

FILED
Court of Appeals
Division II
State of Washington
11/30/2018 1:33 PM

No. 52019-2-II

COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

JEREMY HOLLIS,

Appellant

v.

ELIZABETH GOODWIN,

Respondent

BRIEF OF APPELLANT

Margaret Brost, WSBA # 20188
Brost Law, PC
1800 Cooper Point Road SW #18
Olympia, WA 98502
360.357.0285

Attorney for the Appellant
Jeremy Hollis

TABLE OF CONTENTS

TABLE OF CONTENTS..... i

TABLE OF AUTHORITIES..... iii

I. INTRODUCTION..... 1

II. ASSIGNMENTS OF ERROR..... 1

III. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR.. 2

IV. STATEMENT OF THE CASE..... 3

 A. Appellate Facts and Procedural History .. 3

 1. Petition for DVPO improperly based on subjective fear.....3

 2. Erroneous finding of psychological harm.....5

 3. Motion to revise returned to court commissioner for additional findings...7

 4. Erroneous Finding of unlawful discipline
 7

 5. Erroneous finding of credible threat to the physical safety of intimate partner or child.....8

 6. Erroneous finding of infliction of the fear of harm.....9

V. STANDARD OF REVIEW..... 11

VI. SUMMARY OF ARGUMENT..... 12

VII. ARGUMENT..... 13

 A. No psychological harm by the father. ... 13

 B. Father's discipline of child was lawful. 14

 C. No credible threat to physical safety of child. 18

 D. Neither the mother's nor the child's fear reasonably caused by the father's acts. 19

VIII. CONCLUSION: RELIEF SOUGHT 21

Appendix

ATTACHMENT A.....A-1

ATTACHMENT BA-17

TABLE OF AUTHORITIES

Cases

Dependency of H.S. 188 Wash.App. 654, 356 P.3d 202
(2015) 12, 16

In re Contested Election of Schoessler, 140 Wn.2d 368,
385, 998 P.2d 818 (2000) 12

In re Marriage of Freeman, 169 Wn.2d 664, 239 P.3d 557
(2010) 19

In re Marriage of Stewart, 133 Wn. App. 545, 550, 137
P.3d 25 (2006) 12

Rodriguez v. Zavala, 398 P. 3d 1071 (2017)..... 19

State ex re. Carroll v. Junker, 79 Wash.2d 12, 26, 482
P.2d 775 (1971) 11

State v. Rohrich, 149 Wn.2d 647, 654,71 P.3d 638 (2003)
..... 11, 12

State v. Singleton, 41 Wn.App. 721, 723, 705 P.2d 825
(1985) 14, 15

Statutes

RCW 26.50.10 19

RCW 9.41.040 18

RCW 9.41.800(3) 18

RCW 9.41.800(5) 18
RCW 9A.16.100 passim
WAC 388-15-009(2) 16

I. INTRODUCTION

Appellant Jeremy Dale Hollis ("Jeremy") seeks dismissal of a domestic violence protection order and weapons surrender. The domestic violence protection order is based on self-generated and subjective fear of what he "might" do after his mentally ill teen-age daughter made allegations of child sexual abuse that allegedly occurred at some unspecified time more than 6 years earlier. Jeremy has never committed an act of domestic violence. No criminal charges have been brought in the 19 months since the child's allegations were made.

II. ASSIGNMENTS OF ERROR

1. The trial court erred in finding that a 13 year old mentally ill child's subjective and self-generated fear of what her father "might" do was a sufficient basis for a domestic violence protection order against

him. Order entered on December 6, 2017.

2. The trial court erred in finding that the father was responsible for the child's psychological harm. Order entered on December 6, 2017.
3. The trial court erred in finding that the pulling on the child's arm causing a sprain was unlawful discipline. Oral Findings of Fact & Conclusion of Law, April 03, 2018.
4. The trial court erred by ordering weapons surrender when it failed to find that Jeremy represents a credible threat to the physical safety of the intimate partner or child.
5. The trial court erred in denying Jeremy Hollis' motion to revise. Order entered on May 18, 2018.

III. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

1. Fear of imminent physical harm must be reasonable.

2. Finding of harm must be supported by evidence.
3. Unlawful discipline requires more than temporary minor injury.
4. Weapons restraints require specific findings which are absent.
5. A parent's fear of harm to a child must be supported by sufficient evidence.

IV. STATEMENT OF THE CASE

A. Appellate Facts and Procedural History

1. Petition for DVPO improperly based on subjective fear.

On June 2, 2017, the mother filed a petition for a domestic violence protection order¹. CP 1. She alleged that both she and the child (age 13)

¹ This was the second request for a DVPO filed by the mother on behalf of the child. An earlier request (Thurston County Cause # 15-3-01607-34) was dismissed by agreement when the father agreed to end the on-going parenting plan litigation with entry of a final parenting plan which required agreement of the parents and consideration of the preferences of the child regarding any residential time with the father. See Attachment A -Final Parenting Plan, entered July 22, 2016.

were fearful of what the father might do because the child had recently alleged sexual abuse by the father "years ago" and claimed that a police investigation was underway. CP 4-7. The mother alleged that the child was fearful of the consequences of the father finding out about the disclosure and the police investigation. CP 7. She sought an ex parte order which was granted without notice to the father. CP 10-13.

