

**Superior Court of Washington  
County of**

In re the Marriage of:

and

Petitioner,

Respondent.

**No.**

**Petition for Declaration  
Concerning Validity  
(PTIN)**

---

**I. Basis**

**1.1 Identification of Petitioner**

Name (first/last) \_\_\_\_\_, Birth date \_\_\_\_\_

Last known residence \_\_\_\_\_ (county and state).

**1.2 Identification of Respondent(s)**

Name (first/last) \_\_\_\_\_, Birth date \_\_\_\_\_

Last known residence \_\_\_\_\_ (county and state).

**1.3 Children of the Marriage Dependent Upon Either or Both Spouses**

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

#### 1.4 Allegation Regarding Marriage

This is a petition to have this marriage declared invalid. The marriage should not have been contracted and the marriage should be declared invalid for the reasons which follow.

- Because of the age of one or both of the parties and because the parties have not ratified their marriage by voluntarily cohabitating after attaining the age of consent.
- Because of lack of required parental or court approval and because the parties have not ratified their marriage by voluntarily cohabitating after attaining the age of consent.
- Because of a prior undissolved marriage of one or both of the parties.
- Because of reasons of consanguinity.
- Because a party lacked capacity to consent to the marriage and because the parties have not ratified their marriage by voluntarily cohabitating after attaining capacity to consent.
- Either because of mental incapacity or because of the influence of alcohol or other incapacitating substances and because the parties have not ratified their marriage by voluntarily cohabitating after attaining capacity to consent.
- Because a party was induced to enter into the marriage by force or duress, or by fraud involving the essentials of marriage, and because the parties have not ratified their marriage by voluntarily cohabitating after cessation of the force or duress or discovery of the fraud.
- Because the marriage was contracted in a jurisdiction other than this state and the marriage was void or voidable under the law of the place where the marriage was contracted and because the marriage has not been subsequently validated by the laws of the place of contract or a subsequent domicile of the parties.

#### 1.5 Date and Place of Marriage

The parties were married on \_\_\_\_\_ at \_\_\_\_\_.  
[Date] [Place]

#### 1.6 Separation

- Husband and wife are not separated.
- Husband and wife separated on \_\_\_\_\_.  
[Date]

#### 1.7 Jurisdiction

This court has jurisdiction over the marriage.

- This court has jurisdiction over the respondent because:
  - the respondent is presently residing in Washington.
  - the petitioner and respondent lived in Washington during their marriage 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.
  - Other:

This court does not have jurisdiction over the respondent.

## **1.8 Property**

There is community or separate property owned by the parties. The court should make a fair and equitable division of all the property.

The division of property should be determined by the court at a later date.

The petitioner's recommendation for the division of property is set forth below.

The petitioner should be awarded the parties' interest in the following property:

The respondent should be awarded the parties' interest in the following property:

Other:

## **1.9 Debts and Liabilities**

The parties have no debts and liabilities.

The parties have debts and liabilities. The court should make a fair and equitable division of all debts and liabilities.

The division of debts and liabilities should be determined by the court at a later date.

The petitioner's recommendation for the division of debts and liabilities is set forth below.

The petitioner should be ordered to pay the following debts and liabilities to the following creditors:

The respondent should be ordered to pay the following debts and liabilities to the following creditors:

Other:

### **1.10 Spousal Maintenance**

- Spousal maintenance should not be ordered.  
 There is a need for spousal maintenance as follows:

Other:

### **1.11 Continuing Restraining Order**

- Does not apply.  
 A continuing restraining order should be entered which restrains or enjoins the  
 husband  wife from disturbing the peace of the other party.  
 A continuing restraining order should be entered which restrains or enjoins the  
 husband  wife 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 children: \_\_\_\_\_  
\_\_\_\_\_.

A continuing restraining order should be entered which restrains or enjoins the  husband  wife 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: \_\_\_\_\_.

