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IT'S A GOOD OPTION FOR AT-RISK YOUTH and CHINS PETITIONS

BENEFITS of Mediation:

- Meet with a highly skilled professional mediator
- Reduces time spent in court
- Option to keep your legal petition in place while the court monitors your mediated agreements
- Potential for better results/outcomes
- Your family will make the final decisions for your family, not a Judge
- Still have access to all the benefits of court case management referrals and resources without court hearings
- It's FREE!

To <u>schedule mediation or for questions about mediation and other benefits</u> contact the At-Risk Youth Case manager:

Seattle At-Risk Youth Case Manager:

Karen Chapman <u>karen.chapman@kingcounty.gov</u> 206-477-4946

Kent Maleng Regional Justice Center At-Risk Youth Case Manager:

Amy Andree
amy.andree@kingcounty.gov
206-477-2759

CHINS FAQ's

Why should I get a CHINS petition?

To obtain a court order mandating temporary placement of the child in a residence other than the home of their parent because: a serious conflict exists between the parent and child that cannot be resolved by delivery of services to the family during continued placement of the child in the parental home, and reasonable efforts have been made to prevent the need for removal of the child from the parental home.

Does the youth qualify?

A child in need of services is defined by statute as a child under the age of 18 who meets at least one of the following three requirements:

- 1. Is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or other person; OR
- 2. Has been reported to law enforcement as absent without consent for at least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court-ordered placement on two or more separate occasions; and Has exhibited a serious substance abuse problem; or Has exhibited behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person; OR
- 3. Is in need of necessary services, including food, shelter health care, clothing, educational, or services designed to maintain or reunite the family; and Lacks access to or has declined to utilize these services; and Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.

Who can file a petition?

A child, parent, or DCYF may file a CHINS petition. A "parent" is defined as the person(s) having legal right to custody of the child and includes custodian or guardian.

What do I need to do to get the process started?

Contact your local Family Reconciliation Services (FRS) office at DCYF and request an appointment for intake and assessment. At the conclusion of this meeting, the intake caseworker will prepare a Family Assessment. Request a copy of the family assessment and attach it to the petition prior to filing. The Court must have a copy of the FRS assessment before proceeding with the petition.

Family Reconciliation Services (FRS) 1-800-609-8764 Days, 8 a.m. - 4:30 p.m. 1-800-562-5624 After hours, 4:30 p.m. - 8 a.m.

Where do I file the petition?

Petitions must be filed in the Court Clerk's Office (Room 3161) at the Clark Children and Family Justice Center (1211 E. Alder St., Seattle) or at the Court Clerk's Office (2nd floor, Rm 2C) at the Regional Justice Center (401 - 4th Ave. N, Kent). You may file Monday-Friday 8:30-4:30, no appointment is necessary. Petitions can be filed at either location, but hearings will occur in the courthouse corresponding to the zip code the parent resides in. Generally, Seattle, Eastside and North King County cases will be heard in Seattle and South King County cases will be heard in Kent. *Note: Clerks Offices are closed for lunch from 12:15 – 1:15 M-F.*

Are there any costs?

There is no cost to file a petition or for the FRS Family Assessment; however, there *may* be a cost for the attorney that is appointed for your child; for more information, please ask a case manager (see below).

The parent shall be financially responsible for costs related to the *court-ordered plan* (counseling, drug/alcohol evaluations/treatment, mental health evaluations, etc.).

Whenever the court approves an out-of-home placement, the court shall inquire into the ability of the parents to contribute to the child's support. If the court finds that the parents are able to contribute to the support of the child, the court shall order them to make support payments. However, a parent who has BOTH opposed the placement and continuously sought reconciliation with, and return of the child shall NOT be financially responsible for out-of-home placement costs.

Who can I contact if I need assistance during the petition process?

If you need more assistance you may call a case manager: Karen Chapman for Seattle, Eastside, or North King County addresses at (206) 477-4946 or Amy Andree at (206) 477-2759 for all South King County addresses.

How do I need to inform the youth about the court date?