Hearing on the petition was continued several times because the mother alleged that there was an on-going criminal investigation and initially the court was mindful of the father's constitutional rights in a potential criminal proceeding. RP pg. 16 (Transcript of 7/05/17 Hrg. 16:2-12). However, when no criminal charges were brought RP pg. 48 (Transcript of 12/06/17 Hrg. 48:2-24) and the court suddenly determined that no further continuances would be granted. RP pg. 36-37 (Transcript of 12/06/17 Hrg. 36:7-12; 37:4-13). The petition was

heard on December 6, 2017.

At the time of the hearing, the father had not initiated any direct contact with the child and had forgone his parenting time as well as parental decision making, **by informal agreement**, since even before entry, on July 22, 2016, of the agreed final parenting plan. RP pg. 59 (Transcript of 12/06/17 Hrg. 59:8-10). Thereafter, his only indirect contact consisted of dropping off some holiday and birthday cards at the school, against which there was **no prohibition**. RP pg. 59-60 (Transcript of 12/06/17 Hrg. 59:20-25; 60:1-6); See Attachment A, pg. A-3 (Sec. 3(a)(b)); pg. A-4 (Sec. 4); pg. A-14-15 (Sec. 5(a)). Further, there had never been any criticism of, nor a request that he stop doing so. RP pg. 53; 63-64 (Transcript of 12/06/17 Hrg. 53:9-12; 63:1-25; 64:1-12).

2. Erroneous finding of psychological harm

At the hearing on December 6, 2017, the court

commissioner specifically declined to make a finding that there had been sexual abuse by the father. RP pg. 73 (Transcript of 12/06/17 Hrg. 73:16-23). However, the Commissioner found that there was "significant psychological harm to this child," RP pg. 74 (Transcript of 12/06/17 Hrg. 74:6-7) based on "whatever her relationship is with Mr. Hollis". RP pg. 74 (Transcript of 12/06/17 Hrg. 74:13-14). He did not explain what he meant by "whatever." RP pg. 75 (Transcript of 12/06/17 Hrg. 75:2).

The Commissioner claimed reliance on the "Zavalla [*sic*] case"² RP pg. 74 (Transcript of 12/06/17 Hrg. 74:18-22) to support his legal conclusion that because the child "would rather end her life than have communication with Mr. Hollis", that there was a sufficient basis to enter a protection order. RP pg. 74-75 (Transcript of

² Presumably he meant, *Rodriguez v. Zavala*, 398 P. 3d 1071 (2017).

12/06/17 Hrg. 74:23-25; 75:1-6).

3. Motion to revise returned to court commissioner for additional findings.

Jeremy filed for revision. CP 31-33. The motion was heard on February 23, 2018 by the Honorable Mary Sue Wilson, who determined that the findings made by the Commissioner were unclear. CP 45. She ordered that the Commissioner make additional findings before she would hear the motion to revise. *Id.*

4. Erroneous Finding of unlawful discipline

On April 03, 2018 Commissioner Kortokrax found (erroneously) that the wrist sprain allegedly sustained by the child two years earlier when the father attempted to get her out of bed to speak with him about her theft of an IPod, violated the statutory provisions related to unlawful discipline. RP pg. 7 (Transcript of 4/03/18 Hrg. 7:3-23). Although he did not cite the law precisely, presumably he meant RCW 9A.16.100. *Id.*

The fact that CPS had investigated the incident and had concluded that the allegation of physical abuse was unfounded, was not persuasive to the commissioner. See Attachment B, Letter from CPS (filed under seal with the court in Cause No. 15-3-01607-34 on 02/15/2018).

5. Erroneous finding of credible threat to the physical safety of intimate partner or child.

Although there were two suicide notes, one to each parent, neither of which was specific as to why the child wanted to kill herself. CP 385-386. No testimony was offered as to when those were written. RP *Passim* (Transcripts of 7/05/17; 7/09/17; 12/06/17; 4/03/18; 5/18/18 Hrgs. *Passim*). The Father testified that he did not know of any of the serious psychological issues of his daughter, and had not been involved in any of her treatment, even before the disclosure of alleged abuse. RP pg. 63 (Transcript of 12/06/17 Hrg. 63:1-5). No professional testified as to the cause of the

child's mental illness. RP pg. 3 (Transcript of 7/05/17 Hrg.); RP pg. 22 (Transcript of 7/19/17 Hrg.); RP pg. 31 (Transcripts of 12/06/17 Hrg.). The medical records submitted provide no support for the allegations against the father nor that he is responsible for the child's symptoms or behavior. CP 338-373.

