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January 3, 2020

TO: Judges, Commissioners, County Clerks, Court Administrators, Libraries, Attorneys, and Public

FROM: Ashley Tam, AOC Sr. Legal Analyst

RE: Summary of Changes to Family Law Forms (April to December 2019)

The Washington Pattern Forms Committee updated the 71.05 RCW mandatory and optional pattern forms to implement sections of legislation effective July 28, 2019, specifically:

* Laws of 2019, ch. 263, E2SHB 1517, Domestic Violence—Various Provisions.
* Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons.
* Laws of 2019, ch. 275, ESHB 1916, Child Support Services—Various Provisions.
* Laws of 2019, ch. 46, SSB 5333, Uniform Parentage Act—Various Provisions
* Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time
* Laws of 2019, ch. 470, SSB 5955 Department of Children, Youth, and Families—Various Provisions.

Some forms were also changed to reflect the impact of:

* Pub. L. 115-97, 131 Stat. 2054 (2017), commonly known as the Tax Cuts and Jobs Act (TJCA), an act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for Fiscal Year 2018.

Some forms were updated to acknowledge/clarify that law enforcement should provide free service for protection orders in certain situations. For the purposes of this Summary of Changes, the following statutes will collectively be referred to as the “Federal Free Service Laws”:

* 18 U.S.C. § 2266. Definitions
* 34 U.S.C. § 10441. Purpose of program and grants
* 34 U.S.C. § 10446. State grants
* 34 U.S.C. § 10450. Costs for criminal charges and protection orders

These forms were also updated for other reasons, including to address user feedback, improve form accuracy, and increase clarity of information contained on forms.

Note: This guide shows what changes have been made to the forms. Strikethroughs indicate deletions and underlines indicate additions. Please refer to the current version of each form to ensure proper formatting, including indentation, spacing, and font size.

**Legend of Changes**

Some changes were made to multiple forms. These changes are detailed in the Legend of Changes and cross-referenced to the affected forms.

**Change A – Clarify impact of the Tax Cuts and Jobs Act**

Forms Impacted: FL Divorce 201, 202, 203, 204, 205, 206.

Under Child Support>Court Order:

~~[ ]~~ [ ] I ask the court to order that we have the right to claim the children as dependents for purposes of personal tax exemptions ~~for~~ and associated tax credits on our ~~dependent children be divided~~ tax forms as follows *(describe):*

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

Under Child Support>Administrative Order:

*DCS child support orders do not cover tax ~~exemptions~~ issues or post-secondary (college or vocational school) support.* Because these issues are not in the administrative order, I ask the court to order *(check all that apply):*

~~[ ]~~ [ ] we have the right to claim the children as dependents for purposes of personal tax exemptions ~~for~~ and associated tax credits on our ~~dependent children be divided~~ tax forms as follows *(describe):*

**Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons**

Forms Impacted: FL Divorce 201, 202, 203, 204, 205, 206, 211, 212, 221, 223; FL Modify 601, 602; FL Non-Parent 401, 415, 421, 423; FL Parentage 301, 302, 321, 323, 331, 332, 341, 342, 381; FL Relocate 721, 722.

Under Restraining Order, or Prohibit weapons and order surrender:

* Not to access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses until the Order ends, **and**
* To immediately surrender any firearms, other dangerous weapons, and any concealed pistol licenses that he/she possesses . . .

**Changes**

**1. All Updated Forms**

 Checkboxes “[ ] ” have been replaced with brackets “[ ]” in all updated forms for accessibility reasons. This change is only identified in the Summary of Changes when other updates were also made in the same section of the form.

 Similarly, any checked boxes“☑” in the caption were replaced with “[x]”. This change is only identified in the Summary of Changes when other updates were also made in the same section of the form.

 Dates in the footers were changed to reflect the last revised date, which is 07/2019 unless noted otherwise below.

**2. FL All Family 101 – Proof of Personal Service**

The footer was updated to remove an incorrect subsection reference, RCW 4.28.080~~(15).~~

**3. FL All Family 130 – Child Support Order**

 For section 9, under the first subsection under “No”:

~~“Neither parent”~~ was changed to “No one”.

For section 18, the heading was changed from:

~~Claiming children as dependents on tax forms~~ to Tax Issues

Under section 18, additional changes were made to clarify the impact of the Tax Cuts and Jobs Act:

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

~~[ ]~~  [ ] Does not apply.

~~[ ]~~  [ ] The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows *(check one):*

For section 19, the second note inside a box was changed:

|  |
| --- |
| *~~Neither~~ A parent ~~can~~ cannot be ordered to pay an amount towards health care coverage premiums that is more than 25% of his/her basic support obligation (Worksheets, line 19) unless the court finds it is in the best interest of the children.*  |

For section 24:

“All of the *Warnings* below are required by law and are incorporated and made part of this order.”

Before all the warnings required by law:

**~~[ ]~~** [ ] **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~~35 each year ($25 before 10/1/2019) as a fee if DCS collects more than $550 ($500 before 10/1/2019), 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.)*

**4. FL All Family 140 – Parenting Plan**

For section 3.a., suboption Domestic Violence:

The subsection was removed from RCW 26.50.010~~(1).~~

 For section 8.b., School-Age Children, the schedule options were expanded:

This schedule will apply ~~when~~ *(check one):* ~~[ ]  the youngest child [ ]  the oldest child [ ]  each child begins:~~

[ ] immediately.

[ ] when the youngest child enters *(check one):* ~~[ ]~~  [ ] Kindergarten ~~[ ]~~  [ ] 1st grade

[ ] when the oldest child enters *(check one):* [ ] Kindergarten [ ] 1st grade

~~[ ]~~ [ ] Other:

 At the bottom of section 9, Summer Schedule:

 Added two extra lines to the suboption “Other.”

 For section 10, Holiday Schedule (includes school breaks):

 New Year’s Eve / New Year’s Day (odd/even is based on New Year’s ~~Day~~ Eve)

 For section 12:

 “day care” has been corrected to “daycare”.

 For section 13, the beginning of section has been changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time:

~~If the person~~ Anyone with ~~whom the children are scheduled to reside a~~ majority ~~of their~~ or substantially equal residential time ~~plans~~ (at least 45 percent) who wants to move ~~(relocating person), s/he~~ with the children **must notify** every other person who has court-ordered time with the children*.*

**5.** **FL All Family 150 – Restraining Order**

 On the right half of the caption, the docket code was corrected (from TRO to TMRO) and the clerk’s section was updated.

~~[ ] [~~ ] Temporary (~~TRO)~~ TMRO)

~~[ ]~~ [ ] Final (RSTO)

~~☑~~[x] Clerk’s action required: 6**,** 7

For section 4>Notice, second sentence:

He/She was changed to S/he.

For section 4>Notice> Intimate Partners, the definition was updated to comply with Laws of 2019, ch. 263, E2SHB 1517, Domestic Violence—Various Provisions:

~~[ ]~~ [ ] **Intimate Partner:** The Restrained Person ~~is/was an intimate partner to~~ and the Protected Person ~~(including~~ are/were intimate partners because they are (*check all that apply):*

[ ] current ~~and~~ or former spouses ~~and~~ or domestic partners, or parents of a child-in-common~~, and people who lived together as part of~~.

[ ] age 16 or older and are/were in a dating relationship~~)~~*~~.~~*, andare currently residing together or resided together in the past.

[ ] age 16 or older and are/were in a dating relationship, but have *never* resided together.

For section 5, option relating to prohibiting weapons and ordering surrender:

~~[ ]~~ [ ] **Prohibit weapons and order surrender** **(separate order required)**

For section 5, to comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons:

The Restrained Person must:

* not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses; and

 For section 6, changes made for “Federal Free Service Laws”:

~~[ ]~~ [ ] **The other party must be served**.

 **You have a right to have law enforcement serve this order free of charge~~.~~ if the “Do not disturb,” “Stay away,” “Do not hurt or threaten,” or “Prohibit weapons and order surrender” boxes are checked above.**

. . .

~~[ ]~~ [ ] The protected person shall give a copy of this order to law enforcement for service ~~free of charge~~.