To be properly served, a nonparty, over the age of eighteen, must have handed a party a copy of the documents that are coming before the court. After the server delivers the court papers to the opposing party, the server should complete the Declaration of

Service form. That form requires the server to make a sworn statement to the court (under oath) that s/he served the party with the necessary court papers. The server should date and sign the Declaration of Service at the bottom and return it to the party requesting his/her services. That form constitutes **"proof of service"** and must be brought to the hearing.

Since this is a court proceeding, are there attorneys?

The child is automatically assigned a court-appointed attorney for all hearings. Under a CHINS proceeding, a court-appointed attorney may be provided for the parent if s/he meets the financial requirements as determined by the Department of Public Defense (DPD). It is the responsibility of the parent to undergo financial screening with DPD. A parent always has the right to obtain an attorney at their own expense.

Are interpreters available if someone does not speak English?

If an interpreter is necessary, let the Clerk's office know at the time of filing. At a minimum, provide your name, the child's name, and the language requested.. King County Superior Court will pay for all interpreter services during court hearings. King County Superior Court will pay for all interpreter services.

What kinds of things can the Court order?

DCYF Shall

- review the case to determine the appropriateness of filing a dependency petition under RCW 13.34

Child Shall

- be placed or remain for a period not to exceed 180 days in an out-of -home placement

Placement Shall

- have full power to authorize and provide all necessary educational, routine and emergency medical, dental or psychological care as recommended by the child's treating doctor.
- report to the parents and to the court within 24 hours as to any unauthorized leave from placement.

What happens if a party does not follow the court order?

Failure by any party to comply with a court order is contempt of court. Violations of the court order should be reported to the court through the filing of a contempt motion. A contempt motion may be filed by a parent, a child or a person/agency having custody of the child. If the court makes a finding of contempt at a *contempt hearing*, the court may impose coercive sanctions, such as research papers or community service hours or other interventions to address behaviors.

Do not wait for a scheduled review hearing to report violations of the court's orders. An appointment with a case manager is necessary to file a contempt motion and must be served to the other party at least 5 business days prior to the hearing.

What should we do if our situation is urgent/crisis and we can not wait for a court date?

IMMINENT DANGER: CALL "911"

Crisis: King County 24 Hour Crisis-Line

1-866-4CRISIS

Child in Need of Services (CHINS) Petitions-Summary

Parents, legal guardians, youth or DCYF social workers may file petitions with the Juvenile Court to ask for assistance with children who are running away, using drugs or alcohol, are generally out of the control of their parents and in need of necessary services such as an out-of-home placement. Filing a CHINS is a last resort option after a number of other interventions and services have been tried to hold the family together. Blank petitions are kept in the Clerk's Office in Room 3161 of the Clark Children and Family Justice Center in Seattle (1211 E. Alder St.) or Room 2C at the Regional Justice Center in Kent (401 4th Avenue N.). Generally, petitions can be filed at either location. Cases are heard in the courthouse that corresponds to the zip code in which the parent or legal guardian resides. Seattle, Eastside and North King County cases are heard in Seattle and South King County cases are heard in Kent. This petition may be filed without assistance from Juvenile Court personnel. Petitioner must contact Family Reconciliation Services for a family assessment prior to completing a petition at 1-800-609-8764. In general, most cases follow this process:

Step 1:

<u>Contact Family Reconciliation Services for a Family Assessment</u>. Family Reconciliation Services may offer in-home counseling to families in crisis for free in order to avoid the need to go to court.

Step 2:

<u>Complete a Child In Need of Services Petition</u>. File your completed petition with the Clerk's Office, along with the Family Assessment. You will be given a date and time for the fact-finding (trial). The other parties will need to be legally served with the hearing date and petition. (Instructions below)

Step 3:

Attend the Fact-Finding Hearing with all parties. The judge or commissioner will decide whether the child is, according to the law, a child in need of services. After they decide this, they will ask the parties and social service professionals what should happen next. An order will be issued that requires the child, and possibly the parent/guardian, to take some action. You will be given a new court date for parties to return for a Review Hearing.

Step 4:

Attend a Review Hearing with your child. The judge or commissioner will ask the parent/guardian, the child, and social service professionals to discuss what progress has been made on what the court has ordered. Some changes may be made to the order at this time.

