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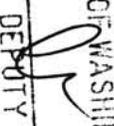
COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

In re:

Joseph Chaussee

vs.

Bree Ann Feil

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COURT OF APPEALS
DIVISION II
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STATE OF WASHINGTON
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DEPUTY

APPELLANT'S OPENING BRIEF

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I. ASSIGNMENTS OF ERROR

A. ASSIGNMENT OF ERROR NO. ONE:

DID THE COMMISSIONER AND TRIAL COURT ERR IN FAILING TO DISMISS MRS. FEIL'S MAY 21, 2012 MOTION FOR ADJUSTMENT OF CHILD SUPPORT BECAUSE OF HER FAILURE TO PROPERLY PETITION FOR RELIEF?

B. ASSIGNMENT OF ERROR NO. TWO:

DID THE COURT ERR OR ABUSE ITS DISCRETION IN GRANTING MS. FEIL'S MOTION FOR "ADJUSTMENT FOR CHILD SUPPORT" AFTER TANNER CHAUSSEE HAD ALREADY ATTAINED THE AGE OF MAJORITY AND HAD GRADUATED FROM HIGH SCHOOL?

C. ASSIGNMENT OF ERROR NO. THREE:

DID THE COURT ERR OR ABUSE ITS DISCRETION IN ORDERING APPELLANT TO PAY CHILD SUPPORT FOR TANNER CHAUSSEE BASED UPON SPECULATION THAT TANNER CHAUSSEE WOULD ATTEND COLLEGE AND/OR INCUR POST-SECONDARY EDUCATIONAL EXPENSES?

D. ASSIGNMENT OF ERROR NO. FOUR:

DID THE COURT ERR IN BASING HIS AUGUST 17, 2012 RULING "ON THE LAW OF THE CASE" and IN RULING THAT MS. FEIL'S "MOTION" TO MODIFY SUPPORT WAS ON THE MANDATORY FORM?

E. ASSIGNMENT OF ERROR NO. FIVE:

DID THE TRIAL COURT ERR IN RULING THAT MS. FEIL HAD AUTHORITY TO FILE A MOTION TO MODIFY POST-SECONDARY SUPPORT "BASED ON THE ... LANGUAGE OF THE NOVEMBER 21, 2011 ORDER."?

F. ASSIGNMENT OF ERROR NO. SIX:

DID THE TRIAL COURT ERR IN NOT AWARDING LEGAL FEES TO APPELLANT IN THE PROCEEDINGS BELOW.

II. ISSUES

- A. MAY A POST-SECONDARY CHILD SUPPORT BE ESTABLISHED BY MOTION RATHER THAN BY WAY OF A PETITION FOR MODIFICATION OF SUPPORT PURSUANT TO RCW 26.09.175?
- B. MAY A CHILD SUPPORT ORDER BE MODIFIED AFTER THE CHILD HAS ATTAINED MAJORITY AND GRADUATED FROM HIGH SCHOOL?
- C. MAY A TRIAL COURT SPECULATE ON THE COST OF SECONDARY SUPPORT IN SETTING AN ORDER FOR POST-SECONDARY SUPPORT?
- D. DID THE TRIAL COURT CORRECTLY APPLY THE DOCTRINE OF "THE LAW OF THE CASE"?
- E. WERE THE SUPPORT ORDERS (PARTICULARLY THE ORDER OF NOVEMBER 21, 2011) SUFFICIENTLY CLEAR AND UNAMBIGUOUS TO ALLOW THE COURT TO AWARD POST-SECONDARY CHILD SUPPORT?
- F. SHOULD THE TRIAL COURT HAVE AWARDED ATTORNEY'S FEES TO MR. CHAUSSEE? SHOULD LEGAL FEES BE AWARDED ON APPEAL?

III. STATEMENT OF THE CASE

On April 22, 2005, an Order of Child Support (**Exhibit A**)¹ was entered in the Superior Court which provided (in Paragraphs 3.13 and 3.14) as follows:

"3.13 **TERMINATION OF CHILD SUPPORT.**

Support shall be paid:

Until the child(ren) reach the age of 18, or so long as the

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This Order ("Exhibit A" to this Brief) was not included in Appellant's Designation of Clerk's Papers. An amended "Designation of Clerk's Papers" has been requested from the Superior Court.

child(ren) remain enrolled in High School, whichever occurs last, except as otherwise proved below in Paragraph 3.14.

3.14 POST SECONDARY EDUCATIONAL SUPPORT.

The right to petition for post-secondary support is reserved, provided the right is exercised before support terminates as set forth in paragraph 3.13."
(Emphasis Added)

Another Order of Child Support was entered below on April 22, 2011. (**Exhibit B**)² That Child Support Order was similar to the 2005 Order, and provided:

"3.13 TERMINATION OF CHILD SUPPORT.

Support shall be paid: Until the child(ren) reach the age of 18, or so long as the child(ren) remain enrolled in High School, whichever occurs last, except as otherwise provided below in Paragraph 3.14.
(Emphasis Added)

3.14 POST-SECONDARY EDUCATIONAL SUPPORT.

Provisions for post-secondary educational support in the Order of Child Support entered on April 22, 2005 are in full force and effect."

The next Order in the Superior Court relating to child support was issued on November 21, 2011 (**CP**

²

See Footnote No.1 above. This document is also the subject of an Amended Designation to the Superior Court.

1-13). That Order provided:

"3.13 Termination of Support

Support shall be paid until the children reach the age of 18, or as long as the children remain enrolled in High School, whichever occurs last, except as otherwise proved below in Paragraph 3.14.

(Emphasis Added)

3.14 Post-Secondary Educational Support

The right to request post-secondary support is reserved, **provided** that right is exercised before support terminates as set forth in paragraph 3.13. (Emphasis Added)

3.16 Periodic Adjustment.

Does not apply. (Sic)

'It is Contemplated that in May 2012 there shall be a post-secondary Support modification. There shall be no adjustment due to any unemployment between this date & May, 2012. Support for the minor child and any request for post-secondary support may be made by Motion before the Commissioner.' (Emphasis Added)

For reasons not apparent in the record below, Ms. Feil did not obtain a Support Modification in (or before) May of 2012. Rather, on May 21, 2012,

Ms. Feil filed a "Motion to Adjust Child Support."
(**CP 28**) Her Motion to Adjust Child Support was noted
for hearing on the Court Commissioner's motion
calendar on June 20, 2012.

Tanner Chaussee attained the age of majority on
May 4, 2012 (seventeen days before the Motion to
Adjust Child Support was filed). He graduated from
Eastmont High School in Wenatchee on June 8, 2012.

Ms. Feil's Motion was heard by Commissioner Pro
Tem Robert Nettleton on June 20, 2012. No oral
testimony was taken. The Commissioner based his
ruling (which set post-secondary child support) **CP
112-127** on the documents filed by Ms. Feil in
support of her motion, the responsive materials
filed by Mr. Chaussee and arguments of counsel.

Counsel for Ms. Feil argued that Ms. Feil's
Motion to modify child support to provide for
Tanner's post secondary education should be granted.
Counsel for Mr. Chaussee argued that it was not
appropriate for the Court to *speculate* that his son
would attend college following high school or to
speculate that Tanner would reside with his mother

[or his grandparents during college] or that it was proper to speculate about the costs of college tuition or other post-secondary expenses.

Mr. Chaussee also argued that if post-secondary support was ordered, all speculation regarding the amount of assistance needed for Tanner's post-secondary education could be resolved if the Court ordered both parents to bear a percentage of the actual post-secondary educational expenses Tanner incurred while at community college.

Following a brief recess, counsel for the parties returned to Commissioner Nettleton's Courtroom. Mr. Kombol then made an oral motion for the denial of Ms. Feil's Motion/Request to modify the earlier Support Order and the dismissal of her requests. Mr. Kombol's Motion for denial/dismissal was based upon Ms. Feil's failure to comply with the provisions of RCW 26.09.170, RCW 26.09.175 and the child support "termination" provision contained in all earlier child support orders.

Mr. Kombol argued that each of those statutory provisions were mandatory not discretionary and the earlier support Orders were unambiguous in providing that Chaussee's child support obligation terminated

when Tanner was eighteen & had graduated high school

Mr. Kombol further argued that a Division I case, In Re Marriage of Sagner, 159 Wn. App. 741, 247 P.3d 444 (2011) was authority which supported Mr. Chaussee's motions.

Counsel for Chaussee argued that Ms. Feil's request for post-secondary support should be denied as a consequence of Ms. Feil's failure to comply with the statutory requirements of RCW 26.09.175; to wit: (a) improperly bringing the issue before the Court by 'motion' rather than a "Petition ... in the form prescribed by the administrator for the Courts," (See RCW 26.09.175(1)); (b) that Ms. Feil's request was being heard after Tanner had already turned eighteen and had graduated from high school; and (c) that Ms. Feil had failed to pay the \$20.00 filing fee as is required by RCW 26.09.175(1).

Commissioner Nettleton entered an 'Order Re: Adjustment of Child Support' granting Ms. Feil's motion for modification of child support. The Order obligated Mr. Chaussee to continue paying child support for Tanner in the sum of \$412.75 per month commencing July 1, 2012. (CP 114, line 2)

The Commissioner's Order provided, in pertinent parts, as follows:

"The monthly figure represents 38.7% of what Ms. Feil had estimated to be "the costs of attendance, tuition, books, supplies, room and board (at Shoreline Comm. College)." ... "For the 2012-2013 (school) year, the costs of attendance shall be calculated at \$16,208 minus \$3,410 for transportation and personal expense leaving a net cost of attendance of \$12,798."

...

"In future years, the cost of attendance for Shoreline Community College shall be used. If room and board, transportation and personal expenses are not published by Shoreline Community College, then Highline Community Colleges rate shall be used.

College's rate shall be used.³ (CP 116 Lines 19-24)"

Beneath his endorsement of the Support Order, Commissioner Nettleton confirmed by hand his ruling denying Mr. Chaussee's Motion for Dismissal:

"* The oral motion Re Jurisdiction is denied because the Court Order of 11/22/11 reserved the issue for determination at this hearing." (CP 110, lines 23-24)

Joe Chaussee made a Motion for Revision of the Commissioner's ruling (CP 128-9) specifically indicating revision was sought of:

" the Commissioner's denial of the

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None of Ms. Feil's pleadings contain any official publication of the rates of tuition, books, supplies or room and board at either of those Community Colleges.

Motion for Dismissal ... based upon the Jurisdictional requirements of RCW 26.09.170 and RCW 26.09.175 as well as the decision of In Re: Marriage of Sagner."

(Emphasis Added)

as well as:

"In the alternative, should the Superior Court decline to dismiss Respondent's request to Modify Child Support (by way of Motion), Petitioner seeks revision of the Court Commissioner's Order of Child Support and the accompanying 'Order re Adjustment of Child Support' based on the speculative basis of those orders, to wit: Speculation about whether the adult child of the parties would: (a) be (actually attempting) to complete post-secondary education; (b) be residing with the Respondent while doing so; [c] incurring the (estimated) tuition and housing expense(s) should he seek to complete post-secondary education; and (d) that the (Chaussee) would be receiving future 'Overtime Income' from future places of employment." (Italics Added)

Mr. Kombol filed the Certified Copy of the Pierce County Clerk's "LINX" document which had been presented to Commissioner Nettleton for consideration. This document reveals that while Ms. Feil had paid \$46.00 in filing fees on October 17, 2005 and again on January 3, 2006 in connection with prior support modification requests, ***no*** filing fee was paid by Ms. Feil when her Motion to Adjust Child Support was filed on May 21, 2012 (**CP 152**).

Superior Court Judge Brian Tollefson heard arguments on Chaussee's Revision Motion on August 17, 2012. (CP 153).

In an Order on Revision Judge Tollefson denied Mr. Chaussee's Motion for Revision of the Order of June 20, 2012 (CP 156, lines 1-2) and added the following language in his own hand:

"*This ruling is based on the law of the case.⁴ Petitioner never filed to revise or amend (sic) November 21, 2011 support order. Respondent (Feil) had authority to file a Motion to modify⁵ post-secondary support based on the clear language of the November 21, 2011 Order, the Motion was filed on a Mandatory Form."⁶

IV. ARGUMENT

STANDARD OF REVIEW

When a trial court reviews a Commissioner's

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The "Law of the Case" doctrine had not been argued by either counsel.

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Ms. Feil's Motion had not been to "modify" post-secondary support, but for "adjustment" of the existing child support order (CP 28). None of the earlier Orders for Support indicated that such post-secondary support would be paid. Rather, each order "reserved (the issue) provided the right was exercised before support terminated." See Order of April 22, 2005 (Exhibit A, lines 1-2) and Order of Nov 21, 2012 (Exhibit B, CP-8, Ls. 14-15)

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The "mandatory form" filed by Ms. Feil was labeled "Mtn/Decl/Adj of Child Support (MT) - "WPF DRPSCU 06.0800 Mandatory/6/2011) RCW 26.09.170 (See CP 28 which reveals that Ms. Feil filed a "Motion and Declaration for Adjustment" on May 22, 2011), rather than the mandatory form required by RCW 26.09.175 which the Administrator for the Courts identifies as "Pet. for Mod. of Child Support (PTMD) WPF DRPSCU 06.0100 Mandatory/6/2010) - RCW 26.09.170; 175.

ruling, it reviews the Commissioner's Findings of Fact and Conclusions of Law *de novo* based upon the evidence and issues presented to the Commissioner, RCW 2.24.050, In Re Marriage of Woody, 137 Wn.2d 979, 991-93, 976 P.2d 1240 (1999). Once the trial court makes a decision in a Motion for Revision, the appeal is from the trial court's decision, not the ruling of the Commissioner. State v. Ramer, 151 Wn.2d 106, 113, 86 P.3d 132 (2004).

A trial court has broad discretion to order a divorced parent to pay post-secondary educational expenses. RCW 26.19.090(2), In Re Marriage of Newell, 117 Wn. App. 711, 72 P.3d 1130 (2003). A trial court's decision regarding modification of child support is reviewed for a manifest abuse of discretion. In Re Marriage of Griffin, 114 Wn.2d 772, 796, 791 P.2d 519 (1990), In Re Marriage of Kelly, 85 Wn. App. 785, 792-3, 934 P.2d 1218 (1982). Interpretation of a child support Order is a question of law that is reviewed *de novo*. State v. Polley, 145 Wn.2d 341, 37 P.3d 1211 (2001).

Rulings of Commissioners are subject to revision by the Superior Court. RCW 2.24.050 If the Superior

Court doesn't revise the Commissioner's ruling, the Commissioner's decision stands as the decision of the Superior Court and it is that decision which comes before the Court of Appeals for review. A Motion for Revision of a Commissioner's Findings of Fact and Conclusions of Law is *de novo* and based upon the evidence and issues presented below.

A lower court's interpretation of a statute is reviewed by the Court of Appeals *de novo*. Because the Commissioner's ruling was based upon RCW 11.42.085 and RCW 11.18.200, this Court's review and interpretation of those statutes should be *de novo*.

The interpretation of a dissolution decree is a question of law, and the standard is *de novo*. In Re Marriage of Thompson, 97 Wn. App. 873, at 878 (citing Chavez v. Chavez, 80 Wn. App. 432, 435, 909 P.2d 314 (1996)). If a decree is ambiguous, the Court of Appeals seeks to ascertain the intention of the Court which entered it by using the general rules of construction applicable to statutes and contracts. Thompson, supra at 878.

