

**Superior Court of Washington
County of**

In re:

and

Petitioner,

Respondent.

No.

**Motion and Declaration for
Default
(MTDFL)**

I. Motion

(Name of requesting party) _____ moves the court for an order of default against (name of other party being defaulted) _____. Venue of this action is proper as set forth in the Declaration below.

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Print Name

II. Declaration

2.1 Proper Jurisdiction and Venue

The court has proper jurisdiction and venue pursuant to the allegations of the petition at the time of filing.

The petitioner resides in (county and state only) _____.

The child(ren) reside(s) in (county and state only) _____.

Respondent resides in (county and state only) _____.

Other:

2.2 Jurisdiction Over the Other Party

This court has jurisdiction over the other party because:

- the other party is currently residing in Washington.
- the petitioner and respondent lived in Washington during their marriage or domestic partnership and the petitioner continues to reside, or be a member of the armed forces stationed, in this state.
- the petitioner and respondent may have conceived a child while within Washington.
- The other party was personally served with summons and petition within this state.
- The other party submits to jurisdiction of this state by consent as evidenced by joinder or consent to jurisdiction signed by respondent.
- The other party engaged in sexual intercourse in the state of Washington as a result of which the child may have been conceived.
- The other party resided with the child in this state.
- The other party resided in this state and provided prenatal expenses or support for the child.
- The child resides in this state as a result of the acts or directives of the other party.
- Other:

2.3 Service on Other Party

The other party was served with (documents) _____ on
(date) _____:

- in the state of Washington.
- in (state or country where served) _____. Service within the state of Washington could not be made for the following reasons:

2.4 Time Elapsed Since Service on the Other Party

- The other party was served within the state of Washington and more than 20 days have elapsed since the date of service.
- The other party was served outside the state of Washington and more than 60 days have elapsed since the date of service.
- The other party was served by mail and more than 90 days have elapsed since the date of mailing.

- The other party was served by publication and more than 60 days have passed since the date of first publication.

2.5 Appearance of the Other Party

- The other party has failed to appear.
 The other party has appeared, but has failed to respond.

2.6 Servicemembers Civil Relief Act Statement

2.6.1 A. Service member status -- (name of other party) _____:

- is not a service member;
 is on active duty in the U.S. armed forces (excluding National Guard and reserves);
 is on active duty and is a National Guard member or a Reservist residing in Washington;
 is not on active duty in the U.S. armed forces (excluding National Guard and reserves);
 is not on active duty and is a National Guard member or a Reservist residing in Washington;
 I am unable to determine whether the other party is or is not on active duty in the U.S. armed forces;
 I am unable to determine whether the other party is or is not on active duty as a National Guard member or a Reservist residing in Washington.

B. Factual basis:

- See the attached Department of Defense Manpower Data Center Status Report Pursuant to Servicemember Civil Relief Act (SCRA) obtained from <https://www.dmdc.osd.mil/appj/scra/>. (You must have the person's social security number to search in this site.)
 Other factual basis:

C. As indicated above, the other party is on active duty and (check all that apply):

- The other party is represented by an attorney.
 The court has appointed an attorney to represent the other party.
 A stay of these proceedings has has not been entered by the court.

2.6.2 A. Dependent of a service member status -- (name of other party) _____
_____:

- is not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;

- is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist;
- I am unable to determine whether the other party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist.

B. Factual basis:

- The other party failed to respond to a notice to him or her as a dependent of a person in Military Service that was served on mailed by first class mail on (date) _____, therefore he or she should be presumed not a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist.
- Other factual basis:

C. As indicated above, the other party is a dependent of a resident of Washington who is on active duty and is a National Guard member or a Reservist and (check all that apply):

- The other party is represented by an attorney.
- The court has appointed an attorney to represent the other party.
- A stay of these proceedings has has not been entered by the court.

2.7 Other

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

Signed at (city) _____, (state) _____, on (date) _____.

Signature of Requesting Party

Print Name