

**Superior Court of Washington
County of**

In re Parentage:

and _____ Petitioner,
and _____ Respondent
 Presumed father, if applicable, Respondent
 Alleged father, if applicable, Respondent.

**No.
Petition for Challenge to
Acknowledgment of Paternity
(PTAKP)**

I. Basis

1.1 Cause of Action

This action affects the paternity of:

_____ [Name], born on _____ [Date], a
resident of _____ County, Washington.

_____ [Name], born on _____ [Date], a
resident of _____ County, Washington.

This action is brought by petitioner _____ [Name], the mother
 acknowledged father, to challenge the validity of the Acknowledgment of Paternity signed by
petitioner and filed with the Washington State Registrar of Vital Statistics on _____
[Date]. The respondent in this action is _____ [Name], the mother
 acknowledged father. This action is brought pursuant to RCW 26.26.335 and .340. A copy of
the Acknowledgment of Paternity is attached to this petition.

1.2 Effective Date of Acknowledgment of Paternity

The effective date of the Acknowledgment of Paternity is _____,
because:

the acknowledgment was filed with the Washington State Registrar of Vital Statistics on that date.

that was the date of the child's birth which is after the date on which the acknowledgment was filed with the Washington State Registrar of Vital Statistics.

1.3. Presumed Father

The child does not have a presumed father.

Under RCW 26.26.116, _____ [Name] is the presumed father of the child based upon a Denial of Paternity signed by him and filed with the Washington State Registrar of Vital Statistics on _____ [Date]. A copy of the denial is attached to this petition.

1.4 Alleged Father

Does not apply.

_____ [Name] is an alleged father of the child. The court has personal jurisdiction over the alleged father for the following reason(s):

1.5 Jurisdiction

All persons who signed the Acknowledgment of Paternity filed on _____ [Date], and the Denial of Paternity filed on _____ [Date], submitted to the jurisdiction of the court on the filing date pursuant to RCW 26.26.340(2); and more than 60 days but less than two years have passed since the Acknowledgment of Paternity and the Denial of Paternity were filed.

1.6 Basis to Challenge the Acknowledgment of Paternity

The Acknowledgment of Paternity is challenged on the basis that it was signed under Fraud Duress Material Mistake of Fact, as follows:

1.7 Jurisdiction Over the Child

This court has jurisdiction over the child for the reasons set forth below.

This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.

- This state is the home state of the child because
 - the child lived in Washington with a parent or person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - the child is less than six months old and has lived in Washington with a parent or a person acting as parent since birth.
 - any absences from Washington have only been temporary.
 - Washington was the home state of the child within six months before the commencement of this proceeding and the child is absent from the state but a parent or person acting as a parent continues to live in this state.
- The child and the parent or the child and at least one parent or person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the child's care, protection, training and personal relationships and
 - the child has no home state elsewhere.
 - the child's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the child's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child is subjected to or threatened with abuse. RCW 26.27.231.
 - There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until _____ [Date].
 - There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in _____ [potential home state] by the time the child has been in Washington for six months, _____ [Date], then Washington's jurisdiction will be final and continuing.
- Other:

1.8 Child Support

- Does not apply.
- A child support order was entered on _____ [Date], requiring _____ [Name] to pay \$_____ per month for the support of the child.
- The child is entitled to financial support pursuant to the Washington State Child Support Schedule and health insurance coverage from any parent owing a duty of child support.

1.9 Suspension of Child Support

- Does not apply.
- A motion to suspend the child support order will be filed.

1.10 Residential Placement

- Does not apply.
- It is in the child's best interest to determine the residential placement of the child.

