

Superior Court of Washington, County of _____

In re parentage:

Petitioner *(person who started this case)*:

And Respondents:

(parent / presumed parent / alleged parents)

Children over age 2:

No. _____

Final Parentage Order
(JDOEP)

Clerk's action required: **1, 2, 8, 11, 13**

Final Parentage Order

1. Money Judgment Summary

- No money judgment is ordered.
- Summarize any money judgments from sections **8** and **11** in the table below.

| Judgment for | Debtor's name <i>(person who must pay money)</i> | Creditor's name <i>(person who must be paid)</i> | Amount | Interest |
|---|---|---|--------|----------|
| Past due child support from _____ to _____ | | | \$ | \$ |
| Past due medical support from _____ to _____ | | | \$ | \$ |
| Past due children's expenses from _____ to _____ | | | \$ | \$ |
| Fees and costs (section 11) | | | \$ | \$ |
| Other amounts <i>(describe)</i> : | | | \$ | \$ |
| <p>Yearly Interest Rate for child support, medical support, and children's expenses: 12% . For other judgments: ____% <i>(12% unless otherwise listed)</i></p> | | | | |

| | |
|----------------|--------------------|
| Lawyer (name): | represents (name): |
| Lawyer (name): | represents (name): |

➤ **The court approved Findings and Conclusions for this case and now orders:**

2. Parentage Decision

- The court's order about parentage is in the *Summary Judgment Order* signed by the court on (date): _____ . (Skip to **3.**)
- Parent** – (full name): _____ is a legal parent of (children's current names): _____ .
- Parent** – (full name): _____ is a legal parent of (children's current names): _____ .
- Not a Parent** – (full name): _____ is **not** a parent of (children's names): _____ and is dismissed from this case.
- Other (specify): _____

3. Children's Name Change

- Does not apply.
- The children's names are changed as follows:

From (current name): _____

To (new name):

| First | Middle | Last |
|-------|--------|------|
| | | |

From (current name): _____

To (new name):

| First | Middle | Last |
|-------|--------|------|
| | | |

4. Birth Certificate

Upon receipt of a certified copy of this order, the State Registrar of Vital Statistics must amend the children's birth certificates to list the parents as decided above and change the children's names if ordered.

Note – The court does not forward this order to Vital Statistics. To amend the birth certificate, a party must provide a certified copy of this order and pay a filing fee to the State Registrar of Vital Statistics (360-236-4347). You may order a copy of the amended birth certificate for an additional fee.

5. Parents' contact and employment information

Each parent must fill out and file with the court a *Confidential Information* form (FL All Family 001) including personal identifying information, mailing address, home address, and employer contact information.

Important! If you move or get a new job any time while support is still owed, you must:

- notify the Support Registry, and
- fill out and file an updated *Confidential Information* form with the court.

Warning! Any notice of a child support action delivered to the last address you provided on the *Confidential Information* form will be considered adequate notice, if the party trying to serve you has shown diligent efforts to locate you.

6. Parenting Plan or Residential Schedule

The court has jurisdiction over (*children's names*): _____.
These children will live with (*name*): _____ most of the time.
This parent is named custodian for those state and federal laws that require a custodian. (*Check one*):

The court signed the final *Parenting Plan* or *Residential Schedule* filed separately today or on (*date*): _____.

The court is **not** approving a *Parenting Plan* or *Residential Schedule* at this time because neither parent requested one. Either parent may ask the court for a *Parenting Plan* or *Residential Schedule* in the future.

Note – If you want a plan or schedule that **changes** the custodian, you must file a *Petition to Change a Parenting Plan, Residential Schedule or Custody Order* (form FL Modify 601).

If you want a plan or schedule that does **not** change the custodian, you may file a:

- *Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order)* (form FL Parentage 317), or
- *Petition for a Parenting Plan, Residential Schedule and/or Child Support* (form FL Parentage 331).

The court does **not** have jurisdiction over (*children's names*): _____.
_____. The court cannot name a custodian or approve a *Parenting Plan* or *Residential Schedule* for these children.

Other (*specify*): _____

7. Child Support

The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (*date*): _____.

The court is not making a decision about child support now. Either parent may ask the court for a *Child Support Order* in the future.

The court does not have jurisdiction to order child support.

Other (*specify*): _____

8. Past due child support

This order **does not decide** past due child support issues.

Paid – All child support owed by (*name*): _____ for the children under a court or administrative order through (*date*): _____ has been paid.

- Not paid** – Any unpaid support owed by (name): _____ for the children under a court or administrative order is still due, and is not changed or canceled by this order.
- Waived** – (Name): _____ chooses to waive (give up his/her right to) the unpaid past due child support owed by (name): _____ from (date): _____ through (date): _____ for (children's names): _____ Any support that has been assigned to the state for public assistance is still due. (This waiver is valid only if the person waiving support signs this order.)
- Money Judgment** – (Check one):
- Any money judgment for past due child support is included in the *Child Support Order* approved by the court and filed separately. (Do not duplicate the judgment in this order.)
- The court orders the following money judgment for past due child support (summarized on page 1):

| Judgment for | Debtor's name (person who must pay money) | Creditor's name (person who must be paid) | Amount | Interest |
|---|--|--|--------|----------|
| <input type="checkbox"/> Past due child support from _____ to _____ | | | \$ | \$ |
| <input type="checkbox"/> Past due medical support (health insurance & health care costs not covered by ins.) from _____ to _____ | | | \$ | \$ |
| <input type="checkbox"/> Past due children's expenses (including day care, education, long-distance transportation, pregnancy, childbirth, or other expenses) from _____ to _____ | | | \$ | \$ |

The **interest rate** for child support judgments is 12%.

