

Superior Court of Washington, County of _____

In re custody of:

Children:

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

Respondents *(parents and any guardian or custodian)*:

No. _____

Temporary Non-Parent Custody Order
(TCO / TNPO)

[] Clerk's action required: **1, 9, 10**

Temporary Non-Parent Custody Order

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

1. Money Judgment Summary

[] No money judgment is ordered.

[] Summarize any money judgments from section **8** in the table below.

Judgment for	Debtor's name <i>(person who must pay money)</i>	Creditor's name <i>(person who must be paid)</i>	Amount	Interest
Lawyer's fees			\$	\$
Other fees and costs			\$	\$
Other amounts <i>(describe)</i> :			\$	\$
Yearly Interest Rate: _____% <i>(12% unless otherwise listed)</i>				
Lawyer (name):		represents <i>(name)</i> :		
Lawyer (name):		represents <i>(name)</i> :		

2. Basis for order

The (*check one*): Petitioner Respondent (*name*): _____
made a *Motion for Temporary Non-Parent Custody Order* (form FL Non-Parent 423) or a
Motion for Immediate Restraining Order – Non-Parent Custody (form FL Non-Parent 421)
and the court finds there is reason to approve this order.

Specific findings: _____

3. Adequate Cause Decision

No Adequate Cause Decision – The court has not made a decision about adequate cause. The motion for temporary non-parent custody order must be denied. Petitioner/s must file a *Motion for Adequate Cause Decision* (form FL Non-Parent 416) and schedule a hearing before a court can approve temporary custody orders.

Adequate Cause Decided – The court approved an *Order on Adequate Cause for Non-Parent Custody* (form FL Non-Parent 417) on (*date*): _____.

Other: _____

4. Indian Children

(An **Indian child** is a child who is a member of an Indian tribe, or who is the biological child of an Indian tribe member and eligible for membership. *Indian Child Welfare Act, 25 USC 1903.*)

None of the children are Indian children. The state and federal *Indian Child Welfare Acts* do not apply to this case.

These children are or may be Indian children (*name/s*): _____
The federal and state *Indian Child Welfare Acts* apply to this case.

Jurisdiction – The court has does **not** have jurisdiction over the Indian children.

Notice to tribes – The Petitioner (*check one*):

provided the *Indian Child Welfare Act Notice* (form FL Non-Parent 402) and a copy of the *Petition* to all of the tribes, people, and agencies entitled to notice.

did **not** provide the *Indian Child Welfare Act Notice* and a copy of the *Petition* to all of the tribes, people, and agencies entitled to notice.

Order – Petitioners must provide the *Indian Child Welfare Act Notice* (form FL Non-Parent 402) and a copy of the *Petition* to the:

children’s tribes or possible tribes Indian custodian
 children’s parents Bureau of Indian Affairs

The court does not have enough information to decide: whether any of the children are Indian children.

Order – Petitioners must make a good faith effort to find out if any of the children are Indian children and provide the *Indian Child Welfare Act Notice* (form FL Non-Parent 402) and a copy of the *Petition* to all of the tribes, people or agencies entitled to notice. Good faith efforts are defined in RCW 13.38.050.

5. Active duty military

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

- None of the parties are covered by the state or federal *Servicemembers Civil Relief Act*, **OR** no party covered by the Acts has asked for a stay.
- One or more of the parties is covered by the state or federal *Servicemembers Civil Relief Acts* and has not appeared in this case, or has asked for a stay. (*Check one*):
- The court signed the *Order re Service Members Civil Relief Act* (form FL All Family 170) filed separately.
- The court's order about the service member's rights is in section **10** below.
- Other Findings: _____
-

➤ The Court Orders

- No temporary orders can be approved because adequate cause has not yet been decided. (*Skip sections 6 – 10.*)
- Temporary orders below. (*Complete sections 6 – 10.*)

6. Care and safety of children

- No request made.
- Request denied.
- (Name/s) _____ is/are granted temporary custody of these children:

Child's Name	Age	Child's Name	Age
1.		4.	
2.		5.	
3.		6.	

- The temporary *Residential Schedule* is signed by the court and filed separately.
- (Name/s): _____ must not take the children out of Washington state.
- The court will appoint the person below to investigate and report on issues affecting the children (*check one*):
- Guardian ad Litem (GAL). The court signed the *Order Appointing Guardian ad Litem for a Child* (form FL All Family 146) filed separately.

Evaluator/Investigator. The court signed the *Order Appointing Parenting Evaluator/Investigator* (form FL All Family 148) filed separately.

Other: _____

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

7. Lawyer for Children

- No request made.
- Request denied.
- The court appoints (*lawyer's name*) _____ to represent the interests of a minor or dependent child with respect to custody, support, and visitation.

The lawyer fees will be paid as follows (*check one*):

- _____ % paid by Petitioner/s _____
_____ % paid by Respondent (*name*) _____
_____ % paid by Respondent (*name*) _____
- _____ % or \$ _____ paid by the County at public expense. However, if the parties' financial circumstances change, the court may order the parties to pay the fees according to their ability to pay.
- Other: _____

8. Support, insurance and taxes

- No request made.
- Request denied.
- The court signed the temporary *Child Support Order* and *Worksheets* filed separately.
- The parents must pay for health insurance, uninsured medical, day care, or other necessary expenses (*check one*):
 - as listed on the *Child Support Order* signed by the court and filed separately.
 - as follows (*specify*): _____

- (*Name/s*): _____ may claim the children as dependents on tax forms.
- Other: _____

9. Fees and costs

- No request made.
- Request denied.
- Request reserved. _____
- (Name): _____ must:
 - Pay the other party's lawyer fees. Amount: \$ _____
 Make payments to (name): _____ by (date): _____
 - Pay other fees and costs. Amount: \$ _____
 Make payments to (name): _____ by (date): _____
 for: _____

Money Judgment (check one):

- The amount/s listed above must be paid, but the court is **not** entering a money judgment at this time.
- The amount/s listed above shall be entered as a money judgment. (Summarize the money judgment in section 1 above). The **interest rate** is 12% unless another amount is listed here. The interest rate is _____% because (explain): _____

- Other: _____

10. Restraining order

- No request made.
- Request denied.
- The court signed the temporary *Restraining Order* (form FL All Family 150) filed separately in this case number. (Check one):
 - No bond or security is required.
 - (Name): _____ must file a bond or post security.
 Amount: \$ _____ by (date): _____
- Any earlier *Restraining Order* that restrains (name) _____ signed by the court in this case number is **terminated**.
 (If you check this box, also check the "Clerk's action required" box on page 1.)
 Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: _____

Clerk's Action. The court clerk must provide a copy of this *Temporary Family Law Order* to the agency listed above within one court day. The law enforcement agency must remove the earlier *Restraining Order* from the state's database as described above.

11. Other orders (if any)

Date ▶ _____
Judge or Commissioner

Parties or their lawyers fill out below.

This order *(check any that apply)*:
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

This order *(check any that apply)*:
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Petitioner signs here or lawyer signs here + WSBA No.

▶ _____
Respondent signs here or lawyer signs here + WSBA No.

Print Name Date

Print Name Date

This order *(check any that apply)*:
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

This order *(check any that apply)*:
 is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

▶ _____
Other party or lawyer signs here + WSBA No.

▶ _____
Other party or Guardian ad Litem signs here + WSBA No.

Print Name Date

Print Name Date