A trial court doesn't have authority to modify its own decree in the absence of conditions justi-

fyng the reopening of the judgment. Thompson, at 878 (citing RW 26.09.170(1); Kern v. Kern, 28 Wn.2d 617, 619, 183 P.2d 811 (1947)). Even an ambiguous decree may only be clarified, not modified. In Re the Marriage of Greenlee, 65 Wn. App. 703, 710, 829 P.2d 1120 (1992). A decree is modified when rights given to one party are extended beyond the scope originally intended or are reduced. Thompson, at 878

A clarification, on the other hand, is merely a definition of rights already given, spelling out such rights and duties more completely, if it is necessary to do so. Thompson, at 878 (citing Rivard v. Rivard, 75 Wn.2d 415, 418, 451 P.2d 677 (1969)). Commissioner Nettleton's Order for Post-Secondary Child Support modified, rather than clarified the earlier Orders of Child Support. The standard for this Court's review of that Order should be *de novo*.

A. THE TRIAL COURT ERRED IN FAILING TO DISMISS MS. FEIL'S MOTION FOR ADJUSTMENT OF CHILD SUPPORT BECAUSE SHE FAILED TO PROPERLY PETITION FOR RELIEF.

Mrs. Feil did not file a "Petition" for Modification of Child Support on the child support obligation for Tanner that ended nor did she file or

serve on Mr. Chaussee a "Summons for Modification of Child Support"⁷ when she sought to have Mr. Chaussee ordered to pay Mrs. Feil post-secondary child support for their son. The proper form for a "Petition to Modify Child Support" has been on the Administrator's website since June of 2010. The "Summons" form which relates to Petitions for Modifications of Child Support has been on the website since June of 2008.

RCW 26.09.175 governs actions relating to modifications of child support orders. Relevant sections of that statute provide:

"(1) A proceeding for the modification of child support orders ***shall*** commence with the filing of a ***petition*** and worksheets. The ***petition shall*** be in the form prescribed by the administrator for the courts. There ***shall*** be a fee of twenty dollars for the filing of a petition for modification of dissolution." (Emphis Added)

Ms. Feil filed neither a Petition for Modification, "*... in the form prescribed by the administrator for the courts*", nor did she pay to the Superior Court Clerk a fee in the sum of "twenty dollars" (See **CP-152**).

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Both are listed as mandatory forms and are contained on the website of the Commissioner for the Court.

Ms. Feil should not be excused from paying a required filing fee to the Superior Court. The Clerk's financial accounting records in this matter (**CP 152**) reveals that Ms. Feil paid "filing fees" of \$46.00 on October 17, 2005 and again on January 3, 2006 when she made earlier requests to modify the child support order below.

At the June 20, 2012 hearing before Commissioner Nettleton, Mr. Chaussee's attorney asked the Court to dismiss Mrs. Feil's Motion to Adjust Child Support because of the flaw in her pleadings as well as for her failure to pay the statutory filing fee. Commissioner Nettleton denied Chaussee's Motion "because the Court Order of 11/22/11 reserved the issue for determination at this hearing." (**CP 110, lines 22-24**)

The Commissioner's failure to dismiss Feil's Motion was a significant and obvious error of law and an abuse of discretion, first because Ms. Feil failed to comply with RCW 26.09.175 which requires such requests be made by paying a filing fee of \$20.00 and filing a mandatory "Petition" on prescribed form; and secondly because by the time the Commissioner's Order was issued, Tanner Chaussee

had already graduated from high school and had attained the age of majority (**CP 68, lines 24-27**). That second error of law, if not reversed on appeal, would suggest that a parent could request (and obtain) post-secondary support even after a support obligation had already terminated under the express provisions of an earlier support order.

B. THE COURT BELOW ERRED IN GRANTING MS. FEIL'S MOTION FOR ADJUSTMENT OF CHILD SUPPORT AFTER TANNER CHAUSSEE HAD ATTAINED THE AGE OF MAJORITY AND GRADUATED FROM HIGH SCHOOL.

The initial Child Support Order in this case (as well as all subsequent Orders for Child Support) provided, in similar language:

"Support shall be paid until the child reach(s) age 18, or as long as the child(ren) remain(s) enrolled in High School, whichever occurs last, except as otherwise provided below in Paragraph 3.14.

All such Child Support Orders were consistent with the provisions of RCW 26.09.170(3) which provides that child support obligations:

"... are terminated by the emancipation of the child."

RCW 26.28.010 provides:

"all persons shall be deemed and taken to be of full age for all purposes at the

age of eighteen."

For child support, RCW 26.28.010 controls the age when child is deemed to be emancipated. Reedy v. Reedy, 12 Wn. App. 844, 532 P.2d, 626 (1975).

The Orders below contained standard provisions which would have allowed either party to seek to modify a support order to provide post-secondary support for educational purposes.

The question Mr. Chaussee raised when the Commissioner heard Ms. Feil's Motion and again at the Revision hearing (and now in this appeal) is whether the "Motion" Ms. Feil filed on May 21st met **either** the requirements of the Child Support Modification statute **or** prior Orders of the Superior Court. The only Court Order which might have enabled Ms. Feil to seek Post-Secondary support for Tanner following his eighteenth birthday and his graduation from high school is the Child Support Order of November 21, 2011.

That Order provided, in pertinent part, as follows:

"The right Re: A request post secondary support is reserved, provided that right *is exercised* before support terminates as set forth in paragraph 3.13".

The manner in which Ms. Feil could "exercise"

"a request for post secondary child support" was not defined in that Order. In Washington, pursuant to RCW 26.09.170 and 175, a Petition to modify a child support Order is the manner by which post-secondary child support may be awarded.

"RCW 26.09.170(3) unless otherwise agreed in writing or expressly provided in the decree, provisions for the support of a child are terminated by the emancipation of the child." (Emphasis Added)

The Order of November 22, 2011 purports only to enable Ms. Feil to request post-secondary child support by way of a 'Motion'. But, other provisions of the November, 2011 Support Order create significant ambiguity about when and how post-secondary support for Tanner could be obtained, because the language in the Order of November, 2011 then provided:

*"in May 2012 there **shall** be a post-secondary Support Modification."*

The records in the Superior Court file don't show that an Order for 'Support Modification' was entered at any time in this action in May 2012 or any time before May of 2011. Further, Ms. Feil did not 'exercise' her statutory right to request post-

secondary support before Mr. Chaussee's obligation to support for Tanner terminated on June 8, 2012 when he was already eighteen years of age and had graduated from high school.

Interpreting the Court's Order of November 21, 2011 should be consistent with the statutory scheme contained in RCW 26.09.170 for the modification of court orders of child support when nothing in any of the earlier support orders contained any provision for post-secondary support. See Crown Cascade v. O'Neal, 100 Wn.2d 256, 668 P.2d 585 (1983)

The Commissioner and Trial Court erred in modifying the Support Order for Tanner after he had turned eighteen and had graduated from high school.

C. THE COURT ERRED IN ORDERING APPELLANT TO PAY CHILD SUPPORT FOR TANNER CHAUSSEE COMMENCING ON JULY 1, 2012 BECAUSE THE ORDER REQUIRED SPECULATION THAT TANNER CHAUSSEE WOULD ATTEND COLLEGE OR INCUR ANY POST-SECONDARY EDUCATIONAL EXPENSES.

The Child Support Order by Commissioner Nettleton of June 20, 2012 was based on numerous examples of Mrs. Feil speculating about the tuition fees and housing costs Tanner might face if he chose

to attend college in the autumn of 2012.

In a Declaration included in the pleadings she filed with her Motion, Mrs. Feil stated:

"He (Tanner) wants to go to community college. He will not transfer to a four year university. His goal will be to obtain a vocational technical degree from a community college. He intends to go into the field of mechanics. He wants to obtain a Toyota Certified Mechanic Certification which is his goal. This is offered by Shoreline Community College where his grandparents live. He will be attending Wenatchee Valley College next year while living at home with me. He needs to obtain prerequisites to get him ready for the program." (CP 52 line 15-20)
"He intends to attend Wenatchee Valley College in the fall and live at home with me. After a year his hope is to transfer to a program at Shoreline Community College which has a technical program. He would then live with his grandparents while attending school. He has ... paid the fees to be enrolled in the fall."⁸

"The costs of Wenatchee Valley College have not been published yet for the fall. Tuition is likely to increase probably 5 to 20% based upon the cuts in the state legislature. Last year, the tuition was

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No documentation indicating the cost of attendance at Wenatchee Valley Community College was included in Ms. Feil's pleadings nor was a "receipt" for fees Tanner allegedly paid ever produced.

\$1,180.00/quarter (which will definitely increase) and fees were an additional \$76, with books an additional \$450/quarter. This is a minimum of \$5,102.40 based on last year's rates. I should have next year's rate by the time of the hearing and they will likely be in the range of \$5,500 to \$6,000 per a (sic) year."⁹ (CP 54, 1-4)

"As the school does not publish the costs of living at home with parents, I looked at another community college, Highline Community College, which does publish that rate. It is \$7,200.00 a year to live with a parent at home¹⁰ plus an additional \$3,410.00 for transportation and personal expenses.¹¹ **(All Emphasis Added)**

Not only did the Commissioner accept all tuition, housing and transportation costs estimated by Mrs. Feil in her Declaration, the Court blindly adopted Mrs. Feil's belief that:

"For the 2012-2013 year, the costs of attendance shall be calculated at \$16,208 minus \$3,410 for transportation and

personal expense leaving a net cost of

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No current rate information was presented to the court at the hearing on June 20, 2012.

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See Footnote 9.

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Once again, no supporting documentation was included in Ms. Feil's assertion regarding costs of living at home or the cost of transportation to the community college. The Court had no ability to verify the veracity or accuracy of those assertions.

attendance of \$12,798."¹²

The Order provided that all of Mr. Chaussee's support payments:

"shall be made through the Division of Child Support through a wage withholding. The mother shall provide proof to the father quarterly of the payment of tuition and books for the child and when the child is no longer living at home, then proof of payment of the father's share of room and board to the grandparents on a quarterly basis."¹³ (Emphasis Added)

A declaration of payment of expenses is not sufficient proof of actual payment. Adequate proof of incurred expenses is necessary to prevent "a windfall." Kim v. O'Sullivan, 133 Wn. App. 557, 564, 137 P.3d 61 (2006), quoting Lavique v. Chase, Haskell, Hiages and Kalawon, 112 Wn. App. 677, 687, 50 P.3d 306 (2002).

Washington Courts have not yet addressed the

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There exists nothing in the record below other than Mrs. Feil's representation to support those figures. They are based on the presumed costs of "living at home" while attending Highline CC.

13

No mechanism was given to the father to seek reimbursement from Mrs. Feil should she fail to furnish Mr. Chaussee with the required "proofs" nor does the record show any consideration to requiring Mr. Chaussee to make direct payments to Tanner.

sort of proof necessary to establish "actually incurred" expenses under RCW 26.19.080 or 26.19.090. However, the Commissioner's Order failed to comply with the preference contained in RCW 26.19.090(6) which provides:

"The court shall direct that either or both parents' payments for post-secondary educational expenses be made directly to the educational institution if feasible ..."

By analogy is the sufficiency of the proof of future expenses which allow a court to order restitution to a victim. In those situations, more than an estimation of future or anticipated expenses is required. State v. Vingard, 50 Wn. App. 888, 892, 751 P.2d 338 (1988).

Likewise, damages must be supported by competent evidence in the record. To be competent, the evidence or proof of damages must be established by a reasonable basis and it must not subject the trier of fact to mere conjecture. ESCA Corp. v. KPMG Peat Marwick, 86 Wn. App. 628, 639, 939 P.2d 1228 (1997) aff'd 135 Wn.2d 820, 959 P.2d 651 (1998).

The proof of damages must not be speculative or

self-serving. Id. Furthermore, proof of special damages requires a "witness who evidences sufficient knowledge and experience respecting the type of service rendered and the reasonable value thereof." Kennedy v. Monroe, 15 Wn. App. 39, 49, 547 P.2d 899 (1976). The Order issued by the Commissioner failed to account for or address any of the issues relating to speculation or the need that competent evidences support an award.

Mrs. Feil failed to introduce any competent evidence (beyond her speculation and estimations) about Tanners future college expenses - despite having asserted that his tuition for the fall quarter at Wenatchee Community College had already been paid. If it had been paid a simple receipt would have furnished the Court with some proof that Tanner or Mrs. Feil had paid for tuition at Wenatchee Valley College.

It was error for the Trial Court to have granted the Order for Post-Educational support Mrs. Feil requested because the Court lacked competent proof of the immediate (or future) costs of post-

secondary educational expenses which Tanner could face and because no consideration was given to ordering Mr. Chaussee to make direct payment to the college's financial office assuming that any order for post-secondary support could have been issued.¹⁴ Without proof in the record below, the Court of Appeals has virtually nothing (save bare speculation) to review the award below in any meaningful manner. The Superior Court erred in issuing the Support Order on the strength of speculation by the parent who would stand to gain by such speculating.

D. JUDGE TOLLEFSON ERRED IN BASING HIS RULING OF AUGUST 17, 2012, 2012 "ON THE LAW OF THE CASE" and IN HIS CONCLUSION THAT THE MOTION TO MODIFY SUPPORT WAS ON THE MANDATORY FORM REQUIRED BY RCW 26.09.175.

"Law of the Case" is a doctrine that derives from both RAP 2.5(c)(2) and common law. This multifaceted doctrine means different things in different circumstances, Lutheran Day Care v. Snohomish County, 119 Wn.2d 91, 113, 829 P.2d 746 (1992). The doctrine is often confused with closely

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Mr. Chaussee's argument that the Court below erred in failing to provide for direct payments for Tanner's post-secondary expenses is presented without abandoning his arguments above that the Superior Court erred in even entering any Child Support Order. (See Assignments of Error 1, 2, & 3)

related doctrines, such as collateral estoppel, res judicata, and stare decisis. *Id.* Lutheran, *supra*.

In its most common form, the "law of the case" doctrine stands for the proposition that once there is an appellate holding enunciating a principle of law, that holding will be followed in subsequent stages of the same litigation. *Id.* (citing 15 Orland & Tegland, Washington Practice: Judgments §380, at 55-56 (4th ed. 1986)).

In addition, the law of the case doctrine also refers to the principle that jury instructions which are not objected to are treated as the applicable law (of the case) for purposes of appeal. In Re: Hickman, 135 Wn.2d 97, 101-02 (1998). In all of its various formulations the doctrine seeks to promote finality and efficiency in the judicial process. See 5 Am. Jur. 2nd Appellate Review § 605 (1995).

RAP 2.5(c)(2) has codified certain restrictions on the law of the case doctrine: Collateral estoppel (or issue preclusion) prevents a party from relitigating an issue determined against that party

in an earlier action, even if the second action differs significantly from the first one. Black's Law Dictionary 279 (8th Ed. 2004). See also Clark v. Baines, 150 Wn.2d 905, 912, 84 P.3d 245 (2004). Res judicata, or claim preclusion, prevents the same parties from litigating a second lawsuit on the same claim or any other claim arising from the same transaction (or series of transactions) which could have been, but were not, raised in the first suit. Black's Law Dictionary 1336-7 (8th Ed. 2004). See also, In re Estate of Black, 153 Wn.2d 152, 170, 102 P.3d 796 (2004).

Stare decisis, the doctrine of precedent, generally dictates that a court follow earlier judicial decisions when the same points of law arise again in litigation. Black's Law Dictionary 1443 (8th Ed. 2004). See also In re Pers. Restraint of LaChapelle, 153 Wn.2d 1, 5, 100 P.3d 805 (2004).

Judge Tollefson's hand-written insertion in his Order of August 17, 2012 (**CP 155-156**) that the doctrine of "Law of the Case" prevented Mr. Chaussee

from challenging the earlier Order issued on November 21, 2011 suggests that some part of the Chaussee-Feil Support Order at issue in the Revision Motion he was hearing had been decided in November of 2011.

However, such is not the case. The Order of November 21, 2011 dealt with Mrs. Feil's request to Modify Child Support for Tanner when he was seventeen and one-half years of age - not with the later request by Ms. Feil for an Order of Post-Secondary Support for Tanner after Mr. Chaussee's support obligation for Tanner had terminated. Furthermore, the doctrine of Law of the Case had not even been argued to the Court. Judge Tollefson cited no authority for his sui sponte remarks and the accompanying notation be inserted below his signature in the order denying Mr. Chaussee's Revision Motion about the "Law of the Case" doctrine.

