

# How to Ask for a Parenting Plan (and Child Support if needed)

You can use this packet ONLY if:

- You were never married to the other parent of your child,
- You want a parenting plan and maybe a child support order for that child,
- An *Acknowledgment of Paternity* was filed at the Washington Center for Health Statistics (or similar state agency if the child was born in another state), and
- The *Acknowledgment of Paternity* was filed at least 60 days before you file your request for a parenting plan.

## Do NOT use this packet if:

- You are married to the other parent of this child or
- There is already a custody or parenting plan order for this child, or
- You want to challenge paternity or ask the court to order blood tests.



Note: This instruction will **start** your case, but it will not give you immediate custody of the child(ren). If you would like to address immediate residential placement/custody, please ask the facilitator for information on how to file for a Temporary Parenting Plan.

## Talk to a lawyer if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.
- You can obtain a list of low-cost and free legal resources. <https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>

## Step 1: Fill out these forms

All these forms in Step 1 can be downloaded at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

| Form Name   | Form Number | Notes   | Completed                |
|---|-------------|---|--------------------------|
| <a href="#">Case Assignment Area Form &amp; Case Index Cover Sheets</a> |             |   | <input type="checkbox"/> |
| <a href="#">Confidential Information Form</a>                           |             | <a href="#">Attachment to Confidential Information (additional parties or children)</a> | <input type="checkbox"/> |

## Step 2: Fill out these forms and attachments, then make copies

All these forms in Step 2 can be downloaded at: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms)

|   |  |   |                          |
|---|--|---|--------------------------|
| <a href="#">Summons: Notice about Petition for Parenting Plan, Residential Schedule, and/or Child Support</a> | FL Parentage 330   |   | <input type="checkbox"/> |
| <a href="#">Petition for a Parenting Plan, Residential Schedule and/or Child Support</a>                      | FL Parentage 331   |   | <input type="checkbox"/> |
| <a href="#">Sealed Birth Certificate or Paternity Document (Cover Sheet)</a>                                  | FL Parentage 329   | Attach a certified copy of Paternity Acknowledgment /Denial/Birth Certificate | <input type="checkbox"/> |
| Certified copy of Acknowledgment, Denial of Paternity or Birth Certificate                                    | Contact WA Center of Health Statistics, or similar agency in the state where Acknowledgment or Denial was filed. |   |                          |
| <a href="#">Parenting Plan (Proposed)</a>   | FL All Family 140  |   | <input type="checkbox"/> |
| <a href="#">Notice to Military Dependent</a>  | FL All Family 103  |   | <input type="checkbox"/> |
| <a href="#">Declaration about Public Assistance</a>   | FL All Family 132  |   | <input type="checkbox"/> |

### How many copies do I need?

- **Original** set to file with the Clerk's office.
- Copy **1** is for your records.
- Copy **2** is to serve the other parent.
- Make a **3rd** copy if you have a child(ren) who has received public assistance at some point. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

**Fill out these forms after the other parent is served (see Step 5), make a copy and file them.**

|   |                   |  |                          |
|---|-------------------|--|--------------------------|
| <a href="#">Proof of Personal Service</a> | FL All Family 101 | Form is signed by the server. See Step 5 | <input type="checkbox"/> |
|---|-------------------|--|--------------------------|

|   |                   |  |                          |
|---|-------------------|--|--------------------------|
| <a href="#">Declaration: Personal Service Could not be Made in Washington</a> | FL All Family 102 | Only use if the other parent is served personally out-of-state | <input type="checkbox"/> |
|---|-------------------|--|--------------------------|

**Fill out these forms also if you and the other parent do not agree on child support (but you may postpone completing them)**

|   |                   |  |                          |
|---|-------------------|--|--------------------------|
| <a href="#">Financial Declaration</a>             | FL All Family 131 |  | <input type="checkbox"/> |
| <a href="#">Sealed Financial Source Documents</a> | FL All Family 011 |  | <input type="checkbox"/> |

When you ask for child support, you must provide copies of financial documents, including:

- Your W-2s and complete personal tax returns for the past 2 years
- Your most recent pay stubs (at least 6 months)
- Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more.
- Statements from all your banks and financial institutions for the past 6 months

*Note:* The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.

### Step 3: Start (file) your case

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

**OR**

You can file your case online on the Clerk's website at:

<https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>. If you have questions about e-filing call 206-477-3000, or email [eServices@kingcounty.gov](mailto:eServices@kingcounty.gov).