~~[ ]~~ [ ] *(Only if surrender of weapons* ***not*** *ordered)* The protected person **~~waives free service~~** ~~by law enforcement and~~ shall make private arrangements for service of this order. . .

**6.** **FL Divorce 201 – Petition for Divorce (Dissolution)**

In April 2019, the cross-references in the section 5 note were updated:

|  |
| --- |
| ***Note:***  The law considers the other spouse to be the parent of any child born during the marriage or within 300 days after it ends. If the other spouse is not the parent, either spouse may file a *Petition to ~~Disprove~~ Decide Parentage ~~of Presumed Parent~~* (form FL Parentage ~~355~~ 301) in court. In most cases, the deadline to file the *Petition to ~~Disprove~~ Decide Parentage* is before the child turns four. (See RCW 26.26A.115, 26.~~116, 26.26.500 – 26.26.625~~ 26A.435.)  |

 In July 2019, other changes were made to the form.

 For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**7. FL Divorce 202 – Petition to End Registered Domestic Partnership (Dissolution)**

 For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**8. FL Divorce 203 – Petition for Legal Separation (Marriage)**

 For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**9. FL Divorce 204 – Petition for Legal Separation (Registered Domestic Partnership)**

 For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**10. FL Divorce 205 – Petition to Invalidate (Annul) Marriage**

For section 3>the last option:

~~[ ]~~ [ ] We were not married in Washington State. According to the laws of the place where we were married, our marriage is . . .

For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**11. FL Divorce 206 – Petition to Invalidate (Annul) Registered Domestic Partnership**

For section 3>the last option:

~~[ ]~~ [ ] We did not register our domestic partnership in Washington State. According to the laws of the place where we registered our domestic partnership, our domestic. . .

For section 7, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

For section 9. Child Support:

Refer to Legend of Changes: Change A – Clarify impact of the Tax Cuts and Jobs Act

For section 18. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**12. FL Divorce 211 – Response to Petition about a Marriage**

For Section 3. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

Under section 4>I also ask the court to:

The “Other *(specify):*” option is now “other *(specify):*” (lowercase “o”).

For the “Respondent fills out below" section>under the address section:

***~~(Optional)~~*** ~~email:~~

*(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 (FL All Family 120).)*

***(Optional)*** email:

**13. FL Divorce 212 – Response to Petition about a Registered Domestic Partnership**

For Section 3. Restraining Order:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**14. FL Divorce 221 – Motion for Immediate Restraining Order (Ex Parte)**

The use note was changed to include other form references:

***Use this form*** *in marriage/domestic partnership cases only. For ~~parentage~~ other cases, use ~~form~~ FL Parentage 321~~. For non-parent custody cases, use form~~, FL Non-Parent 421, or FL Modify 621, depending on the type of case.*

For section 3, the language for the second option was updated:

~~[ ]~~  [ ] I **have** notified the other ~~side that I am asking for an~~ *~~Immediate Restraining Order~~*~~.~~ *(Describe ~~anything done~~ any steps taken to give your**spouse/domestic partner or ~~his or her t~~heir lawyer notice of this Motion):*

Under section 9, toComply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons:

~~[ ]~~  [ ] Order my spouse/domestic partner to immediately surrender any firearms and other dangerous weapons that he/she possesses . . .

For section 10, the heading has been updated:

 ~~Protect~~ Care and safety of children until the hearing

Before section 14, the following language has been added:

* I ask the court to approve these temporary orders at the hearing to stay in effect until the case is done (check all that apply):

For section 15. Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For section 16, the heading has been updated:

Care and safety of children *(check all that apply)*

For the “Person asking for this order fills out below” section, under the address section:

***(~~Optional)~~*** ~~email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_~~

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

**15. FL Divorce 222 – Immediate Restraining Order (Ex Parte) and Hearing Notice**

The use note was changed to include other form references:

***Use this form*** *in marriage/domestic partner cases only. For ~~parentage~~ other cases, use ~~form~~ FL Parentage 322~~. For non-parent custody cases, use form~~*, *FL Non-Parent 422, or FL Modify 622, depending on the type of case.*

For Section 4:

This Order protects *(name/s):*

**and ~~the following~~ these children~~, who are~~ under 18 (if any):**

For Section 5:

The court has reviewed the *Motion for Immediate Restraining Order*, supporting documents, and any other evidence considered on the record, including
 . The court finds that there would be irreparable harm as described in the *Motion* if this order is not granted.

For Section 6 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For Section 7 (only options with changes are shown):

~~[ ]  Does not apply.~~

~~[ ]~~  [ ] No request made.

 [ ] Request denied.

For Section 8 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For Section 9 (only options with changes are shown):

~~[ ]~~ [ ] Does not apply. No order entered in section 8 and no request made.

 [ ] Request denied and surrender of weapons not required.

For Section 10 (only options with changes are shown):

10. ~~Protect~~ Care and safety of children until the hearing

~~[ ]~~ [ ] No request made.

 [ ] Request denied.

For Section 11 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For Section 12 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

The note inside the box on the bottom of the last page was updated to comply with the “Federal Free Service Laws.”

|  |
| --- |
| To the Protected Person: *Warning!* You must have this order served on the Restrained Person before it can be enforced.You have a right to have law enforcement serve this order free of charge if restraints are ordered in sections 6, 7, 8, or 9 above. . . . |

**16. FL Divorce 223 – Motion for Temporary Family Law Order [ ] and Restraining Order**

The use note was changed to include other form references:

***Use this form*** *in marriage/domestic partnership cases only.* *For ~~parentage~~ other cases, use ~~form~~ FL Parentage 323~~. For non-parent custody cases, use form~~, FL Non-Parent 423, or FL Modify 623, depending on the type of case.*

For Section 4, the heading was expanded:

**Care and safety of children** *(check all that apply)*

For Section 13. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For the “Person asking for this order fills out below” section, under the address section:

 ***(~~Optional)~~*** ~~email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_~~

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

**17. FL Divorce 224 – Temporary Family Law Order**

The use note was changed to include other form references:

***Use this form*** *in marriage/domestic partnership cases only. For ~~parentage~~ other cases, use ~~form~~ FL Parentage 324~~. For non-parent custody cases, use form~~, FL Non-Parent 424, or FL Modify 624, depending on the type of case.*

For Section 3:

The extra “(“ was removed from the beginning of the first sentence.

For Section 4, the heading was expanded:

**Care and safety of children**

At the bottom of section 4, a note inside a box was added:

|  |
| --- |
| ***Important!:*** *Attach Summary of the Law about Moving with Children (form FL Relocate 736) if residential time is included in this order instead of a temporary Parenting Plan.*  |

**18. FL Divorce 241 – Final Divorce Order (Dissolution Decree) / Final Legal Separation Order (Decree) / Invalid Marriage Order (Annulment Decree) / Valid Marriage Order (Decree)**

For section 13. Spousal Support, the language has been clarified to match the intent of RCW 26.09.170(2).

~~[ ]~~  [ ] The *(check one):* [ ] Petitioner [ ] Respondent must pay spousal support as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Amount:**$  each month  | **Start date:**  *Date 1st payment is due* | **End date :**  *(If any)* | **Payment schedule:** *Day(s) of the month each payment is due (for example, “the 5th,” “weekly,” or “half on the 1st and half on the 15th” )* |
| **~~Termination:~~** ~~Spousal~~ Whether or not there is an end date, as a matter of law spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership, unless ~~a different date or event is provided~~ expressly stated below~~:~~. (RCW 26.09.170(2).) ~~[ ]  [ ] Date:~~ ~~[ ]~~ [ ] Other *(specify):*  |

For Section 19. Child Support, to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~  [ ] **Court Order –** The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date):* .

 *Tax* ~~exemptions~~ *issues and post-secondary (college or vocational school) support are covered in the Child Support Order.*

~~[ ]~~  [ ] **Administrative Order –** The court is **not** issuing a child support order. There is an administrative child support order established by DSHS Division of Child Support (DCS) for the dependent children of this marriage.