Judge Tollefson, in his colliquay with Mr. Kombol appears to have formed the belief that the provisions of RCW 26.09.175 would have been met had

Ms. Feil filed 'any mandatory form' adopted by the Administrator for the Courts when requesting an award of post-secondary support for Tanner or that it was the Superior Court Clerk's concern - and not the trial court's concern as to whether or not a filing fee was paid when certain pleadings are filed. That dialog, commencing at Page 27 of the Report of Proceedings was as follows:

THE COURT:

" . . . there doesn't seem to be a good use of everybody's time and attorney's fees, being what they are, to go through some sort of a formal petition process. It clearly says on the order of November 11th 2011, that the motion process could be used for an adjustment of post-secondary support. . . . So, the mandatory form was used back when the adjustment was sought in 2011; the \$20.00 filing fee that's set forth in the statute. Why the Clerk didn't say 'pay this amount', I don't know, maybe that's something else in the Clerk's office. Normally they're pretty good about wanting their money when they are supposed to get it. So I'm going to leave that to the Clerk's office to collect the money they're supposed to get. All in all, based on everything I've heard from the parties, and everything I've read about this case, including the case law cited by Mr. Kombol, the Motion to Revise is

denied.

MR. KOMBOL: Just one thing, Your Honor. The Court indicated in its ruling right now that there was a petition filed in November or October.

THE COURT: Well, it's actually earlier [this] in the year. (Brackets Inserted)

MR. KOMBOL: Right. Right. The court believes there was a Petition filed earlier in the year. Does the Court know when that was done? Because the findings should probably say that was the Court's finding that there was a Petition earlier this year, if that's one of the bases.

THE COURT: I'm sorry. The mandatory form (Ms, Feil's attorney) used doesn't use the word "Petition."

MR. SMITH: No, it doesn't.

THE COURT: The mandatory form is a motion. So, even though the legislature said "Petition", the mandatory forms at the AOC was given the power to create/use the word "motion".

MR. KOMBOL: All right.

THE COURT: There's no dispute that the mandatory form was used, is there, Mr. Kombol?

MR. KOMBOL: Well, the statute says "Petition".

MR. SMITH: No, it doesn't.

MR. KOMBOL: The statute says "Petition".

THE COURT: The statute - I agree, it says "Petition", the mandatory form that the AOC was directed to create says "motion". No doubt about that. I don't know what to say about that . . . but the statute clearly says the Petition shall be in the form prescribed by the Administrator of the Courts, that's right in the second sentence of RCW 26.09.175, Subparagraph 1.

The Trial Court made a clear error of law and abused the discretion given a trial court when (a) It ceded to the Superior Court Clerk to ensure that the obligation of the proper payment of filing fees imposed on litigants to ensure statutes are followed and (b) The Court failed to follow the provision of RCW 26.09.175 which clearly requires that requests of the sort made by Ms. Feil are made by "Petition" rather than by "Motion"

Judge Tollefson committed a clear error of law when in essence, he ruled that it did not matter if Mrs. Feil had filed the proper pleading so long as her pleading had been on a form "adopted by the Administrator for this Courts".

E. JUDGE TOLLEFSON ERRED IN RULING THAT MS. FEIL HAD AUTHORITY TO FILE A MOTION TO MODIFY UPPORT BASED ON THE ... LANGUAGE OF THE NOVEMBER 21, 2011 ORDER.

The Court Order of November 21, 2011 which purports to enable either party to seek a post-secondary modification is anything but clear. In fact, Paragraph 3.13 of that Order (**CP 8, lines 10-12**) indicates that:

"support shall be paid until the child(ren) reach the age of 18, or as long as the children remain in high school, whichever occurs last, except as "otherwise provided in Para. 3.14."

Paragraph 3.14 of that Order (**CP 8, lines 13-15**) indicates:

"The right to request post-secondary support **is reserved, provided** that the right is exercised before support terminates as set forth in paragraph 3.13." (Emphasis Added)

Despite language in Paragraph "**3.16 Periodic Adjustment**" stating "**Does not apply**", there is a handwritten provision relating to the possibility of a future request for the modification of support

(lines 19-21). Nothing is clear in this Order. The Court erred in finding sufficient clarity in Sections 3.13, 3.14, and 3.16 of the Child Support Order of November 21, 2011 upon which an Order for post-secondary support could have been granted.

F. THE TRIAL COURT ERRED IN FAILING TO AWARD LEGAL FEES TO JOSEPH CHAUSSEE IN THE PROCEEDINGS BELOW. MR. CHAUSSEE SHOULD BE GRANTED ATTORNEY FEES IF HE PREVAILS ON APPEAL.

The record below reveals that in May of 2012 Mrs. Feil had gross monthly income in the sum of \$11,455.91, without considering her husband's income

By contrast, the record below reveals that Mr. Chaussee worked in the construction industry, had been 'laid off' for various periods of time between 2008 and 2011, and that when he was working, his gross monthly income was in the sum of \$6,023.33. His wife was expecting their first child. She was not working in May or June of 2012. **(CP 32)**

Judge Tollefson correctly denied Mrs. Feil's request for an award of fees. While a trial court has discretion as regards awards of fees, factors it should consider include one party's need and the

other spouse's ability to pay. A Trial Court has discretion to award attorney fees after considering the relative resources of the parties and the merits of their cases. In Re Leslie, 90 Wn. App. at 807. Mr. Chaussee should have been awarded attorney fees at the Superior Court. Judge Tollefson erred in failing to do so.

Should Mr. Chaussee prevail on the merits of this appeal, the record before this Court reveals that Mrs. Feil is in a far better position to pay the fees Appellant has incurred on his Appeal. Mr. Chaussee's request for attorney fees on appeal is made pursuant to under RCW 26.18.160. That statute provides that "[i]n any action to enforce a support or maintenance order under this chapter, the prevailing party is entitled to a recovery of costs, including an award for reasonable attorney fees."

The prevailing party need not show financial need in order for the Court to award fees and costs. In re Marriage of Anderson, 49 Wn. App. 867, 873, 746 P.2d 1220 (1987). If successful in this appeal, Mr. Chaussee should be awarded his fees and costs.

V. CONCLUSION

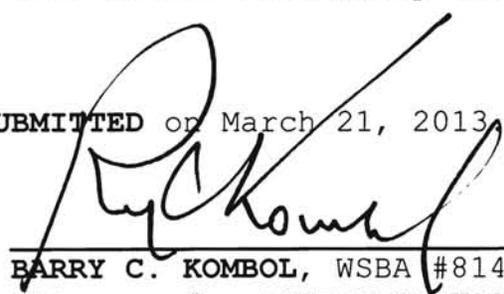
The Court below erred in granting Mrs. Feil's request for post-educational child support for the reasons outlined and argued above.

That Order of the Superior Court should be reversed and this matter should be remanded for purposes of returning to Mr. Chaussee all of the post-secondary support he paid to Ms. Feil between June 1, 2012 and the time the case is reconsidered.

The Superior Court should be directed to consider the relative resources of the parties and their ability to pay the fees of their respective attorneys and then enter a ruling as to whether Ms. Feil or Mr. Chaussee should recover legal fees.

The Court of Appeals should award Mr. Chaussee the costs and legal fees he has reasonably incurred in this appeal.

RESPECTFULLY SUBMITTED on March 21, 2013



BARRY C. KOMBOL, WSBA #8145
Attorney for **JOSEPH CHAUSSEE**

EXHIBIT "A"



03-3-00694-6 22926847 ORSW 04-25-05



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**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE**

In re the Marriage of:

JOSEPH SCOTT CHAUSSEE

Petitioner,

and

BREE ANN CHAUSSEE

Respondent.

NO. 03-3-00694-6

**ORDER OF CHILD
SUPPORT**

**Final Order (ORS) Pursuant to
Trial By Affidavit**

Clerk's Action Required

I. JUDGMENT SUMMARY

The judgment summary:

- A. Judgment Creditor Bree Chaussee
- B. Judgment Debtor Joseph Chaussee
- C. Principal judgment amount (back child support) \$3,103.00 ⁷⁴⁴
from 11/1/04 to 03/31/2005 ~~3~~
- D. Interest to date of Judgment \$ -0-
- E. Attorney's fees \$ -0-
- F. Costs \$ -0-
- G. Other recovery amount \$ -0-
- H. Principal judgment shall bear interest at 12% per annum. *After 45 days from the April 22, 2005*
- I. Attorney's fees, costs and other recovery amounts shall bear interest at 12% per annum.
- J. Attorney for Judgment Creditor Hillary A. Holmes
- K. Attorney for Judgment Debtor Jeffrey Pollock
- L. Other:

The judgment shall be interest free for 45 days from the date of entry. If not paid in full within 45 days, interest shall accrue on the outstanding balance.

Respondent shall not execute upon the Judgment for a period of 45 days from entry.

II. BASIS

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2.1 TYPE OF PROCEEDING.

This order is entered pursuant to a decree of dissolution, legal separation or a declaration of invalidity.

2.2 CHILD SUPPORT WORKSHEET.

The child support worksheet which has been approved by the court is attached to this order and is incorporated by reference or has been initialed and filed separately and is incorporated by reference.

III. FINDINGS AND ORDER

IT IS ORDERED that:

3.1 CHILDREN FOR WHOM SUPPORT IS REQUIRED.

Name (first/last)	Age
T. Chaussee	11
P. Chaussee	6

3.2 PERSON PAYING SUPPORT (OBLIGOR).

Name (first/last): Joseph Chaussee
Birth date: 4/04/1973
Service Address: [You may list an address that is not your residential address where you agree to accept legal documents.]

28105 132nd St. E.
Buckley, WA 98321

THE OBLIGOR PARENT MUST IMMEDIATELY FILE WITH THE COURT AND THE WASHINGTON STATE CHILD SUPPORT REGISTRY, AND UPDATE AS NECESSARY, THE CONFIDENTIAL INFORMATION FORM REQUIRED BY RCW 26.23.050.

1 THE OBLIGOR PARENT SHALL UPDATE THE INFORMATION REQUIRED BY
2 PARAGRAPH 3.2 PROMPTLY AFTER ANY CHANGE IN THE INFORMATION. THE
3 DUTY TO UPDATE THE INFORMATION CONTINUES AS LONG AS ANY MONTHLY
4 SUPPORT REMAINS DUE OR ANY UNPAID SUPPORT DEBT REMAINS DUE
5 UNDER THIS ORDER.

6 Monthly Net Income: \$3,255

7 3.3 PERSON RECEIVING SUPPORT (OBLIGEE):

8 Name (first/last): Bree Chaussee
9 Birth date: 2/23/1976
10 Service Address: [You may list an address that is not your residential address where
11 you agree to accept legal documents.]

12 10036 NE 130th Ln. #5
13 Kirkland, WA 98034

14 THE OBLIGEE PARENT MUST IMMEDIATELY FILE WITH THE COURT AND THE
15 WASHINGTON STATE CHILD SUPPORT REGISTRY AND UPDATE AS NECESSARY
16 THE CONFIDENTIAL INFORMATION FORM REQUIRED BY RCW 26.23.050.

17 THE OBLIGEE PARENT SHALL UPDATE THE INFORMATION REQUIRED BY
18 PARAGRAPH 3.3 PROMPTLY AFTER ANY CHANGE IN THE INFORMATION. THE
19 DUTY TO UPDATE THE INFORMATION CONTINUES AS LONG AS ANY MONTHLY
20 SUPPORT REMAINS DUE OR ANY UNPAID SUPPORT DEBT REMAINS DUE
21 UNDER THIS ORDER.

22 Monthly Net Income: \$3,311

23 The obligor may be able to seek reimbursement for day care or special child rearing
24 expenses not actually incurred. RCW 26.19.080.

25 3.4 SERVICE OF PROCESS.

SERVICE OF PROCESS ON THE OBLIGOR AT THE ADDRESS REQUIRED BY
PARAGRAPH 3.2 OR ANY UPDATED ADDRESS, OR ON THE OBLIGEE AT THE
ADDRESS REQUIRED BY PARAGRAPH 3.3 OR ANY UPDATED ADDRESS, MAY BE
ALLOWED OR ACCEPTED AS ADEQUATE IN ANY PROCEEDING TO ESTABLISH,
ENFORCE OR MODIFY A CHILD SUPPORT ORDER BETWEEN THE PARTIES BY
DELIVERY OF WRITTEN NOTICE TO THE OBLIGOR OR OBLIGEE AT THE LAST
ADDRESS PROVIDED.

1 3.5 TRANSFER PAYMENT.

2 The obligor parent shall pay the following amounts per month for the following children:

3 Name	Amount
4 T. Chaussee	\$454.50
5 P. Chaussee	\$454.50
6 TOTAL MONTHLY TRANSFER AMOUNT	\$ 909.00

7 If one of the children changes age brackets, the child support shall be as follows:

8 Effective May 1, 2006, the child T.C. will change age brackets, so support for the children shall be as follows:

9 T.C.	\$454.50
10 P.C.	\$535.50
11 Total	\$990.00

12 The court is granting the father a residential credit for time he spends with the children.
13 If the father exercises all of his residential time in a month, including regular weekends,
14 holidays, special occasions, and school vacations, but specifically excluding the
15 Wednesday afternoon visit, the father shall receive a \$25.00 credit per child against the
16 next month's child support. If the father misses any of the residential time, excluding the
17 Wednesday evenings, he shall not receive the credit in the next month.

18 If the father is entitled to receive a credit, it shall be first applied against any child
19 support arrears he owes to the mother. The credit shall be applied second against any
20 unpaid daycare expenses owed by the father to the mother.

21 Third, the credit shall be applied against unpaid medical and health insurance expenses
22 owed to the mother.

23 The credit shall be settled every six months between the parties. The first period of
24 credit shall be from January 1 of each year through June 30. The parties shall settle the
25 credit by July 31 through written correspondence accounting for the credit against child
support arrears, daycare, or medical bills. If no monies are owed by the father to the
mother, the mother shall inform the Division of Child Support who shall credit the
father's child support account in the amount of the deviation that he is entitled to
receive.

The parties shall also settle all credits for the period of July 1 through December 31 of
each year by January 31. The parties shall follow the same method as described
above.

1 THE OBLIGOR PARENT'S PRIVILEGES TO OBTAIN OR MAINTAIN A LICENSE,
2 CERTIFICATE, REGISTRATION, PERMIT, APPROVAL, OR OTHER SIMILAR
3 DOCUMENT ISSUED BY A LICENSING ENTITY EVIDENCING ADMISSION TO OR
4 GRANTING AUTHORITY TO ENGAGE IN A PROFESSION, OCCUPATION,
5 BUSINESS, INDUSTRY, RECREATIONAL PURSUIT, OR THE OPERATION OF A
6 MOTOR VEHICLE, MAY BE DENIED, OR MAY BE SUSPENDED IF THE OBLIGOR
7 PARENT IS NOT IN COMPLIANCE WITH THIS SUPPORT ORDER AS PROVIDED IN
8 CHAPTER 74.20A REVISED CODE OF WASHINGTON.

6 3.6 STANDARD CALCULATION.

7 \$722 per month. (See Worksheet line 15.)

8 3.7 REASONS FOR DEVIATION FROM STANDARD CALCULATION.

9 The child support amount ordered in paragraph 3.5 deviates from the standard
10 calculation for the following reasons:

11 The children spend(s) a significant amount of time with the parent who is
12 obligated to make a support transfer payment. The deviation does not result in
13 insufficient funds in the receiving parent's household to meet the basic needs of
14 the children. The children do not receive public assistance;

14 The factual basis for these reasons is as follows:

15 If the father exercises all of his residential time with the children, he shall be exercising
16 130 overnights per year. The father shall only be entitled to a deviation if he exercises
17 all of the overnights.