Nevertheless, taking all of the facts in total, Commissioner Kortokrax concluded that a protection order was warranted based on "harm". RP pg. 74 (Transcript of 12/06/17 Hrg. 74:15-17). Further, that the nature of the parties' relationship and his finding of "some fear of imminent physical harm," was sufficient to support an order to surrender firearms. RP pg. 74-75 (Transcript of 12/06/17 Hrg. 74:1-5; 75:7-9).

6. Erroneous finding of infliction of the fear of harm.

Upon request by the revision judge, Commissioner Kortokrax clarified his findings and

made additional findings on April 3, 2018. Essentially, he found it "reasonable" for the mother to have "concerns" about the "fear of imminent physical harm . . ." RP pg. 9 (Transcript of 04/03/18 Hrg. 9:19-21). The Commissioner based his additional finding on the father's dropping off holiday and birthday cards at the school, which he determined was a violation of his "understanding" of an "agreement" to dismiss an earlier ex-parte protection order in exchange for the entry of a final parenting plan. The Commissioner's "understanding" was that the "agreement" was a **total restriction** of all contact between the father and child. RP pg. 9 (Transcript of 04/03/18 Hrg. 9:13-16). However, neither the parenting plan entered nor any testimony supports the Commissioner's "understanding". See Attachment A, pg. A-3 (Sec. 3(a)(b)); pg. A-4 (Sec. 4); pg. A-14-15 (Sec. 5(a)). Neither parent testified that the agreement prohibited all contact. Instead, the

mother testified that she wanted the protection order precisely because there was no current restriction to the father's contact. RP pg. 67 (Transcript of 12/06/17 Hrg. 67:6-15).

At the revision hearing on May 18, 2018, the Honorable Mary Sue Wilson denied revision. RP pg. 14 (Transcript of 04/03/18 Hrg. 14:4-5). She concluded that the father's actions of dropping off holiday and birthday cards "with other factors present" were sufficient to support a finding of the infliction of fear of harm. *Id.* at 14:1-5.

V. STANDARD OF REVIEW

On appeal, this Court determines whether the trial court abused its discretion. *State ex re. Carroll v. Junker*, 79 Wash.2d 12, 26, 482 P.2d 775 (1971).

A court abuses its discretion if its decision is manifestly unreasonable or is exercised on untenable grounds or for untenable reasons. *State v. Rohrich*, 149 Wn.2d 647, 654, 71 P.3d 638 (2003).

A decision is based on untenable grounds or made for untenable reasons if it rests on facts unsupported by the record or was reached using the wrong legal standard. *Id.*

A court also abuses its discretion if it bases its findings on its own beliefs, substituting them for the statutory standards. *Dependency of H.S.* 188 Wash.App. 654, 356 P.3d 202 (2015).

A trial court's findings must be supported by "substantial evidence in the record" – that is, a quantity of evidence sufficient to persuade a fair-minded, rational person of the finding's truth. See *In re Marriage of Stewart*, 133 Wn. App. 545, 550, 137 P.3d 25 (2006); *In re Contested Election of Schoessler*, 140 Wn.2d 368, 385, 998 P.2d 818 (2000).

VI. SUMMARY OF ARGUMENT

The Court Commissioner abused his discretion when he erroneously found the father of a mentally ill teenager, responsible for "psychological harm"

and concluded that such harm was a sufficient basis to enter a domestic violence protection order. The Court Commissioner further erred by making an erroneous finding that the father violated RCW 9A.16.100, as well as a purported "agreement" and thus represented a credible threat to the physical safety of the child and ordered weapons surrender. Finally, the revision court erred when it failed to revise the Court Commissioner and erroneously found a factual basis for its conclusion that the father had inflicted "fear of harm".

VII. ARGUMENT

A. No psychological harm by the father.

Although there is no question that this child suffers from significant psychological symptoms, no professional has ever suggested that the child's behavioral and emotional problems are the result of anything that the father might have done. CP 338-373; RP pg. 3 (Transcript of 7/05/17 Hrg.); RP pg. 22 (Transcript of 7/19/17 Hrg.); RP pg. 31

(Transcript of 12/06/17 Hrg). Moreover, the court commissioner explicitly stated that he was *not* finding that the father sexually abused his child. RP pg. 73 (Transcript of 12/06/17 Hrg. 73:16-23).

The court commissioner abused his discretion when he found the father responsible for the child's "psychological harm" because there is insufficient evidence to support such a finding.

B. Father's discipline of child was lawful.

The physical discipline of a child is not unlawful when it is reasonable and moderate and is inflicted by a parent for purposes of restraining or correcting the child. RCW 9A.16.100. See also *State v. Singleton*, 41 Wn.App. 721, 723, 705 P.2d 825 (1985) ("*A parent has a right to use reasonable and timely punishment to discipline a minor child within the bounds of moderation and for the best interest[s] of the child.*").

Whether physical discipline is lawful is determined by "whether, in light of all the

circumstances, the [parental] conduct itself, viewed objectively, would be considered excessive, immoderate, or unreasonable." *Singleton*, 41 Wash.App. at 723. (quotation omitted) (emphasis in original).

