

Superior Court of Washington, County of Thurston, Family & Juvenile Court

In re:

Petitioner/s (*person/s who started this case*):

Carly N. Michael

And Respondent/s (*other party/parties*):

Richard A. Kivett

No. No. 20-3-0572-34

Motion for Order for:

Amendment of orders appointing special master.

(MT)

Motion for Order for: Amendment to the appointment of Special Master to facilitate issuance of US Passports for minor children

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

1. Relief Requested

My name is Carly N. Michael. I ask the court to approve the following orders (*specify*):

To appoint Patrick W. Rawnsley as the special master to sign my minor children’s passport applications. These minor children need to be specifically named in the appointment documents by Thurston County Courts for the state department to consider them.

2. Statement of Issues

I ask the court to decide the following issues (*specify*):

Please consider amending the special master appointment paperwork to name minor children, “Marek M. Kivett” and “Cole M Kivett.”

3. Statement of Facts/Grounds

These facts support my request (*list supporting facts*):

The State Department denied the passport applications for my minor children Marek and Cole Kivett 6/23/2021 (ADDENDUM A) as the Thurston County Court documents did not name the minor children.

A special master was appointed 12/3/2020 (ADDENDUM B) to sign on behalf of the children’s father, Richard A. Kivett, on their passport applications. The divorce decree appointed joint custody of the children (ADDENDUM D), however, a no contact order signed 7/19/2021 (ADDENDUM C) is in place until 7/19/2026.

Petitioner requests approval of amended order appointing the special master and naming minor children approved for US Passports.

4. Evidence Relied Upon

I ask the court to consider this evidence (*list all declarations and other documents that support this request*):

State Department denial letter (ADDENDUM A)

Special master was appointed 12/3/2020 (ADDENDUM B)

No contact order (ADDENDUM C)

Parenting Plan (ADDENDUM D)

Minor children’s birth certificates (ADDENDUM E)

Petitioner’s Washington State Driver’s License (Addendum F)

5. Legal Authority

I have the right to ask for these orders according to the law (*describe the legal authority that supports your request*):

The parenting plan (ADDENDUM D) and appropriate ID such as birth certificates (ADDENDUM E) and copy of petitioner’s Washington State Driver’s License (Addendum F)

6. A Proposed Order (check one): is is **not** attached to this Motion.

Person making this motion 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 are true. I have attached (number of): 46 pages.

Signed at (city and state): Olympia, WA Date: 2/14/2023

▶ Michael Carly N. Michael
Person making this motion signs here Print name here

I agree to accept legal papers for this case at (check one):

my lawyer's address, listed below.

the following address (this does **not** have to be your home address):

PO Box 257 PMB 01968 Olympia, WA 98512
street address or PO box city state zip

(Optional) email: _____

(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.)

Lawyer (if any) fills out below

▶ _____
Lawyer signs here Print name and WSBA No. Date

Lawyer's address city state zip

Email (if applicable): _____

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 party, 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.



United States Department of State

Seattle Passport Agency
44132 Mercure Circle
PO Box 1157
Sterling, Virginia 20166-1157

June 23, 2021

ADDENDUM A

Marek Michael Kivett
PO Box 257 Pmb 09168
Olympia, WA 98507

RE: 533851994

Dear Mr. Kivett:

Thank you for your recent passport application. However, additional information is needed to process your request. The Code of Federal Regulations, Title 22, Section 51.28 provides that U.S. passport applications for children under the age of 16 require the consent of both parents or legal guardians.

The application was only signed by one parent/guardian. Please submit the document listed below:

- ◆ A court order specifically permitting the applying parent/guardian to apply for the child's U.S. passport; **or**,
- ◆ A court order granting sole legal custody to the applying parent/guardian (unless the child's travel is restricted by that order); **or**,
- ◆ A court order authorizing the minor to travel outside the United States with the applying parent.

Please note – the Order of Appointing Special Master does not name the minor children. To be acceptable, court orders must list the childrens' names.

Please note the following important details on acceptable documentation:

- Court orders must be complete, and include the child's name and judge's signature;
- If the name of the parent/guardian is different than the name on the documents, evidence of legal name change is required.
- Notarized statements of consent must be signed on the same day by the non-applying parent/guardian in the presence of a certified notary public, be less than three months old, and accompanied by a photocopy of the front and back side of the photo identification presented to the notary public.

To assist with processing your application, we must receive the requested information within ninety (90) days of the date shown on this letter. If the information is not received or is insufficient to establish your entitlement to a U.S. passport, your application may be denied and your citizenship evidence will be returned. By law, the passport execution and application fees are non-refundable.

