**Superior Court of Washington, County of**

|  |  |
| --- | --- |
| In re the marriage of:Petitioner *(person who started this case)*: And Respondent *(other spouse)*:  | No. Findings and Conclusions about a Marriage (FNFCL) |

**Findings and Conclusions about a Marriage**

1. Basis for findings and conclusions *(check all that apply):*

[ ]  Spouses’ agreement.

[ ]  *Order on Request for Default* *(date):* .

[ ]  Court hearing on *(date):* ,where the following people were present *(check all that apply):*

[ ]  Petitioner [ ]  Petitioner’s lawyer

[ ]  Respondent [ ]  Respondent’s lawyer

[ ]  Other *(name and relationship to this case):*

[ ]  Other *(name and relationship to this case):*

* The Court makes the following findings of fact and conclusions of law:
1. Notice *(check all that apply):*

[ ]  The Respondent has appeared in this case, or has responded to or joined the *Petition*.

[ ]  The Respondent was served on *(date):*
*(check all that apply):*

[ ]  in person.

[ ]  by mail.

[ ]  by publication.

[ ]  waived service by joining the *Petition*.

1. Jurisdiction over the marriage and the spouses *(check all that apply):*

The Petitioner [ ]  lives [ ]  does not live in Washington State.

The Respondent [ ]  lives [ ]  does not live in Washington State.

[ ]  The Petitioner and Respondent lived in this state while they were married, and the Petitioner still lives in this state or is stationed here as a member of the armed forces.

[ ]  The Petitioner is a member of the armed forces and has been stationed here for at least 90 days.

[ ]  The Petitioner and Respondent may have conceived a child together in this state.

[ ]  Other *(specify):*

**Conclusion:** The court [ ]  **has** [ ]  does **not have** jurisdiction over the marriage.

The court [ ]  **has** [ ]  does **not have** jurisdiction over the Respondent.

1. Information about the marriage

The spouses were married on *(date):* at *(city and state):* .

[ ]  Before they married, the spouses were registered domestic partners. Their domestic partnership was registered with the State of on *(date):* .

The spouses separated on *(date of separation):* .

Status of this marriage *(check one):*

[ ]  This marriage is irretrievably broken, and it has been 90 days or longer since the *Petition* was filed and the *Summons* was served or the Respondent joined the *Petition*.

[ ]  The *(check one or both):* [ ]  Petitioner [ ]  Respondent want/s to be legally separated.

[ ]  The *(check one or both):* [ ]  Petitioner [ ]  Respondent want/s to invalidate (annul) this marriage, and the court finds the following facts about the validity of this marriage:

**Conclusion:** The Petition for divorce, legal separation or invalidity (annulment) should be:

[ ]  approved.

[ ]  denied.

1. Separation contract or prenuptial agreement

[ ]  Does not apply. There is no separation contract or prenuptial agreement.

[ ]  The spouses signed a separation contract or prenuptial agreement on *(date):* .

**Conclusion:** The separation contract or prenuptial agreement should *(check one):*

[ ]  be approved and made part of these Findings.

[ ]  **not** be approved because:

1. Real Property (land or home that you own)

[ ]  Does not apply. Neither spouse owns any real property.

[ ]  Does not apply. The court does not have jurisdiction to divide real property.

[ ]  The real property has already been divided fairly between the spouses. Each spouse should keep any real property that s/he now owns.

[ ]  The spouses’ real property is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The spouses’ real property is listed in the separation contract or prenuptial agreement described in 5.

[ ]  The spouses’ real property is listed below:

|  |  |  |
| --- | --- | --- |
| **Real Property Address** | **Tax Parcel Number** | **Community or Separate Property** |
|  |  | [ ]  community property[ ]  Petitioner’s separate property [ ]  Respondent’s separate property |
|  |  | [ ]  community property[ ]  Petitioner’s separate property [ ]  Respondent’s separate property |
|  |  | [ ]  community property[ ]  Petitioner’s separate property [ ]  Respondent’s separate property |

[ ]  Other *(specify):*

**Conclusion:** The division of real property described in the final order is fair (just and equitable).

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

[ ]  Does not apply. There is no community personal property.

[ ]  Does not apply. The court does not have jurisdiction to divide property.

[ ]  The community personal property has already been divided fairly between the spouses. Each spouse should keep any community personal property that s/he now has or controls.

[ ]  The spouses’ community personal property is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The spouses’ community personal property is listed in the separation contract or prenuptial agreement described in 5.

[ ]  The spouses’ community personal property is listed below *(include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number.):*

|  |  |
| --- | --- |
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. | 8. |

[ ]  Other *(specify):*

**Conclusion:** The division of community personal property described in the final order is fair (just and equitable).

1. Separate Personal Property *(possessions, assets or business interests of any kind)*

[ ]  Does not apply. Neither spouse has separate personal property.

[ ]  Does not apply. The court does not have jurisdiction to divide property.