RCW 9A.16.100 provides a nonexclusive list of unreasonable physical disciplinary actions including: (1)[t]hrowing, kicking, burning, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) interfering with a child's breathing; (5) threatening a child with a deadly weapon; or (6) doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks. RCW 9A.16.100.

In determining whether physical discipline is reasonable or moderate, a factfinder should consider the age, size, and condition of the child as well as the location of the injury, the nature of the misconduct, and the child's developmental

level. *Id.*; WAC 388-15-009(2).

A court abuses its discretion when it substitutes its own beliefs for the statutory standards. *Dependency of H.S.* 188 Wash.App. 654, 356 P.3d 202 (2015).

In *H.S.*, a father slapped his 16 year old special needs child in the mouth multiple times as discipline. The juvenile court held that slapping a child in the face was "unacceptable" and made a finding of child abuse in support of its determination of dependency. *Id.* On appeal, the Court concluded that the trial court had abused its discretion by substituting its own beliefs over the statutory standards. *Id.*

Here, the action of Jeremy, when he confronted his then 11 year old daughter with her theft of his wife's Ipod, was both moderate and reasonable under the law. *Id.* He testified that when his daughter refused to speak with him, he tried to get her out of bed. RP pg. 57 (Transcript of 12/06/17 Hrg.

57:12-25). When she resisted, he gave up and left.
RP pg. 58 (Transcript of 12/06/17 Hrg. 58:1-4 8).

CPS investigated the incident and appropriately concluded that Jeremy's pulling on the child's arm, even if it caused a sprain, was not child abuse. See Attachment B.

The court commissioner abused his discretion when he found the father violated the statutory provisions related to unlawful discipline because there is nothing unreasonable about pulling a child out of bed when it causes no more distress than a mild sprain. RCW 9A.16.100. It is not helpful to characterize the incident as an "unwanted touch", as the reviewing court did, since there is no legal prohibition against touching your own child, whether the touch is wanted or not, unless it amounts to a crime. *Id.*

C. No credible threat to physical safety of child.

To support weapon's surrender, the court must find that the perpetrator of domestic violence represents a credible threat to the physical safety of an intimate partner or child. RCW 9.41.800(3). Alternatively, the court can order weapons restraints under RCW 9.41.040 or RCW 9.41.800(5).

Here, the court's findings of a credible threat are unsupported by the record. There was no testimony or evidence that Jeremy had ever committed an act of domestic violence or made any threat toward either the mother or the child. He had neither harassed nor stalked either the mother or the child. He had not seen the child in more than a year and his only indirect contact was delivering loving cards for birthdays and holidays.

The court made no reference to any alternative statutory basis, and in fact there would be no factual basis under either alternative statute.

D. Neither the mother's nor the child's fear reasonably caused by the father's acts.

Washington courts have found that a parent's fear of harm to a child can support a finding of domestic violence. *Rodriguez v. Zavala*, 398 P. 3d 1071 (2017). In *Zavala*, the court concluded that a father's threats of harming his very young child who was unable to have fear of his own, was sufficient to find domestic violence because the threats caused fear in the mother. *Id.*

To support a finding of domestic violence "fear of imminent physical harm" must have a causal connection to an act or acts by the perpetrator. RCW 26.50.10. Further, the "fear" must be objectively reasonable. *In re Marriage of Freeman*, 169 Wn.2d 664, 239 P.3d 557 (2010).

Here, the mother's fear of imminent harm to the child is caused by threats of self-harm by the child herself, which together with the history of cutting and multiple suicide attempts are justifiably

alarming. RP pg. 52-53 (Transcript of 12/06/18 Hrg. 52:18-25; 53:1-5). However, there is no causal relationship between the mother's fear of imminent harm and the father's lawful actions which occurred years ago.

Similarly, the child's fear of what her father might do based on her recent allegations of sexual abuse (from the distant past) is entirely self-generated. The father had not seen the child for more than a year before she made her allegations. He clearly recognized that engaging with this very troubled child was fraught with peril when he decided to not exercise his parental right to spend time with her. RP pg. 59 (Transcript of 12/6/17 Hrg. 59:2-6,13-18). Well before these allegations, he had agreed to the entry of a final parenting plan that required an agreement by both parents and consideration of the child's preference before there would be any residential time. Attachment A. The child's fear is not objectively reasonable.

VIII. CONCLUSION: RELIEF SOUGHT

There is insufficient evidence to support the finding that the father inflicted fear of imminent physical harm. In addition, the court abused its discretion when it substituted its belief regarding child abuse for the statutory standards. The court also abused its discretion when it entered weapons restraints. Jeremy asks this Court to reverse the trial court's denial of his motion to revise and then dismiss the domestic violence protection order entered against him.

DATED this 30 day of November, 2018

Respectfully submitted,



MARGARET BROST
WSBA No. 20188
Brost Law, PC
1800 Cooper Point Road
SW #18
Olympia, WA 98502
360.357.0285

ATTACHMENT A:

FINAL PARENTING PLAN - ENTERED JULY 22, 2016

15

FILED
SUPERIOR COURT
THURSTON COUNTY, WASH.

