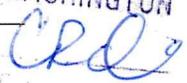


FILED
COURT OF APPEALS
DIVISION II

2020 MAR -3 AM 10:06

STATE OF WASHINGTON

BY 

Court of Appeals No. 53876-8-II

IN THE WASHINGTON STATE COURT OF APPEALS
DIVISION II

CHRISTOPHER L. WOODARD,
Petitioner/Appellant,

v.

JESSIE R. THOMAS,
Respondent.

APPELLANT'S OPENING BRIEF

By:

Christopher L. Woodard
Appellant, Pro Se
930 N. Pearl Street F 31
Tacoma, WA 98406
(1) 253-239-7070

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III. ASSIGNMENTS OF ERROR

1. The trial court erred in Paragraph 4 of the Final Order by approving a major change to the custody arrangement for the parties' child.
2. The trial court erred in Paragraph 4 of the Final Order by finding the child's current living situation harmful.
3. The trial court erred in Paragraph 6 of the Final Order by approving changes in the Parenting Plan regarding disputed resolution and decision making.
4. The trial court erred in Paragraph 7 of the Final Order by approving a change to the child support order.
5. The trial court erred in Paragraph 11 of the Final Order by approving the Petition, Parenting Plan and Child Support Order.
6. The trial court erred in Paragraph 5 of the Parenting Plan by designating Respondent as the decision maker for the child's school/education and nonemergent health care.
7. The trial court erred in Paragraph 7 of the Parenting Plan by designating Respondent as custodian for the child.
8. The trial court abused its discretion by failing to address Exhibit 7, the Declaration of Kelly (Holly) R. Thomas.
9. The trial court erred in Paragraph 8 b of the Parenting Plan by adopting the Residential Schedule.

10. The trial court erred in Paragraph 9 of the Parenting Plan by adopting the Summer Schedule.
11. The trial court erred in Paragraph 10 of the Parenting Plan by adopting the Holiday Schedule.
12. The trial court erred in Paragraph 12 of the Parenting Plan adopting the Transportation Arrangements.
13. The trial court erred in concluding the Parenting Plan is in the best interest of the children.
14. The trial court erred in ordering the parties to follow the Parenting Plan.
15. The trial court erred in entering the Child Support Order.

IV. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

1. Did the trial court err in Paragraph 4 of the Final Order by approving a major change to the custody arrangement for the parties' child? (Pertains to Assignments of Error 1-15).
2. Did the trial court abuse its discretion by failing to address Exhibit 7, the Declaration of Kelly (Holly) R. Thomas. (Pertains to Assignments of Error 1-15).

V. STATEMENT OF THE CASE

Appellant, Christopher L. Woodard, is a 30-year old male. RP 10 l. 2-3. Christopher has a son, N., (hereinafter the child) born on September 26, 2008. RP 10 l. 4-12. Respondent Jessie R. Thomas is the child's mother. RP 12 l. 13-14. Christopher's current schedule with the child is Sunday from 10:00 a.m. to 6:00 p.m. RP 12 l. 15-24.

Christopher is employed by a medical transport company. RP 10 l. 13-18. Christopher's hours at work vary. RP 10 l. 19-23. Christopher currently earns \$13.00 per hour. RP 10 l. 24-RP 11 l. 1. On average, Christopher works 40 hours per week with weekends off. RP 11 l. 4-13.

Christopher resides in an apartment in Tacoma. RP 11 l. 14-16. As of the date of trial, Christopher resided in the apartment for six months. RP 12 l. 4-9. Christopher lives by himself, except when his son is with him. RP 11 l. 17-20. Shannon Sparks used to live with him, but they ended their relationship on August 12, 2019, so Ms. Sparks no longer lives with him. RP 11 l. 21-25. Christopher states unequivocally that his relationship with Ms. Sparks has ended. RP 12 l. 1-3. Christopher is not now in a relationship. RP 12 l. 10-12.

Under a custody schedule entered in 2015, Christopher had custody of the parties' child Monday through Friday during school, and Respondent had the child the first, third and fourth of every weekend. RP 22, l. 3-6.

Also, in August 2015, a no contact order for domestic violence was issued against Respondent for assaulting Christopher. RP 16 l. 23-RP 17 l. 7; EX 2.

In late 2018, Christopher lost both his job and his housing during the dissolution from his marriage to Molly Woodard. RP 13 l. 8-24. In a temporary order dated December 28, 2018, custody of the child was transferred to Respondent. SUPP DES CP. By an order dated April 11, 2019, Christopher was awarded visitation with the child once a week on either Saturday or Sunday, with custody of the child remaining with Respondent. SUPP DES CP.

Christopher regained housing in early 2019. RP 12, l. 4-9. Christopher regained employment in January 2019. RP 13, l. 25-RP 14, l. 3. By the time of trial, Christopher had been in housing for over six months. RP 14, l. 3.

A hearing was held in the Pierce County Superior Court on August 27, 2019. RP 1. At the end of that hearing, the trial court entered the Final Order on Petition to Change a Parenting Plan, Residential Schedule or Custody Order (CP 555-62), the Parenting Plan (CP 40-54), and the Child Support Order Final (CP 18-39). On September 19, 2019, Christopher filed a Notice of Appeal for those orders. CP 63-108.

VI. ARGUMENT

A. Standard of Review

The trial court's modification of a parenting plan is reviewed for abuse of discretion. *In re Marriage of McDole*, 122 Wash.2d 604, 610, 859 P.2d 1239 (1993); *Kinnan v. Jordan*, 131 Wn. App. 738, 746, 129 P.3d 807 (2006). A trial court abuses its discretion if its decision is manifestly unreasonable or based on untenable grounds or untenable reasons. *Parentage of Schroeder*, 106 Wn. App. 343, 349, 22 P.3d 1280 (1280).

B. The trial court erred in approving a major change to the custody arrangement for the parties' child.

Error is assigned to paragraph 4 of the Final Order:

Approved-The court approves a major change to the parenting /custody order. The major change is approved because

- The requested change is in the children's best interest, and
- There has been a substantial change in the children's situation or the situation of the parent (or non-parent custodian) who did not request the major change. (*Describe how the situation has changed, or describe a situation that the court did not know about when it made its order*):
Domestic violence in the father's home involving child and father's former girlfriend; See Pierce County Superior Court Cause #18-2-03672-6. Allegation that the child's medical and educational needs have been ignored. See report of Guardian ad Litem filed under seal.

CP 58; App. 1.

The starting point in the analysis is the strong presumption against custodial changes. *Marriage of McDole*, 122 Wn. 2d 610 (“*Custodial changes are viewed as highly disruptive to children, and there is a strong presumption in favor of custodial continuity and against modification...*”); *Parentage of Schroeder*, 106 Wn. App. 350; *In re the Marriage of Velickoff*, 95 Wn. App. 346, 352, 968 P.2d 20 (1998). The Legislature has expressed the same public policy in RCW 26.09.260. *Drury v. Tabares*, 97 Wn. App. 860, 864, 987 P.2d 659 (1999).

Christopher asked the trial court to reinstate the parenting plan adopted in 2015. RP 13 l. 4-6. Under that schedule, Christopher had custody of the parties’ child Monday through Friday during school, and Respondent had the child the first, third and fourth of every weekend. RP 22, l. 3-6. At that time, Respondent did not have a home, and was moving about from place to place, whereas Christopher had housing and kept the child in school. RP 23, l. 1-9. Because of her living arrangement at that time, Respondent signed the parenting plan in 2015 giving Christopher primary custody of the child. RP 32 l. 13-24. That schedule was in place for four years. RP 22, l. 7-10.

Christopher started having problems with housing when he lost his job and his housing at the time of his divorce. RP 13, l. 12-24; RP 22 l. 11-16. In a temporary order dated December 28, 2018, custody of the child was

transferred to Respondent. SUPP DES CP. By an order dated April 11, 2019, Christopher was awarded visitation with the child once a week on either Saturday or Sunday, with custody of the child remaining with Respondent. SUPP DES CP.

Christopher regained housing in early 2019. RP 12, l. 4-9.

Christopher regained employment in January 2019. RP 13, l. 25-RP 14, l.

3. By the time of trial, Christopher had been in housing for over six months. RP 14, l. 3. Christopher's recent record of housing thus demonstrates patently false the trial court's finding of "[a]lleged housing instability of father". CP 58.

In Paragraph 4, the trial court also cited an allegation that the child's medical and educational needs have been ignored, citing the GAL report. CP 59. The GAL report does not contain such an allegation. EX 6. The GAL report instead states no educational needs were identified by the parties. EX 6 at 11. The GAL report also states the child had been prescribed eyeglasses for primarily for reading EX 6 at 11.

The trial court's reliance upon allegations in the GAL report is insufficient, as the task of the trial is to determine whether evidence supports such allegations. *Voice Link Data Services, Inc. v. Datapulse, Inc.*, 86 Wn. App. 613, 619 n. 2, 937 P.2d 1158 (1997). Paragraph 4's citation to allegations of housing instability and medical and educational

needs of the child being ignored are unsupported by substantial evidence and should be ignored. *Voice Link*, 86 Wn. App. 619 n. 2.