 DCS child support orders do not cover tax ~~exemptions~~ issues or post-secondary (college or vocational school) support.Therefore, the court orders:

~~[ ]~~  [ ] **Tax ~~Exemptions~~ Issues –** The parties have the right to claim the children as their dependents for purposes of personal tax exemptionsand associated tax credits on their tax forms as follows *(describe):*

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

|  |
| --- |
| ***~~Warning!~~*** *~~Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.~~* ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.*  |

**19. FL Divorce 242 – Final Order Ending Registered Domestic Partnership (Dissolution Decree) / Final Legal Separation Order (Decree) / Invalid Registered Domestic Partnership Order (Annulment Decree) / Valid Registered Domestic Partnership Order (Decree)**

For section 13. Maintenance (Alimony), the language has been clarified to match the intent of RCW 26.09.170(2):

~~[ ]~~  [ ] The *(check one):* [ ] Petitioner [ ] Respondent must pay spousal support as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Amount:**$  each month  | **Start date:**  *Date 1st payment is due* | **End date :**  *(If any)* | **Payment schedule:** *Day(s) of the month each payment is due (for example, “the 5th,” “weekly,” or “half on the 1st and half on the 15th” )* |
| **~~Termination:~~** ~~Maintenance~~ Whether or not there is an end date, as a matter of law maintenance will end when either partner dies, or the partner receiving support gets married or registers a new domestic partnership, unless ~~a different date or event is provided~~ expressly stated below~~:~~. (RCW 26.09.170(2).) ~~[ ]  [ ] Date:~~ ~~[ ]~~ [ ] Other *(specify):*  |

For section 19. Child Support, to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~  [ ] **Court Order –** The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date):* .

 *Tax* ~~exemptions~~ *issues and post-secondary (college or vocational school) support are covered in the Child Support Order.*

~~[ ]~~  [ ] **Administrative Order –** The court is **not** issuing a child support order. There is an administrative child support order established by DSHS Division of Child Support (DCS) for the dependent children of this marriage.

 DCS child support orders do not cover tax ~~exemptions~~ issues or post-secondary (college or vocational school) support.Therefore, the court orders:

~~[ ]~~  [ ] **Tax ~~Exemptions~~ Issues –** The parties have the right to claim the children as their dependents for purposes of personal tax exemptionsand associated tax credits on their tax forms as follows *(describe):*

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* ***~~Warning!~~*** *~~Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.~~* |

**20. FL Modify 501 – Petition to Modify Child Support Order**

 For section 9, to clarify impact ofthe Tax Cuts and Jobs Act:

In the July 2019 version, “on our tax forms” was inadvertently added. In the December 2019 version, the additional language was removed. The resulting language for the section is as follows.

 9. Should the court modify payment for children’s expenses or tax ~~exemptions~~ issues?

~~[ ]~~ [ ] **No**.

~~[ ]~~ [ ] **Yes**. I ask the court to order or change *(check all that apply):*

~~[ ]~~  [ ] day care expenses.

~~[ ]~~  [ ] educational expenses.

~~[ ]~~  [ ] long-distance transportation expenses.

~~[ ]~~  [ ] other expenses.

~~[ ]~~  [ ] tax ~~exemptions~~ issues. Order that parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits ~~on our tax forms~~ on their tax forms in this way *(specify):*

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.*  |

The footer date was updated to:

12/2019

**21. FL Modify 502 – Response to Petition to Modify Child Support Order**

For section 1, to clarify impact ofthe Tax Cuts and Jobs Act:

| **Section in the Petition** | **Your response *(check one)*** |
| --- | --- |
| 9. *Should the court modify payment for expenses or tax ~~exemptions~~ issues?*

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

 | ~~[ ]~~  [ ] I agree | ~~[ ]~~  [ ] I disagree | ~~[ ]~~  [ ] I don’t know |

**22. FL Modify 510 – Final Order and Findings on Petition to Modify Child Support Order**

For Section 7, to clarify the impact of the Tax Cut Jobs Act:

7. Should the court modify payment for children’s expenses or tax ~~exemptions~~ issues?

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.*  |

. . .

~~[ ]~~  [ ] **No.** The court should **not** change payment for other expense or tax ~~exemptions~~ issues because there are no valid reasons for change. *(Explain why the reasons in the Petition are not valid):*

~~[ ]~~  [ ] **Yes**. The court should order or modify the following as written in the new *Child Support Order* *(check all that apply):*

~~[ ]~~  [ ] day care expenses.

~~[ ]~~  [ ] educational expenses.

~~[ ]~~  [ ] long-distance transportation expenses.

~~[ ]~~  [ ] other expenses.

~~[ ]~~  [ ] tax ~~exemptions~~ issues.

**23. FL Modify 601 – Petition to Change a Parenting Plan, Residential Schedule or Custody Order**

Section 12. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For section 14, the cross-reference was corrected:

*(Check one):* ~~[ ]~~ [ ] No. *(Skip to ~~0~~* *15.)* ~~[ ]~~  [ ] Yes. *(Fill out below.)*

For section 15, the cross-reference was corrected:

 *(Check one):* ~~[ ]~~ [ ] Yes. *(Fill out below.)* ~~[ ]~~ [ ] No. *(Skip to ~~0~~* *16.)*

For section 16, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

 Under the “Person filing this *Petition* fills out below” section:

 I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (including any attachments) are true. ~~[ ]  I’ve~~ [ ] I have attached *(#):* \_\_\_\_ pages.

**24. FL Modify 602 – Response to Petition to Change a Parenting Plan, Residential Schedule or Custody Order**

Under Section 3. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**25. FL Modify 621 – Motion for Immediate Restraining Order**

New Mandatory Form (part of form set: FL Modify 621, 622, 623, 624)

Not created for new legislation.

**26. FL Modify 622 – Immediate Restraining Order**

New Mandatory Form (part of form set: FL Modify 621, 622, 623, 624)

Not created for new legislation.

**27. FL Modify 623 – Motion for Temporary Family Law Order**

New Mandatory Form (part of form set: FL Modify 621, 622, 623, 624)

Not created for new legislation.

**28. FL Modify 624 – Temporary Family Law Order**

New Mandatory Form (part of form set: FL Modify 621, 622, 623, 624)

Not created for new legislation.

**29. FL Non-Parent 401 – Non-Parent Custody Petition**

For section 1:

 My name is:

 ~~Relationship~~ My relationship to the children in this case:

~~Lives~~ I live in *(county and state only):*

For section 5:

The parents are unfit, or even if they may be fit, the children will suffer actual detriment (harm) to their growth and development if they ~~lived~~ live with either parent.

For section 8, to clarify the impact of the Tax Cut and Jobs Act:

**Tax ~~Exemptions~~ Issues** – I ask the court to order:

~~[ ]~~  [ ] Petitioners ~~may~~ have the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on our tax forms.

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

For section 15, under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For section 17, Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**30. FL Non-Parent 405 – Residential Schedule (Non-Parent Custody)**

For sections 3.a. and 3.b, suboption Domestic Violence:

The subsection was removed from RCW 26.50.010~~(1).~~

For section 5.b. School-Age Children, the schedule options were expanded:

This schedule will apply ~~when~~ *(check one):* ~~[ ]  the youngest child [ ]  the oldest child [ ]  each child begins:~~

[ ] immediately.

[ ] when the youngest child enters *(check one):* ~~[ ]~~  [ ] Kindergarten ~~[ ]~~  [ ] 1st grade

[ ] when the oldest child enters *(check one):* [ ] Kindergarten [ ] 1st grade

~~[ ]~~ [ ] Other:

 For section 7, Holiday Schedule (includes school breaks):

 New Year’s Eve / New Year’s Day (odd/even is based on New Year’s ~~Day~~ Eve)

For section 10, the beginning of section has been changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time:

~~If the custodian plans~~ Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move~~, s/he~~ with the children **must notify** every other person who has court-ordered time with the children*.*

**31. FL Non-Parent 407 – Order to ~~DSHS~~ CPYF to Release CPS Information**

The caption was updated, including to reflect the change in entity:

|  |  |
| --- | --- |
| In re custody of:Children*:* Petitioner/s *(person/s who started this case):* Respondent/s *(parents and any guardian or custodian):*   | No. Order to ~~DSHS~~ DCYF to Release CPS Information ~~(Non-Parent Custody)~~(ORDINFO)~~☑~~[x] Clerk’s action required: 5 |

The first line after the caption was similarly changed:

**Order to ~~DSHS~~ DCYF to Release CPS Information**

For section 1:

Petitioner/s filed a *Non-Parent Custody Petition*. The Court needs information from the Department of ~~Social and Health Services, Child Protective Services~~ Children, Youth, and Families (DCYF).

