

**Superior Court of Washington
County of**

In re Paternity:

and

Petitioner,

Respondent

Presumed Father, if applicable, Respondent

Alleged Father, if applicable, Respondent.

No.

**Judgment and Order on
Challenge to Acknowledgment
of Paternity and Granting Other
Relief
(JDOAKP)**

Clerk's action required, para. 3.2, 3.9
 Law Enforcement Notification, ¶ 3.9

I. Judgment/Order Summaries

1.1 Restraining Order Summary

Does not apply. Restraining Order Summary is set forth below:

Name of person(s) restrained: _____ . Name of person(s) protected: _____ . **See Paragraph 3.9.**

Violation of a Restraining Order in Paragraph 3.9 below with actual knowledge of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.26.590.

1.2 Money Judgment Summary

Does not apply. Judgment Summary is set forth below:

- A. Judgment creditor _____
- B. Judgment debtor _____
- C. Principal judgment amount \$ _____
- D. Interest to date of judgment \$ _____
- E. Attorney fees \$ _____

- F. Costs \$ _____
- G. Other recovery amount \$ _____
- H. Principal judgment shall bear interest at _____ % per annum
- I. Attorney fees, costs and other recovery amounts shall bear interest at _____ % per annum
- J. Attorney for judgment creditor _____
- K. Attorney for judgment debtor _____
- L. Other: _____

II. Basis

This matter has come before the court on _____ [Name]’s Petition for Challenge to Acknowledgment of Paternity. The court considered the case record and has previously entered its Findings of Fact and Conclusions of Law.

This action affects the paternity of _____ [Name of Child] _____ [Age on the date of this order].

III. Order

It is Ordered:

3.1 Challenge to Acknowledgment of Paternity

- This proceeding to challenge the Acknowledgment of Paternity was not timely begun and is dismissed.
- The Petition for Challenge of Acknowledgment of Paternity is granted, the Acknowledgment of Paternity is declared invalid because it was signed under fraud, duress or material mistake of act and the Denial of Paternity is void.
- The Petition for Challenge of Acknowledgment of Paternity is denied.

3.2 Determination of Paternity Based Upon Genetic Testing

- Does not apply.
- Based upon genetic testing in this proceeding, the father and child relationship exists does not exist between the acknowledged father and is in the child’s best interest.
- Based upon genetic testing in this proceeding, _____ [Name] is the father of the child.
- At the time the acknowledgment and denial of paternity were signed, genetic tests were performed indicating the acknowledged father was not excluded as the father of the child based upon a probability of paternity of _____ percent. This test result was not challenged in this proceeding.

3.3 Father's Obligation for Child Support

- Effective as of _____ [Date], the acknowledged father is is not relieved from any obligation to pay child support under the child support order entered on _____ [Date].
- _____ [Name] shall pay child support as set forth in the Order of Child Support which is attached is filed separately.

3.4 Judgment

(Note - do not repeat this judgment in the Order of Child Support WPF PS 01.0500).

- Does not apply.
- _____ [Name] shall have judgment against _____ [Name] in the total amount of \$ _____ as follows:
 - \$ _____ for genetic testing costs.
 - \$ _____ for guardian ad litem fees.
 - \$ _____ for attorney fees.
 - \$ _____ costs.
 - \$ _____ for other fees and expenses.
 - Other:
- _____ [Name] shall have judgment against _____ [Name] for _____ in the amount of \$ _____.

3.5 Judgment for Back Child Support

(Note - do not repeat this judgment in the Order of Child Support WPF PS 01.0500).