The GAL report is also fatally flawed, as the Guardian ad Litem either failed to investigate or did an inadequate investigation of matters in the GAL Report. It is the GAL's duty to make such an investigation. RCW 13.34.105 (1) (a); GALR 2(g); *In re the Marriage of Swanson*, 88 Wn. App. 128, 137 n. 30, 944 P.2d 6, *review denied*, 134 Wash.2d 1004, 953 P.2d 95 (1998). Christopher raised the lack of an investigation by the Guardian ad Litem in the trial court. "...the guardian ad litem didn't -- also did not do any investigation. It was just basically a questionnaire that was filled out and written in the report based off of what was told to him, and there was no investigation regarding any of the facts that was said between myself and my son's mother, Jessie Thomas." RP 18 l. 12-17.

The record in this case therefore does not overcome the strong presumption of continuity in the custody of the child. As in *Marriage of McDole*, the change of custody of the child in this case must be viewed as highly disruptive.

C. The trial court erred in finding the child’s current living situation harmful.

Error is assigned to the following portion of Paragraph 4 of the Final

Order:

x *Check reason/s for this change:...*

The children’s current living situation is harmful to their physical, mental, or emotional health. It would be better for the children to change the parenting/custody order.

CP 59; App. 1

The foregoing language closely parallels RCW 26.09.260 (1) (c):

The child's present environment is detrimental to the child's physical, mental, or emotional health and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child;...(Emphasis added).

Washington courts interpret the phrase “*child’s present environment*” as the environment contemporaneous with the time of trial. *In re the Marriage of Velickoff*, 95 Wn. App. 355; *Marriage of Ambrose*, 67 Wn. App. 103, 108-09, 834 P.2d 101 (1992).

The foregoing portion of Paragraph 4 is predicated upon the Guardian ad Litem’s Report. The report contains substantial information on the interaction between the child and Christopher’s former friend, Shannon Sparks. EX 6. The GAL report is dated July 18, 2019. EX 6 at 15. Christopher testified at trial on August 27, 2019 Shannon Sparks was no

longer a member of his household. EX 6, p. 6 l. 19-23. Christopher also testified his relationship with Shannon Sparks ended on August 12, 2019, and she was no longer a member of his household. EX 6, p. 11, l.17-p. 12 l. 2. Therefore, under *Marriage of Velickoff*, the record does not support a finding the child's present environment is harmful to his physical, mental, or emotional health.

D. The trial court erred in approving changes in the Parenting Plan regarding disputed resolution and decision making.

Error is assigned to the following portions of Paragraph 6 of the Final

Order:

Other Changes (RCW 26.09.260 (10))

Because of a substantial change of circumstances in one parent's/child's situation, the court approves changes to the following parts of the *Parenting Plan* or *Residential Schedule* that are in the children's best interest (*check all that apply*):...

dispute resolution

decision making

CP 59; App. 1.

Paragraph 6 is predicated upon the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B and C, above.

E. The trial court erred in approving a change to the child support order.

Error is assigned to the following portion of paragraph 7 of the Final

Order:

The court approves a change to child support. The changes to the parenting/custody order affect child support by (*check one*):

x changing the amount of time children spend with each parent so much that a child support deviation should be approved or changed.

CP 59-60; App. 1.

Paragraph 7 is predicated upon the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B and C, above.

F. The trial court erred in approving the Petition, Parenting Plan and Child Support Order.

Error is assigned to the following portions of Paragraph 11 of the Final

Order:

Approved-The court approves the *Petition*. The court signed the following order filed separately today or on (*date*):

x *Parenting Plan/Residential Schedule*
x *Child Support Order*

CP 61; App. 1.

Paragraph 11 is predicated upon the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B and C, above.

G. The trial court erred in designating Respondent as the decision maker for the child's school/education and nonemergent health care.

Error is assigned to Paragraph 5 of the Parenting Plan. CP 43; App. 2. Paragraph 5 of the Parenting Plan is predicated upon the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B and C, above.

H. The trial court erred in designating Respondent as custodian for the child.

Error is assigned to Paragraph 7 of the Parenting Plan:

Custodian

The custodian is (*name*): **Jessie R. Thomas** 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.

CP 44; App. 1.

Paragraph 7 of the Parenting Plan rests upon the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B and C, above.

In addition, the trial court failed to address Exhibit 7, the Declaration of Kelly (Holly) R. Thomas filed in Pierce County Superior Court No. 13-3-04642-2. Therein, Holly Thomas, the step-mother of Respondent, testified to her failings as a parent of the child that he observed during the years Respondent and the child lived with her. Holly testified to Respondent's failure to provide nutrition to the child, her refusal to cook, and the poor diet she fed the child. EX 7 at 1. Holly testified the child was under close review by his doctors for "*failure to thrive, and the child's lack of vocabulary, his inability to spell or write his name, his lack of knowledge of the alphabet, and his inability to count to 10.*" EX 7 at 1.

Holly testified that while respondent and the child lived with her, the child was left unattended in his play room for long periods of time (30-45 minutes, even an hour), while Respondent would go out on the porch to smoke and talk on the phone. EX 7 at 1-2. Holly frequently told Respondent to come into the house to check on Respondent. EX 7 at 2. Respondent would stay outdoors for the majority of the day or evening, smoking. EX 7 at 2.

It was a daily occurrence for Holly to come into the child's play room with Respondent nowhere around. EX 7 at 2. On many occasions, the child would cry for attention and Respondent would tell him "*if you don't stop crying, I'm going to beat your ass.*" EX 7 at 2.

Holly was witness to Respondent holding the child with one hand and spanking his bottom with the other hand, more times than she could count. EX 7 at 2. Holly also recalls on two occasions, Respondent punished the child with a cold bath. EX 7 at 2.

The child demonstrated angry outbursts. EX 7 at 2. At three years of age, the child yelled at Holly using vulgar epithets. EX 7 at 2. The child used the same vulgar language that Respondent spoke to him. EX 7 at 2. Holly never saw Respondent read to the child or do colors, numbers or writing with him. EX 7 at 3.

Respondent claims to suffer from many health issues, including bipolar disorder and manic depression, among others. EX 7 at 2.

Respondent and the child left Holly's residence in the summer of 2010 and moved to Oregon. EX 7 at 3. Respondent and the child stayed in Oregon for one year, and moved in with Christopher. EX 7 at 3.

In the Spring of 2012, Respondent called Holly and told her she was back in Washington. EX 7 at 3. Respondent and the child moved into a house with some people that Respondent knew and Christopher would

soon follow. EX 7 at 3. Respondent later admitted using meth at that house while she and the child were living there. EX 7 at 3.

A few weeks later, Respondent called Holly and told her the child had been taken by CPS. EX 7 at 3. Christopher arrived from Oregon at the moment the child was taken by CPS. EX 7 at 3. The child remained in custody for 4 to 5 days. EX 7 at 3. CPS informed Chris not to return to that house, as it was not a safe environment. EX 7 at 3.

Christopher and Respondent then moved in with another couple, where the three of them were sleeping on the floor. EX 7 at 3. After a fight broke out, Christopher and Respondent contacted Holly and asked if they could move back in with them. EX 7 at 3. Christopher soon thereafter found work. EX 7 at 3.

Once back in Holly's house, Respondent continued the same behaviors as before, failing to interact with the child, threatening to "beat his ass," and feeding the child junk food. EX 7 at 4. Respondent also bullied Christopher. EX 7 at 4.

Unlike Respondent, Christopher would interact with the child, playing with him, reading books with him, watching a movie with him. Ex 7 at 4. Christopher never beat the child. EX 7 at 4. Instead, Christopher used a soft voice, reassuring the child with hugs and kisses. EX 7 at 4.

In November 2013, the child told Holly about a recent incident when Respondent hit the child in his eye. EX 7 at 4. Since Respondent had moved out of the apartment she shared with Christopher, the child cried and resisted going to Respondent's home after visiting Holly. EX 7 at 5.

Respondent drinks alcohol and takes drugs in her apartment she shares with others, including three adult male "roommates". EX 7 at 5. Those men use alcohol while the child is present. EX 7 at 5.

None of the foregoing information appears in the Guardian ad Litem's Report. None of the foregoing information was mentioned by the trial court. The trial court admitted Holly Thomas' declaration. RP 9 at 3-6. The trial court thereafter did not address any of the matters discussed by Holly Thomas in her declaration. The trial court's failure to address the unrebutted testimony of Holly Thomas amounts to a disregard of facts and circumstances, and is therefore an abuse of discretion. *Marriage of Ambrose*, 67 Wn. App. 109 ("We are simply saying that the trial court must consider any and all relevant evidence to determine if Robin is presently a fit parent capable of providing a suitable home for the children.").

I. The trial court erred in adopting the Residential Schedule.

Error is assigned to the following provisions of paragraph 8b of

Parenting Plan:

School-Age Children

This schedule will apply (*check one*):

immediately....

The children are scheduled to live with (*name*): **Jessie R. Thomas**, except when they are scheduled to live with (*name*):

Christopher Woodard on (*check all that apply*):...

OTHER (*specify*): Provided that Mr. Woodard continues to live independently of Ms. Shannon Sparks his residential time shall include three weekends per month, from Friday after school (or 3:30 p.m. when school is not in session) until Sunday at 6:00 p.m. Unless otherwise agreed father's residential time shall take place on the 1st weekend, 2nd weekend, 3rd weekend, 4th weekend each month. In the event that father begins living with Ms. Sparks, his residential time shall be unsupervised with no overnights. Father shall ensure that no contact occurs between the child and Ms. Sparks and that Nathan is not unsupervised with Ms. Sparks' children.