For section 2:

The Court orders ~~the Department~~ DCYF . . .

. . .

* the Petitioner/s, or any person age 16 or older who lives with Petitioner/s, is the subject of a founded or currently pending CPS investigation by the Department of Social and Health Services or DCYF started after October 1, 1998.

~~The Department~~ DCYF must provide this information under a *Sealed CPS . . .*

. . .

~~The Department~~ DCYF must provide the information by *(date):*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_or . . .

For section 5:

“DSHS” was changed to “DCYF” (two places).

For section 6:

“DSHS” was changed to “DCYF” (one instance).

In the footer, “DSHS” was changed “DCYF”.

**32. FL Non-Parent 408 – Sealed CPS Information (Cover Sheet)**

The caption was updated:

|  |  |
| --- | --- |
| In re custody of:Children*:* Petitioner/s *(person/s who started this case):* Respondent/s *(parents and any guardian or custodian):*   | No. Sealed CPS Information (Cover Sheet) (XBKGD)~~☑~~[x] Clerk’s action required: *Do* ***not*** *file in a public access file.*  |

The first paragraph was updated to reflect the change in entity:

The Department of ~~Social~~ Children, Youth, and ~~Health Services~~ Families (DCYF) is providing the attached information under seal in response to the *Order to ~~DSHS~~* DCYF *to Release CPS Information (Non-Parent Custody)* signed by the court pursuant to RCW 13.50.100.

**33. FL Non-Parent 415 – Response to Non-Parent Custody Petition**

Under the section 1 table:

“If you checked “Disagree” for any of the sections above, list your reasons here:

For section 5, Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**34. FL Non-Parent 421 – Motion for Immediate Restraining Order – Non-parent Custody (Ex Parte)**

The use note was changed to include other form references:

 ***Use this form*** *in non-parent custody cases only. For ~~marriage/domestic partnership~~ other cases, use ~~form~~ FL Divorce 221~~. For parentage cases, use form~~*, *FL Parentage 321, or FL Modify 621, depending on the type of case.*

For section 3, the language was updated in the July (\_2019 07) version. At that time, the

“[ ]” preceding the first option was inadvertently removed, but has been re-added in the December (\_2019 12) version. The final version is shown below:

~~[ ]~~  [ ] I should **not** have to notify the other parties in advance that I am filing this *Motion* because the children or I could be harmed beyond repair if I gave any advance notice. *(Explain why you or the ~~harm could happen before a hearing~~ children could be ~~held with~~ harmed by providing advance notice ~~to the other parties.~~):*

~~[ ]~~  [ ] I **have** notified the other parties that I am asking for an *Immediate Restraining Order*. *(Describe ~~anything done~~ any steps taken to give the other parties or their lawyers notice of this Motion):*

For section 11, to comply with the Law of 2019, ch. 245, SHB 1786, P Protection, No-Contact, and Restraining Orders—Firearms and Weapons

~~[ ]~~  [ ] Order *(name/s):* to immediately surrender any firearms and other dangerous weapons that he/she possesses to *(check one):*

For section 12, the heading was expanded:

**~~Protect~~ Care and safety of children until the hearing**

After section 13:

* I ask the court to approve these temporary orders at the hearing to stay in effect until the case is done (check all that apply):

For section 15, Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For section 16, the heading was expanded:

**Care and safety of children** *(check all that apply):*

At the bottom of section 17, a note was added to clarify the impact of the Tax Cuts and Jobs Act:

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

For the “Person asking for this order fills out below” section, under the address section:

***(~~Optional)~~*** ~~email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_~~

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

The footer date was updated to:

12/2019

**35. FL Non-Parent 422 – Immediate Restraining Order (Ex Parte) and Hearing Notice (Non-Parent Custody)**

The use note was changed to include other form references:

***Use this form*** *in non-parent custody cases only.* *For ~~marriage/domestic partner~~ other cases, use ~~form~~ FL Divorce 222~~. For parentage cases, use form~~, FL Parentage 322, or FL Modify 622, depending on the type of case.*

For section 4, the heading was changed to:

This Order protects *(name/s):*

**and ~~the following~~ these children~~, who are~~ under 18 (if any):**

For section 6 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For section 7(only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For section 8 (only options with changes are shown):

~~[ ]  Does not apply.~~

[ ] No request made.

[ ] Request denied.

For section 9 (only options with changes are shown):

~~[ ]~~ [ ] Does not apply. No order entered in section 8 and no request made.

[ ] Request denied and surrender of weapons not required.

For section 10, the heading was updated:

~~Protect~~ Care and safety of children until the hearing

Under section 10 (only options with changes are shown):

[ ] No request made.

[ ] Request denied.

The note inside the box on the last page of the form was changed to comply with the “Federal Free Service Laws.”

|  |
| --- |
| To the Protected Person: *Warning!* You must have this order served on the Restrained Person before it can be enforced.You have a right to have law enforcement serve this order free of charge, if restraints are ordered in sections 6, 7, 8, or 9 above. . . . |

**36. FL Non-Parent 423 – Motion for Temporary Non-Parent Custody**

The use note was changed to include other form references:

***Use this form*** *in non-parent custody cases only. For ~~divorce~~ other cases, use ~~form~~ FL Divorce 223~~. For parentage cases, use form~~, FL Parentage 323, or FL Modify 623, depending on the type of case.*

For section 6, the heading has been updated:

**Care and safety of children** *(check all that apply)*

For section 9. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For the “Person asking for this order fills out below” section, under the address section:

***(~~Optional)~~*** ~~email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_~~

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

**37. FL Non-Parent 424 – Temporary Non-Parent Custody Order**

The use note was changed to include other form references:

***Use this form*** *in non-parent custody cases only. For ~~marriage/domestic partnership~~ other cases, use ~~form~~ FL Divorce 224~~. For parentage cases, use form~~, FL Parentage 324, or FL Modify 624, depending on the type of case.*

For section 6, the heading has been updated:

**Care and safety of children**

For section 6, a note has been added at the bottom of the section.

|  |
| --- |
| ***Important!*** *Attach Summary of the Law about Moving with Children (form FL Relocate 736) if residential time is included in this order instead of a temporary Residential Schedule.*  |

At the bottom of section 10:

“**Ordered.**” was inadvertently removed from the July (\_2019 07) and has been re-added in the December version (\_2019 12).

The footer date:

First updated to 07/2019, and then the latest version to 12/2019.

**38. FL Non-Parent 430 – Findings and Conclusions on Non-Parent Custody Petition**

For section 5, under the second option under Home state jurisdiction:

 Change “some time” to “sometime”.

 For section 12, to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~ [ ] **Tax ~~Exemptions~~ Issues** – The parties should have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as listed on the final *Child Support Order* or ~~the~~ *Non-Parent Custody Order.*

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* |

**39. FL Non-Parent 431 – Final Non-Parent Custody Order**

For section 4, suboption Domestic Violence:

The subsection was removed from RCW 26.50.010~~(1).~~

For section 6> second suboption for Child Support, to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~ [ ] is not issuing a child support order. There is an administrative child support order(s) established by DSHS Division of Child Support (DCS).

 *DCS child support orders do not cover tax ~~exemptions~~ issues or post-secondary (college or vocational school) support.*

For section 6>fourth option, to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~ [ ] **Tax ~~Exemptions~~ Issues** – The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows *(check one):*

~~[ ]~~ [ ] as listed on the *Child Support Order*.

~~[ ]~~ [ ] Petitioners may claim the children.