17 The father shall not be entitled to the deviation for November 2004 and December 2004
18 as he did not exercise all of his overnight residential time with the children.

18 3.8 REASONS WHY REQUEST FOR DEVIATION WAS DENIED.

19 Does not apply. A deviation was ordered.

20 3.9 STARTING DATE AND DAY TO BE PAID.

21 Starting Date: 4/1/2005

22 Day(s) of the month
23 support is due: 1st and 15th
24

1 3.10 INCREMENTAL PAYMENTS.

2 Does not apply.

3 3.11 HOW SUPPORT PAYMENTS SHALL BE MADE.

4 Select Enforcement and Collection, Payment Processing Only, or Direct Payment:

5 Enforcement and collection: The Division of Child Support (DCS) provides support
6 enforcement services for this case because: a parent has signed the application for
7 services from DCS on the last page of this support order. Support payments shall be
8 made to:

9 Washington State Support Registry
10 P.O. Box 45868
11 Olympia, WA 98504
12 Phone: 1-800-922-4306
13 or 1-800-442-5437

14 A party required to make payments to the Washington State Support Registry will not
15 receive credit for a payment made to any other party or entity. The obligor parent shall
16 keep the registry informed whether he or she has access to health insurance coverage
17 at reasonable cost and, if so, to provide the health insurance policy information.

18 3.12 WAGE WITHHOLDING ACTION.

19 Withholding action may be taken against wages, earnings, assets, or benefits, and liens
20 enforced against real and personal property under the child support statutes of this or
21 any other state, without further notice to the obligor parent at any time after entry of this
22 order unless an alternative provision is made below:

23 [If the court orders immediate wage withholding in a case where Division of Child
24 Support does not provide support enforcement services, a mandatory wage assignment
25 under Chapter 26.18 RCW must be entered and support payments must be made to the
Support Registry.]

3.13 TERMINATION OF SUPPORT.

Support shall be paid:

Until the children reach the age of 18, or as long as the children remain(s) enrolled in
high school, whichever occurs last, except as otherwise provided below in Paragraph

3.14.

3.14 POST SECONDARY EDUCATIONAL SUPPORT.

1 The right to petition for post secondary support is reserved, provided that the right is
 2 exercised before support terminates as set forth in paragraph 3.13.

3 3.15 PAYMENT FOR EXPENSES NOT INCLUDED IN THE TRANSFER PAYMENT.

4 The child support worksheets include \$311.50 per month of daycare costs paid by the
 5 mother for the two children. The mother shall provide the father with a copy of the prior
 6 month's daycare bill within 30 days of the end of the prior month.

7 The father shall have available to him all statutory remedies if he is overcharged
 8 for the daycare expense. Daycare shall include day camp for the children during
 9 the summer months from school.

10 If the daycare expense exceeds \$311.50 in any month, the father shall pay 50%
 11 of the amount in excess of \$311.50 and the mother shall pay 50% of the amount
 12 in excess of \$311.50. The father shall make the payment directly to the mother
 13 within 30 days of receiving a copy of the bill from the mother.

14 The court specifically denies the father's request for a first right of refusal to care
 15 for the children during the summer. The court finds the logistics are too difficult
 16 and will not order the right of first refusal.

17 3.16 PERIODIC ADJUSTMENT.

18 Child support shall be adjusted periodically as follows:

19 At the time that day care is no longer required for both T.C. and P.C., the child support
 20 shall be \$839.00 per month.

21 The parties shall exchange their tax returns with W-2 forms annually by May 1 of each
 22 year starting in 2006. The parties may motion the court for an adjustment of child
 23 support if there is a significant change in the incomes of either party.

24 3.17 INCOME TAX EXEMPTIONS.

25 Tax exemptions for the children shall be allocated as follows:

Each parent shall claim one tax exemption. The father shall claim T.C. every year so
 long as he is current in his child support, day care, medical insurance, and medical co-
 payments as of December 31 of the year claimed. If the father is not current as of
 December 31 in all expenses for the children, he shall not claim the exemption for the
 year. The mother shall claim the tax exemption for P.C. every year.

If only one tax exemption remains, the father shall claim the exemption for P.C. in even
 years provided the father is current in his child support obligation as provided previously
 within this paragraph and, the mother shall claim the tax exemption in odd years.

1 The father has 45 days from the date of entry of this order to pay off any judgment in full
 2 listed in the judgment summary of this order. If this judgment is not paid off in full within
 3 45 days, the father shall lose the tax exemption for T.C. for tax year 2005 regardless of
 4 whether he is current in his obligations as of December 31.

5 The parents shall sign the federal income tax dependency exemption waiver.

6 **3.18 MEDICAL INSURANCE FOR THE CHILDREN LISTED IN PARAGRAPH 3.1.**

7 Unless one or more of the alternatives below are checked, each parent shall maintain
 8 or provide health insurance coverage if:

9 (a) Coverage that can be extended to cover the children is or becomes available to each
 10 parent through employment or is union-related; and

11 (b) The cost of such coverage for the mother does not exceed \$183 (25 percent of
 12 mother's basic child support obligation on Worksheet line 7), and the cost of such
 13 coverage for the father does not exceed \$181 (25 percent of father's basic child support
 14 obligation on Worksheet Line 7).

15 The parent(s) shall maintain health insurance coverage, if available for the children
 16 listed in paragraph 3.1, until further order of the court or until health insurance is no
 17 longer available through the parents' employer or union and no conversion privileges
 18 exist to continue coverage following termination of employment.

19 A parent who is required under this order to provide health insurance coverage is liable
 20 for any covered health care costs for which that parent receives direct payment from an
 21 insurer.

22 A parent who is required under this order to provide health insurance coverage shall
 23 provide proof that such coverage is available or not available within twenty days of the
 24 entry of this order to the physical custodian or the Washington State Support Registry if
 25 the parent has been notified or ordered to make payments to the Washington State
 Support Registry.

If proof that health insurance coverage is available or not available is not provided within
 twenty days, the obligee or the Department of Social and Health Services may seek
 direct enforcement of the coverage through the obligor's employer or union without
 further notice to the obligor as provided under Chapter 26.18 RCW.

3.19 EXTRAORDINARY HEALTH CARE EXPENSES.

The OBLIGOR shall pay 50% of extraordinary health care expenses (the obligor's
 proportional share of income from the Child Support Schedule Worksheet, line 6), if
 monthly medical expenses exceed \$73 (5% of the basic support obligation from
 Worksheet line 5). The threshold amount listed in line 8.e. of the Child Support
 Worksheets in the amount of \$72.80 has already been met as a credit against the
 uninsured healthcare expense in the Child Support Worksheets. As a result, the father
 shall pay 50% of all extraordinary healthcare expenses regardless of the amount.

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3.20 BACK CHILD SUPPORT.

The obligee parent is awarded a judgment against the obligor parent in the amount of \$3,183.00 for back child support for the period from 1/11/04 to 03/31/05.

Other:

The father is receiving a credit for a child support payment he made in the amount of \$950.00 and an additional child support payment made in the amount of \$400.00. After crediting these two payments, the net judgment awarded to the Obligor parent is \$3,183.00.

3.21 BACK INTEREST.

No back interest is owed at this time.



Dated: 22 April 2005

[Signature]
Judge Brian Tollefson

Presented by:

Approved for entry:
Notice of presentation
waived:

[Signature]
Hillary A. Holmes
W.S.B.A. #26208
Attorney for Respondent

[Signature]
Jeffrey Robert Pollock
W.S.B.A. #25156
Attorney for Petitioner

I apply for full support enforcement services from the DSHS Division of Child Support.

[Signature]
Signature of Party



Washington State Child Support Schedule Worksheets (CSW)

Mother: Bree Ann Chaussee
County: PIERCE

Father: Joseph Scott Chaussee
Superior Court Number: 03-3-00694-6

Children and Ages: TC, 11; PC, 6			
Part I: Basic Child Support Obligation (See Instructions, Page 5)			
	Father	Mother	
1. Gross Monthly Income			
a. Wages and Salaries	\$4,071.95	\$4,258.00	
b. Interest and Dividend Income	-	-	
c. Business Income	-	-	
d. Spousal Maintenance Received	-	-	
e. Other Income	-	-	
f. Total Gross Monthly Income (add lines 1a through 1e)	\$4,071.95	\$4,258.00	
2. Monthly Deductions from Gross Income			
a. Income Taxes (Federal and State) Tax Year: Manual	\$505.04	\$551.55	
b. FICA (Soc. Sec. + Medicare)/Self-Employment Taxes	\$311.50	\$325.74	
c. State Industrial Insurance Deductions	-	-	
d. Mandatory Union/Professional Dues	-	-	
e. Pension Plan Payments	-	\$69.24	
f. Spousal Maintenance Paid	-	-	
g. Normal Business Expenses	-	-	
h. Total Deductions from Gross Income (add lines 2a through 2g)	\$816.54	\$946.53	
3. Monthly Net Income (line 1f minus 2h)	\$3,255.41	\$3,311.47	
4. Combined Monthly Net Income (Line 3 amounts combined) (If line 4 is less than \$600, skip to line 7.)		\$6,566.88	
5. BASIC CHILD SUPPORT OBLIGATION: Combined →			
TC \$728.00			
PC \$728.00			
-			
-			
		\$1456.00	

	Father	Mother
6. Proportional Share of Income (Each parent's net income from line 3 divided by line 4)	.496	.504
7. Each Parent's Basic Child Support Obligation (Multiply each number on line 6 by line 5) (If line 4 is less than \$600, enter each parent's support obligation of \$25 per child. Number of children: 2 (Skip to line 15a and enter this amount.)	\$722.18	\$733.82
Part II: Health Care, Day Care, and Special Child Rearing Expenses (See Instructions, Page 7)		
8. Health Care Expenses		
a. Children's Monthly Health Insurance	-	\$137.93
b. Children's Uninsured Monthly Health Care	-	-
c. Total Monthly Health Care Expenses (line 8a plus line 8b)	-	\$137.93
d. Combined Monthly Health Care Expenses (add father's and mother's totals from line 8c)	\$137.93	
e. Maximum Ordinary Monthly Health Care (multiply line 5 times .05)	\$72.80	
f. Extraordinary Monthly Health Care Expenses (line 8d minus line 8e., if "0" or negative, enter "0")	\$65.13	
9. Day Care and Special Child Rearing Expenses		
a. Day Care Expenses	-	\$311.50
b. Education Expenses	-	-
c. Long Distance Transportation Expenses	-	-
d. Other Special Expenses (describe)	-	-
e. Total Day Care and Special Expenses (Add lines 9a through 9d)	-	\$311.50
10. Combined Monthly Total Day Care and Special Expenses (Combine amounts on line 9e)	\$311.50	
11. Total Extraordinary Health Care, Day Care, and Special Expenses (line 8f plus line 10)	\$376.63	
12. Each Parent's Obligation for Extraordinary Health Care, Day Care, and Special Expenses (Multiply each number on line 6 by line 11)	\$186.81	\$189.82
Part III: Gross Child Support Obligation		
13. Gross Child Support Obligation (line 7 plus line 12)	\$908.99	\$923.64
Part IV: Child Support Credits (See Instructions, Page 7)		
14. Child Support Credits		
a. Monthly Health Care Expenses Credit	-	\$137.93
b. Day Care and Special Expenses Credit	-	\$311.50
c. Other Ordinary Expenses Credit (describe)	-	-
d. Total Support Credits (add lines 14a through 14c)	-	\$449.43

Other Household Income (continued)	Father's Household	Mother's Household
e. Income From Assistance Programs		
Program	-	-
Program	-	-
f. Other Income (describe)		
	-	-
	-	-
19. Non-Recurring Income (describe)		
	-	-
	-	-
20. Child Support Paid For Other Children		
Name/age:	-	-
Name/age:	-	-
21. Other Children Living In Each Household (First names and ages)		
22. Other Factors For Consideration		

Other factors for consideration (continued)

Signature and Dates

I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct.

Bree Anne Wilson Telephonic Approval
Mother's Signature Father's Signature

Date City Date City

[Signature]
Judge/Reviewing Officer

22 April 2005
Date

Worksheet certified by the State of Washington Administrator for the Courts.
Photocopying of the worksheet is permitted.





Washington State Child Support Schedule Worksheets (CSW)

Mother: Bree Ann Chaussee
County: PIERCE

Father: Joseph Scott Chaussee
Superior Court Number: 03-3-00694-6

Children and Ages: TC, 12; PC, 7			
Part I: Basic Child Support Obligation (See Instructions, Page 5)			
1. Gross Monthly Income	Father	Mother	
a. Wages and Salaries	\$4,071.95	\$4,258.00	
b. Interest and Dividend Income	-	-	
c. Business Income	-	-	
d. Spousal Maintenance Received	-	-	
e. Other Income	-	-	
f. Total Gross Monthly Income (add lines 1a through 1e)	\$4,071.95	\$4,258.00	
2. Monthly Deductions from Gross Income			
a. Income Taxes (Federal and State) Tax Year: Manual	\$505.04	\$551.55	
b. FICA (Soc.Sec.+Medicare)/Self-Employment Taxes	\$311.50	\$325.74	
c. State Industrial Insurance Deductions	-	-	
d. Mandatory Union/Professional Dues	-	-	
e. Pension Plan Payments	-	\$69.24	
f. Spousal Maintenance Paid	-	-	
g. Normal Business Expenses	-	-	
h. Total Deductions from Gross Income (add lines 2a through 2g)	\$816.54	\$946.53	
3. Monthly Net Income (line 1f minus 2h)	\$3,255.41	\$3,311.47	
4. Combined Monthly Net Income (Line 3 amounts combined) (If line 4 is less than \$600, skip to line 7.)		\$6,566.88	
5. BASIC CHILD SUPPORT OBLIGATION: Combined →			
TC \$899.00			
PC \$728.00		\$1627.00	
-			
-			

	Father	Mother
6. Proportional Share of Income (Each parent's net income from line 3 divided by line 4)	.496	.504
7. Each Parent's Basic Child Support Obligation (Multiply each number on line 6 by line 5) (If line 4 is less than \$600, enter each parent's support obligation of \$25 per child. Number of children: 2 (Skip to line 15a and enter this amount.)	\$806.99	\$820.01
Part II: Health Care, Day Care, and Special Child Rearing Expenses (See Instructions, Page 7)		
8. Health Care Expenses		
a. Children's Monthly Health Insurance	-	\$137.93
b. Children's Uninsured Monthly Health Care	-	-
c. Total Monthly Health Care Expenses (line 8a plus line 8b)	-	\$137.93
d. Combined Monthly Health Care Expenses (add father's and mother's totals from line 8c)		\$137.93
e. Maximum Ordinary Monthly Health Care (multiply line 5 times .05)		\$81.35
f. Extraordinary Monthly Health Care Expenses (line 8d minus line 8e., if "0" or negative, enter "0")		\$56.58
9. Day Care and Special Child Rearing Expenses		
a. Day Care Expenses	-	\$311.50
b. Education Expenses	-	-
c. Long Distance Transportation Expenses	-	-
d. Other Special Expenses (describe)		
	-	-
	-	-
	-	-
e. Total Day Care and Special Expenses (Add lines 9a through 9d)	-	\$311.50
10. Combined Monthly Total Day Care and Special Expenses (Combine amounts on line 9e)		\$311.50
11. Total Extraordinary Health Care, Day Care, and Special Expenses (line 8f plus line 10)		\$368.08
12. Each Parent's Obligation for Extraordinary Health Care, Day Care, and Special Expenses (Multiply each number on line 6 by line 11)	\$182.57	\$185.51
Part III: Gross Child Support Obligation		
13. Gross Child Support Obligation (line 7 plus line 12)	\$989.56	\$1005.52
Part IV: Child Support Credits (See Instructions, Page 7)		
14. Child Support Credits		
a. Monthly Health Care Expenses Credit	-	\$137.93
b. Day Care and Special Expenses Credit	-	\$311.50
c. Other Ordinary Expenses Credit (describe)		
	-	-
	-	-
	-	-
d. Total Support Credits (add lines 14a through 14c)	-	\$449.43

Other Household Income (continued)	Father's Household	Mother's Household
e. Income From Assistance Programs		
Program	-	-
Program	-	-
f. Other Income (describe)		
	-	-
	-	-
19. Non-Recurring Income (describe)		
	-	-
	-	-
20. Child Support Paid For Other Children		
Name/age:	-	-
Name/age:	-	-
21. Other Children Living In Each Household (First names and ages)		
22. Other Factors For Consideration		

Other factors for consideration (continued)

Signature and Dates

I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct.