MAREK MICHAEL KIVETT
PO BOX 257 PMB 09168
OLYMPIA WA 98507



Cole

lot 2

Wed 06/23/2021

If you have any questions please contact the National Passport Information Center: 1-877-487-2778 (TTY/TDD: 1-888-874-7793)

For general passport information or to check the status of your passport application, please visit us on-line at travel.state.gov.

PLEASE RETURN A COPY OF THIS LETTER, ALONG WITH ALL REQUESTED INFORMATION TO THE ADDRESS LISTED ABOVE INCLUDING THE +4 ZIP CODE.

Sincerely,

Customer Service Department

500/721



United States Department of State

*Seattle Passport Agency
44132 Mercure Circle
PO Box 1157
Sterling, Virginia 20166-1157*

March 16, 2022

Marek Michael Kivett
PO Box 257 Pmb 09168
Olympia, WA 98507

RE: 533851994

Dear Mr. Kivett:

Thank you for your passport request. Our office sent you a letter requesting additional information to establish your entitlement to a U.S. passport. A copy of that letter, which was sent on 06/23/2021 and gave you 90 days to comply with the request, is enclosed. To date, we have not received the requested information.

The evidence you provided with your passport application is insufficient to establish your entitlement to a U.S. passport. Therefore, your passport application is denied. Any documents you submitted with your application are enclosed. Any special return postage fees will be returned or refunded only upon written request from the applicant if the service is not provided. By law, the passport execution and application fees are non-refundable.

If you still wish to obtain a passport book and/or passport card, you will need to reapply by executing a new application and paying the appropriate fees.

If you have any questions regarding this letter you may contact the National Passport Information Center (NPIC), toll-free, at 1-877-487-2778 (TTY/TDD: 1-888-874-7793).

Sincerely,

Customer Service Department
492/731

Enclosure(s):
Birth Certificate



United States Department of State

*Seattle Passport Agency
44132 Mercure Circle
PO Box 1157
Sterling, Virginia 20166-1157*

June 23, 2021

Cole Michael Kivett
PO Box 257 Pmb 09168
Olympia, WA 98507

RE: 533851990

Dear Mr. Kivett:

Thank you for your recent passport application. However, additional information is needed to process your request. The Code of Federal Regulations, Title 22, Section 51.28 provides that U.S. passport applications for children under the age of 16 require the consent of both parents or legal guardians.

The application was only signed by one parent/guardian. Please submit the document listed below:

- ◆ A court order specifically permitting the applying parent/guardian to apply for the child's U.S. passport; **or**,
- ◆ A court order granting sole legal custody to the applying parent/guardian (unless the child's travel is restricted by that order); **or**,
- ◆ A court order authorizing the minor to travel outside the United States with the applying parent/guardian.

Please note – the Order of Appointing Special Master does not name the minor children. To be accepted, court orders must list the children's names.

Please note the following important details on acceptable documentation:

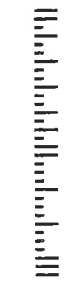
- Court orders must be complete, and include the child's name and judge's signature;
- If the name of the parent/guardian is different than the name on the documents, evidence of legal name change is required.
- Notarized statements of consent must be signed on the same day by the non-applying parent/guardian in the presence of a certified notary public, be less than three months old, and accompanied by a photocopy of the front and back side of the photo identification presented to the notary public.

To assist with processing your application, we must receive the requested information within ninety (90) days of the date shown on this letter. If the information is not received or is insufficient to establish your entitlement to a U.S. passport, your application may be denied and your citizenship evidence will be returned. By law, the processing and application fees are non-refundable.

If you have any questions please contact the National Passport Information Center: 1-877-487-2778 (TTY: 888-874-7793)

For general passport information or to check the status of your passport application, please visit us at travel.state.gov.

COLE MICHAEL KIVETT
PO BOX 257 PMB 09168
OLYMPIA WA 98507



Mark

Wed 06/23/2021

ref 2

PLEASE RETURN A COPY OF THIS LETTER, ALONG WITH ALL REQUESTED INFORMATION TO THE ADDRESS LISTED ABOVE INCLUDING THE +4 ZIP CODE.

Sincerely,

Customer Service Department

500/721



United States Department of State

*Seattle Passport Agency
44132 Mercure Circle
PO Box 1157
Sterling, Virginia 20166-1157*

March 16, 2022

Cole Michael Kivett
PO Box 257 Pmb 09168
Olympia, WA 98507

RE: 533851990

Dear Mr. Kivett:

Thank you for your passport request. Our office sent you a letter requesting additional information to establish your entitlement to a U.S. passport. A copy of that letter, which was sent on 06/23/2021 and gave you 90 days to comply with the request, is enclosed. To date, we have not received the requested information.

