Superior Court of Washington, County of _____

In re the marriage of: Petitioner *(person who started this case)*: _____ And Respondent *(other spouse)*: _____	No. _____ Petition for Divorce (Dissolution) (PTDSS)

Petition for Divorce (Dissolution)

1. Information about the parties

Petitioner lives in *(county)*: _____ *(state)*: _____

Respondent lives in *(county)*: _____ *(state)*: _____

2. Information about the marriage *(check all that apply)*:

☐ We were married on *(date)*: _____ at *(city and state)*: _____ _____.

☐ Our domestic partnership was registered with the State of _____ on *(date)*: _____, and:

- ☐ it converted into a marriage by law on June 30, 2014. (RCW 26.60.100.)
- ☐ we were married on *(date)*: _____ at *(city and state)*: _____ _____.

☐ We currently live in the same household.

☐ We began living in separate households on *(date)*: _____.

3. Request for divorce

This marriage is irretrievably broken. I ask the court to dissolve our marriage and find that our marital community ended on *(check one)*:

☐ the date this Petition is filed.

☐ *(date)*:_____, which is when *(check all that apply)*:

- ☐ one of us moved to a separate household.
- ☐ we separated our assets and debts.
- ☐ we agreed the marital community ended.
- ☐ other *(specify):* _____

4. Jurisdiction over the spouses

The court has jurisdiction over the marriage because at least one of the spouses lives in Washington State, or is stationed in this state as a member of the armed forces.

☐ The court **has** personal jurisdiction over the Respondent because *(check all that apply):*

- ☐ The Respondent lives in Washington State.
- ☐ The Petitioner and Respondent lived in Washington State while they were married, and the Petitioner still lives in this state or is stationed in this state as a member of the armed forces.
- ☐ The Petitioner and Respondent may have conceived a child together in this state.
- ☐ Other *(specify):* _____

☐ The court does **not** have personal jurisdiction over the Respondent. *(This may limit the court's ability to divide property and debts, award money, set child support or spousal support, or approve a restraining order or protection order.)*

5. Is one of the spouses pregnant?

(Check one):

☐ No ☐ Yes

If *Yes*, who is pregnant?

- ☐ Petitioner
- ☐ Respondent

Note: The law considers the other spouse to be the parent of any child born during the marriage or within 300 days after it ends. If the other spouse is not the parent, either spouse may file a *Petition to Disprove Parentage of Presumed Parent* (form FL Parentage 355) in court. In most cases, the deadline to file the *Petition to Disprove* is before the child turns four. (See RCW 26.26.116, 26.26.500 – 26.26.625.)

If everyone agrees, both spouses and the child's biological father can sign an *Acknowledgment (and Denial) of Paternity*. Those forms must be notarized and filed with the Washington State Registrar of Vital Statistics to be valid.

6. Children of the marriage

☐ My spouse and I have **no** children together who are still dependent. *(Skip to **7.**)*

☐ My spouse and I have the following children together who are still dependent *(only list children you and your spouse have together, not children from other relationships):*

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

a. Children's home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

☐ No. *(Skip to **b.**)*

☐ Yes. *(Fill out below to show where each child has lived during the last 5 years.)*

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	☐ All children ☐ *(Name/s):*	☐ Petitioner ☐ Respondent ☐ Other *(name):*	
From: To:	☐ All children ☐ *(Name/s):*	☐ Petitioner ☐ Respondent ☐ Other *(name):*	
From: To:	☐ All children ☐ *(Name/s):*	☐ Petitioner ☐ Respondent ☐ Other *(name):*	
From: To:	☐ All children ☐ *(Name/s):*	☐ Petitioner ☐ Respondent ☐ Other *(name):*	
From: To:	☐ All children ☐ *(Name/s):*	☐ Petitioner ☐ Respondent ☐ Other *(name):*	

b. Other people with a legal right to spend time with a child

Do you know of anyone besides you and your spouse who has (or claims to have) a legal right to spend time with any of the children?

(Check one): ☐ No. *(Skip to **c.**)* ☐ Yes. *(Fill out below.)*

Name of person	Children this person may have the right to spend time with
	☐ All children ☐ *(Name/s):*
	☐ All children ☐ *(Name/s):*

c. Other court cases involving a child

Do you know of any court cases involving any of the children?

(Check one): ☐ No. *(Skip to **7.**)* ☐ Yes. *(Fill out below.)*

Kind of case *(Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)*	County and State	Case number and year	Children

Kind of case *(Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)*	County and State	Case number and year	Children
			☐ All children ☐ *(Name/s):*
			☐ All children ☐ *(Name/s):*
			☐ All children ☐ *(Name/s):*
			☐ All children ☐ *(Name/s):*

7. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

☐ Does not apply. My spouse and I have **no** children together who are still dependent.

