

**Superior Court of Washington, County of \_\_\_\_\_**

In re parentage:

Petitioner *(person who started this case)*:

\_\_\_\_\_

And Respondent/s

*(other parent / presumed parent/s)*:

\_\_\_\_\_

Children over age 2:

\_\_\_\_\_

No. \_\_\_\_\_

Petition to Disprove Parentage of Presumed Parent  
(PTDP)

## Petition to Disprove Parentage of Presumed Parent

- 1.** This Petition asks the court to order that *(name)*: \_\_\_\_\_ is not the legal parent of:

Child's name <i>(first, middle, last)</i>	Born <i>(month/day/year)</i>	Lives in <i>(county and state)</i>

unborn child *(expected due date)*: \_\_\_\_\_

**Important!** Don't list more than one child unless they have all the same parents and presumed parents. If they have different parents, fill out a separate Petition for each child.

**2. Parties to this case**

<i>Check one for each party:</i>	I am the	The Respondent <i>(name)</i> : _____ is the
Birth mother	<input type="checkbox"/>	<input type="checkbox"/>
Presumed parent <i>(see section 5 below)</i>	<input type="checkbox"/>	<input type="checkbox"/>
Adoptive parent	<input type="checkbox"/>	<input type="checkbox"/>

Parent by assisted reproduction	<input type="checkbox"/>	<input type="checkbox"/>
Parent according to a surrogacy contract	<input type="checkbox"/>	<input type="checkbox"/>

Other Respondents, if any (*name and describe*): \_\_\_\_\_

**Important!** If any of the children are age 2 or older, they must be parties to this case.

### 3. Guardian ad Litem

I ask the court to appoint a Guardian ad Litem (GAL) for any child who is age 2 or older.

I ask the court to appoint a GAL for the children to investigate and make recommendations to the court about whether genetic testing should be done.

### 4. Sexual assault

Does not apply.

Petitioner alleges that (*children's names*): \_\_\_\_\_

were born as a result of a sexual assault by (*name*): \_\_\_\_\_.

See the *Sexual Assault Allegation*, filed separately.

**Important!** File and serve the Sexual Assault Allegation (FL Parentage 365) together with this Petition.

### 5. Why parentage is presumed

(*Name*): \_\_\_\_\_ is the presumed parent of

(*children's names*): \_\_\_\_\_ because

(*check all that apply*):

This person and the birth mother were married or in a registered domestic partnership when these children were born, or within the 300 days before these children were born.

This person and the birth mother *believed* they were in a *valid* marriage or registered domestic partnership when these children were born or within the 300 days before these children were born, even though the marriage or partnership was (or could have been) invalidated by a court.

*After* these children were born, this person and the birth mother married or became registered domestic partners (or believed their marriage or partnership was valid, even if it was or could have been invalidated). This person willingly said s/he was these children's parent and (*check at least one*):

promised in a written or electronic record to support these children as his/her own. See RCW 26.26.011(23).

agreed to be and is listed as the parent on these children's birth certificates.

filed a statement claiming s/he was these children's parent with the Registrar of Vital Statistics.

### 6. Why the presumed parent should not be a legal parent

The presumed parent should not be the legal parent of the children listed in section 1 because:

- the presumed parent is not (or may not be) the children's genetic parent. (*Check one*):
  - I ask the court to order genetic paternity testing.
  - Genetic paternity testing has already been done that proves the presumed parent is **not** a genetic parent. This testing was done with the agreement of the birth mother and the presumed parent.
- See the reasons listed in the *Sexual Assault Allegation* (FL Parentage 365) filed separately.

**7. Deadline to disprove parentage**

- I am starting this case before the legal deadline to disprove parentage because I am filing or serving this *Petition* on or before each child's 4th birthday.
- There is no deadline to disprove parentage because the presumed parent:
  - did not live with and did not have sex with the birth mother when the children were likely conceived, and
  - never openly held out these children as his/her own children.

**8. Children's name change**

- No request.
- I ask the court to change the children's names to: \_\_\_\_\_  
\_\_\_\_\_

**9. Personal Jurisdiction**

Does a Washington state court have personal jurisdiction (authority to make decisions) over (**Respondent's name**): \_\_\_\_\_?

