

Superior Court of Washington, County of _____

In re parentage:

Petitioner *(person who started this case)*:

And Respondents:

(parent / presumed parent / possible genetic parent)

No. _____

Findings and Conclusions about Parentage

(FNFCL)

Findings and Conclusions about Parentage

1. Basis for findings and conclusions (check all that apply):

Parties' Agreement

Default Order or Summary Judgment Order *(date)*: _____

Order after Sexual Assault Fact-Finding Hearing on *(date)*: _____

Trial for this case on *(date)*: _____, with the following people present:

(Names): _____

2. Child

This case will decide who are the legal parents of:

Child's name <i>(first, middle, last)</i>	Born <i>(month/day/year)</i>	Lives in <i>(county and state)</i>

(If multiple children are listed, change "child" to "children" in this form as needed.)

3. Guardian ad Litem

No Guardian ad Litem was appointed.

The Court appointed *(name)*: _____ Guardian ad Litem (GAL) for the child.

The court has considered the report and recommendations of the GAL about (*check all that apply*):

Parentage

Parenting Plan or *Residential Schedule*

Other (*specify*): _____

Other (*specify*): _____

4. Notice and Personal Jurisdiction

All people with a right to receive notice of this case were served with the *Summons* and *Petition*. except (*name/s*): _____.

Basis for Personal Jurisdiction (<i>check all that apply</i>)	Respondent's Name: _____	Other Respondent's Name: _____
Was served in Washington	<input type="checkbox"/>	<input type="checkbox"/>
Lives in Washington now	<input type="checkbox"/>	<input type="checkbox"/>
Lived in Washington with child	<input type="checkbox"/>	<input type="checkbox"/>
Lived in Washington and paid pregnancy costs or support for child	<input type="checkbox"/>	<input type="checkbox"/>
Caused child to live in Washington	<input type="checkbox"/>	<input type="checkbox"/>
Had sex in Washington that may have produced the child	<input type="checkbox"/>	<input type="checkbox"/>
Agrees to Washington deciding	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	<input type="checkbox"/>	<input type="checkbox"/>

Conclusion – The court has personal jurisdiction over all parties to this case.

except (*name/s*): _____

Other findings or conclusions – _____

The court makes the following findings of fact and conclusions of law:

➤ **Parentage**

5. Genetic testing results, if any

No genetic testing results were considered by the court (admitted as evidence).

The following genetic testing results were considered by the court (admitted as evidence) (*Repeat this section for each person who was tested.*):

The test results for (*name*): _____ (*check one*):

- show a 99% or greater probability that this person **is** the biological parent of the child.
- exclude** this person as a biological parent of the child.
- Test Results Challenged – The genetic paternity test results of (name): _____ were challenged by (name): _____.
- The court concludes that the challenged test results (check one): are are **not** valid because (specify): _____.
- Other findings or conclusions – _____

6. Presumed Parent, if any (by marriage, domestic partnership, or holding out)

- Does not apply.** The child does not have a presumed parent by marriage, domestic partnership, or holding out. (Skip to **7.**)
- Holding out claim** – (Name): _____ claims to be a presumed parent by holding out. The court finds that they (check one):
- are a presumed parent because they lived in the same household as the child for the first 4 years of the child’s life, including any periods of temporary absence, and openly held out the child as his/her own child.
 - are **not** a presumed parent because they (check all that apply):
 - did **not** live in the same household as the child for the first 4 years of the child’s life, including any periods of temporary absence.
 - did **not** openly hold out the child as their own child.
- Challenge** – (Name): _____ is a presumed parent. A party has asked the court to find that the presumed parent is **not** a legal parent.
- a. Was the case filed by the deadline?**
- No. The Petition should be denied. (Skip to **7.**)
 - Yes, the case was filed:
 - on or before the child’s 4th birthday.
 - after the child’s 4th birthday, and the presumed parent:
 - is not a genetic parent,
 - never lived with the child, and
 - never held out the child out as his/her own.
 - after the child’s 4th birthday and the child has more than one presumed parent.
- b. Possible third parent?** Is anyone other than the birth parent and the presumed parent claiming to be a parent of this child?
- No.
 - Yes. Parentage should be decided based on the factors in section **10.**

c. Is the presumed parent a genetic parent?