2016 JUL 22 AM 11: 52

Linda Myhre Enlow
Thurston County Clerk

EX PARTE

15-3-01607-34
PP
Parenting Plan (Final Order)
457621



Superior Court of Washington, County of Thurston

In re the Parentage of:

H. J. H.

A minor child,

Petitioner/s:

JEREMY D. HOLLIS

And Respondent/s (other party/parties):

ELIZABETH E. GOODWIN

No. 15-3-01607-34

Parenting Plan
(PPP / PPT / PP)

Clerk's action required: 1.

Parenting Plan

1. This parenting plan is a (check one):

Proposal (request) by a parent (name/s): _____
It is not a signed court order. (PPP)

Court order signed by a judge or commissioner. This is a (check one):

Temporary order. (PPT)

Final order. (PP)

This final parenting plan changes the last final parenting plan.

2. Children – This parenting plan is for the following children:

Child's name	Age	Child's name	Age
1. Halie Jade-Earlene Hollis	12	4.	
2.		5.	
3.		6.	

3. Reasons for putting limitations on a parent (under RCW 26.09.191)

a. Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.

*(If a parent has any of these problems, the court **must** limit that parent's contact with the children and right to make decisions for the children.)*

Neither parent has any of these problems. *(Skip to 3.b.)*

A parent has one or more of these problems as follows *(check all that apply)*:

Abandonment – *(Parent's name):* _____ intentionally abandoned a child listed in **2** for an extended time.

Neglect – *(Parent's name):* _____ substantially refused to perform his/her parenting duties for a child listed in **2**.

Child Abuse – *(Parent's name):* _____ (or someone living in that parent's home) abused or threatened to abuse a child. The abuse was *(check all that apply)*: physical sexual repeated emotional abuse.

Domestic Violence – *(Parent's name):* _____ (or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010(1).

Assault – *(Parent's name):* _____ (or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm or fear of such harm.

Sex Offense –

(Parent's name): _____ has been convicted of a sex offense as an adult.

Someone living in *(parent's name):* _____'s home has been convicted as an adult or adjudicated as a juvenile of a sex offense.

b. Other problems that may harm the children's best interests. *(If a parent has any of these problems, the court **may** limit that parent's contact with the children and right to make decisions for the children.)*

Neither parent has any of these problems. *(Skip to 4.)*

A parent has one or more of these problems as follows *(check all that apply)*:

Neglect – *(Parent's name):* _____ neglected his/her parental duties towards a child listed in **2**.

Emotional or physical problem – *(Parent's name):* _____ has a long-term emotional or physical problem that gets in the way of his/her ability to parent.

Substance Abuse – *(Parent's name):* _____ has a long-term problem with drugs, alcohol, or other substances that gets in the way of his/her ability to parent.

Lack of emotional ties – *(Parent's name):* _____ has few or no emotional ties with a child listed in **2**.

- Abusive use of conflict** – (Parent's name): _____
uses conflict in a way that endangers or damages the psychological development of a child listed in **2**.
- Withholding the child** – (Parent's name): _____
has kept the other parent away from a child listed in **2** for a long time, without a good reason.
- Other (specify)**: _____

4. Limitations on a parent

- Does not apply. There are no reasons for limitations checked in **3.a. or 3.b.** above.
(Skip to **5**.)
- No limitations despite reasons** (explain why there are no limitations on a parent even though there are reasons for limitations checked in **3a. or 3.b.** above): _____

- The following limits or conditions apply to (parent's name):** _____
(check all that apply):
 - No contact with the children.
 - Limited contact as shown in the Parenting Time Schedule (sections **8 – 11**) below.
 - Limited contact as follows (specify schedule, list all contact here **instead of in a Parenting Time Schedule, skip sections 8 – 11**): _____

- Supervised contact.** All parenting time shall be supervised. Any costs of supervision must be paid by (name): _____
The supervisor shall be:
 - a professional supervisor (name): _____
 - a non-professional supervisor (name): _____
 The dates and times of supervised contact will be:
 - as shown in the Parenting Time Schedule (sections **8 – 11**) below.
 - as follows (specify): _____

 (Specific rules for supervision, if any): _____

- Other limitations or conditions during parenting time (specify): _____

- Evaluation or treatment required.** (Name): _____ must:
 - be evaluated for: _____

- start (or continue) and comply with treatment:
 - as recommended by the evaluation.
 - as follows (specify kind of treatment and any other details): _____

- provide a copy of the evaluation and compliance reports (specify details): _____

If this parent does not follow the evaluation or treatment requirements above, then (what happens): _____

5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows.

a. Who can make major decisions about the children?

