

Superior Court of Washington, County of Pierce

In re:

Petitioner:

Miranda Henderson (FKA Smith)

And Respondent:

Kevin Smith

No. 15-3-04472-8

**Petition to Change a Parenting Plan or
Other Custody Order**
(PTMD)

Petition to Change a Parenting Plan or Other Custody Order

If you're filing this Petition in:

- *the **same** case number as the current parenting/custody order, the person who is listed as the Petitioner in the current order will stay Petitioner, even if s/he is not the person asking for the change now.*
- *a **different** case number or county from where the current parenting/custody order was issued, the person asking for the change may be the Petitioner.*

To modify a parenting/custody order from a sealed Parentage case, contact the Superior Court Clerk's office about who to list as Petitioner and if there is a new case number.

*Do **not** use this form if you want to terminate or change a non-parent custody order. Use form GDN M 502 instead.*

1. Who is asking to change the parenting/custody order?

(Name): Kevin Smith

I live in Pierce County, Washington.

2. Who is the other parent involved in this case?

(Name): Miranda Henderson (FKA Smith)

who lives in Grays Harbor County, Washington.

3. Who are the children involved in this case?

Child's name	Age
1. Thomas Smith	8
3. Genevieve Smith	7

4. Describe the parenting/custody order you have now:

My current parenting/custody order is a *(check one)*:

Parenting Plan

signed by a court on March 17, 2017 in Pierce County, Washington.

Important! Attach or file a certified copy of the current parenting/custody order that you want to change if it was issued in a different county or state.

5. Explain why you are filing your request for change with this court:

I ask the court to make the changes requested in sections **6** through **12** below, and to approve my proposed *Parenting Plan* or *Residential Schedule* that is filed with this *Petition*. This *Petition* shows that I have valid reasons to ask for these changes. The changes are in the children's best interest.

I am filing this *Petition* in this county court because *(check all that apply)*:

I live in this county.

the child/ren live in this county.

the parenting/custody order that I want to change is from this county.

Note – If you need more space to explain in any of the sections below, you may add more pages to this *Petition*. Number, date, and sign each page that you add.

6. Request for major change (RCW 26.09.260(1) and (2))

I ask the court to make a major change in the parenting schedule or to change the person the child lives with most of the time. The situation of the child/ren or the *other* parent has changed substantially.

Reason for major change *(check all that apply)*:

Note – Your reasons must be based on information that you learned about **after** the current parenting/custody order was issued, or if the order was uncontested (issued by default or agreement), your reasons may be based on information that was unknown to the court when the order was issued.

the children are living in my home now with the other parent's permission. This is very different than what was ordered in the current order.

Explain: We have deviated from the residential provisions of the Parenting Plan for a significant period of time. These deviations were by agreement. The children grew accustomed to the schedule during these periods of deviation and it is in their best interests to have more time in the stable environment that I can provide.

Please refer to my Declaration filed at the same time as this *Petition*.

the children's current living situation is harmful to their physical, mental, or emotional health. It would be better for the children if the order is changed.

Explain: Please refer to my Declaration filed at the same time as this *Petition*.

Include any limitations requested under RCW 26.09.191 in your proposed *Parenting Plan* or *Residential Schedule*.

7. **Request for minor change (RCW 26.09.260(5), (7), and (9))**

I ask the court to adjust the parenting schedule, but **not** change the person the child lives with most of the time. The situation of the child/ren or a parent has changed substantially.

Reason for minor change (check all that apply):

*Note – Your reasons must be based on information that you learned about **after** the current parenting/custody order was issued, or if the order was uncontested (issued by default or agreement), your reasons may be based on information that was unknown to the court when the order was issued.*

the requested change will impact the children’s schedule on more than 24 full days, but fewer than 90 overnights a year. This change is needed because the current parenting/custody order does not give the children a reasonable amount of time with one parent and it’s in the children’s best interest to have more than 24 full days of increased time with that parent.

Are there any limitations on the parent whose time would be increased?

No. The current parenting/custody order does **not** limit that parent’s time with the children because of abandonment, abuse, domestic violence, sex offense, or other serious problems.

Has the parent whose time would be increased completed any required evaluations, treatment, or classes?

Does not apply. The current parenting/custody order does **not** require that parent to complete any evaluations, treatment, or classes.

8. **Request for restrictions on the parent with less parenting time (RCW 26.09.260(4) and (8))**

No request.

9. **Request for other changes (RCW 26.09.260(10))**

Because of a substantial change in one parent’s/child’s situation, I ask the court to adjust the following (check all that apply):

dispute resolution

decision-making

transportation arrangements

10. **Child Support (RCW 26.09.170)**

No request. I am not asking the court to adjust or change child support.

My request to change the parenting schedule affects child support because:

- I’m asking to change the parent the children live with most of the time, or
- I’m asking for a substantial change in the amount of time the children spend with the parent who pays child support.

If the court makes my requested changes, I also ask the court to set or change child support. I will file a *Financial Declaration* and proposed *Child Support Worksheets*.

Warning! If the court does not change the parenting/custody order, your request to change child support may be denied. If you have other reasons to change child support, you may file separate forms to make that request (use form FL Modify 501 or 521).

11. Protection Order

Do you want the court to issue an Order for Protection as part of the final orders in this case?

No. I do not want an Order for Protection.

12. Restraining Order

Do you want the court to issue a Restraining Order as part of the final orders in this case?

No. (Skip to **13.**)

Important! If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and Restraining Order or a Motion for Immediate Restraining Order (Ex Parte).

13. Children’s Home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

No. (Skip to **14.**)

14. Other people with a legal right to spend time with a child

Do you know of anyone besides the Petitioner and Respondent who has or claims to have a legal right to spend time with a child?

(Check one): **No.** (Skip to **15.**)

15. Other court cases involving a child

Do you know of any court cases involving any of the children?

No. (Skip to **16.**)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
Family Law – Legal Separation	Pierce County, Washington	14-3-00124-9 2014	<input checked="" type="checkbox"/> All children

16. Jurisdiction over children (RCW 26.27.201–.231, .261, .271)

The court can change a parenting/custody order for the children because (check all that apply; if a box applies to all of the children, you may write “the children” instead of listing names):

Washington order/exclusive, continuing jurisdiction – The parenting plan/custody order I want to change was made by a Washington State court, and the court still has authority to make orders for all of the children.

17. Summary of requests

I ask the court to find that I have valid reasons for my *Petition* (adequate cause), and to approve the following orders (*check all that apply*):

my proposed *Parenting Plan*.

my proposed *Child Support Order* setting or changing child support according to my proposed plan or schedule

Person filing this *Petition* fills out below:

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form (including any attachments) are true. I have attached (#): _____ pages.

Signed at (*city and state*): Seattle WA Date: 4/4/2022


K. Smith 2022.12.26 PDT

Person filing *Petition* signs here

Kevin Smith

Print name

Lawyer (if any) for person filing this *Petition* fills out below:


Lawyer signs here

Evan Baer (WSBA 55363)

Print name and WSBA No.

4/5/2022

Date

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other parties, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

The other parent fills out below if they agrees to join this *Petition*:

I, (*name*): _____, agree to join this *Petition*. I understand that if I fill out and sign below, the court may approve the requests listed in this *Petition* including the proposed *Parenting Plan* unless I file and serve a *Response* before the court signs final orders. (*Check one*):

I do not need to be notified about the court's hearings or decisions in this case.

The person who filed this *Petition* must notify me about any hearings in this case. (*List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.*)

Street Number or P.O. Box City State Zip

(*If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.*)

Person joining Petition signs here

Print name

Date

Email: _____