WASHINGTON COURTS

December 6, 2012

TO: Judges, Commissioners, County Clerks, Court Administrators,
            Libraries, and Public

FROM: Merrie Gough, AOC Sr. Legal Analyst

RE: 2012 FALL SUMMARY OF CHANGES TO DOMESTIC RELATIONS
            FORMS

The Washington Pattern Forms Committee updated the mandatory Domestic Relations
pattern forms to implement Laws of 2012, ch. 3, Same Sex Marriage. Washington State
voters approved Referendum 74 which approved this law. The new provisions go into
effect December 6, 2012.

Following are detailed descriptions of the changes:

Dissolution (Divorce)		
1.	WPF DR 01.0100	**Petition for Dissolution of Marriage** In paragraph 1.3, in the second and third check box options, change "wife" to "respondent." In the fourth check box option change "wife" to "respondent" and change "husband" to "petitioner." In paragraph 1.5, Date and Place of Marriage, make the following changes: "The parties were married on (date) _____ at (city and state) _____. [ ] The parties had previously entered into a Washington State registered domestic partnership on (date) _____. [ ] Other:" In paragraph 1.6, in the first and second check box options, change "Husband" to "Petitioner" and change "wife" to "respondent." In paragraph 1.11, in the second, third, and fourth check box

		options, change "husband" to "petitioner" and change "wife" to "respondent." In paragraph 1.13, Pregnancy, make the following changes: "[ ] ~~The wife is~~ Neither spouse is~~not~~ pregnant. [ ] ~~The wife~~(Name) _____ is pregnant. **Note: Under RCW 26.26.116, the ~~husband~~ other spouse is the presumed ~~father~~parent. If ~~husband~~petitioner or ~~wife~~ respondent believes the ~~husband~~ other spouse is not the parent~~father~~, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625**. [ ] Other:" In section "II. Relief Requested," in the first check box option, change "husband" to "petitioner" and change "wife" to "respondent." In the sixth check box option, change "wife" to "respondent." In the seventh check box option, change "husband" to "petitioner."
2.	**WPF DR 01.0105**	**Petition for Dissolution of Registered Domestic Partnership** In paragraph 1.6, Date of Registration of Domestic partnership and Parties' Residence, make the following changes: "(Use this petition to end your registered domestic partnership or equivalent out-of-state legal union.) [ ] The parties registered their domestic partnership with the Washington Secretary of State on (date) _____. On that date, the parties resided at (city and state) _____. [ ] The parties entered into a legal union in the state of _____ on (date) _____ that is substantially equivalent to a Washington State registered domestic partnership. ~~(Use this petition to end your registered domestic partnership. Do not use this petition if you do not have a registered domestic partnership.)~~"

3.	WPF DR 01.0110	**Petition for Legal Separation (Marriage)**
		In paragraph 1.3, in the second check box option, change "wife" to "respondent."
		In the third check box option, change "husband" to "petitioner" and change "wife" to "respondent."
		In the fourth check box option, change "wife" to "respondent" and change "husband" to "petitioner."
		In paragraph 1.5, Date and Place of Marriage, make the following changes:
		"The parties were married on (date) _____ at (city and state) _____.
		[ ] The parties had previously entered into a Washington State registered domestic partnership on (date) _____.
		[ ] Other:"
		In paragraph 1.6, in the first and second check box options, change "Husband" to "Petitioner" and change "wife" to "respondent."
		In paragraph 1.11, in the second, third, and fourth check box options, change "husband" to "petitioner" and change "wife" to "respondent."
		In paragraph 1.13, Pregnancy, make the following changes:
		"[ ] ~~The wife is~~ Neither spouse is~~not~~ pregnant.
		[ ] ~~The wife~~(Name) _____ is pregnant. **Note: Under RCW 26.26.116, the ~~husband~~ other spouse is the presumed ~~father~~parent. If ~~husband~~petitioner or ~~wife~~ respondent believes the ~~husband~~ other spouse is not the parent~~father~~, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625.**
		[ ] Other:"
		In section "II. Relief Requested," in the first check box option, change "husband" to "petitioner" and change "wife" to "respondent."