- Other (specify): _____

9. Payment Plan

- Does not apply.
- (Name): _____ must pay at least \$ _____ each month on the money judgments for past due support listed in section **8** above.

Payments start (date): _____

Payment due every month on (day of month): _____

Address for payment: Washington State Support Registry
P. O. Box 45868, Olympia, WA 98504

Income Withholding (Garnishment) Limit – If all payments are made on time, the judgment debtor’s wages will not be garnished for any amount over what is needed to cover current child support plus the past due support judgment payment amount listed in this section.

Money over the garnishment limit can be taken from bonuses and other payments that are not wages. The state may still use other ways of collecting this judgment, including collection through the IRS.

Warning! If any payment is late, this payment plan is canceled, and the state or the person owed support may collect more than the amount listed above.

10. Enforcement of judgment through income withholding (garnishment)

- Does not apply because no money judgment is ordered in section **8** above.
- The money judgment in section **8** above can be enforced through income withholding (garnishment).

DCS or the person owed money from the judgment can collect the judgment from the wages, earnings, assets or benefits of the parent who owes the judgment, and can enforce liens against real or personal property as allowed by any state’s child support laws without notice to the parent who owes the judgment.

*If this judgment is **not** being enforced by DCS and the person owed the judgment wants to have support paid directly from the employer, the person owed support must ask the court to sign a separate wage assignment order requiring the employer to withhold wages and make payments. (Chapter 26.18 RCW.)*

Income withholding may be delayed until a payment becomes past due if the court finds good reason to delay.

- Does not apply. There is no good reason to delay income withholding.
- Income withholding will be **delayed** until a payment becomes past due because *(check one)*:
 - The child support payments are enforced by DCS and there are good reasons in the children’s best interest **not** to withhold income at this time. If this is a case about changing child support, previously ordered child support has been paid on time.

List the good reasons here: _____
 - The child support payments are **not** enforced by DCS and there are good reasons **not** to withhold income at this time.

List the good reasons here: _____
 - The court has approved the parents’ written agreement for a different payment arrangement.

11. Money judgment for fees and costs *(summarized on page 1)*

- No money judgment is ordered.
- The court orders a money judgment for fees and costs as follows:

| Judgment for | Debtor's name <i>(person who must pay money)</i> | Creditor's name <i>(person who must be paid)</i> | Amount | Interest |
|---|---|---|--------|----------|
| <input type="checkbox"/> Genetic testing costs | | | \$ | \$ |
| <input type="checkbox"/> Guardian ad litem (GAL) fees | | | \$ | \$ |
| <input type="checkbox"/> Lawyer fees | | | \$ | \$ |
| <input type="checkbox"/> Court costs | | | \$ | \$ |
| <input type="checkbox"/> Other fees and expenses <i>(specify):</i> | | | \$ | \$ |

The **interest rate** is 12% unless another amount is listed below.

The interest rate is ____% because *(explain)*: _____

12. Protection Order

- No one requested an *Order for Protection* in this case.
- Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.
- Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.
- Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in the following order, filed separately (*check one*):
- Order on Renewal of Order for Protection*
 - Order Modifying/Terminating Order for Protection*
- Other: _____

13. Restraining Order

- No one requested a *Restraining Order* in this case.
- Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.
- Denied** – The request for a *Restraining Order* is denied.
- Check this box if the court previously signed a temporary Restraining Order and is **not** signing a final Restraining Order in this case. Also check the “Clerk’s action required” box in the caption on page 1.*

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: _____

To the Clerk: Provide a copy of this Order to the agency listed above within 1 court day. The law enforcement agency must remove the temporary *Restraining Order* from the state’s database.

14. Guardian ad Litem

- Does not apply.
- The guardian ad litem (GAL) is discharged.
- Other (specify): _____

15. Other Orders

The *Warnings* below are required by law and are made part of this order.

- Other (specify): _____
- _____
- _____

Ordered.

_____  _____
Date *Judge or Commissioner*

Petitioner and Respondent/s or their lawyers fill out below.

This document (check any that apply):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

This document (check any that apply):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

 _____
Petitioner signs here or lawyer signs here + WSBA #

 _____
Respondent signs here or lawyer signs here + WSBA #

Print Name *Date*

Print Name *Date*

This document (check any that apply):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

This document (check any that apply):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

 _____
Other Respondent or lawyer signs here + WSBA #

 _____
Other party or Guardian ad Litem signs here

Print Name *Date*

Print Name *Date*

Parent or Non-Parent Custodian applies for DCS enforcement services:

I ask the Division of Child Support (DCS) to enforce this order. I understand that DCS will keep \$25 each year as a fee if DCS collects more than \$500, unless I ask to be excused from paying this fee in advance. (You may call DCS at 1-800-442-5437. DCS will **not** charge a fee if you have ever received TANF, tribal TANF, or AFDC.)

 _____
Parent/Custodian signs here *Print name* *Date*
(lawyer cannot sign for party)

Warnings about Moving with the Children (Relocation)!

If the custodian plans to move, s/he **must notify** every person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days' notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A custodian who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has

already happened, and ordering the custodian to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the custodian's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the custodian may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the custodian may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the custodian may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the custodian. (However, the custodian may ask the court for an order allowing the move even though a hearing is pending if the custodian believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the custodian served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website:
www.courts.wa.gov/forms,
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp:
www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)