CP 45; App. 2).

Paragraph 8 b of the Parenting Plan is predicated on the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

J. The trial court erred in adopting the Summer Schedule.

Error is assigned to Paragraph 9 of the Parenting Plan;

[x] The Summer Schedule is the same as the School Schedule. *(Skip to 10.)*

CP 46; App. 2.

Paragraph 9 of the Parenting Plan is predicated on the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

K. The trial court erred in adopting the Holiday Schedule.

Error is assigned to Paragraph 10 of the Parenting Plan. CP 47-50; App. 2. Paragraph 10 of the Parenting Plan is predicated on the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

L. The trial court erred in adopting the Transportation Arrangements.

Error is assigned to the following portion of Paragraph 12 of the Parenting Plan:

Other details (if any); Parents should meet at a mid-way point or the receiving parent should do the transportation.

CP 50; App. 2.

Paragraph 12 of the Parenting Plan is predicated on the trial court's error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

M. The trial court erred in concluding the Parenting Plan is in the best interest of the children.

Error is assigned to the trial court's Conclusion of Law, that "*This Parenting Plan is in the best interest of the children.*" CP 54; App. 2. The trial court's conclusion of law is reviewed *de novo*. *In re Welfare of L.N.B.-L.*, 157 Wn. App. 215, 243, 237 P.3d 944 (2010). The trial court's Conclusion of Law is predicated on its error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

N. The trial court erred in ordering the parties to follow the Parenting Plan.

Error is assigned to the trial court's order: "*The parties must follow this Parenting Plan.*" CP 54; App. 2. The trial court's Order is predicated on its error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

O. The trial court erred in entering the Child Support Order.

Error is assigned to the Child Support Order. CP 18-39; App. 3. The trial Court's error in entering the Child Support Order is predicated upon its error in paragraph 4 by approving a major change to the parenting/custody order. Therefore, Christopher incorporates herein the arguments and authorities in paragraphs B, C, F and H, above.

VII. CONCLUSION

In light of the foregoing, Christopher asks the Court to reverse the Final Order and Findings on Petition to Change a Parenting Plan, Residential Schedule or Custody Order, the Parenting Plan and the Child Support Order, and to remand the case for a new hearing and new findings and order.

Respectfully submitted,



Christopher L. Woodard
Appellant Pro Se

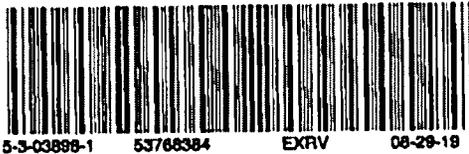
VIII. APPENDICES

1. Final Order and Findings on Petition to Change a Parenting Plan,
Residential Schedule or Custody Order
2. Parenting Plan
3. Child Support Order

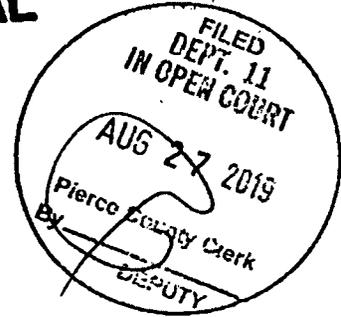
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8/29/2019



ORIGINAL



IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE

CHRISTOPHER WOODWARD,
Petitioner(s)

Cause No. 15-3-03898-1

vs.

EXHIBIT RECORD

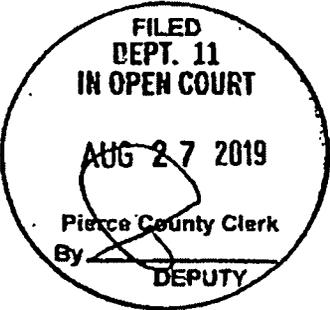
JESSIE R THOMAS,
Respondent(s)

BIN 32

See Mich 8/27/19

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
R	1	Declaration of Christopher Woodward dated 7/29/19	Y	N	Admitted	8/27/19	}
R	2	Domestic Violence NCO for City of Olympia 2015264 15-5439	Y	N	Admitted	8/27/19	
P	3	Declaration of Alysa Cloud dated 3/21/19	Y	Y	Admitted	8/27/19	
P	4	Order for Protection filed 1/14/19 – Pierce Co. Superior Court 18-2-03672-6	Y	Y	Admitted	8/27/19	
P	5	Letter from Clover Park School District dated 4/10/19	Y	N	Admitted	8/27/19	
P	6	Sealed GAL Report	Y	N	Admitted	8/27/19	
R	7	Declaration of	Y	Y	Admitted	8/27/19	

4880 2793 9/27/2019



Superior Court of Washington, County of Pierce

In re:

Petitioner/s (as listed on the Petition):

Christopher Woodward,

And Respondent/s (as listed on the Petition):

Jessie R. Thomas.

No. 15-3-03898-1

Final Order and Findings on Petition to Change a Parenting Plan, Residential Schedule or Custody Order

(ORMDD / ORDYMT: see 11)

Clerk's action required: 11

Final Order and Findings on Petition to Change a Parenting Plan, Residential Schedule or Custody Order

1. This Order is based on:

- The Petition to Change a Parenting Plan, Residential Schedule or Custody Order,
The children's best interest,
The Court's decision that there were valid reasons to hear the Petition in the Order on Adequate Cause to Change a Parenting/Custody Order signed on (date): February 21, 2019.

And (check one):

- the parents' agreement.
the Order on Motion for Default signed on (date):
the court hearing or trial on (date):

The following people were at the hearing or trial (list parties, lawyers, and any guardians):

Christopher Woodward, Petitioner, pro se; Jessie R. Thomas, Respondent, pro se

Findings & Conclusions

2. Jurisdiction (RCW 26.27.201 - .221, .231, .261, .271)

- The court cannot decide this case for the children because the court does not have jurisdiction over the children.

0025
0342

2700
2293

9/27/2019
10:13/2019

- The court can decide this case for the children because (check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names):
- Washington order/exclusive, continuing jurisdiction** – The parenting/custody order was made by a Washington state court, and the court still has authority to make other orders for (children's names): _____
- Other state's order** – The parenting/custody order was not made by a Washington state court **AND** (check one):
 - A court in the state (or tribe) that made the parenting/custody order has made another order saying that it no longer has jurisdiction or that it is better to have this case decided in Washington;
 - No child, parent or person acting as a parent lives in the state (or tribal reservation) that made the order anymore;

AND (check one):

- 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 were less than 6 months old when the case was filed, they had 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 were 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 has the jurisdiction to make decisions for (children's names): _____, or a court in the children's home state 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 (significant connection); and
 - There is a lot of information (substantial evidence) about the children's care, protection, education and relationships in this state.
- Other reason (specify): _____

3. Minor change (RCW 26.09.260(5) (7) and (9))

- Does not apply. No one requested a minor change.
- Denied** – The court denies the request for a minor change because (check all that apply):

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- the requested minor change is not in the children's best interest.
- the situation of the child/ren or a parent (or non-parent custodian) has not changed substantially.
- the reasons (factual basis) for the requested minor change do not qualify under the law.
- the parent requesting more time is limited because of problems listed in the current parenting/custody order. That parent has not shown substantial change in the problems that caused the limitations.
- the parent requesting more time has not fully completed all evaluations, treatment, or classes required by the current parenting/custody order.
- other reasons (*specify*): _____

- Approved** – The court approves a minor change to the parenting/custody order. The court signed the new *Parenting Plan* or *Residential Schedule* filed separately today or on (date): _____. The minor change is approved because:
 - The requested change is in the children's best interest and does not change the person the children live with most of the time; and
 - There has been a substantial change in the children's or a parent's/custodian's situation. (*Describe how the situation has changed, or describe a situation that the court did not know about when it made its order*):

Check reason/s for this change:

- The current parenting/custody order, is difficult to follow because the parent who has less residential time with the children has moved.
- The current parenting/custody order is difficult to follow because one parent's work schedule changed and the change was not by his/her choice.
- The requested change will impact the children's schedule on fewer than 25 full days a year.
- The requested change will impact the children's schedule on more than 24 full days, but fewer than 90 overnights a year. This change is needed because the current parenting/custody order does not give the children a reasonable amount of time with one parent. It is in the children's best interest to have more than 24 full days of increased time with that parent.

Are there any limitations on the parent whose time is being increased?

- No.** The current parenting/custody order does not limit that parent's time with the children because of abandonment, abuse, domestic violence, sex offense, or other serious problems.

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- Yes. That parent's time with the children is limited because of problems listed in the current parenting/custody order. That parent's situation has changed substantially. (Describe how the parent's problems that caused the limitations in the current parenting/custody order have changed.)
- _____
- _____
- _____

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Has the parent whose time would be increased completed any required evaluations, treatment, or classes?

- Does not apply. The current parenting/custody order does not require that parent to complete any evaluations, treatment, or classes.
- Yes. That parent has completed all court-ordered evaluations, treatment, or classes required by the current parenting/custody order.