[ ]  The **Petitioner** has no separate personal property.

[ ]  The **Respondent** has no separate personal property.

[ ]  The separate personal property has already been divided fairly between the spouses. Each spouse should keep any separate property that s/he now has or controls.

[ ]  The **Petitioner’s** separate personal property is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The **Respondent’s** separate personal property is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The spouses’ separate personal property is listed in the separation contract or prenuptial agreement described in 5.

[ ]  The **Petitioner’s** separate personal property is listed below *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number.):*

|  |  |
| --- | --- |
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. | 8. |

[ ]  The **Respondent’s** separate personal property is listed below *(Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number.):*

|  |  |
| --- | --- |
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. | 8. |

[ ]  Other *(specify):*

**Conclusion:** The division of separate personal property described in the final order is fair (just and equitable).

1. Community Debt

[ ]  Does not apply. There is no community debt.

[ ]  Does not apply. The court does not have jurisdiction to divide debt.

[ ]  The community debt has already been divided fairly between the spouses.

[ ]  The spouses’ community debt is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The spouses’ community debt is listed in the separation or prenuptial agreement described in 5.

[ ]  The spouses’ community debt is listed below:

|  |  |  |
| --- | --- | --- |
| **Debt Amount** | **Creditor** (person or company owed this debt) | **Account Number** (last 4 digits only) |
| $ |  |  |
| $ |  |  |
| $ |  |  |
| $ |  |  |

[ ]  Other *(specify):*

**Conclusion:** The division of community debt described in the final order is fair (just and equitable).

1. Separate Debt

[ ]  Does not apply. Neither spouse has separate debt.

[ ]  Does not apply. The court does not have jurisdiction to divide debt.

[ ]  The **Petitioner** has no separate debt.

[ ]  The **Respondent** has no separate debt.

[ ]  The community debt has already been divided fairly between the spouses.

[ ]  The **Petitioner’s** separate debt is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The **Respondent’s** separate debt is listed in Exhibit \_\_\_\_. This Exhibit is attached and made part of these Findings.

[ ]  The spouses’ separate debt is listed in the separation contract or prenuptial agreement described in 5.

[ ]  The **Petitioner’s** separate debt is listed below:

|  |  |  |
| --- | --- | --- |
| **Debt Amount** | **Creditor** (person or company owed this debt) | **Account Number** (last 4 digits only) |
| $ |  |  |
| $ |  |  |
| $ |  |  |
| $ |  |  |

[ ]  The **Respondent’s** separate debt is listed below:

|  |  |  |
| --- | --- | --- |
| **Debt Amount** | **Creditor** (person or company owed this debt) | **Account Number** (last 4 digits only) |
| $ |  |  |
| $ |  |  |
| $ |  |  |
| $ |  |  |

[ ]  Other *(specify):*

**Conclusion:** The division of separate debt described in the final order is fair (just and equitable).

1. Spousal Support (maintenance/alimony)

[ ]  Does not apply. Spousal support was **not** requested.

[ ]  Spousal support should be based on the separation or prenuptial agreement listed in 5.

[ ]  Spousal support was requested.

**Conclusion:** Spousal support should *(check one):*

[ ]  be ordered because:

[ ]  **not** be ordered because:

1. Lawyer Fees and Costs

[ ]  Does not apply. Neither spouse requested that the other spouse pay his/her lawyer fees and costs.

[ ]  Lawyer fees and costs should be paid according to the separation or prenuptial agreement listed in 5.

[ ]  Lawyer fees and costs were requested by:

[ ]  Petitioner in the amount of $

[ ]  Respondent in the amount of $

**Conclusion:** Lawyer fees and costs should *(check one):*

[ ]  be ordered because:

[ ]  The *(check one):* [ ]  Petitioner [ ]  Respondent incurred
reasonable lawyer fees and costs in the amount of $\_\_\_\_\_\_\_\_\_\_, and needs help to pay those fees and costs. The other spouse has the ability to pay those fees and costs.

[ ]  Other *(specify):*

[ ]  **not** be ordered because:

[ ]  Neither spouse has the ability to pay the other spouse’s fees and costs.

[ ]  Other *(specify):*

1. Protection Order

[ ]  Does not apply. An *Order* *for Protection* was **not** requested.

[ ]  The *(check one):* [ ]  Petitioner [ ]  Respondent requested that an **existing** *Order* *for Protection* between the parties in a *different* case be combined (consolidated) with this case and changed or renewed.

**Conclusion:** The court should *(check one):*

[ ]  **not** combine (consolidate) the *Order* *for Protection* signed by the court in case number with this case because:

[ ]  combine (consolidate) the *Order* *for Protection* signed by the court in case number with this case
and should change or renew it because:

The *Order* *for Protection* signed by the court today or on
*(date):* is made part of these Findings.

