the National Sexual Assault Hotline at 1-800-656-4673. You can use our do-it-yourself interview program, [Get a Protection Order](#), to fill out the forms at WashingtonLawHelp.org, or our printable [How to File for a Protection Order](#) packet.

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

- ❑ **10. Keep a copy of all documents that you file** with the court for your own records. Create your own file folder for these papers.
- ❑ **11. Wait for the other parent's time to file a response to your motion to end.** The other parent may or may not file something in response to your motion. What the other parent files will help you decide what you need to do to finalize your Motion for a Parenting Plan. Read [Parentage and Parenting Plans](#) to learn more.
- ❑ **12. Finalize your motion for a parenting plan.** The court clerk or family law facilitator will tell you how to get your proposed parenting plan signed by the judge if the other party agrees or does not respond. You may not need to schedule a hearing. If the other party does not agree to your parenting plan, you will probably need to schedule a hearing or trial, but check with your local experts.



Part 3. Court forms

A. Court forms necessary to start your motion

This has many of the forms you will need to file your Motion for Parenting Plan. Read the next section to decide what else you will need.

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- ❖ Court forms marked with an asterisk (*) also have a Washington Forms Online interview that will help you prepare this form at WashingtonLawHelp.org.
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Court Form Title	Court Form Number
Proof of Personal Service	FL All Family 101
* Parenting Plan	FL All Family 140
Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order)	FL Parentage 318
Order on Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order)	FL Parentage 319
Declaration re: Service Members' Civil Relief Act	WPF All Cases 01.0200

B. Forms you may also need in this packet:

Court Form Title	Court Form Number
Proof of Mailing or Hand Delivery	FL All Family 112
Service Accepted	FL All Family 117

C. 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.

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

- [Declaration about Public Assistance](#), **FL All Family 132**: This 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 been in foster care or out-of-home placement. You can get this form at the [Courts website: 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. You can get the forms from your court clerk, domestic violence advocacy program, or from [courts.wa.gov/forms](#). You can use our [How to File for a Protection Order](#) printable packet. Or you can use our do-it-yourself interview program, [Get a Protection Order](#), to fill out the forms at WashingtonLawHelp.org.
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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.
-
- [Restraining Order](#), **FL All Family 150**: If you also want a Restraining Order. You can get this form at the [Courts website: courts.wa.gov/forms](#).
 - [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.
 - [What are Working Copies](#): If local court rules require you to serve working papers or working copies. You may want to do this even if your county does not require them.

Part 4. General instructions for filling out forms

These instructions apply to all forms. They cover all types of family law cases. Some of this information may not apply to your case.

The Caption is the name of your case. It is a section appearing at the top of the first page of every form.

<p>In re <u>the marriage of</u>:</p> <p>Petitioner (<i>person who started this case</i>):</p> <p> <u>Jane Brown</u></p> <p>And Respondent (<i>other spouse</i>):</p> <p> <u>John Brown</u></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 **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

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

The caption includes your case name and number, the court's name, the 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 number. When you start the case by filing the initial papers and paying the filing fee, 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")

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

The contents. Fill out each form according to its instructions. In most counties, you may print or type. It must be readable. 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 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.

When you prepare and file motions, you are the moving party. At the end of the motion, you must fill out and sign the section **Person asking for this order fills out below**. When you prepare an order and plan to present it for the judge to sign, look for the place at the end for your signature. Check **is presented by me**.

- **Judge's Signature:** Leave the judge's signature line and date blank.
- **Other party's signature:** Some forms have a place for other parties to sign. You cannot force another party to sign a court paper. If you have prepared an order after a hearing, the other party may be willing to sign it if they agree it accurately states the judge's decisions (or the judge may require the other party to sign).
 - *Agreed orders.* If the other party agrees with the orders you have written, they should sign in the right place on each court order they agree to.
 - *May be signed by the court without notice to me.* If you did not prepare the order, the other party may ask you to check this box and sign underneath. If you do, you are agreeing the judge should sign the order as written *and* the other party can ask the judge to sign it without letting you know.

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 2014 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* write in most court papers:

Court rules try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public. They may also be available publicly online.

Except where a form's instructions 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.) You should also give a phone number where they can reach you.

Social Security/Driver's License, ID Numbers of Adults and Children: Put only the last four digits, not the whole number.

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.

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 court. It is **not** available to the public.

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

Medical or Mental Health Records or Information: You must attach any papers 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.

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 home address, social security number, and so on):

Confidential Information Form

Vital Statistics Form

Law Enforcement Confidential Information Form



Part 5. How to fill out each form

A. Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order) - FL Parentage 318

You should have a copy of your Final Parentage Order in front of you when filling out this form.