~~[ ]~~ [ ] other *(specify):*

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.* ***~~Warning!~~*** *~~Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.~~* |

For Warnings about Moving with the Children (Relocation), in the first paragraph:

***Notice***

*~~If the custodian plans~~* Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move~~, s/he~~ with the children **must notify** every other person who has court-ordered time with the children*.*

**40. FL Parentage 301 – Petition to Decide Parentage**

For section 3>Presumed Parent option>After the child was born suboption>second sub-suboption:

~~[ ]~~  [ ] filed a statement (assertion) claiming that I was the child’s parent with the state registrar of vital statistics.

Added a new section 13:

**13. Other children together**

[ ] Does not apply.

[ ] Petitioner and Respondent have other children together for whom parentage has already been decided, but no *Parenting Plan or* custody orderis in place. *(Fill out below.)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Child’s name** *(first, middle, last)* | **Born** *(month/day/year)* | **Lives in** *(county and state)* | **How was parentage decided?** *(Acknowledgment or Court Order?)* |
|  |  |  |  |
|  |  |  |  |

Petitioner asks the court to approve child support, parenting plan, and/or other orders as requested below for all the children Petitioner and Respondent have together.

|  |
| --- |
| *Complete the rest of this form for all the children, not just for the child listed in section 1 whose parentage is being decided. Change “child” to “children” as needed.*  |

Former section numbers 13 through 23:

The section numbers have been increased by one number.

Under former section 14 (now section 15):

* Parenting Plan / Residential Schedule

*Check one:*

~~[ ]~~ [ ] I am **not** asking the court to make any orders about parenting or residential time.
*(Skip sections ~~15 – 19~~ 16 – 20.)*

~~[ ]~~ [ ] I am asking the court to make orders about parenting or residential time.
*(Complete sections ~~15 – 19~~ 16 – 20.)*

Under former section 15 (now section 16):

~~[ ]~~ [ ] No. *(Skip to ~~16~~17.)*

Under former section 17 (now section 18):

*(Check one):* ~~[ ]~~ [ ] No. *(Skip to ~~18~~ 19.)* ~~[ ]~~ [ ] Yes. *(Fill out below.)*

Under former section 17 (now section 18), a note inside a box was added, to comply with Laws of 2019, ch. 470, SSB 5955 Department of Children, Youth, and Families—Various Provisions, § 25:

|  |
| --- |
| ***Important!*** *If there is an open dependency case about this child, you must give a copy of this Petition to the Department of Children, Youth, and Families.* |

For former section 18 (now section 19), under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For former section 21 (now section 22):

~~[ ]~~ [ ] **No.** *(Skip to ~~22~~ 23.)*

For former section 21 (now section 22)>Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**41. FL Parentage 302 – Response to Petition to Decide Parentage**

For section 5>Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**42. FL Parentage 303 – Residential Schedule**

For section 3.a., suboption Domestic Violence:

The subsection was removed from RCW 26.50.010~~(1).~~

 For section 6.b., School-Age Children, the schedule options were expanded:

This schedule will apply ~~when~~ *(check one):* ~~[ ]  the youngest child [ ]  the oldest child [ ]  each child begins:~~

[ ] immediately.

[ ] when the youngest child enters *(check one):* ~~[ ]~~  [ ] Kindergarten ~~[ ]~~  [ ] 1st grade

[ ] when the oldest child enters *(check one):* [ ] Kindergarten [ ] 1st grade

~~[ ]~~ [ ] Other:

 For section 8, Holiday Schedule (includes school breaks):

 New Year’s Eve / New Year’s Day (odd/even is based on New Year’s ~~Day~~ Eve)

 For section 11, the beginning of section has been changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time:

~~If the person~~ Anyone with ~~whom the children are scheduled to reside a~~ majority ~~of their~~ or substantially equal residential time ~~plans~~ (at least 45 percent) who wants to move ~~(relocating person), s/he~~ with the children **must notify** every other person who has court-ordered time with the children*.*

For section 12:

Removed two of the three lines under “Other”.

**43. FL Parentage 316 – Final Parentage Order**

For the Warnings about Moving with the Children (Relocation) section, the beginning of the section has been changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time:

***Notice***

*~~If the person~~ Anyone with ~~whom the children are scheduled to reside a~~ majority ~~of the~~ or substantially equal residential time ~~plans~~ (at least 45 percent) who wants to move ~~(relocating person), s/he~~ with the children* ***must notify*** *every other person who has court-ordered time with the children.*

**44. FL Parentage 321 – Motion for Immediate Restraining Order (Ex Parte)**

The use note was changed to include other form references:

***Use this form*** *for unmarried parents (parentage) cases only. For ~~marriage/domestic partnership~~ other cases, use ~~form~~ FL Divorce 221~~. For non-parent custody cases, use form~~, FL Non-Parent 421, or FL Modify 621, depending on the type of case.*

For section 8>Intimate Partner, the definition was updated to comply with Laws of 2019, ch. 263, E2SHB 1517, Domestic Violence—Various Provisions:

~~[ ]~~ [ ] Intimate Partner**:** The Restrained Person and ~~I~~ the Protected Person are/were intimate partners because they are (*check all that apply):*

~~[ ]  we are~~ [ ] current or former spouses or domestic partners~~. [ ]  we are~~, or parents of a child-in-common.

~~[ ]  we live/d together as part of~~ [ ] age 16 or older and are/were in a dating relationship, andare currently residing together or resided together in the past.

[ ] age 16 or older and are/were in a dating relationship, but have *never* resided together.

For section 9, section option, to comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons:

~~[ ]~~ [ ] Order *(name/s):* to immediately surrender any firearms . . .

For section 12:

[ ] Extend the immediate orders I asked for above to stay in effect until the case is done.

For section 13>Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For section 14, the heading was updated to:

**Care and safety of children** *(~~C~~*c*heck all that apply~~.~~)*

**45. FL Parentage 322 – Immediate Restraining Order (Ex-Parte) and Hearing Notice**

In the caption:

In December 2019 (\_2019 12 version), the “x” was added to the “[ ]” next to “Clerk’s action required” as it was inadvertently left out of the July version (\_2019 07).

~~☑~~[x] Clerk’s action required: 2, 13

~~[ ]~~ [ ] Interpreter required.

The use note was changed to include other form references:

***Use this form*** *for unmarried parents (parentage) cases only. For ~~marriage/domestic partnership~~ other cases, use ~~form~~ FL Divorce 222~~. For non-parent custody cases, use form~~, FL Non-Parent 422, or FL Modify 622, depending on the type of case.*

For section 4:

This Order protects *(name/s):*

**and these children under 18 (if any):**

For section 5, a finding of “Intimate Partner” has been added as the second option (above the option for “Other Findings”); and the definition was updated to comply with Laws of 2019, ch. 263, E2SHB 1517, Domestic Violence—Various Provisions:

~~[ ]~~ [ ] Intimate Partner**:** The Restrained Person and the Protected Person are/were intimate partners because they are (*check all that apply):*

[ ] current or former spouses or domestic partners, or parents of a child-in-common.

[ ] age 16 or older and are/were in a dating relationship, andare currently residing together or resided together in the past.

[ ] age 16 or older and are/were in a dating relationship, but have *never* resided together.

For section 9 (only options with changes are shown):

~~[ ]~~ [ ] Does not apply. No order entered in section 8 and no request made.

~~[ ]~~ [ ] Request denied and surrender of weapons not required.

For section 10, two options were added at the top (only options with changes are shown):

~~[ ]~~ [ ] No request made.

[ ] Request denied.

The note inside the box on the bottom of the last page was updated made to comply with the “Federal Free Service Laws”:

|  |
| --- |
| To the Protected Person: *Warning!* You must have this order served on the Restrained Person before it can be enforced.You have a right to have law enforcement serve this order free of charge if restraints are ordered in sections 6, 7, 8, or 9 above. . . . |

The footer date:

First updated to 07/2019, and then the latest version to 12/2019.