Step 5:

<u>If necessary, file a Motion for Contempt</u>. If you believe a party is not obeying the court order, and would like to court to take action, you may file a motion for a contempt hearing with a case manager. At this hearing, parties will have an opportunity to talk about what happened and why. You will also be asked how you would like the court to respond.

Filing A Child In Need of Services (CHINS) Petition

- ➤ Contact Family Reconciliation Services at 1-800-609-8764 (daytime) or 1-800-562-5624 (after hours) to get a family assessment. This assessment is required for filing a petition.
- ➤ Get a blank Child in Need of Services petition at the Clerk's Office Room 3161 of the Clark Children and Family Justice Center or Room 2C at the Regional Justice Center in Kent or call a case manager (see phone numbers below), and ask for a packet to be mailed to you. Complete the petition in your own words. You will be asked to explain the conflict in the home, how you have tried to change this behavior, and how you would like to court to respond. You may complete this petition without help from anyone in the courthouse.
- ➤ When you have completed the petition, bring it to the Clerk's Office, in your area for filing. You will be given a court date.
- > If you would like an interpreter for your court hearing, please inform the clerk before you leave the clerk's office.
- Have someone 18 years old or older, other than you, serve the other party with the petition and the court date. This person, the server, must complete the required service paperwork so you can prove that the other party was properly served.

If you have questions about filing a petition, contact the case manager assigned to your child's school district:

<u>Clark Children and Family Justice Center (Seattle): Karen Chapman, 206-477-4946</u> (Seattle, Vashon, Bellevue, Issaquah, Lake Washington, Mercer Island, Northshore, Riverview, Shoreline, Skykomish, & Snoqualmie school districts)

<u>Maleng Regional Justice Center (Kent): Amy Andree 206-477-2759</u> (Kent, Renton, Tukwila, Tahoma, Highline, Federal Way, Auburn & Enumclaw school districts)

Child in Need of Services Fact-Finding Hearing

- A fact-finding hearing is the first court hearing in the CHINS petition process. A judge or commissioner will decide whether your child is child in need of services, according to the law.
- > The hearing may be heard when you arrive, or you may have to wait for several hours before you can go into the courtroom. There are several reasons for this, including how busy the court is that day and whether other families arrived before you. You may want to bring a book or a magazine with you to read while you wait.
- At your hearing, the judge or commissioner will hear from you, your child, and social service professionals about your case. You should be prepared to explain why you would like this petition to be granted, what behaviors your child has been engaging in, and what you think the court should do about it. It is helpful to come prepared to address your child's curfew, school attendance and grades, services you have tried in the past, and services you would like to try.
- Your child will have an attorney at this hearing. This attorney will be representing your child's wishes, which may not be the same as your wishes.
- ➤ If the judge or commissioner agrees that your child is in need of necessary services, a court order will be issued with requirements for your child, and possibly you. A DCYF Social Worker will be assigned to your case.
- A date for a review hearing will be given to you before you leave the courtroom.

If you have questions about filing a petition, contact the case manager assigned to your child's school district:

<u>Clark Children and Family Justice Center (Seattle): Karen Chapman, 206-477-4946</u> (Seattle, Vashon, Bellevue, Issaquah, Lake Washington, Mercer Island, Northshore, Riverview, Shoreline, Skykomish, & Snoqualmie school districts)

<u>Maleng Regional Justice Center (Kent): Amy Andree 206-477-2759</u> (Kent, Renton, Tukwila, Tahoma, Highline, Federal Way, Auburn & Enumclaw school districts)

Child In Need of Services Review Hearing

- At the review hearing, the judge or commissioner will hear from you, your child, and social service professionals about the progress being made on what the court has ordered.
- You must arrive at court by the time listed in your court order. As soon as you enter the building, you will pass through a security area with a metal detector. Do not bring weapons of any kind to the courthouse. Sign in at the front desk so that the court knows that you and your child have arrived.
- Your hearing may be heard as soon as you arrive, or you may have to wait for several hours before you can go into the courtroom. There are several reasons for this, including how busy the court is that day and whether other families arrived before you. You may want to bring a book or a magazine with you to read while you wait.
- ➤ Changes may be made to the court order based on what the judge or commissioner hears during the hearing. No sanctions will be ordered during a review hearing.
- ➤ Before you leave the courtroom, another court date will be given to you.