List completed evaluations, treatment, or classes here: _____

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4. Major change (RCW 26.09.260(1) and (2))

- Does not apply. No one requested a major change.
- Denied – The court denies the request for a major change because (check all that apply):
- the requested major change is not in the children's best interest.
 - there has been no substantial change to the situation of the child/ren or the parent (or non-parent custodian) who did not file the *Petition*.
 - the reasons (factual basis) for the requested major change do not qualify under the law.
 - other reasons (specify): _____
- _____

- Approved – The court approves a major change to the parenting/custody order. The major change is approved because:
- The requested change is in the children's best interest, and
 - There has been a substantial change in the children's situation or in the situation of the parent (or non-parent custodian) who did not request the major change. (Describe how the situation has changed, or describe a situation that the court did not know about when it made its order):

Domestic violence in father's home involving child and father's former girlfriend; See Pierce County Superior Court Cause #18-2-03672-6. Alleged housing instability of father. Allegation that child's medical and educational needs have been ignored. See report of Guardian ad Litem filed under seal.

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Check reason/s for this change:

- The parents agree to the requested changes.
- The children are living in one parent's home with the other parent's (or non-parent custodian's) permission. This is very different than what was ordered in the previous parenting/custody order.
- The children's current living situation is harmful to their physical, mental, or emotional health. It would be better for the children to change the parenting/custody order.
- The other parent (or non-parent custodian) has not followed the court's parenting/custody order. A court found him/her in contempt for disobeying the parenting schedule more than once in three years, or guilty of custodial interference in the first or second degree. (RCW 9A.40.060 or 9A.40.070)

5. Limitations on one parent's parenting time and decision-making

- Does not apply.
- Limit** – To protect the children, the court will limit the parenting time and participation of the parent who already has less than half of the parenting time with the children. The reasons for this limitation are listed in the new *Parenting Plan* or *Residential Schedule* signed by the court today or on (date): _____ . This *Parenting Plan* or *Residential Schedule* is approved and filed separately. (RCW 26.09.191, 26.09.260(4))
- Adjust** – The parent who did not file the *Petition* was allowed some parenting time by the current parenting/custody order. But that parent has chosen not to spend any time with the children for at least one year. The court will adjust the parenting time for that parent as listed in the new *Parenting Plan* or *Residential Schedule* signed by the court today or on (date): _____ . This *Parenting Plan* or *Residential Schedule* is approved and filed separately. (RCW 26.09.260(8))
- Other findings: _____

6. Other Changes (RCW 26.09.260(10))

- Does not apply.
- Because of a substantial change in one parent's/child's situation, the court approves changes to the following parts of the *Parenting Plan* or *Residential Schedule* that are in the children's best interest (check all that apply):
 - dispute resolution
 - decision-making
 - transportation arrangements
 - other (specify): _____

7. Child Support

- Does not apply. No one asked to change child support.

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- Denied** – The request to change child support is denied because:
 - the request to change the parenting/custody order is denied.
 - the approved change to the parenting/custody order (*check all that apply*):
 - does not change the parent the children live with most of the time.
 - does not change the amount of time the children spend with each parent so much that a child support deviation should be approved or changed.
 - other: _____
- Approved** – The court approves a change to child support. The changes to the parenting/custody order affect child support by (*check one*):
 - changing the parent the children live with most of the time.
 - changing the amount of time the children spend with each parent so much that a child support deviation should be approved or changed.
 - other: _____
- Other findings: _____

8. Protection Order

- Does not apply. No one requested an *Order for Protection* in this case.
- Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.
- Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.
- Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in the following order, filed separately (*check one*):
 - Order on Renewal of Order for Protection*
 - Order Modifying/Terminating Order for Protection*
- Other findings: _____

9. Restraining Order

- Does not apply. No one requested a *Restraining Order* in this case.
- Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.
- Denied** – The request for a *Restraining Order* is denied.
- Other findings: _____

10. Other Findings (if any)

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➤ **Court Orders**

11. Decision (check all that apply):

- Denied** – The court denies the *Petition to Change a Parenting Plan, Residential Schedule or Custody Order*. All temporary orders are ended.
- Approved** – The court approves the *Petition*. All temporary orders are ended. The court signed the following orders filed separately today or on (date): _____
 - Parenting Plan/Residential Schedule* *Order for Protection (Domestic Violence)*
 - Child Support Order* *Order for Protection – Harassment*
 - Restraining Order* *Other orders:* _____
- Termination of Non-Parent Custody Order** – The court approves the *Petition*. The *Non-Parent Custody Order* (or *Nonparental Custody Decree*) issued by the court is terminated. Any court or administrative order for a parent to pay child support to the non-parent is terminated today or on (date): _____.

Return Children

- Does not apply because the children are already with a parent.
- The children must be returned to (name/s): _____
by (date): _____ at (time): _____
as follows: _____

Restraining Order

- Any *Restraining Order* previously issued in the non-parent custody case protecting the non-parent is terminated.
Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: _____
To the Clerk: Provide a copy of this Order to the agency listed above within 1 court day. The law enforcement agency must remove the *Restraining Order* from the state's database.
- Other (specify): _____

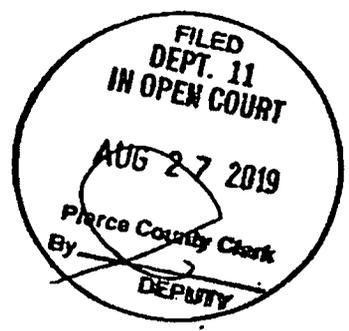
- The guardian ad litem is discharged.
- Check this box if the court previously signed a temporary *Restraining Order* and is not signing a final *Restraining Order* in this case. Also check the "Clerk's action required" box in the caption on page 1.

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: _____

To the Clerk: Provide a copy of this Order to the agency listed above within 1 court day. The law enforcement agency must remove the temporary *Restraining Order* from the state's database.

12. Other Orders (if any)

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Superior Court of Washington, County of Pierce

In re:	
Petitioner/s (person/s who started this case):	No. 15-3-03898-1
Christopher Woodward,	Parenting Plan
And Respondent/s (other party/parties):	(PP)
Jessie Thomas.	[x] 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. Nathan Thomas	10	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, the right to make decisions for the children, and may not require dispute resolution other than court.)

[X] Neither parent has any of these problems. (Skip to 3.b.)

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

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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 3.a. 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 (parents make these decisions together)	Limited (only the parent named below has authority to make these decisions)
School / Educational	<input type="checkbox"/>	<input checked="" type="checkbox"/> (Name): Jessie R. Thomas
Health care (not emergency)	<input type="checkbox"/>	<input checked="" type="checkbox"/> (Name): Jessie R. Thomas
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. To solve disagreements about this parenting plan, the parents will go to a dispute resolution provider or court. The court may only require a dispute resolution provider if there are no limitations in 3a.

a. The parents will go to (check one):

- The dispute resolution provider below (before they may go to court):
- Mediation (mediator or agency name): _____

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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): _____

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

(Name): _____ will pay _____%.

(Name): _____ will pay _____%.

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): Jessie R. Thomas 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 reside a majority of their time.)

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➤ **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 (check one):

immediately.

when the youngest child enters (check one): Kindergarten 1st grade

when the oldest child enters (check one): Kindergarten 1st grade

Other: _____

The children are scheduled to live with (name): Jessie R. Thomas, except when they are scheduled to live with (name): Christopher Woodward 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.

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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): Provided that Mr. Woodward continues to live independently of Ms. Shannon Sparks, his residential time shall include three weekends per month, from Friday after school (or 3:30 pm when school is not in session) until Sunday at 6:00 pm. Unless otherwise agreed father's residential time shall take place on the 1st weekend, 2nd weekend, 3rd weekend, 4th weekend each month. In the event that father begins living with Ms. Sparks, his residential time shall be unsupervised with no overnights. Father shall ensure that no contact occurs between the child and Ms. Sparks and that Nathan is not unsupervised with Ms. Sparks' children.

Other (specify): _____

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)

[X] 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): FATHER	Children with (name): MOTHER
Martin Luther King Jr. Day	<input checked="" 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 checked="" 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 type="checkbox"/> Other plan: _____	
Presidents' Day	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input checked="" 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 type="checkbox"/> Other plan: _____	
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 type="checkbox"/> Other plan: _____	
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: In the even numbered years starting at 5pm the day school recesses the child will reside with the mother for Spring break until Sunday at 6pm the day before school resumes.	
Mother's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr.	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input checked="" type="checkbox"/> Every Yr.