- No. Parentage should be decided based on the factors in section **10**.
 - No genetic test results were admitted. Parentage should be decided based on the factors in section **10**.
 - Yes. The presumed parent should be confirmed as a legal parent.
 - Confirm** – (Name): _____ is a presumed parent. They should be confirmed as a legal parent because (check all that apply):
 - no one in this case says the presumed parent should **not** be a parent.
 - genetic testing shows the presumed parent is the genetic parent.
 - it is in the child’s best interest, even if the presumed parent is not the genetic parent.
 - No change** – None of the parties have asked to court to change the presumed parent’s status as a parent.
 - Other findings or conclusions** – _____
-

7. Challenge to Acknowledgment or Denial of Parentage by person who signed

- Does not apply.** (Skip to **8**.)
- Challenge by person who signed** – Petitioner has challenged the *Acknowledgment* and/or *Denial of Parentage* for this child. The *Acknowledgment* was signed by:
 - (name): _____ and
 - (name): _____,
 saying that they were the child’s parents. (Check one):
 - A *Denial of Parentage* was signed by (name): _____.
 - There is no *Denial of Parentage* related to this *Acknowledgment*.
- a. Was the case filed or served by the deadline?**
 - No. This case was **not** filed or served within 4 years of the child’s birth or the date the *Acknowledgment of Parentage* was filed, whichever happened later. The petition should be denied. (Skip to **8**.)
 - Yes. This case was filed or served within 4 years of the child’s birth or the date the *Acknowledgment of Parentage* was filed, whichever happened later.
- b. Does Petitioner have a valid reason to challenge?**
 - No. Genetic test results match the *Acknowledgment*. The Petition should be denied.
 - No. Petitioner did **not** prove that the *Acknowledgment* or *Denial* was signed because of fraud, duress (pressure or force), or material mistake of fact. The petition should be denied.

Yes. Parentage should be decided based on the factors in section **10**. (RCW 26.26A.460). Petitioner proved that the *Acknowledgment* or *Denial* was signed because of (*check all that apply*):

fraud.

duress (pressure or force).

material mistake of fact. This conclusion is based on the following facts:

Other findings or conclusions – _____

8. Challenge by Person not included in Acknowledgment or Court Decision

Does not apply. (*Skip to 9.*)

Challenge – The Petition was filed by a person who was not included in a/n:

Acknowledgment of Parentage. Petitioner did **not** sign the *Acknowledgment* or a related *Denial*.

Court decision. Petitioner was not notified of the case and was not a party.

a. Was the case filed or served by the deadline?

No. This case was **not** filed or served within 4 years of the child's birth or the date the *Acknowledgment of Parentage* was filed, or the date a court decided parentage, whichever happened later. The Petition should be denied. (*Skip to 9.*)

Yes, the case was filed or served within 4 years of the child's birth or the date an *Acknowledgment of Parentage* was filed, whichever happened later.

Yes, the case was filed or served within 4 years of the date a court decided parentage.

b. Did the court find it was in the child's best interest to permit this proceeding?

No. The Petition should be denied.

Yes. The court signed an order to permit this proceeding on (*date*): _____.

c. Is Petitioner a genetic parent?

No. The Petition should be denied.

Yes. Parentage should be decided based on the factors in section **10**.