The evidence you provided with your passport application is insufficient to establish your entitlement to a U.S. passport. Therefore, your passport application is denied. Any documents you submitted with your application are enclosed. Any special return postage fees will be returned or refunded only upon written request from the applicant if the service is not provided. By law, the passport execution and application fees are non-refundable.

If you still wish to obtain a passport book and/or passport card, you will need to reapply by executing a new application and paying the appropriate fees.

If you have any questions regarding this letter you may contact the National Passport Information Center (NPIC), toll-free, at 1-877-487-2778 (TTY/TDD: 1-888-874-7793).

Sincerely,

Customer Service Department
492/731

Enclosure(s):
Birth Certificate
Court Order x2

2

20-3-00572-34
OR 56
Order
9369284



FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 DEC -3 PM 12:10

Linda Myhre Enlow
Thurston County Clerk

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Superior Court of Washington, County of Thurston
Family and Juvenile Court

In re:

Petitioner:

CARLY N. MICHAEL

And Respondent:

RICHARD A. KIVETT

No. 20-3-00572-34

Order Appointing Special Master to
Facilitate Sale of Family Home and
Issuance of U.S. Passports for Minor
Children
(OR)

**Order Appointing Special Master to
Facilitate Sale of Family Home and Issuance of U.S.
Passports for Minor Children**

1. The Petitioner made a *Motion for Order* to Appoint Special Master to Facilitate Sale of Family Home and Issuance of U.S. Passports for Minor Children. A hearing on the *Motion* was held on 11/17/2020.
2. The Court has considered the *Motion* and any supporting documents, response from the other party, other documents from the court record identified by the court, if any, and any testimony or argument.
3. The court finds good cause to approve this Order.

Other findings: _____

4. **The Court Orders:** Patrick W. Rawnsley shall be appointed as Special Master to facilitate the sale of the family home located at 6628 Kirsop Village Drive SW, Tumwater, Washington 98512 and Issuance of U.S. Passports for the Minor Children.

Optional Form (05/2016)
FL All Family 182

Order

p. 1 of 2

Morgan Hill, P.C.
2102 Carriage Drive SW, Bldg. C
Olympia, WA 98502
(360) 357-5700
fax (360) 357-5761

1 The Court shall enter a judgment against the Respondent in the amount of \$800 for the
2 costs associated with the Special Master, Patrick W. Rawnsley.

3
4
5 **Ordered.**

6 12/3/2020
Date


Judge or Commissioner

7 **Petitioner and Respondent or their lawyers fill out below.**

INDU THOMAS


8 This order:
9 is presented by me

This order:

10 Approved Telephonically

22181

11 *Petitioner signs here or lawyer signs here + WSBA #*

 Pro Se
12 *Respondent signs here or lawyer signs here + WSBA #*

13 Clinton L. Morgan
14 *Print Name*

15 Richard Kivett
16 *Print Name*

2

Emailed to Law Enforcement Agency on 7/19/21 by [initials] (Date) (Clerk's initials)

FILED SUPERIOR COURT THURSTON COUNTY, WA

2021 JUL 19 AM 11:55

LINDA MYHRE ENLOW THURSTON COUNTY CLERK

20-1-00774-34 ORNC 56 No Contact Order 10682014



SUPERIOR COURT OF WASHINGTON IN AND FOR THURSTON COUNTY

THE STATE OF WASHINGTON, Plaintiff,

vs. Richard Kiveth Defendant.

No. 20-1-00774-34 First Amended - Correcting EXP. [] Pre-Trial [X] Post Conviction [X] Replacement Order (paragraph 10) Domestic Violence No-Contact Order (clj=NOCON, Superior cts=ORNC) Clerk's action required: Para 9

No-Contact Order

1. Protected Person's Identifiers:

Carly Natal Michael Name (First, Middle, Last) 11/17/81 F white DOB Gender Race

If a minor, use initials instead of name, provide other info., and complete a Law Enforcement Information Sheet (LEIS).