**46. FL Parentage 323 – Motion for Temporary Family Law Order [ ] and Restraining Order**

The use note was changed to include other form references:

***Use this form*** *for unmarried parents (parentage) cases only. For ~~divorce~~ other cases, use ~~form~~ FL Divorce 223~~. For non-parent custody cases, use form~~, FL Non-Parent 423, or FL Modify 623, depending on the type of case.*

For section 4, the heading was updated to:

**Care and safety of children** *(~~C~~*c*heck all that apply~~.~~)*

For section 7>third option>do not hurt or threaten, the definition of “Intimate Partner” was updated to comply with Laws of 2019, ch. 263, E2SHB 1517, Domestic Violence—Various Provisions:

|  |
| --- |
| ***Warning!*** *If the court makes this order and the parties are intimate partners, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from**possessing firearms or ammunition.* ~~[ ]  The Restrained Person and I are intimate partners because~~ *~~(check all that apply)~~*~~:~~ ~~[ ]  we are current or former spouses or registered domestic partners.~~~~[ ]  we are parents of a child-in-common.~~~~[ ]  we live/d together as part of a dating relationship.~~  |

~~[ ]~~ [ ] **Intimate Partner:** The Restrained Person and the Protected Person are/were intimate partners because they are (*check all that apply):*

[ ] current or former spouses or domestic partners, or parents of a child-in-common.

[ ] age 16 or older and are/were in a dating relationship, andare currently residing together or resided together in the past.

[ ] age 16 or older and are/were in a dating relationship, but have *never* resided together.

. . .

For section 7. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**47. FL Parentage 324 – Temporary Family Law Order**

The use note was changed to include other form references:

***Use this form*** *for unmarried parents (parentage) cases only. For ~~marriage/domestic partnership~~ other cases, use ~~form~~ FL Divorce 224~~. For non-parent custody cases, use form~~, FL Non-Parent 424, or FL Modify 624, depending on the type of case.*

For section 3. Active duty military, the heading of the last option:

Other ~~F~~findings

For section 4, a note inside a box was added to the bottom of the section:

|  |
| --- |
| ***Important!*** *Attach Summary of the Law about Moving with Children (form FL Relocate 736) if residential time is included in this order instead of a temporary Parenting Plan.*  |

At the bottom of section 8:

“**Ordered.**” was inadvertently removed from the July (\_2019 07) and has been re-added in the December version (\_2019 12).

The footer date:

First updated to 07/2019, and then the latest version to 12/2019.

**48. FL Parentage 331 – Petition for a Parenting Plan, Residential Schedule, and/or Child Support**

For section 5, changes made to comply with RCW 26.26A.235 (effective January 1, 2019) in regards to minor’s ability to rescind:

**b. Deadline to withdraw –** The deadline to withdraw (rescind) the *Acknowledgment* *of Parentage* or *Denial*has passed because*:*

~~Everyone who was under 18 when s/he signed the~~ *~~Acknowledgment of Parentage~~* ~~(and~~ *~~Denial~~*~~, if any)~~~~has now turned 19;~~ **~~and~~***~~(check one):~~*

For section 5.c>second option>second bullet:

* No court has said that another man is the child’s father,

For section 10, under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For section 14. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

 Below the “Petitioner’s lawyer (if any) fills out below” section:

~~[ ]~~ [ ] **Respondent fills out below if s/he~~/she~~ agrees to join this Petition:**

**49. FL Parentage 332 – Response to Petition for a Parenting Plan, Residential Schedule and/or Child Support**

In July 2019, for section 3. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

In April 2019, section 4 was updated to reflect the changes in form names and numbers:

~~[ ]~~ [ ] Put this *Petition* on hold until parentage is decided because I disagree with section 4 of the *Petition* and want to challenge the*~~Paternity~~ Acknowledgment of Parentage.*

|  |
| --- |
| ***Important!***If you check this box, you must file a *Petition to ~~Challenge Paternity Acknowledgment and/or Denial of Paternity~~**Decide Parentage* (form FL Parentage ~~345~~301)and related forms. |

The footer date:

First updated to 04/2019, and then the latest version to 07/2019.

**50. FL Parentage 333 – Final Order and Findings for a Parenting Plan, Residential Schedule, and/or Child Support**

For section 5, changes made to comply with changes made to RCW 26.26A.235 (effective January 1, 2019) in regards to minor’s ability to rescind:

**b. Deadline to withdraw**

~~[ ]~~ [ ] The deadline to withdraw (rescind) the *Acknowledgment of Parentage* or *Denial* has passed because:

~~Everyone who was under 18 when he/she signed the~~ *~~Acknowledgment of Parentage~~* ~~(and~~ *~~Denial~~*~~, if any)~~~~turned 19 before this case was filed;~~ **~~and~~***~~(check one):~~*

For section 8, under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For section 10, between the “Does not apply” and “Other Findings” options, changes were made to clarify the impact ofthe Tax Cuts and Jobs Act:

~~[ ]~~ [ ] **Court Order –** The court signed the final *Child Support Order* and *Worksheets* filed separately today or on *(date):* .

 *Tax issues and post-secondary (college or vocational school) support are covered in the Child Support Order.*

 [ ] **Administrative Order –** The court is **not** issuing a child support order. There is an administrative child support order established by DSHS Division of Child Support (DCS) for the dependent children.

 DCS child support orders do not cover tax issues or post-secondary (college or vocational school) support.Therefore, the court orders:

[ ] **Tax Issues –** The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows *(describe):*

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

|  |
| --- |
| ***Important!*** *Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.*  |

[ ] **Post-secondary (college or vocational school) –**The court orders:

[ ] A parent may ask the court for post-secondary support at a later date, but he/she must file that request before the duty to pay child support ends.

[ ] The parents must pay for the children’s post-secondary support. The parents will make a post-secondary support plan or the court will order one.

[ ] Post-secondary support is **not** required.

[ ] Other *(specify):*

**51. FL Parentage 341 – Petition for De Facto Parentage**

For section 6:

In the table>Kind of case:

*(Family Law such as ~~d~~Divorce, Criminal, Protection Order, Juvenile, Dependency, Other)*

For section 20. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**52. FL Parentage 342 – Response to Petition for De Facto Parentage**

For section 4. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

 Under the “A second respondent may join this response by sighing below or may file their own *Response separately”* section:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (including any attachments) are true. ~~[ ]  I’ve~~ [ ] I have attached *(#):* \_\_\_\_ pages.

. . .

Below the “I agree to accept legal papers” section, the note inside the box has been changed:

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

**53. FL Parentage 366 – Motion to Vacate Orders Based on Notice to Terminate - Genetic Surrogacy**

The form reference in the footer was corrected:

FL Parentage ~~365~~ 366

The footer revision date was updated to:

09/2019.

**54. FL Parentage 381 – Petition to Stop Parentage Based on Sexual Assault**

This form was primarily updated to improve language accuracy and to comply with the Laws of 2019, ch. 46, SSB 5333, § 4001, Uniform Parentage Act—Various Provisions.

For section 3:

~~[ ]~~ [ ] **Possible Genetic Parent** *–* Respondent may be a genetic parent because ~~I had sex with this person~~ s/he sexually assaulted me (including rape of a child) when the child was likely conceived.

For section 4>under Acknowledged parent:

~~[ ]~~ [ ] less than 4 years after the effective date of the Acknowledgment of Parentage.

~~[ ]~~ [ ] more than 4 years after the effective date . . .

For section 5:

A court found in a separate criminal or civil case that the respondent committed a sexual assault (including rape of a child) against the petitioner. *(Fill out below.)*

|  |  |  |  |
| --- | --- | --- | --- |
| Date of verdict or order | Court and county | Case number | ~~Document title~~ |
|  |  |  | [removed] |
|  |  |  | [removed] |

|  |
| --- |
| ***Important!***  *File or attach any court orders or documents you want the court to consider.*  |

For section 6, under “Yes”>sixth suboption:

~~[ ]~~  [ ] ~~had sex~~ sexually assaulted me in this state, which may have produced the child.

For section 9:

~~[ ]~~  [ ] was convicted of or plead guilty to a sexual assault against me under RCW 9A.44.040, 9A.44.050, 9A.44.060 (rape in the first, second, or third degree), or a comparable crime of sexual assault ~~in~~ including rape of a child of any degree, in this state or in any other jurisdiction, and the child was born within 320 days after the sexual assault.