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Holiday	Children with (name): FATHER	Children with (name): MOTHER
	Begin day/time: _____ End day/time: _____	Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Memorial Day	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input checked="" 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 type="checkbox"/> Other plan:	
Father's Day	<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"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Fourth of July	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input checked="" 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 type="checkbox"/> Other plan:	
Labor Day	<input checked="" 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 checked="" 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 type="checkbox"/> Other plan:	
Thanksgiving Day / Break	<input type="checkbox"/> Odd Years <input checked="" type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input checked="" 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:	
Winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____

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Holiday	Children with (name): FATHER	Children with (name): MOTHER
	End day/time: _____	End day/time: _____
	[x] Other plan: In od years father will have child for the 1 st ½ of winter break from the day school recesses to December 26 th 10am to 6pm the Sunday before school resumes. In the even years this is reversed.	
Christmas Eve	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[x] Follow the Winter Break schedule above.	
	[] Other plan: _____	
Christmas Day	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[x] Follow the Winter Break schedule above.	
	[] Other plan: _____	
New Year's Eve / New Year's Day (odd/even is based on New Year's Eve)	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[x] Follow the Winter Break schedule above.	
	[] Other plan: _____	
Children's Birthdays	[x] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [x] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____
	[] Other plan: _____	
All three-day weekends not listed elsewhere	(Federal holidays, school in-service days, etc.) [] The children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend. [] Other plan: _____	
Other occasion important to the family:	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____	[] Odd Years [] Even Years [] Every Yr. Begin day/time: _____ End day/time: _____

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Holiday	Children with (name):	Children with (name):
important to the family: Adele's 3rd Birthday	End day/time: Other plan: Nathan to spend Adele (his sister's) birthday with mother, if it falls on father's normal time, Nathan to be returned to father no later than 8pm the same day.	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): _____

12. Transportation Arrangements

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

- each parent's home
- school or daycare when in session
- other location (specify): _____

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): Parents should meet at a mid-way point or the receiving parent should do the transportation.

13. Moving with the Children (Relocation)

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other 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 relocating person 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 relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **5 days** after learning the information.
- If the relocating person 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 relocating person 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 relocating person 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 relocating person 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 relocating person 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 relocating person to bring the children back if the move has already happened, and ordering the relocating person 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 relocating person'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 relocating person 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 relocating person 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 relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person 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 relocating person. (However, the relocating person may ask the court for an order allowing the move even though a

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hearing is pending if the relocating person 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 relocating person 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

- 1) Both parties should have access to Nathan's medical and educational records/providers.
- 2) Nathan should have no contact with Shannon Sparks, father's girlfriend.
 - a) Nathan should not be unsupervised with Ms. Sparks' children. This means line of sight supervision and that the children are within earshot. The children should not sleep in the same room or be present while other children are participating in grooming activities or dressing/undressing.
- 3) Regardless of who the primary residential parent is, Nathan should be assessed for individual counseling by a state licensed provider to address his coping skills and all the changes Nathan has experienced.
 - a) Therapy should conclude at the recommendation of the provider.
 - b) A copy of this GAL report should be given to the provider.
 - c) The parties should participate as recommended by the therapist.
- 4) The parties should keep each other informed of who they are living with and where they are living.

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Conclusions of Law -- This *Parenting Plan* is in the best interest of the children.

Other: _____

Order -- The parties must follow this *Parenting Plan*.

8/27/2019
Date

[Signature]
Judge or Commissioner signs here
JUDGE G. HELEN V.

Warning! If you don't follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't. Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

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.

[Signature]
Petitioner signs here or lawyer signs here + WSBA #

Christopher Woodcock 8/27/19
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.

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

Jessie Thomas 8/27/19
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.

Other party signs here or lawyer signs here + WSBA #

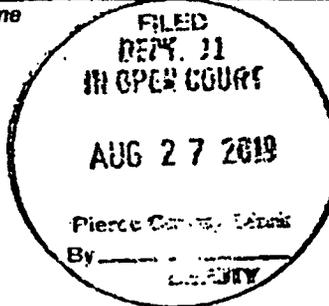
Print Name Date

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.

Other party or Guardian ad Litem signs here

Print Name Date



9/27/2019 2:29:56



Superior Court of Washington, County of Pierce

In re:
Petitioner/s (person/s who started this case):
Christopher Woodward
And Respondent/s (other party/parties):
Jessie R. Thomas

No. 15-3-03898-1
Child Support Order
[] Temporary (TMORS)
[X] Final (ORS)
[x] Clerk's action required: WSSR

Child Support Order

1. Money Judgment Summary

- [X] No money judgment is ordered.
[] Summarize any money judgments from section 22 in the table below.

Table with 5 columns: Judgment for, Debtor's name, Creditor's name, Amount, Interest. Rows include Past due child support, Past due medical support, Past due children's exp., Other amounts, and interest rate information.

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➤ **Findings and Orders**

- 2. The court orders child support as part of this family law case. This is a (*check one*):
 temporary order. final order.
- 3. The *Child Support Schedule Worksheets* attached or filed separately are approved by the court and made part of this Order.

4. Parents' contact and employment information

Each parent must fill out and file with the court a *Confidential Information* form (FL All Family 001) including personal identifying information, mailing address, home address, and employer contact information.

Important! If you move or get a new job any time while support is still owed, you must:

- Notify the Support Registry, and
- Fill out and file an updated *Confidential Information* form with the court.

Warning! Any notice of a child support action delivered to the last address you provided on the *Confidential Information* form will be considered adequate notice, if the party trying to serve you has shown diligent efforts to locate you.

5. Parents' Income

Parent (<i>name</i>): <u>Christopher</u>	Parent (<i>name</i>): <u>Jessie</u>
Net monthly income \$ <u>1948.70</u> . <i>(line 3 of the Worksheets)</i> This income is (<i>check one</i>): <input type="checkbox"/> imputed to this parent. (<i>Skip to 6.</i>) <input checked="" type="checkbox"/> this parent's actual income (<i>after any exclusions approved below</i>).	Net monthly income \$ <u>-0-</u> . <i>(line 3 of the Worksheets)</i> This income is (<i>check one</i>): <input type="checkbox"/> imputed to this parent. (<i>Skip to 6.</i>) <input checked="" type="checkbox"/> this parent's actual income (<i>after any exclusions approved below</i>).
Does this parent have income from overtime or a 2 nd job? <input checked="" type="checkbox"/> No. (<i>Skip to 6.</i>) <input type="checkbox"/> Yes. (<i>Fill out below.</i>) Should this income be excluded? (<i>check one</i>): <input type="checkbox"/> No. The court has included this income in this parent's gross monthly income on line 1 of the <i>Worksheets</i> . <input type="checkbox"/> Yes. This income should be excluded because: <ul style="list-style-type: none"> ▪ This parent worked over 40 hours per week averaged over 12 months, and ▪ That income was earned to pay for <input type="checkbox"/> current family needs <input type="checkbox"/> debts from a past relationship <input type="checkbox"/> child support debt, and ▪ This parent will stop earning this extra income after paying these debts. The court has excluded \$ _____ from this parent's gross monthly income on line 1 of the <i>Worksheets</i> .	Does this parent have income from overtime or a 2 nd job? <input checked="" type="checkbox"/> No. (<i>Skip to 6.</i>) <input type="checkbox"/> Yes. (<i>Fill out below.</i>) Should this income be excluded? (<i>check one</i>): <input type="checkbox"/> No. The court has included this income in this parent's gross monthly income on line 1 of the <i>Worksheets</i> . <input type="checkbox"/> Yes. This income should be excluded because: <ul style="list-style-type: none"> ▪ This parent worked over 40 hours per week averaged over 12 months, and ▪ That income was earned to pay for <input type="checkbox"/> current family needs <input type="checkbox"/> debts from a past relationship <input type="checkbox"/> child support debt, and ▪ This parent will stop earning this extra income after paying these debts. The court has excluded \$ _____ from this parent's gross monthly income on line 1 of the <i>Worksheets</i> .

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Parent (name): <u>Christopher</u>	Parent (name): <u>Jessie</u>
<input type="checkbox"/> Other Findings: _____	<input type="checkbox"/> Other Findings: _____
_____	_____

6. Imputed Income

To calculate child support, the court may impute income to a parent:

- whose income is unknown, or
- who the court finds is unemployed or under-employed by choice.

Imputed income is not actual income. It is an assigned amount the court finds a parent could or should be earning. (RCW 26.19.071(6))

Parent (name): <u>Christopher</u>	Parent (name): <u>Jessie</u>
<input checked="" type="checkbox"/> Does not apply. This parent's actual income is used. (Skip to 7.)	<input checked="" type="checkbox"/> Does not apply. This parent's actual income is used. (Skip to 7.)
<input type="checkbox"/> This parent's monthly net income is imputed because (check one): <ul style="list-style-type: none"> <input type="checkbox"/> this parent's income is unknown. <input type="checkbox"/> this parent is voluntarily unemployed. <input type="checkbox"/> this parent is voluntarily under-employed. <input type="checkbox"/> this parent works full-time but is purposely under-employed to reduce child support. <p>The imputed amount is based on the information below: (Options are listed in order of required priority. The Court used the first option possible based on the information it had.)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Full-time pay at current pay rate. <input type="checkbox"/> Full-time pay based on reliable information about past earnings. <input type="checkbox"/> Full-time pay based on incomplete or irregular information about past earnings. <input type="checkbox"/> Full-time pay at minimum wage in the area where the parent lives because this parent (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> is a high school student. <input type="checkbox"/> recently worked at minimum wage jobs. <input type="checkbox"/> recently stopped receiving public assistance, supplemental security income (SSI), or disability. <input type="checkbox"/> was recently incarcerated. <input type="checkbox"/> Table of Median Net Monthly Income. <input type="checkbox"/> Other (specify): _____ 	<input type="checkbox"/> This parent's monthly net income is imputed because (check one): <ul style="list-style-type: none"> <input type="checkbox"/> this parent's income is unknown. <input type="checkbox"/> this parent is voluntarily unemployed. <input type="checkbox"/> this parent is voluntarily under-employed. <input type="checkbox"/> this parent works full-time but is purposely under-employed to reduce child support. <p>The imputed amount is based on the information below: (Options are listed in order of required priority. The Court used the first option possible based on the information it had.)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Full-time pay at current pay rate. <input type="checkbox"/> Full-time pay based on reliable information about past earnings. <input type="checkbox"/> Full-time pay based on incomplete or irregular information about past earnings. <input type="checkbox"/> Full-time pay at minimum wage in the area where the parent lives because this parent (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> is a high school student. <input type="checkbox"/> recently worked at minimum wage jobs. <input type="checkbox"/> recently stopped receiving public assistance, supplemental security income (SSI), or disability. <input type="checkbox"/> was recently incarcerated. <input type="checkbox"/> Table of Median Net Monthly Income. <input type="checkbox"/> Other (specify): _____

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7. Limits affecting the monthly child support amount

Does not apply. The monthly amount was not affected by the upper or lower limits in RCW 26.19.065.