Caption. Fill out the caption.

1. Put your name.
2. Put the names and ages of every child the motion covers.
3. **Final Parentage Order.** Put the date and county where you got your Final Parentage Order. Then check the box showing who that Order said would have the children most of the time.
4. **Guardian ad Litem.** Check the first box and skip to 5 if you do not want a Guardian ad Litem. Check the second box if you do want one. In the blank, explain why.
5. **Active military duty.**

To fill out this section, you must try to find out if the other parent is on active military duty or a protected military dependent:

- A. Check scra.dmdc.osd.mil or
- B. Contact the Defense Manpower Data Center, 1600 Wilson Blvd., Suite 400, Attn:

Military Verification, Arlington, VA22209-2593;
phone (703) 696-6762 or 5790, fax (703) 696-4156.

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

Check the first box and skip to 6 if you believe these laws do **not** cover the other party.

Check the second box if you believe one or both of the laws covers the other party. Then check the boxes showing which laws you believe covers the other party. If you checked **state act**, and you believe the judge should hold the hearing anyway, check “for persons covered only by the state act” and explain why the judge should not delay the hearing.

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

Person making this motion fills out below. Date the form and sign where it says. Print or type your name in the next blank.

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

-
- ❖ If you want an immediate Protection Order or a Protection Order to be in effect during your parenting plan case, you must file a separate protection order case.
-

B. Order on Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order) - FL Parentage 318

If you fill this out as a proposed order, it must show what you want the court to order.

If you fill it out after the hearing on the motion, it must show what the judge decided, even if different from what you wanted.

Caption. Fill out the caption.

1. In the first blank, put the date you filed this motion. In the second blank, put your name. In the third blank, put the date of the hearing on this motion.
2. If this is a proposed order and you filed the Motion, check the first box. Otherwise, check the box showing what the judge ordered.
3. **Guardian ad litem.** Check the first box if the judge did not appoint a GAL or the GAL was discharged after genetic testing. Check the second box if you asked for a GAL as part of your motion.

4. **Active military duty.** Check the first box if true (or the judge found it to be the case) and skip to 5. Check the second box if true and the box immediately underneath that applies.
5. **Parenting Plan or Residential Schedule.** Check the first box if this is your proposed order or the judge signed this after hearing. Check the box immediately under that if it is true. Check the second box if the judge denied the motion after hearing.
6. **Other.** The judge may put something here.

So Ordered. Leave this for the judge.

Petitioner and Respondent or their lawyers fill out below. There are two columns of boxes to check, one column for each party. You should check **is presented by me** on the left. You sign and print your name and the date where it says.

C. Parenting Plan – FL All Family 140

Before you start, make at least one extra copy of the parenting plan and keep it.

You may need three or more versions of your parenting plan:

- one to file with your petition or response
- one to file when finalizing your case, and
- one if you have a motion for temporary family law orders or immediate restraining orders.

❖ If you will ask for the same parenting plan with your petition (or Response) and motion for temporary family law orders, make copies of the form after filling most of it out. Fill out the entire Parenting Plan *except* for section 1. Make several copies.

Read the instructions carefully. Take your time.

If you need hands-on help, your superior court may have a family law facilitator who can give more information or help filling out problem spots in the forms. Ask your local superior court clerk if your county has one.

If you are filling out this form as a **proposed** parenting plan (**example:** with your petition, or as part of a motion for immediate restraining orders or temporary family law orders), have it show what you want the court to order.

If you are filling this out **after the judge has made a decision** (at a temporary family law orders hearing or trial), have it show the judge's actual decision, even if different from what you asked for.

If you and the other party have reached **agreement**, it must show the agreement you made.

Fill out the caption.

1. **"This Parenting Plan is a:"** Check **proposal** if this is a proposed parenting plan. Check **court order** if true. Then check the box immediately underneath showing what kind of order it is.
2. **Children.** List the names and ages of the children under age 18 you want the parenting plan to cover.
3. **Reasons for putting limitations on a parent.** This is where you tell the Court if it ought to limit the other parent's time with the children, and why.
 - 3a. Check the first box and skip to **3b** if the other parent or someone living with them has **not** done anything listed here. Check the second box if someone **has** done anything listed. Then underneath check which apply. Put the parent's name where needed.
 - 3b. Check the first box and skip to section **4** if neither the other parent nor anyone living with them has any of the listed issues. Check the second box if someone does have any listed issues. Then underneath, check which issues. Put the parent's name where needed.

