

Superior Court of Washington, County of _____

In re parentage:

Petitioner *(person who started this case)*:

And Respondents *(current legal parents)*:

Children over age 2:

No. _____

Petition to Decide Parentage (after Acknowledgment or Court Decision) (PTDTP)

**Petition to Decide Parentage
(after Acknowledgment or Court Decision)**

Use this form only if you believe you are the parent of a child, but:

- Someone else has already been established as the legal parent either by Paternity Acknowledgment or court decision, and
- You did not sign a Paternity Acknowledgement or Denial of Paternity, and
- You were not a party to a court case about parentage.

Deadline! You have up to 4 years after the effective date of the Paternity Acknowledgement (or the court's decision on parentage) to file this form.

1. I ask the Court to find that I am the legal parent of:

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

Important! Don't list more than one child unless they currently have all the same legal parents. If they have different legal parents, fill out a separate Petition for each child.

2. Guardian ad Litem

I ask the court to appoint a Guardian ad Litem (GAL) for any child who is age 2 or older.

- I ask the court to appoint a GAL to investigate and make recommendations to the court about whether genetic testing should be done.

3. My claim to parenthood

I believe I am a parent of the children listed above because I am the (*check one*):

- biological father.
- adoptive parent.
- parent by assisted reproduction.
- parent according to the surrogacy contract.
- parent who lived with the children for the first 2 years of their lives, and said openly that the children were mine.
- other (*explain*): _____

4. Current legal parents

The Respondents are the children's current legal parents because (*check all that apply*):

- (*Name*): _____ is the birth mother.
- (*Name*): _____ signed a *Paternity Acknowledgment* that was filed with the appropriate state agency.
- (*Name/s*): _____ was/were named a legal parent by a court order.

5. Was parentage established by court order?

(Repeat this section for each child as needed.)

- No.** Parentage was established by *Paternity Acknowledgment* (Affidavit). (*Skip to 6.*)
- Yes.** A court signed a *Final Parentage Order* or other order that established parentage in (*county/state*): _____, in case number: _____ on (*date*): _____.
I was not included as a party in that court case.
- I believe** there was a court order that established parentage but I don't know where or when. I was not included as a party in that court case.

6. Was parentage established by Paternity Acknowledgment?

(Repeat this section for each child as needed.)

- No.** Parentage was established by court order as described above. (*Skip to 7.*)
- Yes.** The Respondents signed a *Paternity Acknowledgment* (Affidavit) for (*child's name*): _____ that was filed with the appropriate agency of the State of _____ on (*date*): _____.
I did not sign that *Paternity Acknowledgment* or *Denial of Paternity*.

I believe the Respondents signed a *Paternity Acknowledgment* (Affidavit), but I cannot get a copy of it. I did not sign any *Paternity Acknowledgment* or *Denial of Paternity*.

7. Deadline to file this Petition

I am filing or serving this *Petition* before the legal deadline, which is within **four years** of:

- the date a Court decided who the children's legal parents were, or
- the date a *Paternity Acknowledgment* was filed, or the child's birthdate if the child was born after the *Paternity Acknowledgment* was filed.

8. Children's name change

No request.

I ask the court to change the children's names to: _____

9. Personal Jurisdiction

Does a Washington state court have personal jurisdiction (authority to make decisions) over (**Respondent's name**): _____?

Yes, because s/he (*check all that apply*):

- will be personally served in this state with a *Summons* and *Petition* for this case.
- lives in this state now.
- lived in this state with the children.
- lived in this state and paid for pregnancy costs or support for the children.
- did or said something that caused the children to live in this state.
- had sex in this state, which may have produced the children.
- signed an agreement to join this *Petition* or other document agreeing that the court can decide his or her rights in this case.
- other (*specify*): _____

No. (None of the reasons listed above apply.)

Does a Washington state court have personal jurisdiction (authority to make decisions) over (**Other Respondent's name**): _____?

Yes, because s/he (*check all that apply*):

- will be personally served in this state with a *Summons* and *Petition* for this case.
- lives in this state now.
- lived in this state with the children.
- lived in this state and paid for pregnancy costs or support for the children.
- did or said something that caused the children to live in this state.
- had sex in this state, which may have produced the children.
- signed an agreement to join this *Petition* or other document agreeing that the court can decide his or her rights in this case.
- other (*specify*): _____

No. (None of the reasons listed above apply.)

10. Children’s Home/s

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

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

No. (Skip to **11.**) I don’t know. (Skip to **11.**)

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

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	

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

Do you know of anyone besides the Respondents who has or claims to have a legal right to spend time with any of the children? (Check one):

No.

I don’t know.

Yes. (Name/s) _____ has or claims to have a legal right to spend time with the children.

12. Other court cases involving a child

Do you know of any other court cases involving any of these children? (Check one):

- No. (Skip to **13.**) I don't know. (Skip to **13.**) Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

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

- The court **can** approve a *Parenting Plan* or *Residential Schedule* for the children and decide who the children should live with most of the time because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):
- Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for (children’s names): _____.
- Home state jurisdiction** – Washington is the children’s home state because (check all that apply):
 - (Children’s names): _____ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children are less than 6 months old, they have lived in Washington with a parent or someone acting as a parent since birth.
 - There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.
 - (Children’s names): _____ do not live in Washington right now, but Washington was the children’s home state some time in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
 - (Children’s names): _____ do not have another home state.

