EXAMPLE - FICTIONAL FAMILY - NOT FOR FILING

Superior Court of Washington, County of King

In re: Petitioner/s (*person/s who started this case*): Linh Nguyen And Respondent/s (*other party/parties*): Daniel Nguyen	No. _____ **Parenting Plan** (PPP/PPT/PP) **Clerk's Action Required: 1**

Parenting Plan

1. This parenting plan is a (*check one*):

[ ] **Proposal** (request) by a parent (*name/s*): _____. It is not a signed court order. (PPP)

[X] **Court order** signed by a judge or commissioner. This is a (*check one*):

[ ] Temporary order. (PPT)

[X] Final order. (PP)

[ ] This final parenting plan changes the last final parenting plan.

2. **Children** – This parenting plan is for the following children:

Child's name	Age	Child's name	Age
1. Mai Nguyen	11	2. Theo Nguyen	7
3.		4.	
5.		6.	

3. **Limitations on a parent** (under RCW 26.09.191 or .192)

a. Abandonment by a parent, or child abuse, domestic violence, or assault by a parent or a person living with a parent. (*Check one.*)

[X] Neither parent (or person living with a parent) has any of these problems. (*Skip to **3.b.***)

[ ] A parent, or person living with a parent, has one or more of these problems. (*Complete **Attachment A.***)

b. Other problems that may harm the children's best interests or interfere with the performance of parenting functions. These problems could include neglect, emotional or physical problems, substance abuse, lack of emotional ties, abusive use of conflict, withholding the child, or other problems. (*Check one.*)

[X] Neither parent has any of these problems. (*Skip to **3.c.***)

[ ] A parent has one or more of these problems. (*Complete **Attachment A.***)

c. Sex offense or sexual abuse of a child including abuse by a parent or a person living with a parent. (*Check one.*)

[X] Neither parent (or person living with a parent) has any of these problems. (*Skip to **4.***)

[ ] A parent, or person living with a parent, has one or more of these problems. (*Complete **Attachments A and B.***)

*If **no** limitations apply in 3.a., 3.b., or 3.c., **remove and don't complete** Attachments A, B, and C.*

4. Custodian

The custodian is (*name*): Linh Nguyen solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to reside a majority of their time.

5. Parenting Time Schedule Attachments *(Residential Provisions)*

***Important!** You must include at least one of **Attachments R**, **A**, or **B** to this plan. The schedule for where your children will spend time is in the attachments. The court should **not** sign a parenting plan without at least one of these attachments.*

The court orders the parenting time in (*check only one*):

[X] **Residential Schedule** as described in ***Attachment R*.**

[ ] **No contact or limited schedule only.** The children live with (*name*): _____. Contact with the other parent is described in (*check one*):

[ ] ***Attachment A*.**

[ ] ***Attachment B*.**

6. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency healthcare.

Major decisions must be made as follows (*check one*):

[ ] As described in ***Attachment A.*** (*Skip to **7.***)

[X] As ordered below. (*Complete **6.a.** and **6.b.***)

a. Who can make major decisions about the children?

Type of Major Decision	Joint *(parents make these decisions together)*	Limited *(only the parent named below has authority to make these decisions)*
School/Educational	[X]	[ ] (*Name*):
Healthcare (not emergency)	[X]	[ ] (*Name*):
Other:	[ ]	[ ] (*Name*):
Other:	[ ]	[ ] (*Name*):
Other:	[ ]	[ ] (*Name*):

Important! *Parenting involves decision-making in many areas. If you believe there are other decisions that are important to your family, list them under "Other" above. Some examples include: extracurricular activities, international travel, cell phones, driver's licenses, tattoos, and haircuts.*

b. Reasons for limits on major decision-making, if any:

[X] There are no reasons to limit major decision-making.

[ ] Major decision-making **should** be limited because (*check all that apply*):

[ ] Both parents are against shared decision-making.

[ ] One of the parents does not want to share decision-making and this is reasonable because of:

[ ] the history of each parent's participation in decision-making.

[ ] the parents' ability and desire to cooperate with each other in decision-making.

[ ] the distance between the parents' homes makes it hard to make timely decisions together.

7. Dispute Resolution

Important! *After this parenting plan is signed by a judge or commissioner, if you and the other parent disagree about shared decisions or what parts of this plan mean, the court may require you to use a dispute resolution provider before going back to court. If a dispute resolution provider is checked below, the parents may, and sometimes must, use this provider before filing a Petition to Change a Parenting Plan or a Motion for Contempt for not following the plan. Check your county's Local Court Rules.*

Dispute resolution must occur as follows (*check one*):

[ ] As described in ***Attachment A.*** (*Skip to **8.***)

[X] As ordered below. (*Complete **7.a.** and **7.b.***)

a. The parents will go to (*check one*):

[X] The dispute resolution provider below (before they may go to court):

[X] Mediation (*mediator or agency name*): Eastside Family Mediation

[ ] Arbitration (*arbitrator or agency name*): _____

[ ] Counseling (*counselor or agency name*): _____

If a dispute resolution provider is not named above or if the named provider is no longer available, the parents may agree on a provider or ask the court to name one.