☐ The court **can** approve a *Parenting Plan* for the children my spouse and I have together because *(check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names):*

☐ **Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for *(children's names):* _____.

☐ **Home state jurisdiction** – Washington is the children's home state because *(check all that apply):*

☐ *(Children's names):* _____ 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 children are less than 6 months old, they have lived in Washington with a parent or someone acting as a parent since birth.

☐ There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.

☐ *(Children's names):* _____ do not live in Washington right now, but Washington was the children'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 children still lives in Washington.

☐ *(Children's names):* _____ do 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 *(children's names):* _____, **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and:**

- The children 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 children's care, protection, education and relationships in this state.

☐ **Other state declined** – The courts in other states (or tribes) that might be *(children's names):*_____'s home state have refused to take this case because it is better to have this case in Washington.

☐ **Temporary emergency jurisdiction** – The court can make decisions for *(children's names):* _____ because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or the children's parent, brother or sister) were abused or threatened with abuse. (*Check one):*

☐ A custody case involving the children was filed in the children's home state *(name of state or tribe):* _____. Washington should take temporary emergency jurisdiction over the children until the Petitioner can get a court order from the children's home state (or tribe).

☐ There is **no** valid custody order or open custody case in the children's home state *(name of state or tribe):* _____. If no case is filed *in the children's home state (or tribe)* by the time the children have been in Washington for 6 months, *(date):* _____, Washington should have final jurisdiction over the children.

☐ Other reason *(specify):* _____

☐ The court **cannot** approve a *Parenting Plan* because the court does not have jurisdiction over the children.

8. Parenting Plan

☐ My spouse and I have **no** children together who are still dependent.

☐ I ask the court to order a *Parenting Plan* for the children my spouse and I have together. I will file and serve my proposed *Parenting Plan* (form FL All Family 140) *(check one):*

☐ at the same time as this *Petition*.

☐ later.

☐ The court **cannot** approve a *Parenting Plan* because the court does not have jurisdiction over the children.

9. Child Support

☐ My spouse and I have **no** children together who are still dependent.

☐ **Court Order –** I ask the court to order child support (including medical support) according to state law for the children my spouse and I have together. *(You may ask for a court order of child support even if there is already an administrative order. The court order will replace the administrative order to the extent the court order is different.)*

☐ I ask the court to order my spouse to pay his/her proportionate share of

(check all that apply): ☐ day care expenses

☐ long-distance transportation expenses

☐ education expenses

☐ post-secondary (college or vocational school) support

☐ other child-related expenses *(specify):* _____

☐ I ask the court to order that tax exemptions for our dependent children be divided as follows *(describe):*

_____

☐ **Administrative Order –** There is no need for the court to make a child support order. The DSHS Division of Child Support (DCS) has already established an administrative child support order for the children my spouse and I have together in DCS case number/s: _____. I am not asking the court to make a different child support order.

DCS child support orders do not cover tax exemptions or post-secondary (college or vocational school) support. Because these issues are not in the administrative order, I ask the court to order *(check all that apply):*

☐ tax exemptions for our dependent children be divided as follows *(describe):*

_____

☐ my spouse to pay his/her proportionate share of post-secondary (college or vocational school) support.

10. Children from other relationships

☐ Neither spouse has children from other relationships who are still dependent.

☐ I have the following dependent children who are not from this relationship *(list name/s and age/s):* _____.

☐ My spouse has the following dependent children who are not from this relationship *(list name/s and age/s):* _____.

11. Written Agreements

Have you and your spouse signed a prenuptial agreement, separation contract or community property agreement?

(Check one): ☐ No. *(Skip to **12**.)* ☐ Yes. *(Fill out below.)*

Type of written agreement: _____

Date of written agreement: _____

Should the court enforce this agreement?

(Check one): ☐ Yes ☐ No

If No, why not? _____

_____

12. Real Property (land or home)

☐ Neither spouse owns any real property.

☐ I ask the court to divide the real property according to the written agreement described in **11** above.

☐ I ask the court to divide the real property fairly (equitably), as explained below:

Real Property Address	Tax Parcel Number	Who should own this property?
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent

☐ I ask the court to divide the real property fairly (equitably) as the court decides.

☐ The court does not have jurisdiction to divide the real property.

☐ Other *(specify):* _____

_____

13. Personal Property (possessions, assets or business interests of any kind)

☐ We have already divided the property fairly. I ask the court to order that each spouse will keep any personal property that s/he now has or controls.