Bnee Anne Wissa
Mother's Signature

Telephani Appasa
Father's Signature

Date City

Date City

[Signature]
Judge/Reviewing Officer

22 April 2005
Date

Worksheet certified by the State of Washington Administrator for the Courts.
Photocopying of the worksheet is permitted.



EXHIBIT "B"



03-3-00694-6 36270164 ORSW 04-22-11



**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE**

In re marriage of:

Joseph Scott Chaussee

Petitioner
and

Bree Ann Chaussee nka Feil

Respondent

NO: 03-3-00694-6

ORDER OF CHILD SUPPORT

(ORS)

Clerk's Action Required

I. JUDGMENT SUMMARY

1.1 JUDGMENT SUMMARY FOR ALL NON-MEDICAL EXPENSES

Does not apply.

1.2 JUDGMENT SUMMARY FOR MEDICAL SUPPORT

Does not apply.

II. BASIS

2.1 TYPE OF PROCEEDING

This order is entered under a petition for dissolution of marriage or domestic partnership, legal separation, or declaration concerning validity:

order of adjustment

2.2 CHILD SUPPORT WORKSHEET.

The child support worksheet which has been approved by the court is attached to this order and is incorporated by reference or has been initialed and filed separately and is incorporated by reference.

2.3 OTHER:

III. FINDINGS AND ORDER

IT IS ORDERED that:

3.1 CHILDREN FOR WHOM SUPPORT IS REQUIRED:

<u>Name</u>	<u>Age</u>
Preston Chaussee	12 years
Tanner Chaussee	16 years

3.2 PERSON PAYING SUPPORT (OBLIGOR):

Name: Joseph Scott Chaussee
 Birth Date: 04/04/1973
 Service Address: [You may list an address that is not your residential address where you agree to accept legal documents.]
 27213 86TH ST E
 BUCKLEY WA 98321-8200

The obligor parent must immediately file with the court and the Washington State Child Support Registry, and update as necessary, the Confidential Information Form required by RCW 26.23.050.

The obligor parent shall update the information required by paragraph 3.2 promptly after any change in the information. The duty to update the information continues as long as any support debt remains due under this Order.

For purposes of this Order of Child Support, the support obligation is based upon the following income:

C. The net income of the obligor is imputed at \$ 2740.00 ^{\$ 2169* for 1-1-11 to 1-1-12 then} ~~because~~ ^{beginning 1-1-12} } W
 the obligor's income is unknown ^{* Unemployment income} } H
 The amount of imputed income is based on the following in order of priority: The court has used the first option for which there is information: ^{** This is a 6 yr. + 3 month average of father's income}
 reliable historical rate of pay information

3.3 PERSON RECEIVING SUPPORT (OBLIGEE):

Name: Bree Ann Feil
 Birth Date: 02/23/1976
 Service Address: [You may list an address that is not your residential address where you agree to accept legal documents.]
 712 N CHELAN AVE
 WENATCHEE WA 98801

The obligee parent must immediately file with the court and the Washington State Child Support Registry, and update as necessary, the Confidential Information Form required by RCW 26.23.050.

The obligee parent shall update the information required by paragraph 3.2 promptly after any change in the information. The duty to update the information continues as long as any support debt remains due under this Order.

For purposes of this Order of Child Support, the support obligation is based upon the following income:

A. Actual Monthly Net Income: ⁷¹⁹⁷ ~~7705.00~~ *W** *SW* *(R2)* *W*

The obligor may be able to seek reimbursement for day care or special child rearing expenses not actually incurred. RCW 26.19.080

[] Other:

3.4 SERVICE OF PROCESS.

SERVICE OF PROCESS ON THE OBLIGOR AT THE ADDRESS REQUIRED BY PARAGRAPH 3.2 OR ANY UPDATED ADDRESS, OR ON THE OBLIGEE AT THE ADDRESS REQUIRED BY PARAGRAPH 3.3 OR ANY UPDATED ADDRESS, MAY BE ALLOWED OR ACCEPTED AS ADEQUATE IN ANY PROCEEDING TO ESTABLISH, ENFORCE OR MODIFY A CHILD SUPPORT ORDER BETWEEN THE PARTIES BY DELIVERY OF WRITTEN NOTICE TO THE OBLIGOR OR OBLIGEE AT THE LAST ADDRESS PROVIDED.

3.5 TRANSFER PAYMENT.

The obligor parent shall pay the following amounts per month for the following children:

Name	Amount	
Preston Chaussee	\$362 237.50	beginning <i>W*</i>
Tanner Chaussee	\$362 237.50	1-1-12 support
TOTAL MONTHLY TRANSFER AMOUNT	\$724 475	increases to \$568 pm (\$284) <i>pmc</i>

[X] Other: The provisions regarding residential credit in the Order of Child Support entered on 4/22/05 are to remain in full force and effect.

[] The parents' combined monthly net income exceeds \$12,000 and the court sets child support in excess of the presumptive amount for \$12,000 because:

[] The court finds that the obligor's child support obligations owed for all his or her biological or legal children exceeds 45% of his or her net income and it is [X] just [] unjust to apply the 45% limitation based upon the best interests of the child(ren) and the circumstances of each parent as follows: The court has not make a finding that it is unjust to exceed the 45% limitation.

[] If one of the children changes age brackets, the child support shall be as follows:

[] This is a downward modification that has caused an overpayment of \$ ____ This amount shall be repaid or credited as follows:

[] This is an upward modification that has caused an underpayment of \$ ____ This amount shall be paid as follows:

1 THE OBLIGOR PARENT'S PRIVILEGES TO OBTAIN OR MAINTAIN A LICENSE,
2 CERTIFICATE, REGISTRATION, PERMIT, APPROVAL, OR OTHER SIMILAR
3 DOCUMENT ISSUED BY A LICENSING ENTITY EVIDENCING ADMISSION TO
4 OR GRANTING AUTHORITY TO ENGAGE IN A PROFESSION, OCCUPATION,
5 BUSINESS, INDUSTRY, RECREATIONAL PURSUIT, OR THE OPERATION OF A
MOTOR VEHICLE, MAY BE DENIED, OR MAY BE SUSPENDED IF THE
OBLIGOR PARENT IS NOT IN COMPLIANCE WITH THIS SUPPORT ORDER AS
PROVIDED IN CHAPTER 74.20A REVISED CODE OF WASHINGTON.

6 3.6 STANDARD CALCULATION.

7 \$⁴⁷⁵~~224~~ per month. (See Worksheet, line 17.) #1 - ^{\$568} then see line 17 #2 *Wk*

8 3.7 REASONS FOR DEVIATION FROM STANDARD CALCULATION. *Wk*

9 The child support amount ordered in paragraph 3.5 does not deviate from the standard calculation. *Wk*

10 Other: The provisions in the Order of Child Support entered on 4/22/05 regarding the
11 father receiving residential credit if he exercises qualifying visitation are to remain in
full force and effect.

12 The child support amount ordered in paragraph 3.5 deviates from the standard
13 calculation for the following reasons:

14 Child Support actually paid or received for other children from other
relationships.

15 Extraordinary debt not voluntarily incurred.

16 Children from other relationships.

17 The obligor has established that it is unjust to apply the presumptive minimum
payment of \$50.00 per child.

18 The obligee has established that it is unjust to apply the self-support reserve.

19 The factual basis for these reasons is as follows:

20 3.8 REASONS WHY REQUEST FOR DEVIATION WAS DENIED.

21 Does not apply. A deviation was ordered.

22 A deviation was not requested.

23 The deviation sought by the obligor obligee was denied because:

24 no good reason exists to justify deviation.

25 other:

26 3.9 STARTING DATE AND DAY TO BE PAID:

27 **Starting Date: January 22, 2011**

28 **Day(s) of the month support is due: 15th**

3.10 INCREMENTAL PAYMENTS.

Does not apply

Other: Joseph Scott Chaussee's child support obligation for the months of _____ through _____ shall be \$ _____. Then commencing _____, Joseph Scott Chaussee's child support obligation will be \$ _____ thereafter.

1 3.11 HOW SUPPORT PAYMENTS SHALL BE MADE

2 Enforcement and collection: The Division of Child Support (DCS) provides support
3 enforcement services because: This is a public assistance case this is a case in which
4 a parent has requested services from DCS a parent has signed the application for services
5 from DCS on the last page of this support order. (Check all that apply.)

6 Support payments shall be made to:

7 **Washington State Support Registry**
8 **P. O. Box 45868**
9 **Olympia, WA 98504**
10 **Phone: 1-800-922-4306 or 1-800-442-5437**

11 When payments are to be made to the Support Registry, each party shall notify the Washington
12 State Support Registry of any change in residence address. A party required to make payments
13 to the Washington State Support Registry will not receive credit for a payment made to any
14 other party or entity. The obligor parent shall notify the registry of the name and address of his
15 or her current employer, whether he or she has access to health insurance coverage at
16 reasonable cost and, if so, the health insurance policy information.

17 3.12 WAGE WITHHOLDING

18 A notice of payroll deduction may be issued or other income withholding action under Chapter
19 26.18 RCW or Chapter 74.20A RCW may be taken, without further notice to the obligor parent
20 at any time after entry of this order unless an alternative provision is made below:

21 [If the court orders immediate wage withholding in a case where DCS does not provide support
22 enforcement services, a mandatory wage assignment under Chap 26.18 RCW must be entered
23 and support payments must be made to the Support Registry.]

24 [Wage withholding, by notice of payroll deduction or other income withholding action
25 under Chapter 26.18 RCW or Chapter 74.20A RCW, without further notice to the
26 obligor, is delayed until a payment is past due, because:

27 [the parties have reached a written agreement which the court approves that
28 provides for an alternate arrangement.

[the Division of Child Support provides support enforcement services for this
case [see 3.11] and there is good cause [as stated below under "Good Cause"]
not to require immediate income withholding which is in the best interests of
the child and, in modification cases, previously ordered child support has been
timely paid:
Good Cause:

3.13 TERMINATION OF SUPPORT

Support shall be paid: Until the child(ren) reach(es) the age of 18 or as long as the child(ren)
remain(s) enrolled in high school, whichever occurs last, except as otherwise provided below
in Paragraph 3.14.

3.14 POST SECONDARY EDUCATIONAL SUPPORT:

The provisions for post secondary educational support in the Order of Child Support entered
on 4/22/05 are in full force and effect.

3.15 PAYMENT FOR EXPENSES NOT INCLUDED IN THE TRANSFER PAYMENT

[X] Does not apply because all payments, except medical, are included in the transfer payment.

[] The mother shall pay 24% and the father 26% (each parent's proportional share of income from the child support schedule worksheet, line 6) of the following expenses incurred on behalf of the children listed in Paragraph 3.1:

- [] daycare that is work-related
- [] education expenses
- [] long distance transportation expenses
- [] other:

17 from 1-1-11-1-1-12 then 73%

*23% from 1-1-11-1-1-12 then 27%

Payments shall be made to [] the provider of the service or [] the parent receiving the transfer payment.

3.16 PERIODIC ADJUSTMENT.

The Order of Child Support may be adjusted or modified judicially on motion of either party after the father returns to work. The father shall provide proof of his income upon re-employment within 30 days of commencing employment. If the father fails to provide proof, any adjustment of child's support shall be retroactive to his date of commencing employment.

3.17 INCOME TAX EXEMPTIONS

The provisions for income tax exemptions in the Order of Child Support entered on 4/22/05 are in full force and effect.

3.18 MEDICAL SUPPORT - HEALTH INSURANCE

Each parent shall provide health insurance coverage for the children listed in paragraph 3.1, as follows:

3.18.1 HEALTH INSURANCE (either check box A(1), or check box A(2) and complete sections B and C. Section D applies in all cases)

A. Evidence

(1) [] There is insufficient evidence for the court to determine which parent must provide coverage and which parent must contribute a sum certain. Therefore, the court is not specifying how insurance coverage shall be provided. Both parents' medical support obligations may be enforced by the Division of Child Support or by the other parent under RCW 26.18.170 as described in paragraph 3.18 2, below.

OR

(2) [X] There is sufficient evidence for the court to determine which parent must provide coverage and which parent must contribute a sum certain. Fill B and C below.

B. Findings about insurance:

[] Does not apply because A(1) is checked above.
[X] The court makes the following findings:

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Mother

Father

Check at least one of the following findings.

Insurance coverage for the child(ren) is available and accessible to this parent at \$166 cost (child(ren)'s portion of the premium only).

Insurance coverage for the child(ren) is available but not accessible to this parent at \$ _____ cost (child(ren)'s portion of the premium, only).

Neither parent has available or accessible insurance through an employer or union; but this parent is able to provide private coverage at a cost not to exceed 25% of this parent's basic support obligation.

(Check only one parent) Both parties have available and accessible coverage for the child(ren). The court finds that this parent has better coverage considering the needs of the child(ren), the cost and extent of each parent's coverage, and the accessibility of the coverage.

Other:

C. Parents' obligations:

Does not apply because A(1) is checked above. The court makes the following orders:

Mother

Father

Check at least one of the following options.

This parent shall provide health insurance coverage for the child(ren) that is available through **employment or is union-related** as long as the cost of such coverage does not exceed 25% of this parent's basic support obligation.

This parent shall provide health insurance coverage for the child(ren) that is available through **employment or is union-related** even though the cost of such coverage exceeds 25% of this parent's basic support obligation. It is in the best interests of the child(ren) to provide such coverage despite the cost **because**

This parent shall provide **private** health insurance coverage for the child(ren) as long as the cost of such coverage does not exceed 25% of this parent's basic support obligation

This parent shall provide **private** health insurance coverage for the child(ren) even though the cost of such coverage exceeds 25% of this parent's basic support obligation. It is in the best interests of the child(ren) to provide such coverage despite the cost **because:**

This parent shall pay \$ _____ towards the health insurance premium being paid by the other parent. This amount is this parent's proportionate share of the premium or 25% of this parent's basic support obligation, whichever is less. This payment is only required if this parent is not providing insurance as described above.

This parent's contribution to the health insurance premium is calculated in the Worksheet and included in the transfer payment

1 [] [] This parent shall be **excused** from the responsibility to provide
2 health insurance coverage and from the responsibility to
3 provide monthly payment towards the premium **because**:
(Only one parent may be excused.)

4 D. Both Parents' obligation:

5 *If the child(ren) is(are) receiving state financed medical coverage, the Division of Child
6 Support may enforce the responsible parent's monthly premium.*

7 The parent(s) shall maintain health insurance coverage, if available for the child(ren)
8 listed paragraph 3.1, until further order of the court or until health insurance is no
longer available through the parents' employer or union and no conversion privileges
exist to continue coverage following termination of employment

9 A parent who is required under this order to provide health insurance coverage is liable
10 for any covered health costs for which that parent receives direct payment from an
insurer.

11 A parent who is required under this order to provide health insurance coverage shall
12 provide proof that such coverage is available or not available within 20 days of the
entry of this order to the other parent or the Washington State Support Registry if the
13 parent has been notified or ordered to make payments to the Washington State Support
Registry.

14 If proof that health insurance coverage is available or not available is not provided
15 within 20 days, the parent seeking enforcement or the Department of Social and Health
Services may seek direct enforcement of the coverage through the other parent's
16 employer or union without further notice to the other parent as provided under Chapter
26.18 RCW.