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- ❖ If the Court agrees the issue exists, it will probably order restrictions.
Examples: the court may order supervised visits, or that the other parent cannot make any major decisions about the children.
-

Neglect. If you check this box, in section **14 (Other)** you can ask the court to order supervised visitation for the other parent until they successfully complete a parenting skills program and give the court and you written proof of this.

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

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

- Check the second box and skip to **5** if you checked problems or behaviors in **3a** and/or **3b** **but** you do not believe there need to be limitations on the parent. In the blank, explain why.

❖ If this is a proposed parenting plan, you must convince the judge the children will be safe when they are with the other parent. Otherwise, the judge might not sign your parenting plan.

- Check the third box if you checked problems or behaviors in **3a** and/or **3b** **and** you believe these are harmful to the children, or the court found they are harmful. In the blank, put the other parent's name. Then check all boxes underneath that apply.

Supervised contact. Check this if you want the judge to order supervised visits OR the judge ordered this after hearing. Put the other parent's name.

- Check the first box underneath if you want (or the judge ordered) a professional supervisor. Put their name.
- Otherwise, check the second box underneath. Put the supervisor's name.
- Check the third box if the schedule for supervised visits will be in **sections 8-11**.
- Check the fourth box and fill in the blanks if you can briefly list the schedule here. Visitation times in **sections 8 - 11** be consistent with the supervision in this paragraph. **Example:** If visitation lasts all weekend, you may not be able to have someone supervise.

- Check **other limitations or conditions** if, for example, the supervisor must follow any standard “supervised visitation order” your court uses and/or you want the court to set conditions during visits, such as the supervisor being there for the entire visit and being required to stop any conduct that could harm the children.

❖ The supervisor must be someone who can and will protect the children from harm. If you choose a relative or household member to supervise visits, the plan must include conditions for the relative or household member to follow during visits.

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

Evaluation or treatment required. Check this box and put the other parent’s name if you want the judge to order them to be evaluated for and/or complete any kind of state-certified treatment program before allowing unsupervised or (or, in severe cases, any) visits, **or** the judge ordered this after hearing.

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

In the last blank, put what happens if the other parent does not follow this part of the parenting plan. **Examples:** The other parent gets supervised visits only. The other parent loses all visitation rights. The other parent’s visits stop immediately until you can go back to court.

5. Decision-making.

- A. Major Decisions.** If both parents should decide together about a type of major decision, check **joint** next to it. If only one parent should decide, check **limited**. At **other**, put any major issues not listed elsewhere. **Some**

examples: getting a driver's license, getting married before age 18, or enlisting in the military before age 18.

B. Reasons for limits on major decision-making.

- Check the first box and skip to **section 6** if you did not check any boxes in **sections 3a or 3b**.
- Check the second box if you checked anything in **3a**.
- Check the third box if both parents are against joint decision-making **or** one of the boxes below applies.
- Check the second box if you think only one parent should have decision-making authority. Check the box next to that parent. Check the box showing the reason.

6. Dispute Resolution.

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

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

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

- **Arbitration:** you and the other parent meet with an **arbitrator** (a neutral person who is usually a lawyer or retired judge). The arbitrator listens to you both and makes a decision you both must follow if you cannot reach an agreement.
- **Counseling:** you and the other parent meet with a **counselor** to try to reach agreement.
- **Court.** Check this if you should not use the other options, such you cannot afford it, or one parent has committed domestic violence against the other.

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

-
- ❖ You can divide the cost of dispute resolution 50-50 or some other percentage, based on your incomes in the child support worksheet. Or you can let the mediator, counselor, or arbitrator help you decide.
-

7. Custodian. Put who the children will be living with more than half the time. Do not make any other changes to this section.

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

Parenting Time Schedule.

-
- ❖ This section may be confusing. Talk with a lawyer or the family law facilitator. Reading [Divorce and Other Options for Ending Your Marriage with Children in Washington State](#) may help.
 - ❖ Check the first box and skip to section 12 if the only contact the other parent will have with the children is in section 4. Otherwise, check the second box. Make sure the schedule you write is best for your children.
-

8. School Schedule.

8a. Children under School-Age.

- Check the first box **and skip to 8b** if all the children are in school already.
- Check the second box if the schedule will be the same as for school-age children.
- Check the third box if the schedule for children under school age will be different from the one for school-age children.

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

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

After **the children are scheduled to live with**, in the first blank, put who they will live with most of the time. In the second, put the other parent’s name. Then check the boxes underneath showing when they will live with the other parent.