- No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for *(children's names)*: _____, **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:
- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the children's care, protection, education and relationships in this state.
- Other state declined** – The courts in other states (or tribes) that might be *(children's names)*: _____'s home state have refused to take this case because it is better to have this case in Washington.
- Temporary emergency jurisdiction** – The court can make decisions for *(children's names)*: _____ because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or the children's parent, brother or sister) were abused or threatened with abuse. (*Check one*):
- A custody case involving the children was filed in the children's home state *(name of state or tribe)*: _____. Washington should take temporary emergency jurisdiction over the children until the Petitioner can get a court order from the children's home state (or tribe).
 - There is **no** valid custody order or open custody case in the children's home state *(name of state or tribe)*: _____. If no case is filed *in the children's home state (or tribe)* by the time the children have been in Washington for 6 months, *(date)*: _____, Washington should have final jurisdiction over the children.
 - Other reason *(specify)*: _____
- The court **cannot** approve a *Parenting Plan* or *Residential Schedule* for the children or decide who the children should live with most of the time because the court does not have jurisdiction over the children.

14. Parenting Plan or Residential Schedule

It is in the children's best interests for the court to decide with whom the children will live, if the court has jurisdiction over the children.

The children currently live with *(name/s)*: _____

- I will file and serve my proposed *Parenting Plan* (form FL All Family 140) or *Residential Schedule* (FL Parentage 304) with this *Petition* or in the future.
- I am not asking the court for a *Parenting Plan* or *Residential Schedule*.

Warning! If the court has jurisdiction over the children, the court will decide who the children's custodian will be even if neither parent asks for a *Parenting Plan* or *Residential Schedule*. The decision about custodian will affect both parents' rights.

15. Child Support

The children have a right to child support (including medical support) according to state law.

16. Protection Order

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

- No.** I do not want an Order for Protection.
- Yes.** (You must file a Petition for Order for Protection, form DV-1.015 for domestic violence, or form UHST-02.0200 for harassment. You may file your Petition for Order for Protection using the same case number assigned to this case.)

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

- There already is an Order for Protection between (name): _____ and me.** (Describe):
Court that issued the order: _____
Case number: _____
Expiration date: _____

17. Restraining Order

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

- No.** (Skip to **18**.)
- Yes.** Check the type of orders you want:
- Do not disturb** – Order (name/s) _____ not to disturb my peace or the peace of any child listed in **1**.
- Stay away** – Order (name/s) _____ not to go onto the grounds of or enter my home, workplace, or school, and the daycare or school of any child listed in **1**.
- Also, not knowingly to go or stay within _____ feet of my home, workplace, or school, or the daycare or school of any child listed in **1**.
- Do not hurt or threaten** – Order (name/s) _____:
- Not to assault, harass, stalk or molest me or any child listed in **1**; and
 - Not to use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

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

- Prohibit weapons and order surrender** – Order (name/s) _____:
- Not to possess or obtain any firearms, other dangerous weapons, or concealed pistol license until the Order ends, and
 - To surrender any firearms, other dangerous weapons, and any concealed pistol license that he/she possesses to (check one): the police chief or sheriff. his/her lawyer. other person (name): _____.
- Other restraining orders:** _____

Important! If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and Restraining Order (form FL Parentage 323) or a Motion for Immediate Restraining Order (Ex Parte) (form FL Parentage 321).

18. Other (if any)

19. Summary of Requests

I ask the court to (*check all that apply*):

Parentage

- Order that I am the legal parent of the children in this case.
- Appoint a Guardian ad Litem (GAL) to make investigate and make recommendations to the court about whether genetic testing should be done.
- Order genetic testing of all possible genetic parents listed in this *Petition* and decide who the legal parents are based on the results.
- Order that (*name*): _____ is **not** the legal parent of (*children's names*): _____.

Change the children's birth certificates to list the parents as requested above and to change the children's names if requested above.

Appoint a Guardian ad Litem (GAL) for any child age who is over 2 years old

- Approve my proposed *Parenting Plan* or *Residential Schedule*
- Approve a *Child Support Order*
- Approve an *Order for Protection* or *Restraining Order* as requested above
- Order who should pay for court costs, genetic testing, guardian ad litem, lawyer fees, and other reasonable fees.
- Other (*specify*): _____

Petitioner fills out below:

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

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

▶ _____
Petitioner signs here *Print name*

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

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

Respondent fills out below if s/he agrees to join this Petition:

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

- I do not need to be notified about the court's hearings or decisions in this case.
- I ask the Petitioner to notify me about any hearings in this case. (List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.)

address city state zip

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

▶ _____

Respondent signs here Print name Date

Other Respondent fills out below if s/he agrees to join this Petition:

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

- I do not need to be notified about the court's hearings or decisions in this case.
- I ask the Petitioner to notify me about any hearings in this case. (List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.)

address city state zip

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

▶ _____

Other Respondent signs here Print name Date