17 3.18.2 CHANGE OF CIRCUMSTANCES AND ENFORCEMENT

18 A parent required to provide health insurance coverage must notify both the Division of Child
Support and the other parent when coverage terminates.

19 If the parents' circumstances change, or if the court has not specified how medical support shall
20 be provided, the parents' medical support obligations will be enforced as provided in RCW
26.18.170. If a parent does not provide proof of accessible coverage for the children through
21 private insurance, a parent may be required to satisfy his or her medical support obligation by
doing one of the following, listed in order of priority:

- 22 1) Providing or maintaining health insurance coverage through the parent's
23 employer or union at a cost not to exceed 25% of that parent's basic support
obligation;
- 24 2) Contributing the parent's proportionate share of a monthly premium being paid
25 by the other parent for health insurance coverage for the children listed in
paragraph 3.1 of this order, not to exceed 25% of the obligated parent's basic
support obligation; or
- 26 3) Contributing the parent's proportionate share of a monthly premium paid by the
27 state if the child receives state-financed medical coverage through DSHS under
RCW 74.09 for which there is an assignment.

1 A parent seeking to enforce the obligation to provide health insurance coverage may apply for
2 support enforcement services from the Division of Child Support; file a motion for contempt
3 (use form WPF DRPSCU 05 0100, Motion/Declaration for an Order to Show Cause re
Contempt); or file a petition.

4 3.19 UNINSURED MEDICAL EXPENSES.

5 Both parents have an obligation to pay their share of uninsured medical expenses. The father
6 shall pay 26% of uninsured medical expenses (unless stated otherwise, the father's proportional
7 share of income from the Worksheet, line 6) and the mother shall pay 74% of uninsured
8 medical expenses (unless stated otherwise, the mother's proportional share of income from the
Worksheet, line 6).

23% from 1-1-11 - 1-1-12 then 27%

77% then 73%

8 3.20 BACK CHILD SUPPORT.

- 9 Back child support that may be owed is not affected by this order.
- 10 Unpaid support due under a court or administrative order is preserved for collection and
is not merged in or extinguished by this order.
- 11 Other:

11 3.21 PAST DUE UNPAID MEDICAL SUPPORT

- 12 Unpaid medical support that may be owed is not affected by this order.
- 13 Back interest that may be owed is not affected by this order.

14 3.22 OTHER UNPAID OBLIGATIONS

- 15 Other obligations that may be owed are not affected by this order.
- 16 Back interest that may be owed is not affected by this order.

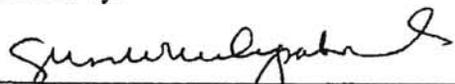
The Respondent is awarded a judgment against the Petitioner, Joseph Chaussee, in the amount of \$6597.12
for back medical expenses for the period of 2/09 to 4/10.

The Respondent is awarded a judgment
against the Petitioner for attorney's fees
& costs in the
amount of \$250.00

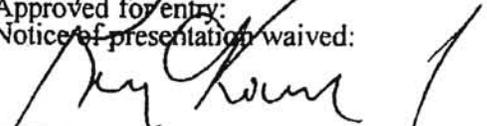
17 DATED: 4-22-11

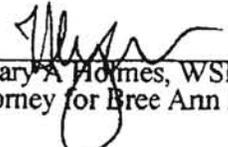

~~JUDGE~~/COURT COMMISSIONER
WENDY E ZICHT

19 Presented by:

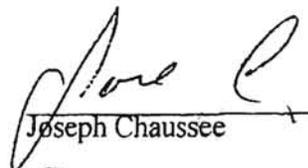
20 
21 Susan Wills Kirkpatrick, WSBA No: 14741
Deputy Prosecuting Attorney

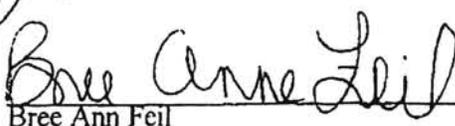
22 Approved for entry:
23 Notice of presentation waived:

24 
25 Barry C Kombol, WSBA No: 8145
Attorney for Joseph Chaussee

26 
27 Hillary A Holmes, WSBA No: 26208
28 Attorney for Bree Ann Feil

WENDY E. ZICHT
COURT COMMISSIONER


Joseph Chaussee


Bree Ann Feil





03-3-00694-6 36270160 ORRE 04-22-11



**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE**

In re marriage of:
Joseph Scott Chaussee
Petitioner
and
Bree Ann Chaussee nka Feil
Respondent

NO. 03-3-00694-6
ORDER RE ADJUSTMENT OF
CHILD SUPPORT
(OR)

I. BASIS

A motion for the adjustment of child support has been presented. The court has jurisdiction over the parties and over the subject matter.

II. FINDINGS

Based on the motion, the court FINDS that

- The motion for adjustment should be denied for the following reasons:
- The motion for adjustment should be granted because:
 - It is more than 24 months since the order was entered or since the last incremental change went into effect, whichever is later, and there has been a change in the incomes of the parties.
 - It is more than 24 months since the order was entered or since the last incremental change went into effect, whichever is later and there have been changes in the economic table or standards in RCW 26.19.
 - It has been 12 months since the order was entered and the order provides for support to be periodically adjusted.
 - The right to request post secondary support was reserved in the support order and there is a need to determine each parent's obligation.
 - The previous support order provided that the parents shall pay for post secondary support and there is a need to allocate the expenses.

1 [X] Incremental Increase (RCW 26.09.170(7)(c))

- 2 [X] An incremental increase was not requested.
- 3 [] An incremental increase should not be ordered because the modification of the obligor's child support obligation is not greater than 30 percent or the change will not cause a significant hardship.
- 4 [] An incremental increase should be ordered because the modification of the obligor's child support obligation is greater than 30 percent and the change will cause a significant hardship.
- 5 [] Other:

7 III. ORDER

8 It is ORDERED that:

- 9 [] The motion is denied.
- 10 [X] The motion is granted. The Order of Child Support signed by the court on this date and the child support worksheet, which has been approved by the court, are incorporated by reference as part of this order.

12 DONE IN OPEN COURT on 4-22-11.

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 14 _____
 15 COURT COMMISSIONER

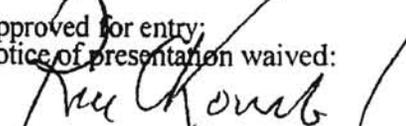
16 Presented By:

17 
 18 _____
 19 Susan Wills Kirkpatrick
 Deputy Prosecuting Attorney
 WSBA Number: 14741

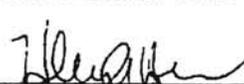
WENDY E. ZICHT
COURT COMMISSIONER



20 Approved for entry;
21 Notice of presentation waived:

22 
 23 _____
 24 Barry C Kombol
 Attorney for Joseph Scott Chaussee
 WSBA Number: 8145

Joseph S Chaussee

25 
 26 _____
 27 Hillary A Holmes
 Attorney for Bree Ann Feil
 WSBA Number: 26208

28 

 Bree Ann Feil



3/2011 13376 1520598

COPY FOR YOUR INFORMATION ONLY



SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE

In re marriage of:
Joseph Scott Chaussee
Petitioner
and
Bree Ann Chaussee nka Feil
Respondent

NO. 03-3-00694-6
ORDER RE ADJUSTMENT OF
CHILD SUPPORT
(OR)

I. BASIS

A motion for the adjustment of child support has been presented. The court has jurisdiction over the parties and over the subject matter.

II. FINDINGS

Based on the motion, the court FINDS that

- The motion for adjustment should be denied for the following reasons:
- The motion for adjustment should be granted because:
 - It is more than 24 months since the order was entered or since the last incremental change went into effect, whichever is later, and there has been a change in the incomes of the parties.
 - It is more than 24 months since the order was entered or since the last incremental change went into effect, whichever is later and there have been changes in the economic table or standards in RCW 26.19.
 - It has been 12 months since the order was entered and the order provides for support to be periodically adjusted.
 - The right to request post secondary support was reserved in the support order and there is a need to determine each parent's obligation.
 - The previous support order provided that the parents shall pay for post secondary support and there is a need to allocate the expenses.

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1 [X] Incremental Increase (RCW 26.09.170(7)(c))

- 2 [X] An incremental increase was not requested.
- 3 [] An incremental increase should not be ordered because the modification of the obligor's child support obligation is not greater than 30 percent or the change will not cause a significant hardship.
- 4 [] An incremental increase should be ordered because the modification of the obligor's child support obligation is greater than 30 percent and the change will cause a significant hardship.
- 5 [] Other:

7 III. ORDER

8 It is ORDERED that:

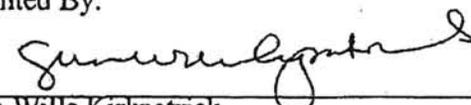
- 9 [X] The motion is denied.
- 10 [X] The motion is granted. The Order of Child Support signed by the court on this date and the child support worksheet, which has been approved by the court, are incorporated by reference as part of this order.

12 DONE IN OPEN COURT on 4-22-11



 COURT COMMISSIONER

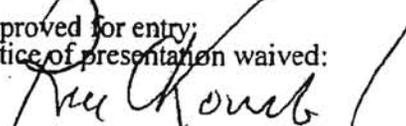
16 Presented By:



 Susan Wills Kirkpatrick
 Deputy Prosecuting Attorney
 WSBA Number: 14741

WENDY E. ZICHT
 COURT COMMISSIONER



Approved for entry:
 Notice of presentation waived:


 Barry C Kombol
 Attorney for Joseph Scott Chaussee
 WSBA Number: 8145

 Joseph S Chaussee



 Hillary A Holmes
 Attorney for Bree Ann Feil
 WSBA Number: 26208



 Bree Ann Feil



03-3-00694-6 36270168 JDSUM 04-22-11



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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

In Re the Matter of:
JOSEPH SCOTT CHAUSSEE, Petitioner,
and
BREE ANNE NEVA, Respondent.

NO. 03-3-00694-6

JUDGMENT SUMMARY

CLERK'S ACTION REQUIRED

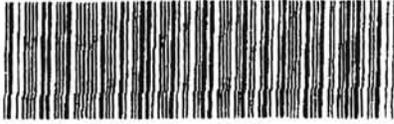
JUDGMENT SUMMARY

Judgment Creditor:	Bree Neva Kxa Bree Feil
Judgment Debtor:	Joseph Chaussee
Principal Judgment Amount: *	\$ <u>6587.12</u>
Interest to Date of Judgment:	\$ <u> </u>
Attorney's Fees:	\$ <u>250.00</u>
Costs:	\$ <u> </u>
Interest Rate:	12%
Other Recovery Amounts:	\$ <u> </u>

Principal judgment amount shall bear interest at 12% per annum.
 Attorney Fees, Costs and Other Recovery amounts shall bear interest at 12% per annum
 Attorney for Judgment Creditor: Hillary A. Holmes
 Attorney for Judgment Debtor: Barry Kumbol

* This is a judgment for the father's share of the children's uninsured medical expenses for the period of February 2009 through December 2010.

[Handwritten notes and signatures in a bracketed area on the right side of the page]



03-3-00694-6 36270164 ORSW 04-22-11



**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE**

In re marriage of:
Joseph Scott Chaussee
Petitioner
and
Bree Ann Chaussee nka Feil
Respondent

NO: 03-3-00694-6
ORDER OF CHILD SUPPORT
(ORS)
Clerk's Action Required

I. JUDGMENT SUMMARY

1.1 JUDGMENT SUMMARY FOR ALL NON-MEDICAL EXPENSES

Does not apply.

1.2 JUDGMENT SUMMARY FOR MEDICAL SUPPORT

Does not apply.

II. BASIS

2.1 TYPE OF PROCEEDING

This order is entered under a petition for dissolution of marriage or domestic partnership, legal separation, or declaration concerning validity.

order of adjustment

2.2 CHILD SUPPORT WORKSHEET.

The child support worksheet which has been approved by the court is attached to this order and is incorporated by reference or has been initialed and filed separately and is incorporated by reference.

2.3 OTHER:

III. FINDINGS AND ORDER

IT IS ORDERED that:

3.1 CHILDREN FOR WHOM SUPPORT IS REQUIRED:

<u>Name</u>	<u>Age</u>
Preston Chaussee	12 years
Tanner Chaussee	16 years

3.2 PERSON PAYING SUPPORT (OBLIGOR):

Name: Joseph Scott Chaussee
 Birth Date: 04/04/1973
 Service Address: [You may list an address that is not your residential address where you agree to accept legal documents.]
 27213 86TH ST E
 BUCKLEY WA 98321-8200

The obligor parent must immediately file with the court and the Washington State Child Support Registry, and update as necessary, the Confidential Information Form required by RCW 26.23.050.

The obligor parent shall update the information required by paragraph 3.2 promptly after any change in the information. The duty to update the information continues as long as any support debt remains due under this Order.

For purposes of this Order of Child Support, the support obligation is based upon the following income: *\$ 2169* for 1-1-11 to 1-1-12 then*

C. The net income of the obligor is imputed at \$ 2740.00 *because beginning 1-1-12*
 the obligor's income is unknown ** Unemployment income*

The amount of imputed income is based on the following in order of priority: The court has used the first option for which there is information: ** This is a 6 yr. + 3 month average of father's income*

[X] reliable historical rate of pay information

3.3 PERSON RECEIVING SUPPORT (OBLIGEE):

Name: Bree Ann Feil
 Birth Date: 02/23/1976
 Service Address: [You may list an address that is not your residential address where you agree to accept legal documents.]
 712 N CHELAN AVE
 WENATCHEE WA 98801

The obligee parent must immediately file with the court and the Washington State Child Support Registry, and update as necessary, the Confidential Information Form required by RCW 26.23.050.

The obligee parent shall update the information required by paragraph 3.2 promptly after any change in the information. The duty to update the information continues as long as any support debt remains due under this Order.

For purposes of this Order of Child Support, the support obligation is based upon the following income:

A. Actual Monthly Net Income: ~~\$7705.00~~ ⁷¹⁹⁷ *WA SW (RD) W*

The obligor may be able to seek reimbursement for day care or special child rearing expenses not actually incurred. RCW 26.19.080

[] Other:

3.4 SERVICE OF PROCESS.

SERVICE OF PROCESS ON THE OBLIGOR AT THE ADDRESS REQUIRED BY PARAGRAPH 3.2 OR ANY UPDATED ADDRESS, OR ON THE OBLIGEE AT THE ADDRESS REQUIRED BY PARAGRAPH 3.3 OR ANY UPDATED ADDRESS, MAY BE ALLOWED OR ACCEPTED AS ADEQUATE IN ANY PROCEEDING TO ESTABLISH, ENFORCE OR MODIFY A CHILD SUPPORT ORDER BETWEEN THE PARTIES BY DELIVERY OF WRITTEN NOTICE TO THE OBLIGOR OR OBLIGEE AT THE LAST ADDRESS PROVIDED.

3.5 TRANSFER PAYMENT.

The obligor parent shall pay the following amounts per month for the following children:

Name	Amount	
Preston Chaussee	\$362 237.50	beginning
Tanner Chaussee	\$362 237.50	1-1-12 support
TOTAL MONTHLY TRANSFER AMOUNT	\$724 475	increases to \$568 pm (\$284 pm) <i>PMAC</i>

[X] Other: The provisions regarding residential credit in the Order of Child Support entered on 4/22/05 are to remain in full force and effect.

[] The parents' combined monthly net income exceeds \$12,000 and the court sets child support in excess of the presumptive amount for \$12,000 because:

[] The court finds that the obligor's child support obligations owed for all his or her biological or legal children exceeds 45% of his or her net income and it is [X] just [] unjust to apply the 45% limitation based upon the best interests of the child(ren) and the circumstances of each parent as follows: The court has not make a finding that it is unjust to exceed the 45% limitation.