For section 17. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**55. FL Parentage 383 – Sexual Assault Allegation**

For section 4, updated to improve language accuracy and to comply with the Laws of 2019, ch. 46, SSB 5333, § 4001, Uniform Parentage Act—Various Provisions:

~~[ ]~~ [ ] was convicted of or pleaded guilty to a sexual assault against me under
RCW 9A.44.040, 9A.44.050, 9A.44.060 (rape in the first, second or third degree), or a comparable crime of sexual assault ~~in any~~ including rape of a child of any degree, in this state or in any other jurisdiction, and the child was born within 320 days after the sexual assault.

**56. FL Parentage 385 – Order After Sexual Assault Fact-Finding**

For section 4. Sexual Assault>Proved, updated to improve language accuracy and to comply with the Laws of 2019, ch. 46, SSB 5333, § 4001, Uniform Parentage Act—Various Provisions:

~~[ ]~~ [ ] was convicted of or pleaded guilty to a sexual assault against the birth parent under RCW 9A.44.040, 9A.44.050, 9A.44.060 (rape in the first, second, or third degree), or a comparable crime of sexual assault ~~in~~ including rape of a child of any degree, in the state or in any other jurisdiction, and the child was born within 320 days after the sexual assault.

For section 7>section option after Conclusion:

~~[ ]~~ [ ] is **not** in the child’s best interest. The child’s name~~s~~ should not be changed.

**57. FL Relocate 701 – Notice of Intent to Move with Children (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

The form begins with:

**To the ~~parent~~ person who is *not* planning to move:**

You are receiving this *Notice* because the other parent (or someone with legal custody of the children) is planning to move with the children. This *Notice* explains the planned move and tells you if the ~~other parent (or non-parent custodian)~~ relocating person is asking the Court to change the current parenting/custody order because of the move.

. . .

2. Have copies of the *Summons* and *Objection* served on the ~~other parent (or non-parent custodian)~~ relocating person and all other people who have a court order that gives them a legal right to spend time with the children.

Immediately preceding section 1:

**Person planning to move (relocating person) fills out below**:

For section 2, section sentence:

These children live with me ~~most~~ at least 45 percent of the time.

**58. FL Relocate 721 – Objection about Moving with Children and Petition about Changing a Parent/Custody Order (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

For section 3:

The other parent or non-parent custodian *(relocating person’s name):* moved or plans to move with the children. *(Check one):*

~~[ ]~~  [ ] The relocating person moved or plans to move with the children on *(date):* , but I have **not** received proper notice.

~~[ ]~~  [ ] I received a *Notice of Intent to Move with Children* ~~from the other parent (or non-parent custodian~~ on *(date):*  .

~~[ ]~~  [ ] The *Notice* is improper because **the children** **live with me most of the time** and the Child Relocation Act does not apply to this move.

|  |
| --- |
| ***Important!*** *File a copy of the Notice separately. It has confidential information*. *Do not attach it.* |

~~[ ]  The other parent (or non-parent custodian) moved or plans to move with the children on~~ *~~(date):~~* ~~, but I have~~ **~~not~~** ~~received proper notice.~~

Added a new section 4:

4. Do you and the relocating person have substantially equal residential time?

[ ] **No.** The children live most of the time with *(name):* .

[ ] **Yes.** Thechildrenspend 45% or more of their time with each parent.

For former sections 4 to 15:

The section numbers have been increased by one number.

For former section 4 (now section 5):

~~[ ]~~ [ ] **No.** I do not objectto the children moving with the ~~other parent (or non-parent custodian).~~relocating person, but I ask the court to approve my proposed Parenting Plan or Residential Schedule. *(Skip to ~~5~~6.)*

~~[ ]~~ [ ] **Yes.** Thechildrenshould **not** be allowed to move with the ~~other parent (or non-parent custodian).~~ relocating person.

*(Check one:)*

[ ] I have substantially equal residential time. I object to the children moving because it is not in their best interest based on the factors below.

[ ] The children live with the relocating person most of the time. I object to the children moving because the move would cause more harm to the children than good to the children and the relocating person based on the factors below.

[ ] Thechildrenlive with **me** most of the time. I ask the court to order that the children not move with the relocating person and that the parenting plan not be changed based on their move.If the court finds that the children do not live with me most of the time, I object to the children moving based on the factors below.

**If the ~~other parent (or non-parent custodian)~~ relocating person moves, the parenting/custody order should be changed so that the children live with me most of the time.** I am filing and serving my proposed *Parenting Plan* or *Residential Schedule* with this *Objection*.

**~~Reasons for objection~~** ~~– I object to~~~~the children moving because the move would cause more harm to the children than good to the children and the other parent (or non-parent custodian). My reasons for believing this are based on the following~~*~~:~~*

For former section 4 (now section 5), some of the language was updated:

**b.** **Agreements:** Are there any agreements between you and the ~~parents (or non-parent custodian)~~ relocating person. . .

**c.** **Contact:** Would disrupting the children’s contact with the ~~moving parent (or non-parent custodian)~~ relocating person be more harmful than disrupting their contact with ~~the non-moving parent~~ you?

**d.** **Limitations:** Does the current parenting/custody order include limitations under RCW 26.09.191 on ~~a parent (~~you or ~~non-parent custodian)~~ the relocating person?

**e.** **Reasons for moving:** Were the relocating person’s reasons for moving given in good faith?

. . .

**h.** **Quality of life:** Describe the quality of life, resources, and opportunities available tothe children and the ~~moving parent (or non-parent custodian)~~ relocating person . . .

**i.**  **Other arrangements:** Describe any other arrangements available to foster and continue ~~the non-moving parent’s~~ your relationship and contact with the children.

**j.** **Alternatives:** Describe alternatives to the planned move, and whether it is possible or desirable for ~~the non-moving parent’s~~ you to move too.

For the heading and throughout former section 5 (now section 6):

“other parent (or non-parent custodian)” was changed to “relocating person”

For former section 8 (now section 9):

~~[ ]~~  [ ] **No.** *(Skip to ~~9~~10.)*

For former section 8 (now section 9). Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

For former section 9 (now section 10):

“other parent (or non-parent custodian)” was changed to “relocating person”

For former section 10 (now section 11):

~~[ ]~~  [ ] **No.** *(Skip to ~~11~~12.)*

For former section 11 (now section 12):

*(Check one):* ~~[ ]~~  [ ] **No.** *(Skip to ~~12~~13.)* ~~[ ]~~ [ ] Yes. *(Fill out below.)*

For former section 12 (now section 13):

Do you know of any other court cases involving any of the children in this case?

*(Check one):* ~~[ ]~~  [ ] **No.** *(Skip to ~~13~~14.)* ~~[ ]~~ [ ] Yes. *(Fill out below.)*

For former section 13 (now section 14), under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For former section 14 (now section 15):

“other parent (or non-parent custodian)” was changed to “relocating person”

**59. FL Relocate 722 – Response to Objection about Moving with Children and Petition about Changing a Parent/Custody Order (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

In the Statements in the Objection, added a new subsection 4:

 *4. Substantially equal residential time*

[ ] I agree with what the other party said about this.

[ ] I don’t have enough information to agree or disagree with what the other party said about this.

[ ] I disagree with what the other party said about this because:

In the Statements in the Objection, former subsections 4 through 15:

The subsection numbers have been increased by one number.