Other findings or conclusions – _____

9. Assisted Reproduction (not surrogacy)

- Does not apply. The child was **not** conceived by assisted reproduction. (*Skip to 10.*)
- The child was conceived by assisted reproduction (not surrogacy). The court finds:
 - No consent.** (*Name*): _____ did **not** consent to assisted reproduction with the intent to become a parent.
 - Consent.** (*Birth Parent's Name*): _____ and (*name*): _____ consented to assisted reproduction with the intent that they would both be parents. The consent was not withdrawn. Proof of consent is (*check one*):
 - in a written agreement or record, including through a fertility clinic.
 - not** in writing. However, (*check all that apply*):
 - the parties had an express agreement **before** conception that they would both be parents of the child.
 - the parties lived together with the child, holding the child out as their child, for the first four years of the child's life or until one of them died or became incapacitated.
- Other findings or conclusions – _____

10. Challenges or competing claims

- Does not apply. (*Skip to 11.*)
- This case involves a challenge to the current legal parents (presumed, acknowledged, or court ordered), or someone has asked to be a third legal parent. The court will decide in the best interest of the child considering the factors in RCW 26.26A.460.
- Findings are attached that address the factors below. (*Skip to 11.*)
- Findings are set out in **a. – g.** below: (*Add lines as needed.*)
 - a. Child's Age** – The child is (*how old*): _____.
 - b. Length of time in role** – For each possible parent, how long did they act as (assume the role of) the child's parent?

 - c. Nature of relationship** – What was the nature of the relationship between the child and each possible parent?

 - d. Harm to child** – What would the harm be (if any) to the child if the relationship between the child and each possible parent is not recognized?

e. **Type of claim** – What is the basis for each possible parent’s claim to parentage?

f. **Other factors** – Describe any other factors arising from the disruption of the relationship between the child and each possible parent or the likelihood of other harm to the child.

[] g. **If the challenge is based on genetic test results:**

▪ What were the facts surrounding the discovery that the person may not be a genetic parent?

▪ How much time passed between finding out the person may not be a genetic parent and starting this case?

11. Allegation of parentage resulting from sexual assault

[] There **was no** allegation of sexual assault resulting in birth of a child.

[] There **was** an allegation of sexual assault resulting in birth of a child.

See the *Order after Sexual Assault Fact-Finding Hearing* signed by the court on (date) _____. The Findings and Conclusions from that order are made a part of this order. The court has determined that the sexual assault allegation was:

[] **proved.**

[] **not proved.**

[] **not considered** because it was not timely filed.

12. Parentage Conclusions

Based on the findings and conclusions above, the court should order:

[] **Parent** – The following people (name/s): _____ are legal parents of the child with all the rights and responsibilities of natural or adoptive parents.

[] **Not a Parent** – The following people (name/s): _____ are **not** parents of the child.

[] **No Change** – The court should not make any order about (name/s): _____
_____’s
parentage status because (explain): _____.

The child's birth certificate and any other birth record should be changed to match the legal parents as listed on the *Final Parentage Order* if there is any difference.

13. Child's Name

- The child's name should **not** be changed.
- The child's name should be changed as listed on the *Final Parentage Order*.

➤ **Parenting Plan / Residential Schedule**

14. Jurisdiction over the child (RCW 26.27.201 – .221, .231, .261, .271)

- The court **can** approve a *Parenting Plan* or *Residential Schedule* for the child and decide who the child should live with most of the time because (*check all that apply*):
 - Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the child, and the court still has authority to make other orders for the child.
 - Home state jurisdiction** – Washington is the child's home state because (*check all that apply*):
 - The child lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the child was less than 6 months old when the case was filed, the child had lived in Washington with a parent or someone acting as a parent since birth.
 - There were times the child was not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.
 - The child does not live in Washington right now, but Washington was the child's home state some time in the 6 months just before this case was filed, and a parent or someone acting as a parent of the child still lives in Washington.
 - The child does not have another home state.
 - No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for the child, **or** a court in the child's home state (or tribe) decided it is better to have this case in Washington **and**:
 - The child and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the child's care, protection, education and relationships in this state.
 - Other state declined** – The courts in other states (or tribes) that might be the child's home state have refused to take this case because it is better to have this case in Washington.
 - Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over the child when the case was filed, and now has jurisdiction to make a final custody decision because:
 - When the case was filed, the child was abandoned in this state, or the child was in this state and the child (or child's parent, brother or sister) was abused or threatened with abuse;

- The court signed a temporary order on *(date)* _____ saying that Washington’s jurisdiction will become final if no case is filed in the child’s home state (or tribe) by the time the child has been in Washington for 6 months;
- The child has now lived in Washington for 6 months; **and**
- No case concerning the child has been started in the child’s home state (or tribe).