A continuing restraining order should be entered which restrains or enjoins \_\_\_\_\_ [Name] from molesting, assaulting, harassing, or stalking \_\_\_\_\_ [Name]. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

Other:

### 1.12 Protection Order

Does not apply.

A domestic violence protection order should be entered protecting \_\_\_\_\_ [Name] from \_\_\_\_\_ [Name] because \_\_\_\_\_ [Name] has committed domestic violence as defined by 26.50 RCW against \_\_\_\_\_ [Name]. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

**If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms.**

### 1.13 Pregnancy

The wife is not pregnant.

The wife is pregnant.

**Note: Under RCW 26.26.116, the husband is the presumed father. If husband or wife believes the husband is not the father, this presumption may be challenged up to two years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625.**

### 1.14 Jurisdiction Over the Children

Does not apply because there are no dependent children.

This court has jurisdiction over the children 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 children because:
- the children 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 children are less than six months old and have 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 children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continued to live in this state.
- The children and the parents or the children 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 children's care, protection, training and personal relationships; and
- the children have no home state elsewhere.
  - the children'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 children'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 children under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, 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:

### 1.15 Child Support and Parenting Plan for Dependent Children

- The parties have no dependent children.
- Support for the dependent children listed in paragraph 1.3, above, should be set pursuant to the Washington State Child Support Schedule.

<u>Name of Child</u>	<u>Mother's Name</u>	<u>Father's Name</u>
--------------------------	--------------------------	--------------------------

The petitioner's proposed parenting plan for these children:

- is attached and is incorporated by reference as part of this Petition.
- will be filed and served at a later date pursuant to RCW 26.09.181.

(The following information is required only for those children who are included in the petitioner's proposed parenting plan.)

During the last five years, the children have lived:

- in no place other than the state of Washington and with no person other than the petitioner or the respondent.
- in the following places with the following persons (list each place the children lived, including the state of Washington, the dates the children lived there and the names of the persons with whom the children lived. The present addresses of those persons must be listed in the required Confidential Information Form):

Claims to custody or visitation.

- The petitioner does not know of any person other than the respondent who has physical custody of, or claims to have custody or visitation rights to, the children.
- The following persons have physical custody of, or claim to have custody or visitation rights to, the children (list their names and the children concerned below and list their present addresses in the Confidential Information Form. Do not list the responding party):

Involvement in any other proceeding concerning the children.

- The petitioner has not been involved in any other proceeding regarding the children.
- The petitioner has been involved in the following proceedings regarding the children (list the court, the case number, and the date of the judgment or order):

Other legal proceedings concerning the children.

- The petitioner does not know of any other legal proceedings concerning the children.
- The petitioner knows of the following legal proceedings which concern the children (list the children concerned, the court, the case number and the kind of proceeding):

## 1.16 Other

## II. Relief Requested

The petitioner **Requests** the court to declare this marriage invalid and to grant the relief below.

- Provide reasonable maintenance for the  husband  wife.
- Approve the petitioner's proposed parenting plan for the dependent children.
- Determine support for the dependent children pursuant to the Washington State Child Support Schedule.
- Approve the separation agreement.
- Divide the property and liabilities.
- Change name of wife to: \_\_\_\_\_.
- Change name of husband to: \_\_\_\_\_.
- Enter a domestic violence protection order.
- Enter a continuing restraining order.
- Order payment of day care expenses for the children.
- Award the tax exemptions for the dependent children as follows:

- Order payment of attorney fees, other professional fees and costs.
- Other:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name

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 Petitioner

\_\_\_\_\_  
Print or Type Name

**Joinder**

I, the respondent, join in the petition. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

I waive notice of entry of the decree.

I demand notice of all further proceedings in this matter. Further notice should be sent to the following address [You may list an address that is not your residential address where you agree to accept legal documents]:

\_\_\_\_\_

\_\_\_\_\_  
Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Respondent

\_\_\_\_\_  
Print or Type Name