Type of Major Decision	Joint <i>(parents make these decisions together)</i>	Limited <i>(only the parent named below has authority to make these decisions)</i>
School / Educational	<input checked="" type="checkbox"/>	<input type="checkbox"/> (Name):
Health care (not emergency)	<input checked="" type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):
Other:	<input type="checkbox"/>	<input type="checkbox"/> (Name):

b. Reasons for limits on major decision-making, if any:

- There are no reasons to limit major decision-making.
- Major decision-making **must** be limited because one of the parents has problems as described in **3.a.** above.
- Major decision-making **should** be limited because (check all that apply):
 - Both parents are against shared decision-making.
 - One of the parents does not want to share decision-making and this is reasonable because of:
 - problems as described in **3.b.** above.
 - the history of each parent's participation in decision-making.
 - the parents' ability and desire to cooperate with each other in decision-making.
 - the distance between the parents' homes makes it hard to make timely decisions together.

6. Dispute Resolution – If you and the other parent disagree...

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean.

a. To solve disagreements about this parenting plan, the parents will go to (check one):

the dispute resolution provider below (before they may go to court):

Mediation (mediator or agency name): DRC – Thurston County

If there are domestic violence issues, you may only use mediation if the victim asks for mediation, mediation is a good fit for the situation, and the victim can bring a support person to mediation.

Arbitration (arbitrator or agency name): _____

Counseling (counselor or agency name): _____

If a dispute resolution provider is not named above, or if the named provider is no longer available, the parents may agree on a provider or ask the court to name one.

Important! Unless there is an emergency, the parents must participate in the dispute resolution process listed above in good faith, before going to court. This section does **not** apply to disagreements about money or support.

Court (without having to go to mediation, arbitration, or counseling).
(If you check this box, skip to section 7 below, do not fill out 6.b.)

b. If mediation, arbitration, or counseling is required, one parent must notify the other parent by (check one): certified mail other (specify): E-mail

The parents will pay for the mediation, arbitration, or counseling services as follows (check one):

(Name): Jeremy Hollis will pay 50%,

(Name): Elizabeth Goodwin will pay 50%.

based on each parents' Proportional Share of Income (percentage) from line 6 of the *Child Support Worksheet*.

as decided through the dispute resolution process.

What to expect in the dispute resolution process:

- Preference shall be given to carrying out the parenting plan.
- If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
- If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
- You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

7. Custodian

The custodian is (name): Elizabeth Goodwin solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent

is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to spend more of their time.)

➤ Parenting Time Schedule (Residential Provisions)

Check one:

- Skip the parenting time schedule in sections 8 - 11 if one parent has no contact with the children other than what is described in section 4 – Limitations.

The children live with (name): _____ except as described in section 4.

- Complete the parenting time schedule in sections 8 - 11.

8. School Schedule

a. Children under School-Age

- Does not apply. All children are school-age.
- The schedule for children under school-age is the same as for school-age children.
- Children under school-age are scheduled to live with (name): _____ except when they are scheduled to live with (name): _____ on (check all that apply):
- WEEKENDS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- WEEKDAYS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- OTHER (specify): _____
- Other (specify): _____

b. School-Age Children

- This schedule will apply when (check one): the youngest child the oldest child
 each child begins:
(check one): Kindergarten 1st grade Other: effective immediately.

The children are scheduled to live with (name): Elizabeth Goodwin, except when they are scheduled to live with (name): Jeremy Hollis on (check all that apply):

- WEEKENDS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- WEEKDAYS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- OTHER (specify): _____

Other (specify): As agreed by the parties after consideration of the child's preference.

9. Summer Schedule

Summer begins and ends according to the school calendar. as follows: _____

- The Summer Schedule is the **same** as the School Schedule. (Skip to **10**.)
- The Summer Schedule is the **same** as the School Schedule **except** that each parent shall spend _____ weeks of uninterrupted vacation time with the children each summer. The parents shall confirm their vacation schedules in writing by the end of (date) _____ each year. (Skip to **10**.)
- The Summer Schedule is **different** than the School Schedule. The Summer Schedule will begin the summer before:
(check one): the youngest child the oldest child each child
begins (check one): Kindergarten 1st grade Other: _____
- During the summer the children are scheduled to live with (name): _____, except when they are scheduled to live with (name): _____ on (check all that apply):

- WEEKENDS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- WEEKDAYS: every week every other week other (specify): _____
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- OTHER (specify): _____

10. Holiday Schedule (includes school breaks)

- The Holiday Schedule is the **same** as the School and Summer Schedules above for all holidays and school breaks. (Skip to **11**.)
- This is the Holiday Schedule for all children school-age children only:
(Put one parent's name in each column and fill out when the children will be with that parent for holidays and school breaks.)