[] Other reason *(specify)*: _____

[] The court **cannot** approve a *Parenting Plan* or *Residential Schedule* for the child or decide who the child should live with most of the time because the court does not have jurisdiction over the child.

15. Parenting Plan or Residential Schedule

- [] Does not apply because the petition is being dismissed or the court does not have jurisdiction over the child.
- [] No *Parenting Plan* or *Residential Schedule* should be entered based on the *Order after Sexual Assault Fact-Finding Hearing*.
- [] The court signed the final *Parenting Plan* or *Residential Schedule* filed separately today or on *(date)*: _____.
- [] No one requested a *Parenting Plan* or *Residential Schedule*. The child has been living with *(name)*: _____ most of the time. The child should continue to live with this parent most of the time. This parent should be named the child’s custodian.

The plan, schedule or custodian is approved *(check one)*:

- [] by default. The court considered the court record.
- [] by agreement of both parents without a contested hearing. The court considered the parties’ agreement and the following evidence, if any: _____
_____.
- [] after a summary judgment hearing. The court considered the evidence listed in the *Summary Judgment Order*.
- [] after trial. The court considered all of the evidence admitted at trial.
- [] Other findings or conclusions: _____

➤ **Child support**

16. Child Support

[] The child should be supported according to state law. The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date)*: _____.

- No child support should be established or collected based on the *Order after Sexual Assault Fact-Finding Hearing*.
- The court is not making a decision about child support now because: _____

- Other findings or conclusions: _____

➤ **Other Requests**

17. Protection Order

- No one requested a *Protection Order* in this case.
- (Name): _____ requested a *Protection Order* in this case.

Conclusion: The court should (*check one*):

- not** approve an *Protection Order* because: _____

- approve an *Protection Order* because: _____

18. Restraining Order

- No one requested a *Restraining Order* in this case.
- (Name): _____ requested a *Restraining Order*.

Conclusion: The court should:

- not** approve a *Restraining Order* because: _____

- approve a *Restraining Order* because: _____

19. Fees and costs

- Each party should pay their own fees and costs.
- Lawyer's fees were awarded in the *Order after Sexual Assault Fact-Finding Hearing* and should be included in the *Final Parentage Order*.
- This issue was decided in the *Summary Judgment Order* signed by the court on (date): _____. (*Skip to 20.*)

- (Name): _____ incurred fees and costs. (Name/s): _____
_____ should be ordered to pay the amount as listed in
the *Final Parentage Order*. The court finds that the amount ordered is reasonable.
- Fees for a Guardian ad Litem (GAL) or other court-appointed professional should be
paid as listed in the *Final Parentage Order*. The court finds the fees as ordered are
reasonable.
- Other findings or conclusions: _____

20. Other findings or conclusions (if any)

Date ▶ _____
Judge or Commissioner

Petitioner and Respondent/s or their lawyers fill out below.

This document (*check any that apply*):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

This document (*check any that apply*):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Petitioner signs here or lawyer signs here + WSBA #

▶ _____
Respondent signs here or lawyer signs here + WSBA #

Print Name Date

Print Name Date

This document (*check any that apply*):
 is an agreement of the parties
 is presented by me
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This document (*check any that apply*):
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Other Respondent or lawyer signs here + WSBA #

▶ _____
Other party or Guardian ad Litem signs here

Print Name Date

Print Name Date