- Does not apply.
- _____ [Name] is awarded a judgment against _____ [Name] in the amount of \$ _____, for back child support for the period from _____ [Date] to _____ [Date].
- The unpaid child support due to _____ [Name] by _____ [Name] is waived and will not be collected by _____ [Name]. This does not waive any child support owing to the state as a result of payment of public assistance.
- All child support due under temporary court orders has been paid.
- Unpaid support due under a court or administrative order is preserved for collection and is not merged in or extinguished by this order.
- Other:
- Collection Limitation Against Wages:

The back child support provision above shall be paid at a rate of at least \$_____ per month beginning _____ [Date]. So long as the payments for current support, back support and the judgment are timely, collection against the judgment debtor's wages, excluding bonuses and other lump sum payments, shall be limited to \$_____ per month (for current support, back support and judgment). ***This limitation terminates if a single payment is past due.*** This provision does not limit or bar the state of Washington from using other collection remedies available to it by law, including, but not limited to, certification for collection to the Internal Revenue Service. Payment shall be made to:

- Wage Withholding Action:
 - Withholding action may be taken against wages, earnings, assets, or benefits, and liens enforced against real and personal property under the child support statutes of this or any other state, without further notice to the judgment debtor any time after entry of an order by the court, except as limited by the Collection Limitation Against Wages paragraph above.
 - Wage withholding, by notice of payroll deduction or other income withholding action under Chapter 26.18 RCW or Chapter 74.20 RCW, without further notice to the judgment debtor, is delayed until a payment is past due, because:
 - there is good cause not to require immediate income withholding.
 - the parties have reached a written agreement which the court approves that provides for an alternative arrangement. (See below:)

Judgment and Back Support Payments Shall Be Made to:

Washington State Support Registry
P.O. Box 45868
Olympia, Washington 98504
Phone: 1-800-922-4306
1-800-442-5437

Each party shall notify the Washington State Support Registry of any change in residence address.

3.6 Jurisdiction Over the Child

The court has jurisdiction over the child as set forth in the Findings of Facts and Conclusions of Law.

3.7 Residential Schedule/Parenting Plan

- The primary residence of the child shall be with _____ [Name], who is designated custodian solely for the purpose of other state and federal statutes.
- The residential plan/parenting plan signed by the court on _____ [Date] is adopted and incorporated by reference.
- _____ [Name] shall be designated the custodian of the child, and the child shall reside with _____ [Name] at all times.
- Determination of residential time of _____ [Name] with the child is denied.
- Other:

3.8 Amendment of Birth Certificate

The birth certificate of the child, _____ [Name] shall shall not be amended by the Washington State Registrar of Vital Statistics by removing the acknowledged father's name from the birth certificate and by changing the child's surname to _____ [Surname].

- The Washington State Registrar of Vital Statistics shall amend the child's birth certificate to identify _____ [Name] as the child's father.
- Other:

3.9 Continuing Restraining Order

- Does not apply.
- A continuing restraining order is entered as follows:
 - _____ [Name] is restrained and enjoined from disturbing the peace of the other party.
 - _____ [Name] is restrained and enjoined from going onto the grounds of or entering the home, work place or school of the other party, or the day care or school of the following named children: _____
 - _____ [Name] is restrained and enjoined from knowingly coming within or knowingly remaining within _____ [Distance] of the home, work place or school of the other party, or the day care or school of these children: _____.
 - Other: _____.

- _____ [Name] is restrained and enjoined from molesting, assaulting, harassing or stalking _____ [Name]. (The following firearm restrictions apply if this box is checked: Effective immediately and continuing as long as this continuing restraining order is in effect, the restrained person may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issue firearms. 18 U.S.C. § 925(a)(1).)
- Other:

Violation of a Restraining Order in Paragraph 3.9 with actual knowledge of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.26.130.

- Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to _____ [name of the appropriate law enforcement agency] which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. (A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)

Service

- The restrained party or attorney appeared in court or signed this order; service of this order is not required.
- The restrained party or attorney did not appear in court; service of this order is required.

Expiration

This restraining order expires on: _____ [Month/Day/Year].
This restraining order supersedes all previous temporary restraining orders in this cause number.

- Any temporary restraining order previously entered in this cause number is terminated. **Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to: _____ law enforcement agency where **Petitioner** resides which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants.

Full Faith and Credit

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