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

9. Summer Schedule.

In the first sentence, check the first box if you want “summer” to start and end according to the school calendar, or the court ordered that.

Check the second box if you want something other than the school calendar, or the court ordered something different.

- Check “the summer schedule is the **same** as” and skip to section 10 if that is what you want, or what the court ordered.
- Check the third box if the parents should each have uninterrupted vacation time with the children. Fill in the blank.
- Check “the summer schedule is **different** than” if that is what you want, or what the court ordered. Check the box showing when you want the summer schedule to take effect. After “During the summer the children are scheduled to live with,” in the first blank, put who they will live with most of the time. In the second, put the other parent’s name. Then check the boxes underneath showing when they will live with the other parent.
- Check **other** if you do not want to set specific dates. In the blank, you can put that one or both parents notify each other by a certain date of the time they would like for that summer. **Example:** “The children will live with the father during the summer except for four weeks with the mother. The mother shall tell the father by May 15 which weeks she wants.”

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

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

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

- Otherwise, check the second box.
- Then check the box showing which children the holiday schedule applies to. Fill in the table showing what you want the holiday schedule to be, or what the court ordered.

❖ If you will alternate holidays by year, specify “odd” and “even” years.

❖ If you will split a holiday each year (**Example:** Christmas morning with one parent, Christmas afternoon and evening with the other), check “Every” for both parents. Fill out the split times for that holiday in the section below in the begin day/time and end day/time blanks.

Other occasion important to the family (page 10): You can use this for:

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

11. Conflicts in Scheduling. This section says what happens when parts of the Parenting Time Schedule conflict, such as when mom’s Christmas Day falls on dad’s weekend. Check the box showing what you want, or what the judge ordered. You can check **other** to create your own priorities, or if the judge ordered something different from the first two options.

12. Transportation Arrangements. In the first paragraph, check the box showing where you will exchange the children. You can check **other location** if you want a neutral, public place, like a local fast food restaurant or park. Do this if you know you and the other parent will fight in front of the children or you have

reason to be scared the other parent will hurt you. You can put more safeguards to protect your safety if you are at risk during exchanges.

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

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

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

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

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

Following Requirements of Other Court Orders: You can ask the court to order the other parent to complete requirements already required by another court order (such as a dependency order or an Order for Protection) before she can have time (or unsupervised time) with the children. You can ask the court to order the other parent to provide written proof of completion of the requirements.

Example: You have a Protection Order requiring the other parent to complete domestic violence treatment. You can put here “[Other parent] shall successfully complete all domestic violence treatment required under the Protection Order entered on [date] under case number [protection order case number], and provide the court and all parties written proof of such successful completion, before she may request residential time with the children.”

Removal of Children from the State: You can put here that the other parent may not take the children out of Washington State without your written consent.

Example: You already know the other parent will be taking the child to another state for an annual family reunion. You would state that as an exception.

If you want other rules in your parenting plan, such as giving or denying access to school or medical records, being able to go to or get notice of school or extra-curricular events (sports, church events, music recitals, and so on), or phone contact, put them here.

Here is some **sample language**:

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

15. Proposal. Check the first box and skip to 16 if you are writing this parenting plan as a court order. Otherwise, check the second box. At “parent requesting plan signs here,” and sign and put the date and place you are signing. If the other parent agrees with your proposed parenting plan, they should sign and date underneath.

16. Court Order. Check the first box if this is a proposed parenting plan. Check the second box if this is a final order or a temporary parenting plan after a hearing. **Leave the rest of this section for the judge to fill out and sign.**

If this is a court order, the parties sign below: In the left-hand column, check **is an agreement of the parties** if true and have the other parent check the same in the right-hand column. Check **is presented by me**. You will sign in the space on the left-hand side and put your name and the date under that. If the other parent agrees to your parenting plan, they sign in the space on the right-hand side and put their name and the date under that.

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



Part 6. Filing and serving forms

After filling out the forms, you must file them with the court and have copies served on the other parties. This section explains how. **Before filing and serving**, make sure you have filled out all the forms you need. Use the checklists in this packet. Make sure you have what you need.

After filing your papers with the court, **you** must have them properly served on (delivered to) the other parties. **The court does not serve the other parties.**

You must arrange for service and make sure your server delivers the papers properly. **You cannot serve the papers on another party yourself.** The next paragraphs explain the rules for service. **Carefully follow the rules.**

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

Who to serve: Every party to the case. Also, if the children have ever gotten public assistance (TANF) or Medicaid, you must serve copies on the State of Washington. Use our [Serving Papers on the State](#) packet.