If you have questions about filing a petition, contact the case manager assigned to your child's school district:

<u>Clark Children and Family Justice Center (Seattle): Karen Chapman, 206-477-4946</u> (Seattle, Vashon, Bellevue, Issaquah, Lake Washington, Mercer Island, Northshore, Riverview, Shoreline, Skykomish, & Snoqualmie school districts)

<u>Maleng Regional Justice Center (Kent): Amy Andree 206-477-2759</u> (Kent, Renton, Tukwila, Tahoma, Highline, Federal Way, Auburn & Enumclaw school districts)

Child In Need of Services Contempt Hearing

- ➤ If you believe that your child is not obeying the court order, and you would like the court to take action, you must file a motion for a contempt hearing.
- You will need help from someone in the Juvenile Courthouse to complete this paperwork. Please contact the case manager at the courthouse in which your case was heard to arrange an appointment for this. Listen to their messages for open office hours.
- At the contempt hearing, the judge or commissioner will decide whether the child has violated the court order. If he or she has, the court may issue sanctions in order to make sure that order will not be violated again.
- You must arrive at court by the time listed in your court order. As soon as you enter the building, you will pass through a security area with a metal detector. Do not bring weapons of any kind to the courthouse. Sign in at the front desk so that the court knows that you and your child have arrived.
- Your hearing may be heard as soon as you arrive, or you may have to wait for several hours before you can go into the courtroom. There are several reasons for this, including how busy the court is that day and whether other families arrived before you. You may want to bring a book or a magazine with you to read while you wait.

If you have questions about filing a petition, contact the case manager assigned to your child's school district:

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<u>Maleng Regional Justice Center (Kent): Amy Andree 206-477-2759</u> (Kent, Renton, Tukwila, Tahoma, Highline, Federal Way, Auburn & Enumclaw school districts)



Superior Court of Washington County of King

In the Interest of: DOB		Petition for Child In Need of Service	
	I represent to the court the following:		
1.1	Petitioner(s) is/are: Child Parent(s) DCYF	Custodian of the above-named child Guardian of the above-named child	
1.2	Information about the child:		
	of birth:	Age:Sex:	
Phon	ne Number:		

1.3 Name	Information about Parent #1:		
Addr			
Phon	Number:		
Еппат	Address:		
NT	Information about Parent #2:		
Addr	S:		
Phon	Number:		
Emaı	Address:		
Mari	ıl status of parents:		
	Information about the legal custodian or guardian		
Name			
Addr	S:		
Phon	Number		
Emai	Number:Address:		
1.4	Other active Juvenile Court matters:		
	The child is not the subject of a dependency proceeding under chapter 13.34 RCW.		
	An At-Risk Youth (ARY/CHINS) petition involving this child is active.		
	A Truancy petition involving this child is active.		
	An offender (criminal) matter involving this child is active.		
1.5	The child is a child in need of services, as defined in RCW 13.32A.030(4), in that the child:		
	a The child is beyond the control of his/her parent such that the child's behavior endangers the health, safety, or welfare of the child or other person;		
	b. The child has been reported to law enforcement as absent without consent for least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court ordered placement on two or more separate occasions; and the child		

		Has exhibited a serious substance abuse problem; or Has exhibited behaviors that create a risk of serious harm to the health, safety, or welfare of the child or any other person; or
	c. reunit	The child is in need of necessary services (including food, shelter, healthcare, clothing, educational, or services designed to maintain or the family); and
		The child lacks access to, or has declined to utilize these services; and
		The child's parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.
1.6		A family assessment has been completed by Family Reconciliation Services (FRS) and verification thereof is attached to this petition.
		FRS was unable to complete the family assessment within two working days of the petitioner's request.
1.7		A serious conflict exists between the parent and the child.
		If the petitioner is the child, s/he has made a reasonable effort to resolve the conflict.
	follow	Reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home. The efforts made by the petitioner include the wing:
1.8		allegation that the child is a child in need of services is based on the ving facts:

