

**Superior Court of Washington  
County of**

In re the matter of:

and  
and  
[ ] Acknowledged Father, if applicable, Respondent,  
[ ] Adjudicated Father, if applicable, Respondent.

Petitioner,  
Respondent,

**No.**  
**Findings of Fact and  
Conclusions of Law on  
Petition for Establishment  
of Parentage Pursuant to  
RCW 26.26.540(2)  
(FNFCL)**

**I. Basis for Findings**

The findings are based upon:

- agreement of the parties.
- an order of default entered on \_\_\_\_\_ [Date].
- a hearing held on \_\_\_\_\_ [Date]. The following people attended:
  - Alleged Father                       Alleged Father's Attorney
  - Mother                                       Mother's Attorney
  - Acknowledged Father               Acknowledged Father's Attorney
  - Adjudicated Father                   Adjudicated Father's Attorney
  - Guardian ad Litem                       Other:

**II. Findings of Fact**

Based upon the court record, the court  ***Finds:***

## 2.1 Notice and Personal Jurisdiction Over the Parties

All parties necessary to adjudicate the issues were served with a copy of the summons and petition and are subject to the jurisdiction of this court. The facts below establish personal jurisdiction over the parties:

- The mother and petitioner engaged in sexual intercourse in the state of Washington as a result of which the child was conceived.

Jurisdiction over Mother [Check all that apply]:

- The mother was personally served with a summons within this state.  
 The mother submits to jurisdiction of this state by consent.  
 The mother resided with the child in this state.  
 The mother 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 mother.  
 Other:

Jurisdiction over acknowledged or adjudicated father [check all that apply]:

- \_\_\_\_\_ [Name] was personally served with summons within this state.  
 \_\_\_\_\_ [Name] submits to jurisdiction of this state by consent.  
 \_\_\_\_\_ [Name] resided with the child in this state.  
 \_\_\_\_\_ [Name] 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 \_\_\_\_\_ [Name of acknowledged or adjudicated father].  
 Other:

## 2.2 Time for Filing Petition

This proceeding began  more  not more than two years after  the effective date of the Acknowledgment of Paternity  the date the judgment adjudicating paternity was entered.

## 2.3 The Child Whose Paternity Is Affected in This Action

This action affects the paternity of \_\_\_\_\_ [Name] born on \_\_\_\_\_ [Date].

## 2.4 Genetic Tests

- Genetic tests were not performed in this proceeding because:  
 all parties agree that petitioner is the father.  
 a court has determined that genetic testing is not in the best interest of the child.  
 Genetic tests were performed in this proceeding and the results indicate that \_\_\_\_\_ [Name] is the biological father of the child based upon a probability of paternity of \_\_\_\_\_ percent.

- Genetic tests were performed in this proceeding and the results indicate that petitioner is excluded as the biological 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.
- At the time of the hearing adjudicating paternity, genetic tests were performed indicating the adjudicated 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.
- Other:

## 2.5 Basis of Jurisdiction Over the Child

This court has jurisdiction over the child for the reasons set forth below:

- This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- This state is the home state of the child because
  - the child lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
  - the child is less than six months old and has lived in Washington with a parent or a person acting as parent since birth.
  - any absences from Washington have been only temporary.
  - Washington was the home state of the child within six months before the commencement of this proceeding and the child is absent from the state but a parent or person acting as a parent continued to live in this state.
- The child and the parents or the child and at least one parent or person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the child's care, protection, training and personal relationships; and
  - the child has no home state elsewhere.
  - the child's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the child's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
  - There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The

requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until \_\_\_\_\_ [Date].

- There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in \_\_\_\_\_ [potential home state] by the time the child has been in Washington for six months, \_\_\_\_\_ [Date], then Washington's jurisdiction will be final and continuing.

- Other:

## 2.6 Child Support

- Does not apply.
- A child support order was entered on \_\_\_\_\_ [Date] requiring \_\_\_\_\_ [Name] to pay \$\_\_\_\_\_ per month for the support of the child.
- The child is in need of support and child support should be set pursuant to the Washington State Child Support Schedule. The Order of Child Support signed by the court on \_\_\_\_\_ [Date] and the child support worksheet which has been approved by the court are incorporated by reference in these findings.
- Other:

## 2.7 Residential Schedule/Parenting Plan

- Does not apply.
- The residential schedule/parenting plan signed by the court on \_\_\_\_\_ [Date] is approved and incorporated as part of these findings.
- The residential schedule/parenting plan is the result of an agreement of the parties.
- Other:

## 2.8 Child's Name

- There is not good cause to change the child's name.
- There is good cause to change the child's surname to \_\_\_\_\_.

## 2.9 Continuing Restraining Order

- Does not apply.

A continuing restraining order against the  father  mother  both parties is necessary because:

Other:

## 2.10 Protection Order

Does not apply.

A domestic violence protection order protecting \_\_\_\_\_ [Name] from \_\_\_\_\_ [Name] is necessary based upon declarations in the file or attached.

If the duration of this order exceeds one year, the court finds that an order of one year or less will be insufficient to prevent further acts of domestic violence.

## 2.11 Other

### III. Conclusions of Law

#### 3.1 Jurisdiction

The court has jurisdiction to enter an order in this matter.

The court does not have jurisdiction to enter an order because this matter was begun more than two years after the date the Acknowledgment of Paternity,  and Denial of Paternity, was filed with the Washington State Registrar of Vital Statistics.

#### 3.2 Disposition

The court shall enter an order on parentage:

Dismissing the petition because this proceeding to establish parentage was not timely begun.

Granting the Petition for Establishment of Parentage.

Declaring, based upon genetic testing, that \_\_\_\_\_ [Name] is the father of the child.

Declaring, based upon the best interest of the child, that \_\_\_\_\_ [Name] is the father of the child.

Making provision for an amended birth certificate of the child.

Changing the surname of the child to \_\_\_\_\_ [Surname].

Determining child support for the child pursuant to the Washington State Child Support Schedule and ordering either or both parents to maintain or provide health insurance

