

**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. \_\_\_\_\_

Final Order and Findings on Petition for Visits  
(ORDYMT, OGV)

Clerk's action required: **14,**  
[ ] 1

## Final Order and Findings on Petition for Visits

### 1. Money Judgment Summary

[ ] No money judgment is ordered.

[ ] Summarize any money judgment from section **15** 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 fees				
Costs			\$	\$
<b>Yearly Interest Rate:</b> _____% <i>(12% unless otherwise listed)</i>				
<b>Lawyer (name):</b>		represents <i>(name)</i> :		
<b>Lawyer (name):</b>		represents <i>(name)</i> :		

**2. Basis for order** (check all that apply):

- Parties' agreement.
- Order on Motion for Default signed on (date): \_\_\_\_\_.
- Hearing on (date): \_\_\_\_\_.

The following people were at the hearing:

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**3. Children covered by order**

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

➤ **Findings & Conclusions**

**4. Juvenile Court case**

- There is **no** open Juvenile Court case involving child custody or out-of-home placement for the children.
- There is an open Juvenile Court case involving child custody or out-of-home placement for the children in this county under case number: \_\_\_\_\_.  
The court handling that case has signed an order allowing this court to proceed with this case about visits.

**5. Jurisdiction over the children** (RCW 26.27.201 – .221, .231, .261, .271)

- This court **cannot** decide this case for these children (names): \_\_\_\_\_  
\_\_\_\_\_ because this court does not have jurisdiction over them. The *Petition* should be dismissed as to these children.
- This court **can** decide this case for these 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 parenting plan, residential schedule or custody order 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 were less than 6 months old when the case was filed, they had 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 were 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 sometime 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 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*): \_\_\_\_\_

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## 6. Hearing set after review

The Court found that a hearing should be held in an *Order After Review of Petition for Visits* (form FL Visits 486) signed by the court on (*date*): \_\_\_\_\_.

Does not apply. These findings and conclusions are agreed to by all parties.

## 7. First petition

Is this the first *Petition for Visits* filed by Petitioner for these children?

No. The *Petition* must be denied.

Yes.

This conclusion is based on the following facts:

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## 8. Family relationship

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

Is Petitioner a type of relative who is allowed by law to petition for visits?

No. The *Petition* must be denied.

- Yes. Petitioner is 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*):
  - 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).

This conclusion is based on the following facts:

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**9. Ongoing and substantial relationship**

Does Petitioner have 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?

- No. The *Petition* must be denied.
- Yes.

This conclusion is based on the following facts (*describe whether Petitioner's 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*):

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**10. Risk of harm**

The Court presumes that a fit parent's decision to deny visitation 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. Considering Respondent/s' reasons for denying visits, has Petitioner overcome this presumption by clear and convincing evidence to prove that the children are likely to suffer harm or a substantial risk of harm if visitation is denied?

No. The *Petition* must be denied.

Yes.

This conclusion is based on the following facts (*describe why and how the children would or would not likely be harmed*):

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**11. Best interest factors**

Does not apply because the court found no risk of harm as described in section **10**. The *Petition* must be denied.

The court has considered the following factors about whether or not visits are in the children's best interest:

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

The court finds: \_\_\_\_\_

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**b. Prior relationship:** The court considered the length and quality of the prior relationship between the child and Petitioner before Respondent denied visitation, including the role performed by Petitioner and the emotional ties that existed between the child and Petitioner.

The court finds: \_\_\_\_\_

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**c. Relationship between parties:** The court considered the relationship between Petitioner/s and Respondent/s.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**d. Respondent's relationship:** The court considered the love, affection, and strength of the current relationship between the child and Respondent.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**e. Objection:** The court considered the nature and reason for Respondent's objection to granting Petitioner visitation.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**f. Effect if granted:** The court considered the effect that granting visitation will have on the relationship between the child and Respondent.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**g. Residential time:** The court considered the residential time-sharing arrangements between the parties having residential time with the child.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**h. Good faith:** The court considered whether the *Petition* and *Response/s* were brought in good faith.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- i. **Abuse or neglect:** The court considered 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 visitation would involve contact between the child and the person with such history.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- j. **Child's preference:** The court considered the child's reasonable preference, if old enough to express a preference.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- k. **Other:** The court considered the following other factors relevant to the child's best interest.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- l. **Fit parent:** The court considered that Respondent parent/s have not lost their parental rights by being adjudicated as unfit parent/s.

The court finds: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 12. Best interest conclusion

- Does not apply because the court found no risk of harm as described in section **10**.  
The *Petition* must be denied.
- Considering the factors above, has Petitioner proved by clear and convincing evidence that it is in the children's best interest to order visits?
- No. The *Petition* must be denied.
- Yes.

**13. Findings about fees and costs**

- Respondent/s did not ask for Petitioner to pay their lawyer fees and costs.
- Petitioner paid Respondent/s' lawyer fees and costs before the Hearing.
- Respondent/s (*Name/s*): \_\_\_\_\_ asked the court to order Petitioner to pay their costs and lawyer fees. (*Check one*):
  - The costs and lawyer fees ordered below are reasonable.
  - After considering the financial resources of all parties, it is unjust to order Petitioner to pay Respondent/s reasonable costs and lawyer fees because:

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- The *Petition* was brought in bad faith or without a reasonable basis in light of the requirements of the law. Petitioner should pay Respondent/s reasonable costs and lawyer fees as ordered below.
- Other findings: \_\_\_\_\_

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➤ **Court Order**

**14. Decision**

- Visits Denied** – The court denies the *Petition for Visits*.
- Visits Approved** – The court approves the *Petition*. Petitioner will have visits with the children as follows (*specify frequency and length of visits*):

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Petitioner must pay all transportation costs related to the visits.

**15. Money judgment for fees and costs** (summarized on page 1)

No money judgment is ordered.

The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name <i>(person who must pay money)</i>	Creditor's name <i>(person who must be paid)</i>	Amount	Interest
<input type="checkbox"/> Lawyer fees			\$	\$
<input type="checkbox"/> Costs (specify)			\$	\$

The **interest rate** is 12% unless another amount is listed below.

The interest rate is \_\_\_\_% because (*explain*): \_\_\_\_\_

**16. Other orders (if any)**

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\_\_\_\_\_

Date

\_\_\_\_\_

Judge or Commissioner

**Petitioner/s and Respondent/s or their lawyers fill out below.**

This document (*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 document (*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 #

\_\_\_\_\_

Respondent signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_

Print Name Date

\_\_\_\_\_

Print Name Date

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
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This document (*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 Petitioner **or** lawyer signs here + WSBA #

\_\_\_\_\_

Other Respondent **or** lawyer signs here + WSBA #

\_\_\_\_\_

Print Name Date

\_\_\_\_\_

Print Name Date