

Superior Court of Washington, County of

In re parentage:

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

And Respondents:

(person acting as a surrogate and their spouse, if any,
or intended parents)

No. _____

Motion to Vacate Orders Based on Notice to
Terminate – Genetic Surrogacy
(MTV)

**Motion to Vacate Orders Based on Notice to
Terminate – Genetic Surrogacy**

Use this form to ask the court to vacate an Order Validating Genetic Surrogacy Agreement because you terminated your genetic surrogacy agreement.

To all parties:

Deadline! Your papers must be filed and served by the deadline in your county’s Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county’s Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

Read your county’s Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county’s Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, you may use form FL All Family 135, *Declaration* to explain why the court should not approve those requests. You may file other written proof supporting your side.

1. Person/s who terminated the agreement

(Names): _____ gave or delivered to the other parties the attached notice to terminate (end) the genetic surrogacy agreement. The notice to terminate was notarized or witnessed.

2. Timing of the notice

- The intended parents gave the person acting as a genetic surrogate the notice on (date): _____ which was before a transfer of gamete or embryo that resulted in a pregnancy.
- The person acting as a genetic surrogate delivered the notice of withdrawal of consent to act as a surrogate to the intended parents on (date): _____ (time (if after birth)): _____, which was after the agreement was signed and no more than 48 hours after the child’s birth.

3. Relief Requested

Based on RCW 26.26A.760(3), I ask the court to vacate the Order Validating Genetic Surrogacy Agreement and to:

- Dismiss this case. No child was conceived.
- Decide parentage under RCW 26.26A.005 through 515. A child was conceived.

Person/s making this motion or his/her lawyer fills out below:

 Sign here _____
Date

Print name (if lawyer, also list WSBA No.)

 Sign here _____
Date

Print name (if lawyer, also list WSBA No.)

I/we agree to accept legal papers for this case at (check one):

- Lawyer’s address:

 Lawyer’s address city state zip

Email (if applicable): _____

- the following address (this does **not** have to be your home address):

 street address or PO box city state zip

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (All Family 120). You must also update your Confidential Information Form (All Family 001).)