In the Statements in the Objection, former subsection 4 (now subsection 5):

~~[ ]~~ [ ] Does not apply. The Objecting parent does not object to the children moving. *(Skip to ~~5~~ 6.)*

In the Statements in the Objection, former subsection 4h (now subsection 5h):

**h.** ***Quality of ~~Life~~ life***

For section 3. Restraining Order>Stay away:

~~[ ]~~  [ ] **Stay away** – Order (*name/s*) not to go onto the grounds of or enter my home, workplace, or school, and the daycare or school of any child listed in the *Objection.*

For section 3. Restraining Order>Prohibit weapons and order surrender:

Refer to Legend of Changes: Change B – Comply with Laws of 2019, ch. 245, SHB 1786, Protection, No-Contact, and Restraining Orders—Firearms and Weapons

**60. FL Relocate 725 – Motion for Temporary Order Preventing Move with Children (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

In the first note inside the box:

|  |
| --- |
| ***To both 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 located online at* [*www.courts.wa.gov*](http://www.courts.wa.gov). . . . |

For section 3:

“other parent (or non-parent custodian)” was changed to “relocating person”

For section 5:

“other parent (or non-parent custodian)” was changed to “relocating person”

For section 5>the note inside the box:

“parent (or non-parent custodian)” was changed to “person”

For section 6, the heading and options were changed:

~~Late or no~~ No proper notice ~~of move~~

~~[ ]~~ [ ] Does not apply.

~~[ ]~~ [ ] I have **not** received a *Notice of Intent to Move with Children* from the ~~other parent (or non-parent custodian).~~ relocating person.

~~[ ]~~ [ ] I received a *Notice of Intent to Move with Children* from the ~~other parent (or non-parent custodian)~~ relocating personon *(date):* . This is late notice because I . . .

. . .

[ ] The *Notice* is improper because the children live with me most of the time and the Child Relocation Act does not apply.

For section 7, in the second option and the third bullet:

“The other parent (or non-parent custodian)” was changed to the “The relocating person”

For section 8:

8. Move unlikely to be approved

~~[ ]~~ [ ] Does not apply.

~~[ ]~~ [ ] The court is unlikely to approve the planned move at trial. My reasons for believing this are based on the factors in RCW 26.09.520 as explained in my *Objection*. The children *(check one):*

[ ] spend substantially equal time with each parent (45 percent or more). It is not in the children’s best interests to move.

[ ] live with the relocating person most of the time. Even though the law presumes that the move will be allowed, I can show that the move would cause more harm to the children than good to the children and the ~~parent (or non-parent custodian)~~~~who wants to move. My reasons for believing this are based on the factors in RCW 26.09.520, as explained in my~~ *~~Objection~~*~~.~~ relocating personwho wants to move.

[ ] The *Notice* is improper because the children live with me most of the time and the Relocation Act does not apply.

For section 9:

“don’t” was changed to “do not”

**61. FL Relocate 726 – Motion for Temporary Order Allowing Move with Children (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

For section 3:

I ask the Court to allow me to move with the children before the trial. The move is likely to be approved at trial based on the factors in RCW 26.09.520, as explained in my *Response to Objection*. The children *(check one):*

[ ] spend substantially equal time with each parent (45 percent or more). It is in the children’s best interest to move with me.

[ ] live with me most of the time. The law presumes that the move will be allowed. The ~~other parent~~ objecting person can only prevent the move if s/he can show that the move would cause more harm ~~to the children~~ than good to the children and me. The ~~other parent~~ objecting person will not be able to show this. ~~My reasons for believing this are based on the factors in RCW 26.09.520, as explained in my~~ *~~Response to Objection~~*~~.~~

**62. FL Relocate 728 –Temporary Order about Moving with Children (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

Under section 2:

“parent (or non-parent custodian)” was changed to “relocating person”

Under section 4:

“don’t” was changed to “do not”

For section 5, the following was changed:

~~[ ]~~  [ ] will **likely** **be** **approved** at the trial~~. B~~based on the factors in RCW 26.09.520~~,~~. The children *(check one):*

[ ] spend substantially equal time with each parent (45 percent or more). It appears the relocating person will prove it is in the children’s best interest to move.

[ ] live with the relocating person most of the time. ~~,i~~ It appears the objecting ~~parent~~ person will **not** prove that the move would cause more harm to the children than good to the children and the ~~moving parent (or non-parent custodian)~~ relocating person.

~~[ ]~~ [ ] is **unlikely to be approved**at the trial ~~Based~~ *(check one):*

[ ] The children spend substantially equal time with each parent (45 percent or more). It appears not to be in the children’s best interest to move based on the factors in RCW 26.09.520.

[ ] The children live with the relocating person most of the time. ~~,i~~ It appears the move would cause more harm to the children than good to the children and the ~~moving parent (or non-parent custodian).~~ relocating person based on the factors in RCW 26.09.520.

~~[ ]~~ [ ] It appears the *Notice* is improper because the children live with the objecting person most of the time and the *Child Relocation Act* does not apply.

**63. FL Relocate 735 – Final Order and Findings on Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)**

This form was primarily changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time, and to clarify the identity of parties.

The clerk’s action section of the caption was updated:

~~[ ]  Clerks’~~ [ ] Clerk’s action required: 1, ~~12~~ 13

For section 3, under the second option under Home state jurisdiction:

Change “some time” to “sometime”.

For section 3, the first bullet under No home state or home state declined:

* The children and a parent or someone acting as a parent has/have ties to Washington beyond just living here; **and**

Added a new section 4:

Children’s Residence

[ ] Thechildrenspend substantially equal residential time with each parent (45 percent or more).

[ ] The children live most of the time with relocating person *(name):* .

[ ] The children live most of the time with the objecting person *(name):* . The *Notice of Intent to Move with Children* was improper and the *Child Relocation Act* does not apply. *(Skip to 8.)*

[ ] Other findings:

Former section numbers 4 through 13:

The section numbers have been increased by one number.

For former section 4 (now section 5):

~~[ ]~~ [ ] Does not apply. There was no objection to the children moving. *(Skip to ~~5~~6.)*

~~[ ]~~ [ ] The children *(check one):*

[ ] spend substantially equal time with each parent (45 percent or more). Based on the factors listed below, the Court concludes that the planned move *(check one):* [ ] **is** [ ] is **not** in the children's best interests.

[ ] live with the person who wants to move most of the time. Based on the factors listed below, the Court concludes that the planned move *(check one):*
~~[ ]~~  [ ] **would** ~~[ ]~~ [ ] would **not** cause more harm to the children than good to the children and the ~~parent (or non-parent custodian)~~ person who wants to move.

**Factors:**

Under former section 4 (now section 5)>Factors:

b. Agreements:

“parents/custodian” was changed to “relocating and objecting persons”

c. Contact:

“moving parent (or non-parent custodian)” was changed to “relocating person”

“non-moving parent” was changed to “objecting person”

d. Limitations:

“(or non-parent custodian)” was removed from the end of the sentence.

. . .

h. Quality of life:

“moving parent (or non-parent custodian)” was changed to “relocating person”

i. Other arrangements:

“non-moving parent’s” was changed to “objecting person’s”

j. Alternatives:

“non-moving parent” was changed to “objecting person”

For former section 5 and 6 (now sections 6 and 7, respectively):

The word “parent” was changed to “person”.

For former section 9 (now section 10):

~~[ ]~~  [ ] Each ~~party~~ person should pay his/her own fees and costs.

~~[ ]~~  [ ] (*Name*)*:* incurred fees and costs, and needs help to pay those fees and costs. *(Name):* has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the Money Judgment in section ~~12~~13 below. The court finds that the amount ordered is reasonable.

~~[ ]~~  [ ] Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the Money Judgment in section ~~12~~13 below*.* The court has considered relevant factors including each ~~party’s~~ person’s ability to pay, and finds the fees as ordered are reasonable.

For former section 11 (now section 12)>Protection or Restraining Order:

~~[ ]~~  [ ] The court signed the protection and/or restraining orders described in sections **~~7~~**8 and ~~8~~9 above today or on *(date):*

**64. FL Relocate 736 – Attachment: Summary of the law about moving with children**

The heading of the form was updated:

Attachment: Summary of the law about moving with children
(Child Relocation Act, RCW 26.09.430 – .480)

The beginning paragraph was changed to comply with Laws of 2019, ch. 79, SSB 5399, Child Relocation—Substantially Equal Residential Time:

***Notice***

Anyone ~~If the person~~ with ~~whom the children are scheduled to reside a~~ majority ~~of their~~ or substantially equal residential time ~~plans~~ (at least 45 percent) who wants to move ~~(relocating person), s/he~~ with the children **must notify** every other person who has court-ordered time with the children*.*