### Step 4: Pay the fee

**While starting the case, the Clerk will ask you to pay a filing fee.** If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

- For **Kent**: <http://www.kingcounty.gov/~media/courts/Clerk/forms/waive-ff-inst-kent.ashx?la=en>
- For **Seattle**: <http://www.kingcounty.gov/~media/courts/Clerk/forms/waive-ff-inst-sea.ashx?la=en>

There are instructions about how to get a fee waiver approved during COVID-19 here:

<https://www.kingcounty.gov/~media/courts/Clerk/docs/misc/Updated-Instructions-for-Ex-Parte-via-the-Clerk-Fee-Waiver.ashx?la=en>

## Step 5: Serve the other party

You must have the other parent served with *copies* of:

- The Case Schedule that the Clerk gave you when you filed, **and**
- All of the forms you filed with the clerk, except the *Case Assignment Area Form & Case Index Cover Sheets* and the *Confidential Information Form*.

### How to serve

Someone over 18 – **not you** - must serve (give) the other parent copies of your court papers. After serving, the server fills out a *Proof of Personal Service* form and gives it to you. Keep a copy for your own records and file the **original** with the Clerk's Office.

**Note:** For personal service outside of Washington State, the signature of the server must be notarized or sworn before a court clerk on this form.

If you have questions about serving, please ask the facilitator for information on Service.

## Step 6: Attend “What About the Children” seminar

Both parents must attend the “What About the Children” seminar within 60 days after the case is filed. You cannot finish your case without going to this class.

You may register for the Parent Seminar online at <https://kingcounty.gov/courts/superior-court/family/parent-seminar.aspx>.

## Step 7: Wait for a Response

The next step is to wait to see if the other party files a Response.

You must wait:

|                |  |
|----------------|--|
| <b>20 days</b> | If the other party was served in person in Washington state.   |
| <b>60 days</b> | If the other party was served in person outside of Washington state, or by publication (because of a court order). |
| <b>90 days</b> | If the other party was served by mail because of a court order.  |

**If the other party files a Response**, follow your Case Schedule. Your trial will be in about 11 months. If need orders before you go to trial, ask the Family Law Facilitators for instruction for *Motion for Temporary Orders*. Continue to follow your case schedule and go to Step 8.

## Step 8: Finalize your Case

Fill out these forms when you are ready to finalize.

|   |                   |  |                          |
|---|-------------------|--|--------------------------|
| <a href="#">Final Order and Findings for a Parenting Plan, Residential Schedule and/or Child Support Parenting Plan (Final)</a> | FL Parentage 333  |  | <input type="checkbox"/> |
|   | FL All Family 140 |  | <input type="checkbox"/> |

You will also need these forms to finalize if child support is requested.

|   |   |  |                          |
|---|---|--|--------------------------|
| <a href="#">Child Support Order</a>                       | FL All Family 130   |  | <input type="checkbox"/> |
| <a href="#">Child Support Worksheets</a>                  | WSCSS-Worksheets  |  | <input type="checkbox"/> |
| <a href="#">Child Support Schedule &amp; Instructions</a> | Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home">https://fortress.wa.gov/dshs/dcs/SSGen/Home</a> |  |                          |

There are three ways to finish your case:

### Default

If the other party does not file a Response to the Petition by the deadline, you may be able to finalize your case by default. There are instructions called “How to Ask for an Order of Default” under the “Other Motions” section here: <https://www.kingcounty.gov/courts/superior-court/family/family-law-instructions.aspx>

### Agreement

If you come to an agreement before trial, you can finish your case early by drafting your final documents and scheduling an appointment with a facilitator. Facilitators will review your completed final documents and present them to a judicial officer for you. For more information, please visit: <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx> .

### Trial

If you and the other party cannot come to an agreement about your case, you will have a trial before a Judge. Make sure that both your email and mailing address are up to date so that the court can contact you. Instructions on preparing for trial are available at the Facilitator’s office.

### **Informal Family Law Trial (IFLT):**

**Requirements to select an IFLT.** All parties must state whether they wish to proceed with an IFLT or a traditional trial. All parties must agree to proceed with an IFLT. Each party shall make its selection in writing using the [Family Law Trial Selection Form](#). The Family Law Trial Selection form must be filed prior to the trial commencing. For cases in which there is a pretrial conference hearing, the selection shall be made at that hearing. If there is no pretrial conference hearing, the selection shall be made in the [Joint Confirmation of Trial Readiness](#) form. If a party does not file a selection using either form prior to the trial commencing, the case will proceed as a traditional trial. For more information on IFLT see LFLR 23