During the last five years, the child has lived:

- in no place other than the state of Washington and with no person other than the petitioner or the respondent.
- in the following places with the following persons (list each place the child lived, including the state of Washington, the dates the child lived there and the names of the persons with whom the child lived. The present addresses of those persons must be listed in the required Confidential Information Form):

Claims to custody or visitation;

- The petitioner does not know of any person other than the respondent who has physical custody of, or claims to have custody or visitation rights to, the child.
- The following persons have physical custody of, or claim to have custody or visitation rights to the child (list their names and the child concerned below and list their present addresses in the Confidential Information Form. Do not list the responding party.):

Involvement in any other proceeding concerning the child;

- The petitioner has not been involved in any other proceeding regarding the child.
- The petitioner has been involved in the following proceedings regarding the child (list the court, the case number, and the date of the judgment or order):

Other legal proceedings concerning the child.

- The petitioner does not know of any other legal proceedings concerning the child.
- The petitioner knows of the following legal proceedings which concern the child (list the children concerned, the court, the case number, and the kind of proceeding):

1.11 Continuing Restraining Order

- Does not apply.
- A continuing restraining order should be entered which restrains or enjoins _____ [Name] from disturbing the peace of _____ [Name].
- A continuing restraining order should be entered which restrains or enjoins _____ [Name] from going onto the grounds of or entering the home, work place or school of _____ [Name] or the day care or school of the child.
- A continuing restraining order should be entered which restrains or enjoins _____ [Name] from knowingly coming within or knowingly remaining within _____ (Distance) of the home, work place or school of _____ [Name] or the day care or school of the child.
Other: _____.
- A continuing restraining order should be entered which restrains or enjoins _____ [Name] from molesting, assaulting, harassing, or stalking _____ [Name]. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

1.12 Protection Order

- Does not apply.
- A domestic violence protection order should be entered protecting _____ [Name] from _____ [Name] because _____ [Name] has committed domestic violence as defined by 26.50 RCW against _____ [Name]. (If the court orders this relief, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms.

1.13 Other

II. Relief Requested

The petitioner asks the court to enter an order and judgment that:

- Declares the Acknowledgment of Paternity invalid.
- Declares the Denial of Paternity is void.
- Declares the nonexistence of the parent and child relationship between the acknowledged father and the child.
- Declares the acknowledged father is not a responsible parent for the child under the laws of the state of Washington and owes no duty of support to the child or any other person or entity on behalf of the child.
- Amends the birth certificate by removing the acknowledged father as the father of the child.
- Changes the surname of the child to _____ [Surname].
- Declares _____ [Name] to be the father of the child.
- Amends the birth certificate of the child to identify the father.
- Determines child support for the child pursuant to the Washington State Child Support Schedule and orders either or both parents to maintain or provide health insurance coverage for the child and to pay extraordinary uninsured costs proportionate to their incomes.
- Requires the father to pay past child support, medical and other expenses incurred on behalf of the child.
- Adopts a residential schedule/parenting plan for the child as proposed by the petitioner.
- Makes provision for a domestic violence protection order.
- Makes provision for a continuing restraining order.
- Awards court costs, genetic test costs, guardian ad litem, attorney and other reasonable fees.
- Other:

Dated: _____
Signature of Petitioner or Lawyer/WSBA No.

III. Declaration

I declare under penalty of perjury under the laws of the state of Washington that I am the petitioner named above, that I have made the allegations contained in this petition based upon my first hand knowledge, and therefore believe that they are true.

Signed at _____, [City] _____ [State] on _____ [Date].

Signature of Petitioner

Print or Type Name

Joinder

I, _____ [Name] join in the petition. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

I waive notice of entry of the decree.

I demand notice of all further proceedings in this matter. Further notice should be sent to the following address: [You may list an address that is not your residential address where you agree to accept legal documents.]

Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Date

Signature of Joining Party

Print or Type Name

I, _____ [Name] join in the petition. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

I waive notice of entry of the decree.

I demand notice of all further proceedings in this matter. Further notice should be sent to the following address: [You may list an address that is not your residential address where you agree to accept legal documents.]

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Signature of Joining Party

Print or Type Name