

# How to Respond to a Petition asking to Modify a Parenting Plan/Custody Decree

Due to COVID-19, all hearings are being done by phone or video and most offices are only providing remote services. You should consult the King County Superior Court webpage for the most up to date information. <https://www.kingcounty.gov/courts/superior-court.aspx>.

## Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms.

If you **cannot** afford a lawyer, you can:

- 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>
- Get help from the Family Law Facilitators office. You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

## Step 1: Determine your response deadline

|         |  |
|---------|--|
| 20 days | If you were served in person in Washington state or signed an <i>Acceptance of Service</i> . |
| 60 days | If you were served in person outside of Washington state or by publication.                  |
| 90 days | If you were served by mail.  |

## Step 2: Fill out this form

This form can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

| Form Name  | Form Number       | Notes | Completed                |
|--|-------------------|-------|--------------------------|
| <a href="#">Response to Petition to Change a Parenting Plan, Residential Schedule or Custody Order</a> | FL Modify 602     |       | <input type="checkbox"/> |
| <a href="#">Proof of Mailing or Hand Delivery</a>  | FL All Family 112 |       | <input type="checkbox"/> |

**IMPORTANT:** If the other party **has** scheduled an Adequate Cause hearing, ask the facilitator for information on how to respond to adequate cause. Adequate Cause is for the court to decide whether the case meets the legal criteria for a modification and should proceed to trial or be dismissed.

If the other party **has not** scheduled an Adequate Cause hearing, you can schedule your own Adequate Cause hearing.

### How many copies do I need?

- **Original** set to file with Clerk's office
- Copy **1** is to serve the other party
- Copy **2** you will keep for your records

## Step 3: Take your completed form to the Clerk's office and file it

You can file your paperwork 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 paperwork 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: Have the other party served

You may deliver or mail documents yourself. If the other party has an attorney, deliver or mail the forms to the attorney instead. After you have delivered/mailed the forms to the other party or attorney, fill out the *Proof of Mailing or Hand Delivery* form. Make one copy of this form for your records and file the original with the Clerk's Office.

You have now responded to the Petition and must take the following additional steps.

## Step 5: Go to the family law classes

Self-represented parties must complete the Family Law Orientation by the deadline listed on your Case Schedule. You can register online at: <https://kcscfamlaworientation.eventbrite.com>. If you have questions or need to waive the fee, email [FamLawOrientation@kingcounty.gov](mailto:FamLawOrientation@kingcounty.gov).

All parties must also complete the parenting seminar "What About the Children," by the deadline listed on your Case Schedule. You can register online at: <https://kcscparentseminar.eventbrite.com>. If you have questions or need to waive the fee, email [Parentseminar@kingcounty.gov](mailto:Parentseminar@kingcounty.gov).

## Step 6: Follow your Case Schedule

If you do not have a copy of your case schedule, you may get it from the Clerk's office. You may also view your case file online [here](#). The case schedule contains deadlines each party must follow.

## Step 7: Finishing your Case

There are two ways to finish your case:

### Agreement

If you come to an agreement before trial, you can finish your case early. For more information, please visit: <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

### OR

### 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 in order 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

## Step 8: Documents needed to finalize by agreement or at trial

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

| Form Name   | Form Number       | Note | Completed                |
|---|-------------------|------|--------------------------|
| <a href="#">Parenting Plan</a>  | FL All Family 140 |      | <input type="checkbox"/> |
| <a href="#">Final Order and Findings on Petition to Change a Parenting Plan</a> | FL Modify 610     |      | <input type="checkbox"/> |

### You also need these forms if child support is requested:

|   |  |   |                          |
|---|--|---|--------------------------|
| <a href="#">Child Support Worksheets</a>                  | WSCSS - 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> | <input type="checkbox"/> |
| <a href="#">Child Support Order</a>                       | FL All Family 130                                |   | <input type="checkbox"/> |
| <a href="#">Child Support Schedule &amp; Instructions</a> | Use this information to complete the Worksheets. |   |                          |

If you have ever received public assistance on behalf of the minor children you must contact the King County Prosecuting Attorney's Family Support Section as early in your case as possible. They must sign off on the Child Support Order before you can finalize your case.

### If child support is requested and you are going to trial, you will also need:

|  |                   |   |                          |
|--|-------------------|---|--------------------------|
| <a href="#">Financial Declaration</a>  | FL All Family 131 |   | <input type="checkbox"/> |
| <a href="#">Sealed Financial Source Documents (Coversheet)</a>   | FL All Family 011 | This form goes on the front of the financial documents you file | <input type="checkbox"/> |
| You must provide copies of financial documents, including: <ul style="list-style-type: none"> <li>▪ Your W-2s and complete personal tax returns for the past 2 years</li> <li>▪ Your most recent pay stubs (at least 6 months)</li> <li>▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more</li> <li>▪ Statements from all of your banks and financial institutions for the past 6 months</li> </ul> |                   |   |                          |

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