

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Notice Re Military Dependent
(NTDMP)

Notice Re Military Dependent

(For qualified Reservist or National Guard member dependents only – **not** regular U.S. Armed Service member dependents. Military service members have other legal protections that are not described in this Notice.)

You qualify for special legal protections in this case **if** you are a military dependent **and**:

- Your spouse (or parent, if you are under 18) is a Washington resident who is a member of the National Guard or Reserves called to active military duty for more than 30 days in a row, **or**
- For the last 6 months or longer, 50% or more of your income was from a Washington resident who is a member of the National Guard or Reserves called to active military duty for more than 30 days in a row.

If you qualify...

You should tell me *in writing* that you qualify within **20 days** of the date you get this *Notice*. After you notify me, the Court will not approve final orders without first assigning a lawyer to help you. You will not lose any rights in this case by notifying me about your status. Notifying me about your status is not the same as appearing or responding to the *Petition*.

If you **do not** notify me...

The Court will assume you are not a protected military dependent, and may approve final orders without hearing your side.

This is a summary of the notice described in RCW 38.42.050(3)(a). The full text is on page 2.

▶ _____
Person who filed Petition or lawyer signs here Print name and WSBA # if lawyer Date

NOTICE:

State and federal law provide protections to defendants who are in the military service, and to their dependents. Dependents of a service member are the service member's spouse, the service member's minor child, or an individual for whom the service member provided more than one-half of the individual's support for one hundred eighty days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice pertains only to a defendant who is a dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice.

If you are the dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days, you should notify the plaintiff or the plaintiff's attorneys in writing of your status as such within twenty days of the receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, or a national guard member under a call to service authorized by the governor of the state of Washington, and proceed with the entry of an order of default and/or a default judgment without further proof of your status. Your response to the plaintiff or plaintiff's attorneys about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.