II. RELIEF REQUESTED

following recommendations be considerable to the considerable to t	-of-home placement for the child. I/We also request that the ered by the Court for inclusion in the dispositional order:
I/We certify under penalty of perjury uniformation is true and correct.	I. CERTIFICATION under the laws of the State of Washington that the above
Signed thisday of	, 20, at, Washington
Print Name of Petitioner	Signature of Petitioner
Print Name of Petitioner	Signature of Petitioner

INFORMATION FORM FOR ARY/CHINS PARTIES

Required by 26.50 & 26.50.020(5)

Information will be entered into a database available only to the courts. Information is required only for those individuals/parties that will be attending future court hearings.

Youth:				
First Name:				<u> </u>
Middle Name	:			
Last Name:				_
Address:	·			
	•			
	State:			
II/C11 T.	Zip Code:			
Work Phone:	elepnone:			
	D 0001	Hair Calors	Eye Color:	
	_ Kace		Lye Color	
Parent 1/1	Legal Guai	rdian (LGN) 1:	Relationship to Youth:	
	8	` ,	ip to other Parent/LGN:	
First Name:				
Middle Name				
Last Name:				_
Address:	Street:			<u></u>
	04-4-			
	Zip Code:			
Home/Cell Te	elephone:			
Work Phone:				
			Eye Color:	_
Date of Birth:				
Parent 2/1	L egal Gua i	rdian (LGN) 2:	Relationship to Youth:	
		Relationsh	ip to other Parent/LGN:	
First Name:				
Middle Name	<u> </u>			
Last Name:				
Address:	Street:			_
	Citru			_
	State:			_
	Zip Code:			_
	elephone:			
Work Phone:				
		Hair Color:	Eye Color:	_
Date of Birth:				

KING COUNTY SUPERIOR COURT CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET Juvenile and Mental Health

	CASE NUMBER:		
	(Provided by	the Clerk)
	CASE CAPTION: In Re		
	(Print name	of person	or child)
	98003; 98010; 98022; 98023; 98025	; the follow ; 98031; 9 ; 98058; 9	ed in the Kent Case Assignment Area wing postal zip codes: 98001; 98002; 98032; 98038; 98042; 98047; 98048; 98059; 98092; 98146; 98148; 98158;
Plea	se mark one of the boxes below:		
	Mental Illness Family (MIF) - <u>Seattle Only</u>		
	At-Risk Youth (ARY)		Child in Need of Services (CNS)
	Dependency (DEP)		Developmental Disability (DDP)
Ė	Extended Foster Care – Dependency (EFC)		Guardianship Foster Children (GFC)
	Reinstatement of Parental Rights (RPR)		Termination of Parental Rights (TER)
	Truancy (TRU)		
l cer	tify that this case meets the case assignment cri	iteria, desc	cribed in King County LJuCR 3.2(c).
Sign	ature of person / Attorney starting the case		Date
WS	3A Number	•	



Superior Court of Washington County of King

In the Interest of:	NOTICE AND ORDER TO APPEAR FOR HEARING ON CHILD IN NEED OF SERVICES (CHINS) PETITION
DOB	
STATE OF WASHINGTON TO:	
Name of Opposing Party:	
Present Address:	
Whereabouts unknown.	CR TO APPEAR FOR HEARING
1.1 You are notified that a Child In need of Services with this court	s (CHINS) petition, a copy of which is attached, was filed
1.2 YOU ARE DIRECTED TO APPEAR AT A I	HEARING TO BE HELD:
On	at a.m. / p.m.,
At King County Superior Court	
Clark Children & Family Justice Center	Maleng Regional Justice Center
1211 E. Alder Street	401 4 th Ave N
Seattle, WA 98122	Kent, WA 98032
Courtroom 3C	Courtroom 1H

And show cause why the relief requested in the Child In Need of Services Petition should not be granted.

FAILURE TO APPEAR IN COURT IN RESPONSE TO THIS NOTICE AND ORDER TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

- 1.3 The purpose of the hearing is to hear and consider evidence on the petition, and decide whether the petition should be granted.
- 1.4 It is the petitioner's responsibility to have the above-named person served by someone other than the petitioner who is over the age of eighteen, and to provide proof of such service at the hearing.

