

Superior Court of Washington, County of _____

In re visits with:

Children:

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

Respondent/s (*parent/s, legal custodian, and anyone with court-ordered residential time*):

No. _____

Petition for Visits
(PTV)

Clerk's action required: 9 (link juv. case).

Petition for Visits

Use *this form* to ask for visits **only if all these are true**:

- You are a relative of the child or a relative of the child's parent. (See section 2, below.)
- You have an ongoing and substantial relationship with the child.
- The child is likely to suffer harm or substantial risk of harm if visits are denied.
- You've never filed a petition for visits with the child before.

You must prove your case by clear and convincing evidence.

You may have to pay for Respondent's costs and lawyer fees in advance.

1. Petitioner's Information

My name is: _____

I live in (*county and state only*): _____

I am related to the child in this way: _____

If there is another Petitioner in this case, put the other Petitioner's information below.

My name is: _____

Lives in (*county and state only*): _____

I am related to the child in this way: _____

This is the first *Petition for Visits* filed by Petitioner/s for these children.

2. Family Relationship

I am related to the children or the children’s parent as follows (*check all that apply, if more than one petitioner, specify each petitioner’s relationship*):

“Parent” means a legal parent whose rights have not been terminated, relinquished, or declared not to exist.

- Blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great, or
 - That person’s spouse, even after the marriage is terminated or One of those relatives of any half sibling of the child.
- Stepfather, stepmother, stepbrother, and stepsister, or
 - That person’s spouse, even after the marriage is terminated or One of those relatives of any half sibling of the child.
- A person who legally adopts a child or the child’s parent as well as the biological and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law, or
 - That person’s spouse, even after the marriage is terminated or One of those relatives of any half sibling of the child.
- Extended family members, as defined by the law or custom of an Indian child’s tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

3. Children

I ask the court for visits with the following children.

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

The children live in (*county and state only*): _____

4. Respondents’ Information

List the children’s parents and anyone else with court-ordered residential time with the children.

Respondent (*name*): _____

Relationship to the children in this case: _____

Lives in (*county and state only*): _____

Other Respondent, if any (*name*): _____

Relationship to the children in this case: _____

Lives in (county and state only): _____

Other Respondent, if any (name): _____

Relationship to the children in this case: _____

Lives in (county and state only): _____

Warning! If a Respondent asks, the court must order Petitioner to pay reasonable costs and fees for Respondent's lawyer before any hearing on this petition unless the court finds it to be unjust. The court will consider the parties' financial resources before ordering fees.

5. Other people with a legal right to spend time with a child

Do you know of anyone besides you and the Respondents who has or claims to have a legal right to spend time with any of these children?

(Check one): No. (Skip to 7.) Yes. (Fill out below.)

Name of person	Children this person may have the right to spend time with
	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

6. Children's Home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone other than Petitioner/s and/or Respondent/s?

No. (Skip to 7.)

Yes. (Fill out below to show where each child has lived during the last 5 years.)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):	<input type="checkbox"/> Petitioner/s <input type="checkbox"/> Resp. (name/s): <input type="checkbox"/> Other (name):	

From:	<input type="checkbox"/> All children	<input type="checkbox"/> Petitioner/s	
To:	<input type="checkbox"/> (Name/s):	<input type="checkbox"/> Resp. (name/s):	
		<input type="checkbox"/> Other (name):	
From:	<input type="checkbox"/> All children	<input type="checkbox"/> Petitioner/s	
To:	<input type="checkbox"/> (Name/s):	<input type="checkbox"/> Resp. (name/s):	
		<input type="checkbox"/> Other (name):	

7. Other court cases involving a child

Do you know of any court cases involving any of these children?

(Check one): No. (Skip to 8.) Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

8. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271; 13.04.030)

This Court can decide this case for the children because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):

Exclusive, continuing jurisdiction – A Washington court has already made a custody order or parenting plan for the children, and the court still has authority to make other orders for (children’s names):

Home state jurisdiction – Washington is the children’s home state because (check all that apply):

(Children’s names): _____ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children are less than 6 months old, they have lived in Washington with a parent or someone acting as a parent since birth.