The monthly amount has been affected by (check all that apply):

low-income limits. The self-support reserve and presumptive minimum payment have been calculated in the *Worksheets*, lines 8.a. - c.

the 45% net income limit. The court finds that the paying parent's child support obligations for his/her biological and legal children are more than 45% of his/her net income (*Worksheets*, line 18). Based on the children's best interests and the parents' circumstances, it is (check one): fair. not fair to apply the 45% limit. (Describe both parents' situations):

Combined Monthly Net Income over \$12,000. Together, the parents earn more than \$12,000 per month (*Worksheets* line 4). The child support amount (check one):

is the presumptive amount from the economic table.

is more than the presumptive amount from the economic table because (specify):

8. Standard Calculation

Parent Name	Standard calculation <i>Worksheets</i> line 17
Christopher Woodward	\$412.00
Jessie R. Thomas	\$-0-

Check here if there is a Residential Split – (each parent has at least one of the children from this relationship living with him/her most of the time.)

These children (names and ages):	These children (names and ages):
Live with (parent's name):	Live with (parent's name):

The standard calculation for the parent paying support is \$_____.

This is from (check one):

The *Attachment for Residential Split Adjustment (Arvey calculation)*, line G (form WSCSS–Attachment for RSA). This *Attachment to the Child Support Schedule Worksheets* is approved by the court and made part of this order.

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Other calculation (specify method and attach Worksheet/s): _____

9. Deviation from standard calculation

Should the monthly child support amount be different from the standard calculation?

No – The monthly child support amount ordered in section **10** is the **same** as the standard calculation listed in section **8** because (check one):

- No one asked for a deviation from the standard calculation. (Skip to **10**.)
- There is no good reason to approve the deviation requested by (name/s): _____
The facts supporting this decision are (check all that apply):
 - detailed in the *Worksheets*, Part VIII, lines 20 through 26.
 - the parent asking for a deviation:
 - has a new spouse or domestic partner with income of \$ _____.
 - lives in a household where other adults have income of \$ _____.
 - has income from overtime or a 2nd job that was excluded in section **5** above.
 - other (specify): _____

Yes – The monthly child support amount ordered in section **10** is **different** from the standard calculation listed in section **8** because (check all that apply):

- A parent or parents in this case has:
 - children from other relationships.
 - paid or received child support for children from other relationships.
 - gifts, prizes, or other assets.
 - income that is not regular (non-recurring income) such as bonuses, overtime, etc.
 - unusual unplanned debt (extraordinary debt not voluntarily incurred).
 - tax planning considerations that will not reduce the economic benefit to the children.
 - very different living costs, which are beyond their control.
- The children in this case:
 - spend significant time with the parent who owes support. The non-standard amount still gives the other parent's household enough money for the children's basic needs. The children do not get public assistance (TANF).
 - have extraordinary income.
 - have special needs because of a disability.
 - have special medical, educational, or psychological needs.
- There are (or will be) costs for court-ordered reunification or a voluntary placement agreement.
- The parent who owes support has shown it is not fair to have to pay the \$50 per child presumptive minimum payment.

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The parent who is owed support has shown it is not fair to apply the self-support reserve (calculated on lines 8.a. – c. of the Worksheets).

Other reasons: _____

The facts that support the reasons checked above are (check all that apply):

detailed in the Worksheets, Part VIII, lines 20 through 26.

the parent asking for a deviation:

has a new spouse or domestic partner with income of \$ _____.

lives in a household where other adults have income of \$ _____.

has income from overtime or a 2nd job that was excluded in section 5 above.

as follows: _____

10. Monthly child support amount (transfer payment)

After considering the standard calculation in section 8, and whether or not to apply a deviation in section 9, the court orders the following monthly child support amount (transfer payment).

(Name): **Christopher** must pay child support to (name): **Jessie** each month as follows for the children listed below (add lines for additional children if needed):

Child's Name	Age	Amount
1. Nathan	10	\$412.00
2.		\$
3.		\$
4.		\$
5.		\$
Total monthly child support amount:		\$412.00

Residential Split – Each parent has at least one of the children from this relationship living with him/her most of the time. (Name): _____ must pay child support to (name): _____ each month as follows:

Total monthly child support amount: \$412.00

11. Starting date and payment schedule

The monthly child support amount must be paid starting (month, year): September, 2019 on the following payment schedule:

in one payment each month by the ____ day of the month.

in two payments each month: ½ by the 5th and ½ by the 20th day of the month.

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other (specify): _____

12. Step Increase (for modifications or adjustments only)

Does not apply.

Approved – The court is changing a final child support order. The monthly child support amount is increasing by more than 30% from the last final child support order. This causes significant financial hardship to the parent who owes support, so the increase will be applied in two equal steps:

- For six months from the Starting Date in section 11 above, the monthly child support amount will be the old monthly amount plus ½ of the increase, for a total of \$_____ each month.
- On (date): _____, six months after the Starting Date in section 11, the monthly child support amount will be the full amount listed in section 10.

Denied – The court is changing a final child support order (check one):

but the monthly payment increased by less than 30%.

and the monthly payment increased by more than 30%, but this does not cause a significant hardship to the parent who owes support.

13. Periodic Adjustment

Child support may be changed according to state law. The Court is not ordering a specific periodic adjustment schedule below.

Any party may ask the court to adjust child support periodically on the following schedule **without** showing a substantial change of circumstances:

The *Motion to Adjust Child Support Order* may be filed:

every _____ months.

on (date/s): _____

other (describe condition or event): _____

Important! A party must file a *Motion to Adjust Child Support Order* (form FL Modify 521), and the court must approve a new *Child Support Order* for any adjustment to take effect.

Deadlines, if any (for example, deadline to exchange financial information, deadline to file the motion): _____

14. Payment Method (check either Registry or Direct Pay)

Registry – Send payment to the Washington State Support Registry. The Division of Child Support (DCS) will forward the payments to the person owed support and keep records of all payments.

Address for payment: Washington State Support Registry
PO Box 45868, Olympia, WA 98504

Phone number/s: 1 (800) 922-4306 or 1 (800) 442-5437

Important! If you are ordered to send your support payments to the Washington State Support Registry, and you pay some other person or organization, you will not get credit for your payment.

DCS Enforcement (if Registry is checked above):

DCS will enforce this order because (check all that apply):

this is a public assistance case.

one of the parties has already asked DCS for services.

one of the parties has asked for DCS services by signing the application statement at the end of this order (above the *Warnings*).

DCS will not enforce this order unless one of the parties applies for DCS services or the children go on public assistance.

Direct Pay – Send payment to the other parent or non-parent custodian by:

mail to: _____

street address or PO box city state zip

or any new address the person owed support provides to the parent who owes support. (This does not have to be his/her home address.)

other method: _____

15. Enforcement through income withholding (garnishment)

DCS or the person owed support can collect the support owed from the wages, earnings, assets, or benefits of the parent who owes support, and can enforce liens against real or personal property as allowed by any state's child support laws without notice to the parent who owes the support.

If this order is not being enforced by DCS and the person owed support wants to have support paid directly from the employer, the person owed support must ask the court to sign a separate wage assignment order requiring the employer to withhold wages and make payments. (Chapter 26.18 RCW.)

Income withholding may be delayed until a payment becomes past due if the court finds good reason to delay.

Does not apply. There is no good reason to delay income withholding.

Income withholding will be delayed until a payment becomes past due because (check one):

the child support payments are enforced by DCS and there are good reasons in the children's best interest not to withhold income at this time. If this is a case about changing child support, previously ordered child support has been paid on time.

List the good reasons here: _____

the child support payments are not enforced by DCS and there are good reasons not to withhold income at this time.

List the good reasons here: _____

the court has approved the parents' written agreement for a different payment arrangement.

16. End date for support

Support must be paid for each child until (*check one*):

the court signs a different order, if this is a temporary order.

the child turns 18 or is no longer enrolled in high school, whichever happens last, unless the court makes a different order in section 17.

the child turns 18 or is otherwise emancipated, unless the court makes a different order in section 17.

after (*child's name*): _____ turns 18. Based on information available to the court, it is expected that this child will be unable to support him/herself and will remain dependent past the age of 18. Support must be paid until (*check one*):

this child is able to support him/herself and is no longer dependent on the parents.

other: _____

other (*specify*): _____

17. Post-secondary educational support (for college or vocational school)

Reserved – A parent or non-parent custodian may ask the court for post-secondary educational support at a later date without showing a substantial change of circumstances by filing a *Petition to Modify Child Support Order* (form FL Modify 501). The *Petition* must be filed *before* child support ends as listed in section 16.