- Yes**, because s/he (*check all that apply*):
  - will be personally served in this state with a *Summons and Petition* for this case.
  - lives in this state now.
  - lived in this state with the children.
  - lived in this state and paid for pregnancy costs or support for the children.
  - did or said something that caused the children to live in this state.
  - had sex in this state, which may have produced the children.
  - signed an agreement to join this *Petition* or other document agreeing that the court can decide his or her rights in this case.
  - other (*specify*): \_\_\_\_\_
- No**. (None of the reasons listed above apply.)
- Check here if there are more Respondents. Give those people's names, say whether or not the court has personal jurisdiction over each person, and why:*  
\_\_\_\_\_  
\_\_\_\_\_

## 10. Protection Order

Do you want the court to issue an Order for Protection as part of the final orders in this case?

- No.** I do not want an Order for Protection.
- Yes.** (You must file a Petition for Order for Protection, form DV-1.015 for domestic violence, or form UHST-02.0200 for harassment. You may file your Petition for Order for Protection using the same case number assigned to this case.)

**Important!** If you need protection **now**, ask the court clerk about getting a Temporary Order for Protection.

- There already is an Order for Protection between (name):** \_\_\_\_\_  
**and me.** (Describe): \_\_\_\_\_
- Court that issued the order: \_\_\_\_\_
- Case number: \_\_\_\_\_
- Expiration date: \_\_\_\_\_

## 11. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

- No.** (Skip to **12**.)
- Yes.** Check the type of orders you want:
- Do not disturb** – Order (name/s) \_\_\_\_\_ not to disturb my peace or the peace of any child listed in **1**.
- Stay away** – Order (name/s) \_\_\_\_\_ not to go onto the grounds of or enter my home, workplace or school, and the daycare or school of any child listed in **1**.
- Also, not to knowingly go or stay within \_\_\_\_\_ feet of my home, workplace or school, or the daycare or school of any child listed in **1**.
- Do not hurt or threaten** – Order (name/s) \_\_\_\_\_:
- Not to assault, harass, stalk or molest me or any child listed in **1**; and
  - Not to use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

**Warning!** If the court makes this order, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

- Prohibit weapons and order surrender** – Order (name/s) \_\_\_\_\_:
- Not to possess or obtain any firearms, other dangerous weapons, or concealed pistol license until the Order ends, and
  - To surrender any firearms, other dangerous weapons, and any concealed pistol license that he/she possesses to (check one):  the police chief or sheriff.  his/her lawyer.  other person (name): \_\_\_\_\_.
- Other restraining orders:** \_\_\_\_\_

**Important!** If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and Restraining Order (form FL Parentage 323) or a Motion for Immediate Restraining Order (Ex Parte) (form FL Parentage 321).

**12. Other (if any)**

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**13. Summary of Requests**

I ask the court to (*check all that apply*):

**Parentage**

- Declare that the presumed parent is **not** the legal parent of the children in this case.
- End any parenting/custody order and child support obligation involving the presumed parent and the children in this case. (*To suspend child support before this case is finished, a party must file a motion and show good cause.*)
- Change the children's birth certificates so the presumed parent is **not** listed as a legal parent and to change the children's names if requested above.
- Appoint a GAL and order genetic testing if requested above.
  - Approve an *Order for Protection or Restraining Order* as requested above.
  - Order who should pay for court costs, genetic testing, guardian ad litem, lawyer fees, and other reasonable fees.

**Sexual Assault**

- See the requests listed in the *Sexual Assault Allegation* (form FL Parentage 365) filed separately.
- Other (*specify*): \_\_\_\_\_

**Petitioner fills out below:**

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): \_\_\_\_\_ Date: \_\_\_\_\_

▶ \_\_\_\_\_  
*Petitioner signs here* *Print name*

**Petitioner's lawyer (if any) fills out below:**

▶ \_\_\_\_\_  
*Petitioner's lawyer signs here* *Print name and WSBA No.* *Date*

**Respondent fills out below if s/he agrees to join this Petition:**

I, (*name*): \_\_\_\_\_, agree to join this *Petition*. I understand that if I fill out and sign below, the court may approve the requests listed in this *Petition* unless I file and serve a *Response* before the court signs final orders. (*Check one*):

- I do not need to be notified about the court's hearings or decisions in this case.

I ask the Petitioner to notify me about any hearings in this case. *(List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.)*

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*address* *city* *state* *zip*

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

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*Respondent signs here* *Print name* *Date*