[ ]  The *(check one):* [ ]  Petitioner [ ]  Respondent requested a **new** *Order* *for Protection.*

**Conclusion:** The court should *(check one):*

[ ]  **not** make a protection order because:

[ ]  make a protection order that lasts until *(date):*  protecting *(check all that apply):*

[ ]  Petitioner [ ]  Respondent [ ]  the children

because:

The *Order for* *Protection* signed by the court today or on
*(date):* is made part of these Findings.

1. Restraining Order

[ ]  Does not apply. A *Restraining Order* was **not** requested.

[ ]  The *(check one):*  [ ]  Petitioner [ ]  Respondent requested a *Restraining Order*.

**Conclusion:** The court should *(check one):*

[ ]  **not** make a *Restraining Order* because:

[ ]  make a *Restraining Order* that lasts until *(date):*
protecting *(check all that apply):*

[ ]  Petitioner [ ]  Respondent [ ]  the children

because:

The *Restraining Order* signed by the court today or on
*(date):* is made part of these Findings.

1. Pregnancy

[ ]  Does not apply. Neither spouse is pregnant.

[ ]  One of the spouses is pregnant *(check one):* [ ]  Petitioner [ ]  Respondent

**Conclusion:** The pregnancy shall not delay finalization of this case. Finalization of this case shall not affect any future case about the unborn child’s parentage that is filed within the time limits allowed by law.

[ ]  A case about the parentage of the unborn child has been joined (combined) with this case. The court’s *Findings and Conclusions about Parentage* will be filed separately.

[ ]  Other *(specify):*

|  |
| --- |
| ***Note:***  The law considers the other spouse to be the parent of any child born during the marriage or within 300 days after it ends. If the other spouse is **not** the parent, either spouse may file a *Petition to Disestablish Parentage Based on Presumption* (PS 17-100) in court. In most cases, the deadline to file the *Petition to Disestablish* is before the child turns four. (See RCW 26.26.116, 26.26.500 – 26.26.625.) If everyone agrees, both spouses and the child’s biological father can sign an *Acknowledgment (and Denial) of Paternity*. Those forms must be notarized and filed with the Washington State Registrar of Vital Statistics to be valid.  |

1. Children

[ ]  Does not apply. There are no dependent children of this marriage.

[ ]  The dependent children of **either or both** spouses are listed below:

|  |  |  |
| --- | --- | --- |
| Child’s name *(first, last)* | Age | This child’s parent is *(check below):* |
| Both Petitioner (Pet.) & Respondent (Resp.) | Pet. only | Resp. only |
| 1. |  | [ ]  | [ ]  | [ ]  |
| 2. |  | [ ]  | [ ]  | [ ]  |
| 3. |  | [ ]  | [ ]  | [ ]  |
| 4. |  | [ ]  | [ ]  | [ ]  |
| 5. |  | [ ]  | [ ]  | [ ]  |
| 6. |  | [ ]  | [ ]  | [ ]  |

[ ]  Other *(specify):*

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

[ ]  Does not apply. There are no dependent children of this marriage.

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

[ ]  The court **can** decide this case for the children because *(check all that apply):*

[ ]  **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 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; **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 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** – Washington had temporary emergency jurisdiction over (*children’s names):* when the case was filed, and now has jurisdiction to make a final custody decision because:

* When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children’s parent, brother or sister) was abused or threatened with abuse;
* The court signed a temporary order on *(date)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ saying that Washington’s jurisdiction will become final if no case is filed in the children’s home state by the time the children have been in Washington for 6 months;
* The children have now lived in Washington for 6 months; **and**
* No case concerning the children has been started in the children’s home state.

[ ]  Other reason *(specify):*

1. Parenting Plan

[ ]  Does not apply. There are no dependent children of this marriage.

[ ]  The final *Parenting Plan* signed by the court today or on *(date):*
is made part of these Findings.

[ ]  Both parents agreed to and signed the *Parenting Plan*.

[ ]  Other *(specify):*

1. Child Support

[ ]  Does not apply. There are no dependent children of this marriage.

[ ]  The dependent children should be supported according to state law.

[ ]  The *Child Support Order* and *Worksheets* signed by the court today or on
*(date):* are made part of these Findings.

[ ]  There is no need for the court to make a child support order because the DSHS Division of Child Support (DCS) has already established an administrative child support order for the children of this marriage in DCS case number(s) .

[ ]  Other *(specify):*

1. Other Findings or Conclusions (if any):

*Judge or Commissioner signs here Date*

**Petitioner and Respondent or their lawyers fill out below.**

This document *(check all that apply)*: This document *(check all that apply)*:

[ ]  is an agreement of the parties [ ]  is an agreement of the parties

[ ]  is presented by me [ ]  is presented by me

[ ]  may be signed by the court without notice to me [ ]  may be signed by the court without notice to me

*Petitioner signs here* ***or*** *lawyer signs here + WSBA # Respondent signs here* ***or*** *lawyer signs here + WSBA #*

*Print Name Date Print Name Date*