

MODIFICATION OF PARENTING PLAN

Forms are at www.courts.wa.gov/forms

Following these procedures does not guarantee that a judge will approve your request. Each case is evaluated on its own merit.

1. GET STARTED - DOCUMENTS REQUIRED:

- Petition for Modification/Adjustment of Custody Decree/Parenting Plan/Residential Schedule **WPF DRPSCU 07.0100**
- Summons for Modification/Adjustment **WPF DRPSCU 07.0120** or
- Joinder **WPF DRPSCU 01.0330** if both parties are signing.
- Parenting Plan – proposed **WPF DR 01.0400** or **WPF PS 01.0400**
- Declaration **WPF DRPSCU 01.0100**
- Confidential Information Form (INFO) **WPF DRPSCU 09.0200**
- Addendum to Confidential Information Form [if needed] **WPF DRPSCU 09.0210**
- Declaration in Support of Proposed Parent Plan/Residential Schedule **WPF PS 04.0120**

If the modification will affect child support, add these forms:

- Child Support Worksheets
- Sealed Financial Source Document **WPF DRPSCU 09.0220** (2 years W-2's/tax returns and 6 mos. pay stubs)
- Financial Declaration (**WPF DRPSCU 01.1550**)

IF YOU NEED TEMPORARY ORDERS:

File (Originals) And Serve (Copy):

- Motion and Declaration for Temporary Order **WPF DR 04.0100** or **WPF PS 04.0100**

Bring (Originals) to Court Hearing:

- Temporary Order **WPF DR 04.0250** or **WPF PS 04.0250**
- Parenting Plan – Temporary **WPF DR 01.0400** or **WPF PS 01.0400**
- Order of Child Support **WPF DR 01.0500** or **WPF PS 01.0500**
- Child Support Worksheets

Check with the Facilitator for available court dates for a hearing on temporary orders.

IF YOU NEED EX-PARTE ORDERS:

- Motion/Declaration for Ex Parte Restraining Order and Order to Show Cause **WPF DR 04.0150** or **WPF PS 04.0150**. Be VERY specific when explaining to the judge what has recently happened. Use specific dates & details.
- Declaration **WPF DRPSCU 01.0100** – optional form for you or another person to explain something or describe what was witnessed for the judge
- Ex Parte Restraining Order / Order to Show Cause **WPF DR 04.0170**
- Law Enforcement Information **WPF All Cases 01.0400**

Ex Parte paperwork must be filed by 11:00 am in order to see the judge at 1:00 that same day to ask the judge to sign your ex-parte orders.

2. FILE THE ORIGINAL FORMS

Make two copies of the completed forms above and file the originals with the Superior Court Clerk's office. At the time of filing you must pay a \$56 filing fee (No Personal Checks). Keep one copy for your records and serve one copy on the other party.

3. SERVE THE OTHER PERSON

You then need to properly serve (deliver) copies of the documents to the other person. Someone over 18 not a party to the case can do that for you, and they must complete the:

___ Return of Service **WPF DRPSCU 01.0250**

After service is complete, make a copy of the Return of Service form for yourself and bring the original to the court clerk's office to be placed in your file. If the children receive public assistance, you must also serve a copy on the Prosecuting Attorneys Office, 800 Franklin, #100, Vancouver WA 98660. 360-397-2265

The other party has 20 days if served in Washington, and 60 days if served outside Washington, to file a response to your petition.

4. IF THE OTHER PERSON FILES A RESPONSE

If the other party responds, you need to schedule an adequate case hearing, using this form:

___ Petitioner's Notice of Hearing for Adequate Cause Determination **WPF DRPSCU 07.0250**

___ Respondent's Notice of Hearing for Adequate Cause Determination **WPF DRPSCU 07.0255**

5. IF THE OTHER PARTY DOES NOT FILE A RESPONSE

After the response period has passed and if the other person has not filed a written response, you may schedule a hearing to have the other parent found in default, and ask the judge to approve the orders finalizing your modification. Use these forms to schedule a hearing (get a date from the facilitator):

___ Motion for Default **WPF DRPSCU 03.0100**

___ Order of Default **WPF DRPSCU 03.0200**

___ Order re: Adequate Cause **WPF DRPSCU 07.0300**

___ Order re: Modification/Adjustment of Custody Decree/Parenting Plan/Res Schedule
WPF DRPSCU 07.0400

___ Parenting Plan - final **WPF DR 01.0400** or **WPF PS 01.0400**

___ Residential Time Summary Report **WPF DR 01.0410**

___ Citation – free w/facilitator apt. or at the law library (15¢) or from the court clerk (50¢)

IF CHILD SUPPORT WILL BE AFFECTED:

___ Order of Child Support **WPF DR 01.0500** OR **WPF PS 01.0500**

___ Child Support Worksheets

___ Order on Modification of Child Support **WPF DRPSCU 06.0700**

If the other parent files a written response contesting or disagreeing with your request to modify, you will need to set your case for a settlement conference/trial. Use this form, available in Superior Court Administration on the fourth floor of the courthouse, from the court facilitator, or at the law library:

___ Notice to Set for Trial and Statement of Arbitrability