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- ❖ If someone besides you or another party has custody or visitation, or claims a right to custody or visitation regarding a child the case covers, talk to a lawyer.
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What papers need to be served: Arrange to serve the other party with every motion-related paper you want the court to consider, including the Notice of Hearing, your Motion and proposed parenting plan, and the Waiver of Rights under Service Members Civil Relief Act, if you used it.

When to serve: Give the amount of notice your county requires. It will be at least 5 court days. Check the local rules again. Make sure you have the other party served with enough notice. The amount of time between the date you have the other party served and the hearing date is the number of days of notice you are giving the other party.

If you serve by mail, add days. (Look back at the deadlines you calculated when you prepared the Notice of Hearing.)

How to copy and organize your papers for service: *Make any extra copies needed.*

You will need:

___ One set for you

___ One set for each other party (1 x ___ number of other parties) =

One for the judge (“working papers” – read [What are Working Copies](#) to learn more)

❖ **You should always make a copy for the judge.** Even if the local court does not require “working papers,” you should take this extra set of copies with you to your hearings. Sometimes the judge does not have the case file in the courtroom. Or papers you have filed in the clerk’s office have not yet been placed in the court file.

___ One for the State (if you are serving the State)

___ Total = This is how many copies you need of each document.

Organize the papers:

- Make sets. Each set should have a copy of each form you filled out.
- Compare each set with the checklist in this packet to be sure each set has the forms you need.
- Keep a full set of copies for yourself.
- Put each of the other parties’ sets of papers in an envelope, addressed to that party, with your return address. You will use these sets for service.

A. Service or “Giving Notice” to the Other Party

If the party you are serving has given an address for getting legal papers in the case, send the papers to them at that location. (Look for the other party’s address at the end of the Response form, Notice of Appearance, Summons, or any Notice of Change of Address.)

To be safe, do not deliver or mail the papers yourself. Ask an adult friend or relative to do it for you.

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- ❖ If you need to serve the State of Washington, use our [Serving Papers on the State](#) packet.
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When your friend has mailed or delivered the papers to a party, the friend should fill out the Proof of Mailing or Hand Delivery form the same day. Your friend should fill out a separate form for each person they mail or deliver papers to.

You then file the original Proof of Mailing or Hand Delivery with the court clerk and keep a conformed copy for your records.

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

Add Days for Mailing: If your friend mails the papers, rather than personally delivering them, add at least 3 days to the number of days' notice your county's rules require.

Example: if you mail a document on a Monday, you should assume it was served on Thursday. If the third day after the papers are mailed is a weekend or holiday, add days so that the papers arrive on a business day that is not a legal holiday or weekend.

If you have a document sent by regular mail, you may want to have a second copy sent by certified mail, return receipt requested, for more proof of mailing. If you do this, staple the green return receipt card to the Proof of Mailing or Hand Delivery.

Hand Delivery: Your friend may deliver the papers to the other party rather than mail them.

"Delivering" the packet of papers to another party (or the other party's lawyer) means one of these:

- handing it to the lawyer or to the party.
- leaving it at his office with their clerk or other person in charge of the office.
- if there is no one 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 to be served has no office, leaving it at their home with someone person of suitable age living there.

B. 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.

C. Filing the Proof of Mailing or Hand Delivery forms

Make one copy of each completed Proof of Mailing or Hand Delivery.

Do not give copies of this form to the other parties.

If you mailed a copy of the forms by certified mail, and have a certified mail receipt back from the post office, attach the original receipt to the Proof of Mailing or Hand Delivery you file with the clerk. Make a copy for your records.

If you used certified mail but do not have the green receipt back when filing the Proof of Mailing or Hand Delivery, file the receipt later, attached to a page labeled with your case caption.



Part 7. If you and the other parent agree

If you and the other parent (and other parties in the case, if any) agree on the parenting plan, here is how you finalize your case.

1. Fill out these forms from this packet:
 - Motion for Parenting Plan or Residential Schedule
 - Waiver of Rights Under Service Members Civil Relief form (if other parent is in military or is the protected dependent of a service member)
 - Parenting Plan
2. If you are agreeing to a Protection Order or Restraining Order as part of this case, fill out any needed protection order or restraining order forms.
3. **You must both sign the Parenting Plan.**
4. Any other parties in your case also must sign the proposed parenting plan.
5. Make sure you have followed any local procedures the court requires.
6. The court clerk or family law facilitator will tell you how to get your proposed parenting plan signed by the judge if the other party agrees. You may not need to schedule a hearing.

Part 8. Blank Forms

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

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