Granted – The parents must pay for the children's post-secondary educational support. Post-secondary educational support may include support for the period after high school and before college or vocational school begins. The amount or percentage each person must pay (*check one*):

will be decided later. The parties may make a written agreement or ask the court to set the amount or percentage by filing a *Petition to Modify Child Support Order* (form FL Modify 501).

is as follows (*specify*): _____

Denied – The request for post-secondary educational support is denied.

Other (*specify*): _____

18. Tax Issues

Important! Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.

Does not apply.

The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows (*check one*):

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Every year – (name): Christopher Woodward
has the right to claim (children's names): Nathan Woodward;
and (name): _____
has the right to claim (children's names): _____.

Alternating – (name): _____
has the right to claim the children for (check one): even odd years. The
other parent has the right to claim the children for the opposite years.

Other (specify): _____

For tax years when a non-custodial parent has the right to claim the children, the
parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

19. Medical Support

*Important! Read the Medical Support Warnings at the end of this order. Medical Support
includes health insurance (both public and private) and cash payments towards premiums
and uninsured medical expenses.*

The court is not ordering how health care coverage must be provided for the children
because the court does not have enough information to determine the availability of
accessible health care coverage for the children (coverage that could be used for the
children's primary care). The law requires every parent to provide or pay for medical
support. The Division of Child Support (DCS) or any parent can enforce this
requirement. (Skip to **20**)

Private health insurance ordered. (Name): _____ must pay
the premium to provide health insurance coverage for the children. The court has
considered the needs of the children, the cost and extent of coverage, and the
accessibility of coverage.

The other parent must pay his/her proportional share* of the premium paid. Health
insurance premiums (check one):

are included on the *Worksheets* (line 14). No separate payment is needed.

are not included on the *Worksheets*. Separate payment is needed. A parent
or non-parent custodian may ask DCS or the court to enforce payment for the
proportional share.

* Proportional share is each parent's percentage share of the combined net
income from line 6 of the *Child Support Schedule Worksheets*.

The other parent is not ordered to pay for any part of the children's insurance
because (explain): _____

*A parent cannot be excused from providing health insurance coverage through an employer or
union solely because the child receives public health care coverage.*

A parent has been ordered to pay an amount that is more than 25% of his/her
basic support obligation (*Worksheets*, line 19). The court finds this is in the
children's best interest because: _____

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A parent cannot be ordered to pay an amount towards health care coverage premiums that is more than 25% of his/her basic support obligation (Worksheets, line 19) unless the court finds it is in the best interest of the children.

[X] Public health care coverage. (Name): Jessie R. Thomas has enrolled the child in public health care coverage, and does not have available at no cost accessible health insurance coverage through an employer or union.

[X] The other parent must enroll the child in accessible health insurance coverage through their employer or union up to 25% of their basic support obligation.

[X] The other parent must pay his/her proportional share* of the premium for public health care coverage for the child. Public health care premiums (check one):

[] are included on the Worksheets (line 14). No separate payment is needed.

[X] are not included on the Worksheets. Separate payment is needed. A parent or non-parent custodian may ask DCS or the court to enforce payment for the proportional share.

* Proportional share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.

[] The other parent is not ordered to pay for any part of the children's health care coverage because (explain): _____

A parent cannot be excused from providing health insurance coverage through an employer or union solely because the child receives public health care coverage.

[] A parent has been ordered to pay an amount that is more than 25% of his/her basic support obligation (Worksheets, line 19). The court finds this is in the children's best interest because: _____

[] Other (specify): _____

20. Health care coverage if circumstances change or court has not ordered

If the parties' circumstances change, or if the court is not ordering how health care coverage must be provided for the children in section 19:

- A parent, non-parent custodian, or DCS can enforce the medical support requirement.
- If a parent does not provide proof of accessible health care coverage (coverage that can be used for the children's primary care), that parent must:
 - Get (or keep) insurance through his/her work or union, unless the insurance costs more than 25% of his/her basic support obligation (line 19 of the Worksheets),
 - Pay his/her share of the other parent's monthly premium up to 25% of his/her basic support obligation (line 19 of the Worksheets), or
 - Pay his/her share of the monthly cost of any public health care coverage, such as Apple Health or Medicaid, which is assigned to the state.

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21. Children's expenses not included in the monthly child support amount

Uninsured medical expenses – Each parent is responsible for a share of uninsured medical expenses as ordered below. Uninsured medical expenses include premiums, co-pays, deductibles, and other health care costs not paid by health care coverage.

Children's Expenses for:	Parent (name):	Parent (name):	Make payments to:	
	<u>Christopher</u> pays monthly	<u>Jessie</u> pays monthly	Person who pays the expense	Service Provider
Uninsured medical expenses	<input checked="" type="checkbox"/> Proportional Share* <input type="checkbox"/> _____%**	<input checked="" type="checkbox"/> Proportional Share* <input type="checkbox"/> _____%**	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.

** If the percentages ordered are different from the Proportional Share, explain why:

Other shared expenses (check one):

Does not apply. The monthly amount covers all expenses, except health care expenses.

The parents will share the cost for the expenses listed below (check all that apply):

Children's Expenses for:	Parent (name):	Parent (name):	Make payments to:	
	_____ pays monthly	_____ pays monthly	Person who pays the expense	Service Provider
<input type="checkbox"/> Day care: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Education: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Long-distance transportation: _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other (specify): _____ _____	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/> Proportional Share* <input type="checkbox"/> \$ _____ <input type="checkbox"/> _____%**	<input type="checkbox"/>	<input type="checkbox"/>

* Proportional Share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.

** If any percentages ordered are different from the Proportional Share, explain why:

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Other (give more detail about covered expenses here, if needed): _____

A person receiving support can ask DCS to collect:

- expenses owed directly to him/her.
- reimbursement for expenses the person providing support was ordered to pay.
- an order for a money judgment that s/he got from the court.

22. Past due child support, medical support and other expenses

This order does not address any past due amounts or interest owed.

As of (date): _____, no parent owes (check all that apply):

- past due child support
- interest on past due child support
- past due medical support
- interest on past due medical support
- past due other expenses
- interest on past due other expenses

to (check all that apply): the other parent or non-parent custodian. the state.

The court orders the following money judgments (summarized in section 7 above):

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> Past due child support from _____ to _____			\$	\$
<input type="checkbox"/> Past due medical support (health ins. & health care costs not covered by ins.) from _____ to _____			\$	\$
<input type="checkbox"/> Past due expenses for: <input type="checkbox"/> day care <input type="checkbox"/> education <input type="checkbox"/> long-distance transp. from _____ to _____			\$	\$
<input type="checkbox"/> Other (describe):			\$	\$

The interest rate for child support judgments is 12%.

Other (specify): _____

23. Overpayment caused by change

Does not apply.

The Order signed by the court today or on date: _____ caused an overpayment of \$ _____.

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All the warnings below are required by law and are part of the order. Do not remove.

Warnings!

If you don't follow this child support order...

- DOL or other licensing agencies may deny, suspend, or refuse to renew your licenses, including your driver's license and business or professional licenses, and
- Dept. of Fish and Wildlife may suspend or refuse to issue your fishing and hunting licenses and you may not be able to get permits. (RCW 74.20A.320)

If you receive child support...

You may have to:

- Document how that support and any cash received for the children's health care was spent.
- Repay the other parent for any day care or special expenses included in the support if you didn't actually have those expenses. (RCW 26.19.080)

Medical Support Warnings!

The parents must keep the Support Registry informed whether or not they have access to health care coverage for the children at a reasonable cost, and provide the policy information for any such coverage.

If you are ordered to provide children's health care coverage...

You have **20 days** from the date of this order to send:

- proof that the children are covered, or
- proof that health care coverage is not available as ordered.

Send your proof to the other parent or to the Support Registry (if your payments go there).

If you do not provide proof of health care coverage:

- The other parent or the support agency may contact your employer or union, without notifying you, to ask for direct enforcement of this order (RCW 26.18.170), and
- The other parent may:
 - Ask the Division of Child Support (DCS) for help,
 - Ask the court for a contempt order, or
 - File a Petition in court.

Don't cancel your employer or union health insurance for your children unless the court approves or your job ends and you no longer qualify for insurance as ordered in section **19**.

If an insurer sends you payment for a medical provider's service:

- you must send it to the medical provider if the provider has not been paid; or
- you must send the payment to whoever paid the provider if someone else paid the provider; or
- you may keep the payment if you paid the provider.

If the children have public health care coverage, the state can make you pay for the cost of the monthly premium.

Always inform the Support Registry and any parent if your access to health care coverage changes or ends.