Important! Unless there is an emergency, the parents must participate in the dispute resolution process listed above in good faith, before going to court for disagreements about joint decisions or what parts of this plan mean. This section does **not** apply to disagreements about money or support.

[ ] Court (without having to go to mediation, arbitration, or counseling). (*If you check this box, skip to **8** below and do not fill out **7.b.***)

b. If mediation, arbitration, or counseling is required, one parent must notify the other parent by (*check one*): [X] certified mail [ ] other (*specify*): _____.

The parents will pay for the mediation, arbitration, or counseling services as follows (*check one*):

[X] (*Name*): Linh Nguyen will pay 50 %,

(*Name*): Daniel Nguyen will pay 50 %.

[ ] based on each parents' Proportional Share of Income (percentage) from line 6 of the *Child Support Worksheet*.

[ ] as decided through the dispute resolution process.

What to expect in the dispute resolution process:

- Preference shall be given to carrying out the parenting plan.
- If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
- If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
- You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

8. Transportation Arrangements

[ ] Does not apply. ***Attachment A*** or ***B*** provides for no residential time.

[X] The children will be exchanged for parenting time (picked up and dropped off) at:

[ ] each parent's home

[X] school or daycare, when in session

[ ] other location (*specify*): _____

_____

Who is responsible for arranging transportation?

[X] The **picking up** parent – The parent who is about to **start** parenting time with the children must arrange to have the children picked up.

[ ] The **dropping off** parent – The parent whose parenting time is **ending** must arrange to have the children dropped off.

Other details (if any): _____

_____

_____

_____

9. Moving with the Children (Relocation)

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, they must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate, and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put themself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, they must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the relocating person still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify…

A relocating person who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened and ordering the relocating person to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but they may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless they have a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that they or a child are at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- Washington Law Help: www.washingtonlawhelp.org, or

- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

10. Other

The parents will share school reports and medical updates within three days, attend school events whoever's time it is, and review this plan together each August.

11. Proposal

[X] Does not apply. This is a court order.

[ ] This is a **proposed** (requested) parenting plan. (*The parent/s requesting this plan must read and sign below.*)

I declare under penalty of perjury under the laws of the State of Washington that this plan was proposed in good faith and that the information in ***Attachment A*** and ***B*** (if any) is true.

▶ _____ _____

Parent requesting plan signs here Signed at (*city and state*)

▶ _____ _____

Other parent requesting plan (if agreed) signs here Signed at (*city and state*)

12. Court Order

[ ] Does not apply. This is a proposal.

[X] This is a court order (if signed by a judge or commissioner below).

Findings of Fact – Based on the pleadings and any other evidence considered:

[ ] The Court adopts as its findings the statements in:

[ ] ***Attachment A***

[ ] ***Attachment B***

[ ] The Court makes additional findings which are:

[ ] contained in an order or findings of fact entered at the same time as this *Parenting Plan*.

[ ] other: _____

Conclusions of Law – This *Parenting Plan* is in the best interest of the children.

[ ] Other: _____

Order – The parties must follow this *Parenting Plan* including any attachments.

_____ ▶ _____

Date ***Judge or Commissioner signs here***

Warning! If you do not follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't.

EXAMPLE

Violation of **residential** provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

If this is a court order, the parties and/or their lawyers (and any GAL) sign below.

This order (*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 **or** lawyer signs here + WSBA #*

_____
Print Name *Date*

This order (*check any that apply*):
[ ] is an agreement of the parties.
[ ] is presented by me.
[ ] may be signed by the court without notice to me.

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

_____
Print Name *Date*

This order (*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 party **or** lawyer signs here + WSBA #*

_____
Print Name *Date*

This order (*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 party **or** Guardian ad Litem signs here*

_____
Print Name *Date*

EXAMPLE

Attachment R: Parenting Time Schedule *(Residential Provisions)*

Complete this attachment **unless** all residential time is covered by ***Attachment A*** or ***B***, or no contact is ordered. Otherwise, remove this attachment.

1. School Schedule

a. Children under school-age

[X] Does not apply. All children are school-age.

[ ] The schedule for children under school-age is the same as for school-age children.

[ ] Children under school-age are scheduled to live with (*name*): _____

_____,

except when they are scheduled to live with (*name*): _____ on (*check all that apply*):

[ ] WEEKENDS: [ ] every week [ ] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] WEEKDAYS: [ ] every week [ ] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] OTHER (*specify*): _____

_____

[ ] Other (*specify*): _____

_____

_____

b. School-age children

This schedule will apply (*check one*):

[X] immediately.