[] If one of the children changes age brackets, the child support shall be as follows:

[] This is a downward modification that has caused an overpayment of \$ ____ This amount shall be repaid or credited as follows:

[] This is an upward modification that has caused an underpayment of \$ ____ This amount shall be paid as follows:

1 THE OBLIGOR PARENT'S PRIVILEGES TO OBTAIN OR MAINTAIN A LICENSE,
2 CERTIFICATE, REGISTRATION, PERMIT, APPROVAL, OR OTHER SIMILAR
3 DOCUMENT ISSUED BY A LICENSING ENTITY EVIDENCING ADMISSION TO
4 OR GRANTING AUTHORITY TO ENGAGE IN A PROFESSION, OCCUPATION,
5 BUSINESS, INDUSTRY, RECREATIONAL PURSUIT, OR THE OPERATION OF A
6 MOTOR VEHICLE, MAY BE DENIED, OR MAY BE SUSPENDED IF THE
7 OBLIGOR PARENT IS NOT IN COMPLIANCE WITH THIS SUPPORT ORDER AS
8 PROVIDED IN CHAPTER 74.20A REVISED CODE OF WASHINGTON.

9 3.6 STANDARD CALCULATION.

10 \$ ⁴⁷⁵24 per month. (See Worksheet, line 17. #1 - then sell line 17 #2 WA
11 ^{\$568} 4 6
12 (2) 6

13 3.7 REASONS FOR DEVIATION FROM STANDARD CALCULATION.

14 The child support amount ordered in paragraph 3.5 does not deviate from the standard
15 calculation.

16 Other: The provisions in the Order of Child Support entered on 4/22/05 regarding the
17 father receiving residential credit if he exercises qualifying visitation are to remain in
18 full force and effect.

19 The child support amount ordered in paragraph 3.5 deviates from the standard
20 calculation for the following reasons:

21 Child Support actually paid or received for other children from other
22 relationships.

23 Extraordinary debt not voluntarily incurred.

24 Children from other relationships.

25 The obligor has established that it is unjust to apply the presumptive minimum
26 payment of \$50.00 per child.

27 The obligee has established that it is unjust to apply the self-support reserve.

28 The factual basis for these reasons is as follows:

3.8 REASONS WHY REQUEST FOR DEVIATION WAS DENIED.

Does not apply. A deviation was ordered.
 A deviation was not requested.
The deviation sought by the obligor obligee was denied because:
 no good reason exists to justify deviation.
 other:

3.9 STARTING DATE AND DAY TO BE PAID:

Starting Date: January 22, 2011
Day(s) of the month support is due: 15th

3.10 INCREMENTAL PAYMENTS.

Does not apply
Other: Joseph Scott Chaussee's child support obligation for the months of
_____ through _____ shall be \$ _____. Then commencing
_____, Joseph Scott Chaussee's child support obligation will be \$ _____
thereafter.

1 3.11 HOW SUPPORT PAYMENTS SHALL BE MADE

2 Enforcement and collection: The Division of Child Support (DCS) provides support
3 enforcement services because: This is a public assistance case this is a case in which
4 a parent has requested services from DCS a parent has signed the application for services
5 from DCS on the last page of this support order. (Check all that apply.)

6 Support payments shall be made to:

7 **Washington State Support Registry**
8 **P. O. Box 45868**
9 **Olympia, WA 98504**
10 **Phone: 1-800-922-4306 or 1-800-442-5437**

11 When payments are to be made to the Support Registry, each party shall notify the Washington
12 State Support Registry of any change in residence address. A party required to make payments
13 to the Washington State Support Registry will not receive credit for a payment made to any
14 other party or entity. The obligor parent shall notify the registry of the name and address of his
15 or her current employer, whether he or she has access to health insurance coverage at
16 reasonable cost and, if so, the health insurance policy information .

17 3.12 WAGE WITHHOLDING

18 A notice of payroll deduction may be issued or other income withholding action under Chapter
19 26.18 RCW or Chapter 74.20A RCW may be taken, without further notice to the obligor parent
20 at any time after entry of this order unless an alternative provision is made below:

21 [If the court orders immediate wage withholding in a case where DCS does not provide support
22 enforcement services, a mandatory wage assignment under Chap 26.18 RCW must be entered
23 and support payments must be made to the Support Registry.]

- 24 Wage withholding, by notice of payroll deduction or other income withholding action
25 under Chapter 26.18 RCW or Chapter 74.20A RCW, without further notice to the
26 obligor, is delayed until a payment is past due, because :
27 the parties have reached a written agreement which the court approves that
28 provides for an alternate arrangement.
 the Division of Child Support provides support enforcement services for this
case [see 3.11] and there is good cause [as stated below under "Good Cause"]
not to require immediate income withholding which is in the best interests of
the child and, in modification cases, previously ordered child support has been
timely paid:
Good Cause:

3.13 TERMINATION OF SUPPORT

Support shall be paid: Until the child(ren) reach(es) the age of 18 or as long as the child(ren)
remain(s) enrolled in high school, whichever occurs last, except as otherwise provided below
in Paragraph 3.14.

3.14 POST SECONDARY EDUCATIONAL SUPPORT:

The provisions for post secondary educational support in the Order of Child Support entered
on 4/22/05 are in full force and effect.

3.15 PAYMENT FOR EXPENSES NOT INCLUDED IN THE TRANSFER PAYMENT

[X] Does not apply because all payments, except medical, are included in the transfer payment.

[] The mother shall pay 24% and the father 26% (each parent's proportional share of income from the child support schedule worksheet, line 6) of the following expenses incurred on behalf of the children listed in Paragraph 3.1:

- [] daycare that is work-related
- [] education expenses
- [] long distance transportation expenses
- [] other:

17 from 1-11-11-12 then 73%

**23% from 1-11-11-12 then 27%*

Payments shall be made to [] the provider of the service or [] the parent receiving the transfer payment.

Handwritten initials and marks

3.16 PERIODIC ADJUSTMENT.

The Order of Child Support may be adjusted or modified judicially on motion of either party after the father returns to work. *The father shall provide proof of his income upon re-employment within 30 days of commencing employment. If the father fails to provide proof, any adjustment of child support shall be retroactive to his date of commencing employment.*

3.17 INCOME TAX EXEMPTIONS

The provisions for income tax exemptions in the Order of Child Support entered on 4/22/05 are in full force and effect.

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3.18 MEDICAL SUPPORT - HEALTH INSURANCE

Each parent shall provide health insurance coverage for the children listed in paragraph 3.1, as follows:

3.18.1 HEALTH INSURANCE (either check box A(1), or check box A(2) and complete sections B and C. **Section D applies in all cases**)

A. Evidence

(1) [] There is insufficient evidence for the court to determine which parent must provide coverage and which parent must contribute a sum certain. Therefore, the court is not specifying how insurance coverage shall be provided. Both parents' medical support obligations may be enforced by the Division of Child Support or by the other parent under RCW 26.18.170 as described in paragraph 3.18.2, below.

OR

(2) [X] There is sufficient evidence for the court to determine which parent must provide coverage and which parent must contribute a sum certain. Fill B and C below.

B. Findings about insurance:

[] Does not apply because A(1) is checked above.
[X] The court makes the following findings:

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Mother **Father** **Check at least one of the following findings.**

- Insurance coverage for the child(ren) is available and accessible to this parent at \$166 cost (child(ren)'s portion of the premium only).
- Insurance coverage for the child(ren) is available but not accessible to this parent at \$_____ cost (child(ren)'s portion of the premium, only).
- Neither parent has available or accessible insurance through an employer or union; but this parent is able to provide private coverage at a cost not to exceed 25% of this parent's basic support obligation.
- (Check only one parent) Both parties have available and accessible coverage for the child(ren). The court finds that this parent has better coverage considering the needs of the child(ren), the cost and extent of each parent's coverage, and the accessibility of the coverage.
- Other:

C. Parents' obligations:

- Does not apply because A(1) is checked above.
- The court makes the following orders:

Mother **Father** **Check at least one of the following options.**

- This parent shall provide health insurance coverage for the child(ren) that is available through **employment or is union-related** as long as the cost of such coverage does not exceed 25% of this parent's basic support obligation.
- This parent shall provide health insurance coverage for the child(ren) that is available through **employment or is union-related** even though the cost of such coverage exceeds 25% of this parent's basic support obligation. It is in the best interests of the child(ren) to provide such coverage despite the cost **because**
- This parent shall provide **private** health insurance coverage for the child(ren) as long as the cost of such coverage does not exceed 25% of this parent's basic support obligation
- This parent shall provide **private** health insurance coverage for the child(ren) even though the cost of such coverage exceeds 25% of this parent's basic support obligation. It is in the best interests of the child(ren) to provide such coverage despite the cost **because:**
- This parent shall pay \$_____ towards the health insurance premium being paid by the other parent. This amount is this parent's proportionate share of the premium or 25% of this parent's basic support obligation, whichever is less. This payment is only required if this parent is not providing insurance as described above.
- This parent's contribution to the health insurance premium is calculated in the Worksheet and included in the transfer payment

[] [] This parent shall be excused from the responsibility to provide health insurance coverage and from the responsibility to provide monthly payment towards the premium because: (Only one parent may be excused.)

D. Both Parents' obligation:

If the child(ren) is(are) receiving state financed medical coverage, the Division of Child Support may enforce the responsible parent's monthly premium.

The parent(s) shall maintain health insurance coverage, if available for the child(ren) listed paragraph 3.1, until further order of the court or until health insurance is no longer available through the parents' employer or union and no conversion privileges exist to continue coverage following termination of employment

A parent who is required under this order to provide health insurance coverage is liable for any covered health costs for which that parent receives direct payment from an insurer.

A parent who is required under this order to provide health insurance coverage shall provide proof that such coverage is available or not available within 20 days of the entry of this order to the other parent or the Washington State Support Registry if the parent has been notified or ordered to make payments to the Washington State Support Registry.

If proof that health insurance coverage is available or not available is not provided within 20 days, the parent seeking enforcement or the Department of Social and Health Services may seek direct enforcement of the coverage through the other parent's employer or union without further notice to the other parent as provided under Chapter 26.18 RCW.

3.18.2 CHANGE OF CIRCUMSTANCES AND ENFORCEMENT

A parent required to provide health insurance coverage must notify both the Division of Child Support and the other parent when coverage terminates.

If the parents' circumstances change, or if the court has not specified how medical support shall be provided, the parents' medical support obligations will be enforced as provided in RCW 26.18.170. If a parent does not provide proof of accessible coverage for the children through private insurance, a parent may be required to satisfy his or her medical support obligation by doing one of the following, listed in order of priority:

- 1) Providing or maintaining health insurance coverage through the parent's employer or union at a cost not to exceed 25% of that parent's basic support obligation;
- 2) Contributing the parent's proportionate share of a monthly premium being paid by the other parent for health insurance coverage for the children listed in paragraph 3.1 of this order, not to exceed 25% of the obligated parent's basic support obligation; or
- 3) Contributing the parent's proportionate share of a monthly premium paid by the state if the child receives state-financed medical coverage through DSHS under RCW 74.09 for which there is an assignment.

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A parent seeking to enforce the obligation to provide health insurance coverage may apply for support enforcement services from the Division of Child Support; file a motion for contempt (use form WPF DRPSCU 05 0100, Motion/Declaration for an Order to Show Cause re Contempt); or file a petition.

3.19 UNINSURED MEDICAL EXPENSES.

Both parents have an obligation to pay their share of uninsured medical expenses. The father shall pay ^{23% from 1-1-11 - 1-1-12 then 27%} 26% of uninsured medical expenses (unless stated otherwise, the father's proportional share of income from the Worksheet, line 6) and the mother shall pay ^{77% then 73%} 74% of uninsured medical expenses (unless stated otherwise, the mother's proportional share of income from the Worksheet, line 6).

3.20 BACK CHILD SUPPORT.

- Back child support that may be owed is not affected by this order.
- Unpaid support due under a court or administrative order is preserved for collection and is not merged in or extinguished by this order.
- Other:

3.21 PAST DUE UNPAID MEDICAL SUPPORT

- Unpaid medical support that may be owed is not affected by this order.
- Back interest that may be owed is not affected by this order.

3.22 OTHER UNPAID OBLIGATIONS ^{The Respondent is awarded a judgment against the Petitioner, Joseph Chaussee, in the amount of \$6537.12 for back medical expenses for the period of 2/09 to 4/10.}

- Other obligations that may be owed are not affected by this order. ^{The Respondent is awarded a judgment against the Petitioner for attorney's fees + costs in the amount of \$250.00}
- Back interest that may be owed is not affected by this order.

DATED: 4-22-11

Wendy E. Zicht
~~JUDGE~~ COURT COMMISSIONER
WENDY E ZICHT

Presented by:

Susan Wills Kirkpatrick
Susan Wills Kirkpatrick, WSBA No: 14741
Deputy Prosecuting Attorney

WENDY E. ZICHT
COURT COMMISSIONER



Approved for entry:
Notice of presentation waived:
Barry C Kombol
Barry C Kombol, WSBA No: 8145
Attorney for Joseph Chaussee

Joseph Chaussee
Joseph Chaussee

Hillary A Holmes
Hillary A Holmes, WSBA No: 26208
Attorney for Bree Ann Feil

Bree Ann Feil
Bree Ann Feil

1-1-11 to 1-1-12 #1

Washington State Child Support Schedule Worksheets

Proposed by (name) _____ State of WA Other _____ (CSWP)
Or, Signed by the Judicial/Reviewing Officer. (CSW)

Mother Feil, Bree Ann Father Chaussee, Joseph Scott

County PIERCE Case No. 03-3-00694-6

Child Support Order Summary Report

This section must be completed for all Worksheets signed by the judicial/reviewing officer.

A The order *does* *does not* replace a prior court or administrative order

B. The **Standard Calculation** listed on line 17 of the Worksheet for the paying parent is
 \$ 588 475

C The **Transfer Amount** ordered by the Court from the Order of Child Support is \$ 588 475 to be paid by mother father.