Form **1040**

U.S. Individual Income Tax Estimate

TaxCALC™

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9/9/3/2019

Amounts are MONTHLY (Multiply by 12 to obtain ANNUAL amounts)	Christopher	Jessie
1a Gross Income for Taxes (Line 22 on 1040 – excluding Line 9b)	\$2,253.30	-
1b Qualified Dividend Income (Line 9b on 1040)	-	-
2. Filing Status (From Lines 1 – 5 on 1040)	Single	Head of Household
3. Adjustments to Income (Line 36 on 1040)	-	-
TAX COMPUTATION		
4. Deduction Method	Standard	Standard
5. Tax Deductions (Line 40 of 1040)	\$1,016.67	\$1,529.17
6. Taxable Income (Line 43 of 1040)	\$1,236.63	-
7a. Tax on Income (Exclusive of Dividend Income) (from Tax Table) (Line 44 of 1040)	\$132.23	-
7b. Tax on Dividend Income (Included in Line 44 of 1040)	-	-
8. Alternative Minimum Tax (AMT) (Line 45 of 1040)	-	-
9. Credits (Line 54 on 1040)	-	-
10. Other Taxes (Lines 58 – 60 on 1040)	-	-
11. TOTAL 1040 TAX LIABILITY (Line 61 on 1040)	\$132.23	-
12. FICA LIABILITY	\$172.37	-
13. COMBINED FICA AND INCOME TAX LIABILITY	\$304.60	-
14. AFTER TAX INCOME (Line 1 plus Line 2 minus Line 13)	\$1,948.70	-

WORKSHEET SYNOPSIS

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	Christopher	Jessie	COMBINED
1. Monthly Net Income Tax Year: 2019	\$1,948.70	-	\$1,948.70
2. Proportional Share of Income	1.000	-	
3. Basic Support:			
Nathan \$412.00			
-			
-			
-			
4. TOTAL	\$412.00		
5. Basic Support Obligation with Income Limitations	\$412.00	\$50.00	
6. Obligation for Health Care, Day Care, and Special Exp.	-	-	
7. TOTAL OBLIGATION	\$412.00	\$50.00	
8. CREDIT for Medical	-	-	
9. CREDIT for Day Care and Special Exp.	-	-	
10. CREDIT for Ordinary Expenses	-	-	
11. TOTAL CREDITS	-	-	
12. Christophe Pays Jessie	\$412.00	-	

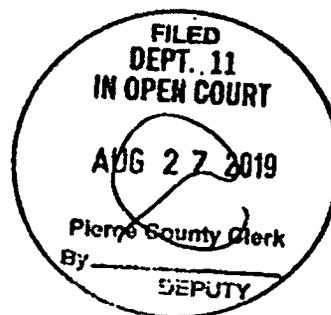
Calculated Using Self Support Reserve: 2019

File
Name:
Page was printed on

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9/27/2019



Washington State Child Support Schedule Worksheets

[] Proposed by [] [] State of WA (CSWP)
 Or, Signed by the Judicial/Reviewing Officer. (CSW)

County Pierce

Case No. 15-3-03898-1

Child/ren and Age/s: Nathan, 10

Parents' names: Christopher

Jessie

(Column 1)

(Column 2)

	Christopher	Jessie
Part I: Income (see Instructions, page 6)		
1. Gross Monthly Income		
a. Wages and Salaries	\$2,253.30	-
b. Interest and Dividend Income	-	-
c. Business Income	-	-
d. Maintenance Received	-	-
e. Other Income	-	-
f. Imputed Income	-	-
g. Total Gross Monthly Income (add lines 1a through 1f)	\$2,253.30	-
2. Monthly Deductions from Gross Income		
a. Income Taxes (Federal and State) Tax Year: 2019	\$132.23	-
b. FICA (Soc. Sec. + Medicare)/Self-Employment Taxes	\$172.37	-
c. State Industrial Insurance Deductions	-	-
d. Mandatory Union/Professional Dues	-	-
e. Mandatory Pension Plan Payments	-	-
f. Voluntary Retirement Contributions	-	-
g. Maintenance Paid	-	-
h. Normal Business Expenses	-	-
i. Total Deductions from Gross Income (add lines 2a through 2h)	\$304.60	-
3. Monthly Net Income (line 1g minus 2i)	\$1,948.70	-
4. Combined Monthly Net Income (add both parents' monthly net incomes from line 3)	\$1,948.70	-
5. Basic Child Support Obligation Number of children: 1 x \$412.00 per child (enter total amount in box →)	\$412.00	-
6. Proportional Share of Income (divide line 3 by line 4 for each parent)	1.000	-

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9/23/2019

	Christopher	Jessie
Part II: Basic Child Support Obligation (see instructions, page 7)		
7. Each Parent's Basic Child Support Obligation without consideration of low income limitations (Each parent's Line 6 times Line 5.)	\$412.00	-
8. Calculating low income limitations: Fill in only those that apply.		
Self-Support Reserve: (125% of the federal poverty guideline for a one-person family.)	\$1,301.00	
a. Is combined Net Income Less Than \$1,000? If yes, for each parent enter the presumptive \$50 per child.	-	-
b. Is Monthly Net Income Less Than Self-Support Reserve? If yes, for that parent enter the presumptive \$50 per child.	-	\$50.00
c. Is Monthly Net Income equal to or more than Self-Support Reserve? If yes, for each parent subtract the self-support reserve from line 3. If that amount is less than line 7, enter that amount or the presumptive \$50 per child, whichever is greater.	-	-
9. Each parent's basic child support obligation after calculating applicable limitations. For each parent, enter the lowest amount from line 7, 8a - 8c, but not less than the presumptive \$50 per child.	\$412.00	\$50.00
Part III: Health Care, Day Care, and Special Child Rearing Expenses (see instructions, page 8)		
10. Health Care Expenses		
a. Monthly Health Insurance Premiums Paid for Child(ren)	-	-
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	-	-
c. Total Monthly Health Care Expenses (line 10a plus line 10b)	-	-
d. Combined Monthly Health Care Expenses (add both parents' totals from line 10c)	-	-
11. Day Care and Special Expenses		
a. Day Care Expenses	-	-
b. Education Expenses	-	-
c. Long Distance Transportation Expenses	-	-
d. Other Special Expenses (describe)	-	-
	-	-
	-	-
e. Total Day Care and Special Expenses (Add lines 11a through 11d)	-	-
12. Combined Monthly Total Day Care and Special Expenses (add both parents' day care and special expenses from line 11e)	-	-
13. Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)	-	-
14. Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	-	-
Part IV: Gross Child Support Obligation		
15. Gross Child Support Obligation (line 9 plus line 14)	\$412.00	\$50.00

	Christopher	Jessie
Part V: Child Support Credits (see Instructions, page 9)		
16. Child Support Credits		
a. Monthly Health Care Expenses Credit	-	-
b. Day Care and Special Expenses Credit	-	-
c. Other Ordinary Expenses Credit (describe)	-	-
d. Total Support Credits (add lines 16a through 16c)	-	-
Part VI: Standard Calculation/Presumptive Transfer Payment (see Instructions, page 9)		
17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$412.00	\$50.00
Part VII: Additional Informational Calculations		
18. 45% of each parent's net income from line 3 (.45 x amount from line 3 for each parent)	\$878.92	-
19. 25% of each parent's basic support obligation from line 9 (.25 x amount from line 9 for each parent)	\$103.00	\$12.50
Part VIII: Additional Factors for Consideration (see Instructions, page 9)		
20. Household Assets (List the estimated present value of all major household assets.)		
a. Real Estate	-	-
b. Investments	-	-
c. Vehicles and Boats	-	-
d. Bank Accounts and Cash	-	-
e. Retirement Accounts	-	-
f. Other. (describe)	-	-
	-	-
	-	-
	-	-
21. Household Debt (List liens against household assets, extraordinary debt.)		
a.	-	-
b.	-	-
c.	-	-
d.	-	-
e.	-	-
f.	-	-
22. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action)		
Name	-	-
Name	-	-
b. Income Of Other Adults in Household		
Name	-	-
Name	-	-

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Other Factors For Consideration (continued) (attach additional pages as necessary)

[Empty box for additional factors for consideration]

Signature and Dates

I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct.

[Handwritten Signature]

Parent's Signature (Column 1)

8/27/19 Tacoma
Date City

[Handwritten Signature]

Parent's Signature (Column 2)

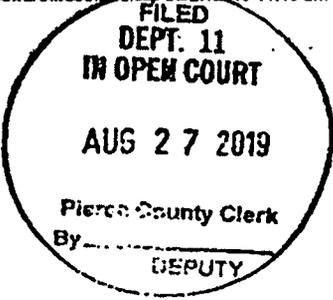
8/27/19 Tacoma
Date City

[Handwritten Signature]
Judicial/Receiving Office

JUDGE G. HELEN WHITENER

8/27/2019
Date

This Worksheet has been certified by the State of Washington Administrative Office of the Courts. Photocopying of the worksheet is permitted.



FILED
COURT OF APPEALS
DIVISION II

2020 MAR -3 AM 10: 06

STATE OF WASHINGTON

BY _____
OFFICE

VIII. CERTIFICATE OF Hand Delivery

The undersigned does hereby declare that on March 2 2020, the undersigned delivered a copy of APPELLANT'S OPENING BRIEF filed in the above-entitled case and served on the following individual(s) via the manner indicated below.

VIA WASHINGTON COURTS APPELLATE FILING PORTAL:

Clerk, Washington State Court of Appeals, Division II
950 Broadway, Suite 300 MS TB 06
Tacoma, WA 98402-4427

Hand delivery :

Jessie R. Thomas
1730 112th Street SW
Everett, WA 98204

By: 
Christopher L. Woodard