- There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they are less than 6 months old), but those were temporary absences.
- (Children's names):* _____ do not live in Washington right now, but Washington was the children's home state some time in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
- (Children's names):* _____ do not have another home state.
- No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for *(children's names):* _____ or a court in the children's home state (or tribe) decided it is better to have this case in Washington **and:**
 - The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the children's care, protection, education and relationships in this state.
- Other state declined** – The courts in other states (or tribes) that might be *(children's names):* _____'s home state have refused to take this case because it is better to have this case in Washington.
- Other reason *(specify):* _____

9. County where this case should be heard

I am filing this petition in this county because:

- There **is** a juvenile court case involving child custody or out-of-home placement filed in this county under case number/s _____
- The children live most of the time in this county. There is **no** juvenile court case involving child custody or out-of-home placement filed in any county.
- Other reason: _____

➤ **Petitioner's Statement (Affidavit)**

If you need additional space for any section, below, use the *Declaration FL All Family 135*.

10. Ongoing and substantial relationship

I had an ongoing and substantial relationship with the children for at least two years, or, if a child is under two, for at least half the child's life and with a shared expectation of and desire for an ongoing relationship.

(Describe how your relationship with the children was formed and sustained through interaction, companionship, and mutuality of interest and affection, without expectation of financial compensation and with substantial continuity.)

11. **Risk of harm**

Warning! The court will presume that a fit parent's decision to deny visits is in the best interest of the children and does not create a likelihood of harm or a substantial risk of harm to the children. Petitioners must overcome this presumption by clear and convincing evidence.

The children are likely to suffer harm or a substantial risk of harm if visits are denied.
(Explain why and how the children would be harmed.)

12. **Best interest**

Warning! Petitioner must prove visits are in the children's best interest by clear and convincing evidence.

Visits are in the children's best interest considering these factors:

- a. Current relationship:** Describe the love, affection, and strength of the current relationship between the child and Petitioner and how the relationship is beneficial to the child.

(Describe): _____

- b. Prior relationship:** Describe the length and quality of the prior relationship between the child and Petitioner before Respondent denied visits, including the role performed by Petitioner and the emotional ties that existed between the child and Petitioner.

(Describe): _____

- c. Relationship between parties:** Describe the relationship between Petitioner/s and Respondent/s.

(Describe): _____

d. Respondent's relationship: Describe the love, affection, and strength of the current relationship between the child and Respondent.

(Describe): _____

e. Objection: Describe the nature and reason for Respondent's objection to granting Petitioner visits.

(Describe): _____

f. Effect if granted: Describe the effect that granting visits will have on the relationship between the child and Respondent.

(Describe): _____

g. Residential time: Describe the residential time-sharing arrangements between the parties having residential time with the child.

(Describe): _____

h. Good faith: Describe the good faith of Petitioner/s and Respondent/s.

(Describe): _____

i. Abuse or neglect: Describe any history of physical, emotional, or sexual abuse or neglect by Petitioner, or any history of physical, emotional, or sexual abuse or neglect by a person residing with Petitioner if visits would involve contact between the child and the person with such history.

(Describe): _____

j. Child's preference: Describe the child's reasonable preference, if old enough to express a preference.

(Describe): _____

k. Other: Describe any other factor relevant to the child's best interest.

(Describe): _____

13. Visits Requested

(Specify frequency and lengths of visits you are requesting.)

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*

Other Petitioner (if any) 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: _____

▶ _____
Other Petitioner signs here *Print name*

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

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

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other parties, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

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.)

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) if this case involves parentage or child support.)

▶ _____

Respondent signs here Print name Date

Other 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.)

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) if this case involves parentage or child support.)

▶ _____

Other Respondent signs here Print name Date