D. The Court deviated (changed) from the **Standard Calculation** for the following reasons.
 Does not apply
 Nonrecurring income Sources of income and tax planning
 Split custody Residential schedule (including shared custody)
 Children from other relationships for whom the parent owes support
 High debt not voluntarily incurred and high expenses for the child(ren)
 Other (please describe). _____

E Income for the Father is imputed actual income
 Income for the Mother is imputed actual income

 Income was imputed for the following reasons _____

F If applicable All health care, day care and special child rearing expenses are included in the worksheets in Part III

Part III: Health Care, Day Care, and Special Child Rearing Expenses (See Instructions, Page 8)		
10. Health Care Expenses	Father	Mother
a Monthly Health Insurance Premiums Paid for Child(ren)	\$ -	\$ 166
b Uninsured Monthly Health Care Expenses Paid for Child(ren)	\$ -	\$ -
c. Total Monthly Health Care Expenses (line 10a plus 10b)	\$ -	\$ 166
d. Combined Monthly Health Care Expenses (add father's and mother's totals from line 10c)	\$ 166	
11 Day Care and Special Child Rearing Expenses		
a Day Care Expenses	\$ -	\$ -
b Education Expenses	\$ -	\$ -
c Long Distance Transportation Expenses	\$ -	\$ -
d Other Special Expenses (describe)	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
e Total Day Care and Special Expenses (Add lines 11a through 11d)	\$ -	\$ -
12 Combined Monthly Total Day Care and Special Expenses (add father's and mother's day care and special expenses from line 11e)	\$ -	
13 Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)	\$ 166	
14 Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	\$ 38 37	\$ 128 129
Part IV: Gross Child Support Obligation		
15. Gross Child Support Obligation (line 9 plus line 14)	\$ 588	\$ 2,082
Part V: Child Support Credits (See Instructions, Page 9)		
	475	1583
16. Child Support Credits		
a Monthly Health Care Expenses Credit	\$ -	\$ 166
b Day Care and Special Expenses Credit	\$ -	\$ -
c Other Ordinary Expenses Credit (describe)		
	\$ -	\$ -
d Total Support Credits (add lines 16a through 16c)	\$ -	\$ 166
Part VI: Standard Calculation/Presumptive Transfer Payment (See Instructions, Page 9)		
17. Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$ 475 588	\$ 1417 1,916
Part VII: Additional Informational Calculations		
18 45 % of each parent's net income from line 3 (45 x amount from line 3 for each parent)	\$ 976	\$ 3,239 3,467
19 25% of each parent's basic support obligation from line 9 (25 x amount from line 9 for each parent)	\$ 138	\$ 488

Part VIII: Additional Factors for Consideration (See Instructions, Page 9)		
20 Household Assets (List the estimated present value of all major household assets)	Father's Household	Mother's Household
a Real Estate	\$ -	\$ -
b. Investments	\$ -	\$ -
c Vehicles and Boats	\$ -	\$ -
d Bank Accounts and Cash	\$ -	\$ -
e Retirement Accounts	\$ -	\$ -
f Other (describe)	\$ -	\$ -
	\$ -	\$ -
21 Household Debt (List liens against household assets, extraordinary debt.)		
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
22. Other Household Income		
a. Income Of Current Spouse or Domestic Partner (if not the other parent of this action) Name <u>DOUGLAS</u> Name _____	\$ - \$ -	\$ 2,700 \$ -
b. Income Of Other Adults In Household Name _____ Name _____	\$ - \$ -	\$ - \$ -
c. Gross income from overtime or from second jobs the party is asking the court to exclude per Instruction, Page 10	\$ -	\$ -
d Income Of Children (if considered extraordinary) Name _____ Name _____	\$ - \$ -	\$ - \$ -
e Income From Child Support Name _____ Name _____	\$ - \$ -	\$ - \$ -
f Income From Assistance Programs Program _____ Program _____	\$ - \$ -	\$ - \$ -
g Other Income (describe) _____ _____	\$ - \$ -	\$ - \$ -
23 Non-Recurring Income (describe) _____	\$ - \$ -	\$ - \$ -

Beginning 1-1-12 #2

Washington State Child Support Schedule Worksheets

[] Proposed by [] (name) _____ [] State of WA [] Other _____ (CSWP)
Or, [] Signed by the Judicial/Reviewing Officer (CSW)

Mother Feil, Bree Ann Father Chaussee, Joseph Scott

County PIERCE Case No. 03-3-00694-6

Child Support Order Summary Report

This section must be completed for all Worksheets signed by the judicial/reviewing officer.

W
B

A The order does [] does not replace a prior court or administrative order

B The **Standard Calculation** listed on line 17 of the Worksheet for the paying parent is.
\$ 724 568

C The **Transfer Amount** ordered by the Court from the Order of Child Support is \$ 724 568 to be paid by [] mother father

D The Court deviated (changed) from the **Standard Calculation** for the following reasons
 Does not apply
 Nonrecurring income [] Sources of income and tax planning
 Split custody [] Residential schedule (including shared custody)
 Children from other relationships for whom the parent owes support
 High debt not voluntarily incurred and high expenses for the child(ren)
 Other (please describe) _____

E Income for the Father is imputed [] actual income
 Income for the Mother is [] imputed actual income

Income was imputed for the following reasons FATHER: HistoricalPayRate - FATHER IS UNEMPLOYED

F If applicable [] All health care, day care and special child rearing expenses are included in the worksheets in Part III

Worksheets

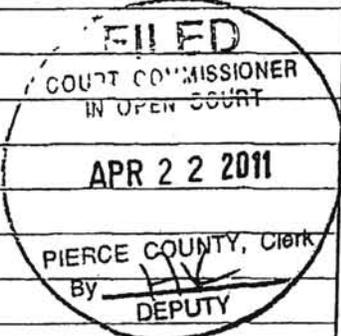
Children and Ages: Tanner/16, Preston/12		
Part I: Income (See Instructions, Page 6)		
	Father	Mother
1 Gross Monthly Income		
a Wages and Salaries	\$ -	\$ 9,924
b Interest and Dividend Income	\$ -	\$ -
c Business Income	\$ -	\$ -
d Maintenance Received	\$ -	\$ -
e Other Income	\$ -	\$ -
f Imputed Income	\$ 3,343	\$ -
g Total Gross Monthly Income (add lines 1a through 1f)	\$ 3,343	\$ 9,924
2 Monthly Deductions from Gross Income		
a Income Taxes (Federal and State)	\$ 394	\$ 1,285
b FICA (Soc Sec +Medicare)/Self-Employment Taxes	\$ 189	\$ 518
c State Industrial Insurance Deductions	\$ -	\$ -
d Mandatory Union/Professional Dues	\$ 20	\$ -
e Mandatory Pension Plan Payments	\$ -	\$ -
f Voluntary Retirement Contributions	\$ -	\$ 416
g Maintenance Paid	\$ -	\$ -
h Normal Business Expenses	\$ -	\$ -
i Total Deductions from Gross Income (add lines 2a through 2h)	\$ 603	\$ 2,219
3 Monthly Net Income (line 1g minus 2i)	\$ 2,740	\$ 7,705
4 Combined Monthly Net Income (add father's and mother's monthly net incomes from line 3)	\$ 10,445	
5 Basic Child Support Obligation (enter total amount in box -->)		
Child #1 <u>1,299</u> <u>946</u> Child #3 _____ Child #5 _____		9937
Child #2 <u>1,299</u> <u>946</u> Child #4 _____		1892
		\$ 2,598
6 Proportional Share of Income (each parent's net income from line 3 divided by line 4)	0.262	0.738
Part II: Basic Child Support Obligation (See Instructions, Page 7)	0.276	0.724
7 Each Parent's Basic Child Support Obligation without consideration of low income limitations. (Multiply each number on line 6 by line 5)	\$ 522 681	\$ 1370 1,917
8 Calculating low-income limitations Complete those that apply		
Self-Support Reserve (125% of the Federal Poverty Guideline)	\$ 1,134	
a Is Combined Net Income Less Than \$1,000? If yes, for each parent enter the presumptive \$50 per child.	\$ 0	\$ 0
b Is Monthly Net Income Less Than Self-Support Reserve? If yes: for that parent enter the presumptive \$50 per child.	\$ 0	\$ 0
c Is Monthly Net Income Greater Than Self-Support Reserve? If yes: For each parent subtract the self-support reserve from line 3. If that amount is less than line 7, then enter that amount or the presumptive \$50 per child, whichever is greater	\$ 0	\$ 0
9 Each parent's basic child support obligation after calculating applicable limitations For each parent, enter the lowest amount from line 7, 8a - 8c, but not less than the presumptive \$50 per child	\$ 522 681	\$ 1370 1,917

7197

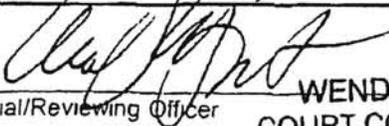
Part III: Health Care, Day Care, and Special Child Rearing Expenses (See Instructions, Page 8)		
10. Health Care Expenses	Father	Mother
a. Monthly Health Insurance Premiums Paid for Child(ren)	\$ -	\$ 166
b. Uninsured Monthly Health Care Expenses Paid for Child(ren)	\$ -	\$ -
c. Total Monthly Health Care Expenses (line 10a plus 10b)	\$ -	\$ 166
d. Combined Monthly Health Care Expenses (add father's and mother's totals from line 10c)	\$ 166	\$ -
11 Day Care and Special Child Rearing Expenses		
a. Day Care Expenses	\$ -	\$ -
b. Education Expenses	\$ -	\$ -
c. Long Distance Transportation Expenses	\$ -	\$ -
d. Other Special Expenses (describe)	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
e. Total Day Care and Special Expenses (Add lines 11a through 11d)	\$ -	\$ -
12 Combined Monthly Total Day Care and Special Expenses (add father's and mother's day care and special expenses from line 11e)	\$ -	\$ -
13 Total Health Care, Day Care, and Special Expenses (line 10d plus line 12)	\$ 166	\$ -
14 Each Parent's Obligation for Health Care, Day Care, and Special Expenses (multiply each number on line 6 by line 13)	\$ 46 43	\$ 120 123
Part IV: Gross Child Support Obligation		
15 Gross Child Support Obligation (line 9 plus line 14)	\$ 724	\$ 2,040
Part V: Child Support Credits (See Instructions, Page 9)		
16 Child Support Credits	568	1490
a. Monthly Health Care Expenses Credit	\$ -	\$ 166
b. Day Care and Special Expenses Credit	\$ -	\$ -
c. Other Ordinary Expenses Credit (describe)	\$ -	\$ -
d. Total Support Credits (add lines 16a through 16c)	\$ -	\$ 166
Part VI: Standard Calculation/Presumptive Transfer Payment (See Instructions, Page 9)		
17 Standard Calculation (line 15 minus line 16d or \$50 per child whichever is greater)	\$ 568 724	\$ 1304 1,874
Part VII: Additional Informational Calculations		
18 45 % of each parent's net income from line 3 (45 x amount from line 3 for each parent)	\$ 1233 1,233	\$ 3239 3,487
19 25% of each parent's basic support obligation from line 9 (25 x amount from line 9 for each parent)	\$ 131 170	\$ 343 479

Part VIII: Additional Factors for Consideration (See Instructions, Page 9)		
20 Household Assets (List the estimated present value of all major household assets)	Father's Household	Mother's Household
a Real Estate	\$ -	\$ -
b Investments	\$ -	\$ -
c. Vehicles and Boats	\$ -	\$ -
d Bank Accounts and Cash	\$ -	\$ -
e Retirement Accounts	\$ -	\$ -
f Other (describe)	\$ -	\$ -
	\$ -	\$ -
21. Household Debt (List liens against household assets, extraordinary debt)		
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
22 Other Household Income		
a Income Of Current Spouse or Domestic Partner (if not the other parent of this action) Name <u>DOUGLAS</u> Name _____	\$ - \$ -	\$ 2,700 \$ -
b. Income Of Other Adults In Household Name _____ Name _____	\$ - \$ -	\$ - \$ -
c Gross income from overtime or from second jobs the party is asking the court to exclude per Instruction, Page 10	\$ -	\$ -
d Income Of Children (if considered extraordinary) Name _____ Name _____	\$ - \$ -	\$ - \$ -
e Income From Child Support Name _____ Name _____	\$ - \$ -	\$ - \$ -
f Income From Assistance Programs Program _____ Program _____	\$ - \$ -	\$ - \$ -
g Other Income (describe) _____ _____	\$ - \$ -	\$ - \$ -
23 Non-Recurring Income (describe) _____	\$ - \$ -	\$ - \$ -

24 Child Support Owed, Monthly, for Biological or Legal Children	Father's Household	Mother's Household
Name/age _____ Paid [] Yes [] No	\$ -	\$ -
Name/age _____ Paid [] Yes [] No	\$ -	\$ -
Name/age _____ Paid [] Yes [] No	\$ -	\$ -
25. Other Children Living In Each Household		
(First names and ages)		
26. Other Factors for Consideration (Attach additional pages as necessary)		
See attached pages for additional information.		



Signature and Dates	
I declare, under penalty of perjury under the laws of the State of Washington, the information contained in these Worksheets is complete, true, and correct	
	
Mother's Signature	Father's Signature
4/22/11	April 22, 2011 Tacoma WA
Date	Date
City	City



WENDY E. ZICHT
COURT COMMISSIONER

April 22, 2011

Judicial/Reviewing Officer

This worksheet has been certified by the State of Washington Office of the Administrator for the Courts
 Photocopying of the worksheet is permitted.

26. Other factors (cont)

FATHER'S INCOME IS IMPUTED FROM AVERAGE 6 YR TAX RETURN 2005-2010 PLUS 1ST

QUARTER 2011:

2005	\$35,827	
2006	\$45,474	
2007	\$47,299	
2008	\$50,746	
2009	\$47,984	
2010	\$16,135	
2011	\$ 7,275	TOTAL \$250,740/75=\$3343.20/MO.

MOTHER'S INCOME IS BASED ON 2010 W-2 \$119,086.33=\$9923.86/MO AND 12/03/10

PAY STUB PENSION \$416/MO. INSURANCE \$4602/24=

\$191.75X26=\$4985.50/12=\$415.46/5=\$83.10X2=\$166.20/MO. M5

WORKSHEET PREPARED BY:

SUSAN WILLS KIRKPATRICK

DEPUTY PROSECUTING ATTORNEY

WSBA #14741

Father's income imputed at HistoricalPayRate because: FATHER IS UNEMPLOYED



03-3-00694-6 36270172 NTIWD 04-22-11



**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE**

In re marriage of
Joseph Scott Chaussee
Petitioner
and

Bree Ann Chaussee nka Feil
Respondent

NO: 03-3-00694-6

NOTICE OF INTENT TO WITHDRAW

TO: Clerk of the Superior Court;
Joseph Chaussee Petitioner; and
Bree Ann Feil Respondent

PLEASE TAKE NOTICE that Susan Wills Kirkpatrick, Deputy Prosecuting Attorney, representing the State of Washington, Division of Child Support, hereby withdraws as to this action only. The Family Support Division of the Pierce County Prosecutor's Office is still entitled to notice of any proceedings that may affect the State's financial interest pursuant to RCW 26.23.130. This withdrawal is effective 10 days after the date of this notice. The withdrawal shall be effective without order of court unless an objection to the withdrawal is served upon the withdrawing attorney prior to the date set forth in the notice.

DATED: 4-22-11

Susan Wills Kirkpatrick
Susan Wills Kirkpatrick
Deputy Prosecuting Attorney
WSBA Number: 14741

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No. 43948-4 II

COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2013 MAR 22 AM 10:54

STATE OF WASHINGTON

BY

DEPUTY

JOSEPH SCOTT CHAUSSEE,

Appellant,

v.

BREE ANNE FEIL,

Respondent.

CERTIFICATE OF MAILING AND
SERVICE BY FACSIMILE

Barry C. Kombol, WSBA 8145

31615 - 3rd Avenue
Post Office Box 100
Black Diamond, WA. 98010
(360) 886-2868

To: **Court of Appeals, Division Two**
950 Broadway, Suite 300
Tacoma, WA. 984042

I certify that the following statement is true and correct, under penalty of perjury of the State of Washington:

I am now and at all times herein mentioned a citizen of the United States and resident of the State of Washington, over the age of twenty-one years, not a party to the above entitled action and competent to be a witness therein:

That on the **21st** day of **March, 2013**, I faxed to **Ms. Barbara McInville** at **253.627.1913** and placed in the U.S. Priority Mail, Postage Prepaid Appellant's Opening Brief to:

Ms. Barbara McInville
960 Market Street
Tacoma, WA. 98402-3605

DATED March 21, 2013 at Black Diamond, Washington.

=====
BLACK DIAMOND PO
BLACK DIAMOND, Washington
980109799
5476210282-0099
03/21/2013 (800)275-8777 04:57:59 PM
=====

=====
Sales Receipt
=====

Product Description	Sale Unit Qty	Unit Price	Final Price
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@@ TACOMA WA 98402			\$5.60
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Zone-1 Priority Mail

Flat Rate Env

1 lb. 2.20 oz.

Expected Delivery: Fri 03/22/13

Label #:

9505 5104 1257 3080 6106 53

Issue PVI:			\$5.60
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Total: \$5.60

Susan Burnett

SUSAN BURNETT

c/o **Rainier Legal Center**

31615 Third Avenue

Black Diamond, WA. 98010

TRANSMISSION VERIFICATION REPORT

TIME : 03/21/2013 16:55
NAME : RAINIER LEGAL CENTER
FAX : 3608862124
TEL : 3608862124
SER.# : 000D7J551639

DATE, TIME	03/21 16:46
FAX NO./NAME	12536271913
DURATION	00:08:56
PAGE(S)	41
RESULT	OK
MODE	STANDARD ECM