Holiday	Children with (name): Jeremy	Children with (name): Elizabeth
Martin Luther King Jr. Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Presidents' Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties' after consideration of the child's preferences.	
Mid-winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each parent has the children for the half of break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____.	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Spring Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each parent has the children for the half of break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____.	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	

Holiday	Children with (name): Jeremy	Children with (name): Elizabeth
Mother's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input checked="" type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Memorial Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Father's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input checked="" type="checkbox"/> Every Yr. Begin day/time: <u>See Below</u> End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Fourth of July	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Summer Schedule in section 9. <input checked="" type="checkbox"/> Other plan: As agreed by the parties' after consideration of the child's preferences.	
Labor Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the parent who has the children for the attached weekend <input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Thanksgiving Day / Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	

Holiday	Children with (name): <i>Jeremy</i>	Children with (name): <i>Elizabeth</i>
Winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Christmas Eve	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above.	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Christmas Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above.	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
New Year's Eve / New Year's Day <i>(odd/even is based on New Year's Day)</i>	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above.	
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Children's Birthdays	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	

Holiday	Children with (name): <i>Jeremy</i>	Children with (name): <i>Elizabeth</i>
All three-day weekends not listed elsewhere	(Federal holidays, school in-service days, etc.) <input type="checkbox"/> The children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend. <input checked="" type="checkbox"/> Other plan: As agreed by the parties after consideration of the child's preferences.	
Other occasion important to the family: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____ <input type="checkbox"/> Other plan: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____ <input type="checkbox"/> Other plan: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____

11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (*check all that apply*):

- Named holidays shall be followed before school breaks.
- Children's birthdays shall be followed before named holidays and school breaks.
- Other (*specify*): Does not apply.

12. Transportation Arrangements

The children will be exchanged for parenting time (picked up and dropped off) at:

- each parent's home
- school or day care when in session
- other location (*specify*): As agreed by the parties.

Who is responsible for arranging transportation?

- The **picking up** parent – The parent who is about to **start** parenting time with the children must arrange to have the children picked up.
- The **dropping off** parent – The parent whose parenting time is **ending** must arrange to have the children dropped off.

Other details (if any): _____

13. Moving with the Children (Relocation)

If the custodian plans to move, s/he **must notify** every person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days' notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A custodian who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has already happened, and ordering the custodian to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the custodian's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service

or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the custodian may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the custodian may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the custodian may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the custodian. (However, the custodian may ask the court for an order allowing the move even though a hearing is pending if the custodian believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the custodian served a proposed *Parenting Plan* with the *Notice*, and if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

14. Other

The child shall remain in counseling until both parents agree that further counseling is no longer necessary. The therapist shall be notified that the Father desires to participate in counseling to the extent his participation is appropriate and supportive of the child's needs. The mother shall not interfere with the Father's participation. The mother shall promptly notify the father in the event the therapist for the child changes.

The child shall be encouraged to maintain and strengthen her relationship with her father. She shall have the right to communicate with him whenever reasonably desired and in whatever form she choose without interference from the other parent.

If this is a court order, the parties and/or their lawyers (and any GAL) sign below.

This order (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 order (check any that apply):

- is an agreement of the parties.
- is presented by me.
- may be signed by the court without notice to me.

M 20188
Petitioner signs here or lawyer signs here + WSBA #

[Signature] 30565
Respondent signs here or lawyer signs here + WSBA #

Margaret Brost 6/21/2016
Print Name Date

Jason Fugate 7/18/16
Print Name Date

This order (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 order (check any that apply):

- is an agreement of the parties.
- is presented by me.
- may be signed by the court without notice to me.

Jeremy Hollis
Other party signs here or lawyer signs here + WSBA #

Elizabeth Goodwin
Other party or Guardian ad Litem signs here

Jeremy Hollis 7/19/16
Print Name Date

Elizabeth Goodwin 7/18/16
Print Name Date

ATTACHMENT B:

LETTER FROM DSHS TO JEREMY HOLLIS - DATED JUNE
28, 2016

<input checked="" type="checkbox"/>	EXPEDITE (if filing within 5 court days of hearing)
<input checked="" type="checkbox"/>	Hearing is set:
	Date: <u>February 23, 2018</u>
	Time: <u>9:00 a.m.</u>
	Judge/Calendar: <u>Mary Sue Wilson</u>
<input type="checkbox"/>	No hearing set

Superior Court of Washington, County of THURSTON

In re the Parentage of:	No. 15-3-01607-34
Petitioner	Sealed Confidential Report (Cover Sheet) (SEALRPT)
Respondent	<input checked="" type="checkbox"/> Clerk's action required
JEREMY D HOLLIS	<i>For use in Family and Guardianship cases</i>
ELIZABETH E GOODWIN	

Sealed Confidential Report (Cover Sheet)

Use this form as a cover sheet to keep any confidential part of a report private from the public. On the first page of each document, write the word "SEALED" 1 inch from the top of the page.

Check the reports you are attaching to this cover sheet to be sealed. Only the following parts of these reports are confidential and should be attached:

- Detailed descriptions of material, or information gathered or reviewed;
- Detailed descriptions of all statements reviewed or taken;
- Detailed descriptions of tests conducted or reviewed; or
- Analysis to support the conclusions and recommendations.

(A public version of the report without the confidential parts may be filed separately.)