ADVICE OF RIGHTS AND CONSEQUENCES

- 1.1 A lawyer will be appointed for the child. The Department of Public Defense (DPD) shall appoint counsel within 72 hours of receipt of this petition and shall notify the court at least one court day prior to the hearing if OPD deems it is unable to comply with this court order.
- 1.2 The parent, legal custodian or guardian of the child has a right to be represented by a lawyer at the hearing. If the parent cannot afford a lawyer, the Court will appoint one. If the parent wants a court appointed attorney, s/he must contact the financial screener for the Office of Public Defense at (206) 477-9727 at 3 days prior to the hearing date.
- 1.3 All parties have the right to present evidence at the fact-finding hearing.
- 1.4 Parties are advised that if the Court approved the petition, the child may be ordered into an out-of-home placement, subject to the terms of the court order. This may include outpatient drug and alcohol treatment and/or mental health/psychological evaluation or treatment.
- 1.5 Parties are advised that the Court may, instead of approving the CHINS petition and ordering out-of-home placement, approve an at-risk youth petition filed by the parents, dismiss the CHINS petition, or order the case reviewed to determine whether a dependency petition should be filed.
- 1.6 If the Court approved an out-of-home placement, the parent may be required to contribute to the child's support. However, payments shall not be required of a parent who has both opposed the placement and continuously sought reconciliation with, and return of the child.
- 1.7 The child and the parent have the right to request a hearing to review the current placement pending the hearing set in paragraph 1.2.
- 1.8 The petition must be filed in the county where the parent resides.
- 1.9 The parent has the right to file an at-risk youth petition (Chapter 13.32A RCW), a guardianship petition (Chapter 11.88 RCW), or a dependency petition (Chapter 13.34 RCW). The parent also has the right to submit an application for admission of the child to a treatment facility for alcohol, chemical dependency, or mental health treatment. The parent may seek court review of a decision not to pursue involuntary commitment of the child for alcohol, chemical dependency or mental health treatment (Chapter 70.96A and 71.34 RCW)

Dated:	
	Judicial Officer

Signature of Petitioner	Signature of Petitioner	
Petitioner(s) waive(s) right to a hearing within 5 calendar days of filing this petition because the child's whereabouts are currently unknown		

FAILURE TO APPEAR IN COURT IN RESPONSE TO THIS NOTICE AND ORDER TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.OR MAY RESULT IN AN ORDER BEING ENTERED APPROVING THE PETITION AND PLACING THE CHILD IN AN OUT OF HOME PLACEMENT.

IF THE PETITIONER FAILS TO APPEAR FOR ANY COURT HEARING, THE COURT MAY DISMISS THE CASE WITHOUT FURTHER NOTICE.



Superior Court of Washington County of King

No.		
140.		
DECLARAT	ION OF SERVICE	
-		
	declares as follows	
	declares as follows	
d	with the following:	
nd order to show cause fo	r hearing filed on	
	(Date)	
d NOTICE and order to	show cause for hearing filed on	
)	·	
MPT for violation of an A	ARY/CHINS order filed on	
)	·	
rder of the court filed on		
ider of the court filed off	(Date)	
C1 1		
filed on	(Date)	
1	d order to show cause for NOTICE and order to see MPT for violation of an A	

Note: This document properly signed constitutes proof of service. The petitioning party or moving party shall retain this document and present it to the court on the date of said hearing. The use of a paid process server is not required. The server must be a nonparty who is over the age of eighteen.

documents by:	of record in this matter, I ar	n over the age of 18, and state that I	served the aforementioned
delivering to and	leaving with him/her persona	lly in King County, Washington a copy	of said documents;
I DECLARE under is true and correct.	_ , , ,	ne laws of the State of Washington th	nat the foregoing
Dated this	day of	, 20, in	, Washington.
Signature of Server		Print Name o	f Server

Note: This document properly signed constitutes proof of service. The petitioning party or moving party shall retain this document and present it to the court on the date of said hearing. The use of a paid process server is not required. The server must be a nonparty who is over the age of eighteen.