		In the sixth check box option, change "wife" to "respondent."
		In the seventh check box option, change "husband" to "petitioner."
4.	**WPF DR 01.0115**	**Petition for Legal Separation (Registered Domestic Partnership)**
		In paragraph 1.6, Date of Registration of Domestic partnership and Parties' Residence, make the following changes:
		"(Use this petition to end your registered domestic partnership or equivalent out-of-state legal union.)
		[ ] The parties registered their domestic partnership with the Washington Secretary of State on (date) _____. On that date, the parties resided at (city and state) _____.
		[ ] The parties entered into a legal union in the state of _____ on (date) _____ that is substantially equivalent to a Washington State registered domestic partnership.
		~~(Use this petition to end your registered domestic partnership. Do not use this petition if you do not have a registered domestic partnership.)~~"
5.	**WPF DR 01.0120**	**Petition for Declaration Concerning Validity (Marriage)**
		In paragraph 1.3, in the second and third check box options, change "husband" to "petitioner" and change "wife" to "respondent."
		In the fourth check box option change "wife" to "respondent" and change "husband" to "petitioner."
		In paragraph 1.5, Date and Place of Marriage, make the following changes:
		"The parties were married on (date) _____ at (city and state) _____.
		[ ] The parties had previously entered into a Washington State registered domestic partnership on (date) _____.
		[ ] Other:"

		In paragraph 1.6, in the first and second check box options, change "Husband" to "Petitioner" and change "wife" to "respondent."
		In paragraph 1.11, in the second, third, and fourth check box options, change "husband" to "petitioner" and change "wife" to "respondent."
		In paragraph 1.13, Pregnancy, make the following changes: "[ ] ~~The wife is~~ Neither spouse is~~not~~ pregnant. [ ] ~~The wife~~(Name)_____ is pregnant. **Note**: **Under RCW 26.26.116, the ~~husband~~ other spouse is the presumed ~~father~~parent. If ~~husband~~petitioner or ~~wife~~ respondent believes the ~~husband~~ other spouse is not the parent~~father~~, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625**. [ ] Other:" In section "II. Relief Requested," in the first check box option, change "husband" to "petitioner" and change "wife" to "respondent." In the sixth check box option, change "wife" to "respondent." In the seventh check box option, change "husband" to "petitioner."
6.	**WPF DR 01.0125**	**Petition for Declaration Concerning Validity (Registered Domestic Partnership)** In paragraph 1.6, Date of Registration of Domestic partnership and Parties' Residence, make the following changes: "(Use this petition to end your registered domestic partnership or equivalent out-of-state legal union.) [ ]____The parties registered their domestic partnership with the Washington Secretary of State on (date) _____. On that date, the parties resided at (city and state) _____. [ ] The parties entered into a legal union in the state of _____ on (date) _____ that is substantially equivalent to a Washington State registered domestic partnership.

		(Use this petition to end your registered domestic partnership. Do not use this petition if you do not have a registered domestic partnership.)"
7.	**WPF DR 01.0300**	**Response to Petition (Marriage)** In section "II. Request for Relief," in the fourth check box option, change "husband" to "petitioner" and change "wife" to "respondent." In the ninth check box option, change "wife" to "respondent." In the tenth check box option, change "husband" to "petitioner."

8.	**WPF DR 01.0410**	**Residential Time Summary Report**
		
		In paragraph 2, within the table, in the second column, change "the Mother' to "Petitioner." In the third column, change "the Father" to "Respondent."
		
		In paragraph 3, Information about Parents, make the following changes:
		
		<table><tr><td>**~~Father~~Petitioner**: has the following relationship to the child(ren)
		[ ] mother [ ] father [ ] _____ ,and
		        is [ ] self-represented [ ] represented by an attorney.</td></tr><tr><td>The court found under paragraphs 2.1 and 2.2: [ ] does not apply, or
		the ~~Father~~Petitioner
		    [ ] committed domestic violence [ ] abused or neglected a child
		    [ ] has chemical dependency issues [ ] has mental health issues
		    [ ] other:_____</td></tr></table>
		<table><tr><td>**~~Mother~~ Respondent**: has the following relationship to the child(ren)
		[ ] mother [ ] father [ ] _____ ,and
		        is [ ] self-represented [ ] represented by an attorney.</td></tr><tr><td>The court found under paragraphs 2.1 and 2.2: [ ] does not apply, or
		the ~~Mother~~Respondent
		    [ ] committed domestic violence [ ] abused or neglected a child
		    [ ] has chemical dependency issues [ ] has mental health issues
		    [ ] other:_____</td></tr></table>

9.	WPF DR 04.0300	**Findings of Fact and Conclusions of Law (Marriage)**
		In paragraph 2.4, Date and Place of Marriage, make the following changes:

Findings of Fact and Conclusions of Law (Marriage)

In paragraph 2.4, Date and Place of Marriage, make the following changes:

"The parties were married on (date) _____ at (city and state only) _____.