- Parenting evaluations
- Domestic Violence Assessment Reports (from Family Court Services or a court-appointed expert)
- Risk Assessment Reports (from Family Court Services or an expert)
- CPS Summary Reports (from Family Court Services or directly from CPS)
- Sexual abuse evaluations
- Report from Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA)
- Other: Letter: 06/28/16 from DSHS to Jeremy Hollis

Submitted by: JEREMY D HOLLIS or his lawyer ELIZABETH E GOODWIN or her lawyer



 Sign here MARGARET BROST WSBA # 20188
Print name (if lawyer, also provide WSBA #)

<p>Important! ELIZABETH E GOODWIN and the lawyers in your case can see your sealed documents. If you need to keep your address information private for safety reasons, you may cross out or delete your address information.</p>
--



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
CHILDREN'S ADMINISTRATION
6860 Capital Blvd Building 2
Tumwater, WA 98501

06/28/2016

CERTIFIED MAIL:

Jeremy Hollis
5008 Sheridan Drive SE
Lacey, WA 98503

RE: Intake Number: 3395909

Dear Jeremy Hollis:

I am writing to inform you of the results of the Child Protection Services (CPS) Investigation conducted by the Department of Social and Health Services (DSHS) and your rights concerning the results of this investigation. On or about 04/27/2016, CPS received a report alleging that you abused or neglected your child or a child in your care. CPS investigated this report, which included a discussion of the allegations with you. CPS has completed the investigation and made a finding that abuse or neglect did not occur or that there was insufficient evidence to conclude that the abuse or neglect happened.

What type of child abuse or neglect did you allegedly commit?

The allegation(s) are:

- Physical abuse

Child abuse and neglect is defined in state law. CPS is required to use these definitions when investigating allegations of abuse and neglect.

What did CPS find?

The CPS investigation showed that the allegation(s) of:

1. Physical Abuse on Intake Number 3395909 involving victim Halie Hollis is Unfounded

When an allegation is 'Unfounded,' it means that CPS investigated the allegation and, based on the information available, has determined that it was more likely than not that the alleged abuse or neglect did

not occur, or that there was insufficient evidence to determine whether the alleged child abuse did or did not occur.

What happens to information about Unfounded CPS reports?

1. Children's Administration (CA) of the Department of Social and Health Services keeps this information in its computer system. State law requires DSHS to destroy records about unfounded reports of child abuse or neglect after six years unless CPS makes a Founded report about you, your child or a sibling or half-sibling of your child.
2. DSHS cannot provide information about unfounded reports to anyone outside the department without your written permission for purposes of:
3. An **Unfounded** report cannot be the reason for denying you a license or for disqualifying you from employment to care for children or vulnerable adults.
4. Prior to destruction of your records the information from this investigation can be used in:
 - Future CPS investigations; or
 - Legal actions related to child protection or child custody.

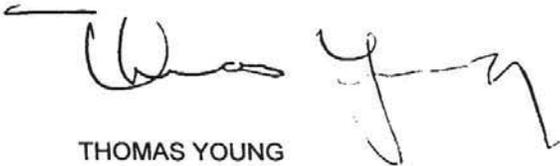
What are your rights?

1. You have a right to know the results of the CPS investigation. This letter is provided for this purpose.
2. You have the right to send CPS a written response about the allegation and finding(s). If you send a written response, it will be put in your CPS file. Send written responses to the address printed on top of this letter.
3. You have the right to see your CPS file. You may ask for access to your file in writing or by calling the number listed above.

Where can you find more information about CPS findings and your right to a review?

Washington Administrative Code (WAC) Chapter 388-15 and RCW 26.44.020 covers these issues. You can access it on line at <http://apps.leg.wa.gov/WAC/default.aspx?cite=388-15> and <http://apps.leg.wa.gov/rcw/default.aspx?cite=26.44.020>

Sincerely,



THOMAS YOUNG

CPS Supervisor

(360) 725-6700

TELEPHONE NUMBER

DECLARATION OF SERVICE

On said day below, I e-filed a true and accurate copy of the Brief of Appellant in Court of Appeals, Division II, Case No. 52019-2-II to the following parties:

Elizabeth Goodwin
3600 14th Ave SE
#18-104
Olympia, WA 98501

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED this 30 day of November, 2018, at
Olympia, WA.



Amber Macki
Case Coordinator
Brost Law, PC

BROST LAW, PC

November 30, 2018 - 1:33 PM

Transmittal Information

Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 52019-2
Appellate Court Case Title: Elizabeth Earlene Goodwin, Respondent v Jeremy Dale Hollis, Appellant
Superior Court Case Number: 17-2-30438-4

The following documents have been uploaded:

- 520192_Briefs_20181130133149D2221726_0773.pdf
This File Contains:
Briefs - Appellants
The Original File Name was BRF_Appeal_180830_1159.pdf

Comments:

Sender Name: Amber Macki - Email: email@brostlaw.com

Filing on Behalf of: Margaret H. Brost - Email: email@brostlaw.com (Alternate Email: email@brostlaw.com)

Address:
1800 Cooper PT RD SW #18
Olympia, WA, 98502
Phone: (360) 357-0285

Note: The Filing Id is 20181130133149D2221726