☐ I ask the court to divide the personal property according to the written agreement described in **11** above.

☐ I ask the court to divide the personal property fairly (equitably), as explained below:

List property *(include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number.):*	**Who should own this property?**
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent
	☐ Petitioner ☐ Respondent

☐ I ask the court to divide the personal property fairly (equitably) as the court decides.

☐ The court does not have jurisdiction to divide the personal property.

☐ Other: _____

_____

14. Debts

☐ I am not aware of any debts.

☐ I ask the court to order each spouse to be responsible for debts s/he incurred (made) after the date of separation.

☐ I ask the court to divide the debts according to the written agreement described in **11** above.

☐ I ask the court to make the following orders about debts *(check all that apply):*

☐ Each spouse is responsible for the debts that are now only in his/her own name.

☐ Divide the debts fairly (equitably), as explained below:

Debt Amount	**Creditor** *(person or company owed this debt)*	**Who should pay this debt?**
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent
		☐ Petitioner ☐ Respondent

☐ Divide the debts fairly (equitably) as the court decides.

☐ The court does not have jurisdiction to divide the debts.

☐ Other: _____

_____

15. Spousal Support (maintenance/alimony)

☐ Spousal support is **not** needed.

☐ Spousal support **is** needed. The ☐ Petitioner ☐ Respondent has the ability to pay and should pay support:

☐ as decided by the court.

☐ $_____ every month until *(date or event):* _____

_____.

☐ according to the written agreement described in **11** above.

☐ other: _____

_____

16. Fees and Costs

☐ No request.

☐ Order my spouse to pay my lawyer's fees, other professional fees, and costs for this case.

17. Protection Order

Do you want the court to issue an Order for Protection as part of the final orders in this case?

☐ **No.** I do not want an *Order for Protection*.

☐ **Yes.** *(You must file a Petition for Order for Protection, form DV-1.015 for domestic violence, or form UHST-02.0200 for harassment. You may file your Petition for Order for Protection using the same case number assigned to this case.)*

Important! *If you need protection* ***now****, ask the court clerk about getting a Temporary Order for Protection.*

☐ **There already is an *Order for Protection between my spouse and me*.** *(Describe):*

Court that issued the order: _____

Case number: _____

Expiration date: _____

18. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

☐ **No.** *(Skip to* ***19****.)*

☐ **Yes.** *Check the type of orders you want:*

☐ **Do not disturb** – Order the Respondent not to disturb my peace or the peace of any child listed in **6**.

☐ **Stay away** – Order the Respondent:

- ☐ Not knowingly to go or stay within ____ feet of my home, workplace, or school, or the daycare or school of any child listed in **6**.
- ☐ To stay away from my home, workplace, or school, and the daycare or school of any child listed in **6**.

☐ **Do not hurt or threaten** – Order the Respondent:

- Not to assault, harass, stalk or molest me or any child listed in **6**; and
- Not to use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

Warning! *If the court makes this order, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.*

☐ **Prohibit weapons and order surrender** – Order the Respondent:

- Not to possess or obtain any firearms, other dangerous weapons, or concealed pistol license until the Order ends, and
- To surrender any firearms, other dangerous weapons, and any concealed

pistol license that he/she possesses to *(check one):* ☐ the police chief or sheriff. ☐ his/her lawyer. ☐ other person *(name):* _____.

☐ **Other restraining orders:** _____

_____

Important! *If you want a restraining order* ***now****, you must file a Motion for Temporary Family Law Order and Restraining Order (FL Divorce 223) or a Motion for Immediate Restraining Order (Ex Parte) (FL Divorce 221).*

19. Name Change

☐ No request.

☐ Change the Petitioner's name to: _____

first *middle* *last*

20. Other requests, if any

_____

_____

Petitioner fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at *(city and state):* _____ Date: _____

▶ _____ _____

Petitioner signs here *Print name*

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

▶ _____ _____ _____

Petitioner's lawyer signs here *Print name and WSBA No.* *Date*

☐ **Respondent fills out below <u>if</u> he/she agrees to join this Petition:**

I, *(name):* _____, agree to join this *Petition*. I understand that if I fill out and sign below, the court may approve the requests listed in this *Petition* unless I file and serve a *Response* before the court signs final orders. *(Check one):*

☐ I do not need to be notified about the court's hearings or decisions in this case.

☐ I ask the Petitioner to notify me about any hearings in this case. *(List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.)*

_____

address *city* *state* *zip*

(If this address changes before the case ends, you ***must*** *notify all parties and the court in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)*

▶ _____ _____ _____

Respondent signs here *Print name* *Date*