[ ]	The parties had previously entered into a Washington State registered domestic partnership on (date) _____ .

[ ]	Other:"

In paragraph 2.5, change "Husband" to "Petitioner" and change "wife" to "respondent."

In paragraph 2.9, in the first check box option, change "husband" to "petitioner." In the second check box option, change "wife" to "respondent." In the fourth check box option, change "husband" to "petitioner." In the fifth check box option, change "wife" to "respondent." In the sixth check box option, change "husband" to "petitioner. In the seventh check box option, change "wife" to "respondent."

In paragraph 2.11, in the first check box option, change "husband" to "petitioner." In the second check box option, change "wife" to "respondent." In the third check box option, change "husband" to "petitioner." In the fifth check box option, change "wife" to "respondent." In the sixth check box option, change "husband" to "petitioner." In the seventh check box option, change "wife" to "respondent."

In paragraph 2.13, in the second check box option, change "husband" to "petitioner" and change "wife" to "respondent."

In paragraph 2.15, in the third check box option, change "husband" to "petitioner" and change "wife" to "respondent" in two locations.

In paragraph 2.16, Pregnancy, make the following changes:

"[ ]	~~The wife is~~ Neither spouse is~~not~~ pregnant.
[ ]	~~The wife~~(Name) _____ is pregnant.
	Note: **Under RCW 26.26.116, the ~~husband~~ other spouse is the presumed ~~father~~parent. If ~~husband~~petitioner or ~~wife~~ respondent believes the ~~husband~~ other spouse is not the parent~~father~~, this presumption may be challenged up to four years after the birth of the**

		child or as otherwise provided in RCW 26.26.500 through 26.26.625. In paragraph 2.17, below the second check box, change "Mother's Name" to "Parent's Name," and change "Father's Name" to "Parent's Name." In paragraph 3.3, change the second check box option, as follows: "[ ] ~~The wife~~(Name) _____ is pregnant. Any challenge to the ~~husband's~~ other spouse's presumed ~~paternity~~ parentage shall be initiated by: 1) signing and filing a valid denial of paternity and a valid acknowledgement of paternity under RCW 26.26.300 through 26.26.375; or, 2) a proceeding to determine the parentage of the unborn child under RCW 26.26.500 through 26.26.625."
10.	**WPF DR 04.0305**	**Findings of Fact and Conclusions of Law (Registered Domestic Partnership)** In paragraph 2.4, Date and Registration of Domestic Partnership and Parties' Residence, make the following changes: "[ ] The parties registered their domestic partnership with the Washington Secretary of State on (date) _____. On that date, the parties resided at (city and state only) _____. [ ] The parties entered into a legal union in the state of _____ on (date) _____ that is substantially equivalent to a Washington State registered domestic partnership."
11.	**WPF DR 04.0400**	**Decree of Dissolution/Decree of Legal Separation/Declaration Concerning Validity (Marriage)** In paragraph 3.1, in the second check box option, change "husband" to petitioner" and change "wife" to "respondent." In paragraph 3.2, change the paragraph heading as follows: **"Property to be Awarded the ~~Husband~~Petitioner"** Also in paragraph 3.2, change "husband" to "petitioner" and delete "his" in the first three check box options.

In paragraph 3.3, change the paragraph heading as follows:

"Property to be Awarded to the ~~Wife~~Respondent"

Also in paragraph 3.3, change "wife" to "respondent" and delete "her" in the first three check box options.

In paragraph 3.4, change the paragraph heading as follows:

"Liabilities to be Paid by the ~~Husband~~Petitioner"

Also in paragraph 3.4, change "husband" to "petitioner" in the second through fourth check box options. In the sentence below the check box for "Other," change "husband" to "petitioner" and change "him" to "the petitioner."

In paragraph 3.5, change the paragraph heading as follows:

"Liabilities to be Paid by the ~~Wife~~Respondent"

Also in paragraph 3.5, change "wife" to "respondent" in the second through fourth check box options. In the sentence below the check box for "Other," change "wife" to "respondent" and change "her" to "the respondent."

In paragraph 3.7, in the second and fourth check box options, change "husband" to "petitioner" and "wife" to "respondent."

In paragraph 3.14, in the second check box option, change "wife" to 'respondent." In the third check box option, change "husband" to "petitioner."