[ ] when the youngest child enters (*check one*): [ ] Kindergarten [ ] 1st grade

[ ] when the oldest child enters (*check one*): [ ] Kindergarten [ ] 1st grade

[ ] Other: _____

The children are scheduled to live with (*name*): Linh Nguyen,
except when they are scheduled to live with (*name*): Daniel Nguyen on (*check all that apply*):

[X] WEEKENDS: [ ] every week [X] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

EXAMPLE

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] WEEKDAYS: [ ] every week [ ] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] OTHER (*specify*): _____

_____

[ ] Other (*specify*): _____

_____

2. Summer Schedule

Summer begins and ends [**X**] according to the school calendar. [ ] as follows: _____

_____

_____.

[**X**] The Summer Schedule is the **same** as the School Schedule. (*Skip to **3**.*)

[ ] The Summer Schedule is the **same** as the School Schedule **except** that each parent shall spend _____ weeks of uninterrupted vacation time with the children each summer. The parents shall confirm their vacation schedules in writing by the end of (*date*) _____ each year. (*Skip to **3**.*)

[ ] The Summer Schedule is **different** than the School Schedule. The Summer Schedule will begin the summer before (*check one*)*:* [ ] the youngest child [ ] the oldest child [ ] each child
begins (*check one*)*:* [ ] Kindergarten [ ] 1st grade [ ] Other: _____

During the summer the children are scheduled to live with (*name*)*:* _____, except when they are scheduled to live with (*name*)*:* _____ on (*check all that apply*)*:*

[ ] WEEKENDS: [ ] every week [ ] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] WEEKDAYS: [ ] every week [ ] every other week [ ] other (*specify*): _____

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

from (*day*) _____ at ____:____ __.m. to (*day*) _____ at ____:____ __.m.

[ ] OTHER (*specify*): _____

_____

EXAMPLE

3. Holiday Schedule (includes school breaks and special occasions)

[ ] The Holiday Schedule is the **same** as the School and Summer Schedules above for all holidays, school breaks, and special occasions. (*Skip to **4**.*)

[X] The children are scheduled to spend holidays, school breaks, and special occasions as follows:
(*Check all that apply. Note any differences for children who have not yet started school.*)

[ ] **Martin Luther King Jr. Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] With the parent who has the children for the attached weekend.

[ ] Other plan: _____

[ ] **Presidents' Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] With the parent who has the children for the attached weekend.

[ ] Other plan: _____

[ ] **Mid-winter Break** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Each parent has the children for the half of break attached to their weekend. The children must be exchanged on Wednesday at (*time*): _____

[ ] Other plan: _____

[ ] **Spring Break** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Each parent has the children for the half of break attached to their weekend. The children must be exchanged on Wednesday at (*time*): _____

[ ] Other plan: _____

[X] **Mother's Day** – Begins and ends (*day/time*): Sunday 9 a.m. to 6 p.m.

[ ] Odd years with (*name*): _____; Even years with the other parent.

[X] Every year with (*name*): Daniel Nguyen

[ ] Other plan: _____

[ ] **Memorial Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

EXAMPLE

[ ] Every year with (*name*): _____

[ ] With the parent who has the children for the attached weekend.

[ ] Other plan: _____

[ ] **Father's Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Other plan: _____

[ ] **Fourth of July** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Follow the Summer Schedule in section **2.**

[ ] Other plan: _____

[ ] **Labor Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] With the parent who has the children for the attached weekend.

[ ] Other plan: _____

[X] **Thanksgiving Day/Break** – Begins and ends (*day/time*): Wed 6 p.m. – Sun 6 p.m.

[X] Odd years with (*name*): Linh Nguyen; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Other plan: _____

[ ] **Winter Break** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Other plan: _____

[ ] **Christmas Eve/Day** – Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

EXAMPLE

[ ] Follow the Winter Break schedule above.

[ ] Other plan: _____

_____

_____

[ ] **New Year's Eve/Day** – Begins and ends (*day/time*): _____
(odd/even is based on New Year's Eve)

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Follow the Winter Break schedule above.

[ ] Other plan: _____

_____

[ ] **All three-day weekends not listed elsewhere**
(Federal holidays, school in-service days, etc.)

[ ] The children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend.

[ ] Other plan: _____

_____

_____

Important! *Families in Washington observe a broad range of religions and traditions. Your Parenting Plan can provide for how children will spend time on other significant days. (Examples: Eid, Passover, Easter, Chinese New Year, birthdays, etc.) Add lines as needed.*

[ ] **Other occasion important to the family:** _____

[ ] Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Other plan: _____

[ ] **Other occasion important to the family:** _____

[ ] Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

[ ] Every year with (*name*): _____

[ ] Other plan: _____

[ ] **Other occasion important to the family:** _____

[ ] Begins and ends (*day/time*): _____

[ ] Odd years with (*name*): _____; Even years with the other parent.

EXAMPLE

[ ] Every year with (*name*): _____

[ ] Other plan: _____

4. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (*check all that apply*):

[**X**] Named holidays shall be followed before school breaks.

[ ] Children's birthday/s shall be followed before named holidays and school breaks.

[ ] Other (*specify*): _____

_____

_____

_____

EXAMPLE