Defendant's Identifiers:

Table with columns: Date of Birth, Gender, Race. Values: 10/17/78, M, W

2. Defendant:

- A. do not cause, attempt, or threaten to cause bodily injury to, assault, sexually assault, harass, stalk, or keep under surveillance the protected person. B. do not contact the protected person directly, indirectly, in person, or through others, by phone, mail, or electronic means, except for mailing or service of process of court documents through a third party, or contact by the defendant's lawyers. C. do not knowingly enter, remain, or come within 1000 (1,000 feet if no distance entered) of the protected person's residence, school, workplace, other: Person D. other::

3. Firearms and Weapons, Defendant:

- [X] do not, own, possess, or control a firearm. (RCW 9.41.040.) [X] do not access, obtain, or possess a firearm, other dangerous weapon, or concealed pistol license. (RCW 9.41.800.) [] shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license. Comply with the Order to Surrender and Prohibit Weapons filed separately. (RCW 9.41.800.)

4. This no-contact order expires on 2/23/2026 (date and time) or [] 1 year [] 2 years [X] 5 years from today's date. at 5PM

The court may extend a no-contact order even if the defendant does not appear at arraignment.

Warning: Violation of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if the person protected by this order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written request.

Findings of Fact

- 5. Based upon the record, both written and oral, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, that the defendant represents a credible threat to the physical safety of the

protected person, and the court issues this Domestic Violence No-Contact Order under chapter 10.99 RCW to prevent possible recurrence of violence.

6. The court finds that the defendant's relationship to the person protected by this order is as a/an:

Intimate partner because they are:

current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past. age 16 or older and are/were in a dating relationship, but have never resided together.

Or

Family or household member as defined by RCW 26.50.010(6): _____.

7. For crimes not defined as a serious offense, the court makes the following mandatory findings pursuant to RCW 9.41.800(1) and (2): The defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or The defendant is ineligible to possess a firearm pursuant to RCW 9.41.040; or Possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

Additional Warnings to Defendant: This order does not modify or terminate any order entered in any other case. You are still required to comply with other orders.

Willful violation of this order is punishable under RCW 26.50.110. State and federal firearm restrictions apply. 18 U.S.C. § 922(g)(8)(9); RCW 9.41.040. A violation is a felony and will subject you to arrest.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States, shall accord full faith and credit to the order.

Additional Orders

8. Civil standby: The appropriate law enforcement agency shall, at a reasonable time and for a reasonable duration, assist the defendant in obtaining personal belongings located at: _____

9. **Washington Crime Information Center (WACIC) Data Entry:** The clerk of the court shall forward a copy of this order on or before the next judicial day to: Tumwater Police Dept. 20-909
 County Sheriff's Office City Police Department where the case is filed, which shall enter it into WACIC.

10. This order replaces all prior no-contact orders protecting the same person issued under this cause number.

Dated: 7/19/21 in open court with the defendant present.

I acknowledge receipt of a copy of this order:

[Signature]
JUDGE
Print Name: **JOHN C. SKINDER**

[Signature]
Deputy Prosecuting Attorney
WSBA No. 5396
Print or Type Name:

[Signature]
Attorney for Defendant
WSBA No. 2602
Print or Type Name:

[Signature]
Defendant
Print or Type Name:

The protected person shall be provided with a certified copy of this order.

I am a certified or registered interpreter or found by the court to be qualified to interpret in the _____ language, which the defendant understands. I translated this order for the defendant from English into that language.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter: _____ print name: _____



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FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

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Superior Court of Washington, County Thurston
Family and Juvenile Court

In re:	No. 20-3-00572-34
Petitioner:	Parenting Plan (PPP / PPT / PP)
CARLY N. MICHAEL	
And Respondent:	<input checked="" type="checkbox"/> Clerk's action required: 1
RICHARD A. KIVETT	

Parenting Plan

- This parenting plan is a **Court Order** signed by a judge or commissioner. This is a Final order (PP).
- Children** - This parenting plan is for the following children:

Child's name	Age
1. Marek Michael Kivett	9
2. Cole Michael Kivett	7

- Reasons for putting limitations on a parent** (under RCW 26.09.191)
 - Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.

A parent has one or more of these problems as follows:

Domestic Violence - Richard Kivett (or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010.

1 **b. Other problems** that may harm the children's best interests:

2 A parent has one or more of these problems as follows:

3 **Substance Abuse** - Richard Kivett has a long-term problem with drugs, alcohol or other
4 substances that gets in the way of his/her ability to parent.

5 **Abusive use of conflict** - Richard Kivett uses conflict in a way that endangers or
6 damages the psychological development of a child listed in 2.

7 **4. Limitations on a parent**

8 **The following limits or conditions apply to Richard Kivett.**

9 No contact with the children.

10 **Evaluation or treatment required.** Richard Kivett must:

11 Richard Kivett shall immediately undergo a domestic violence evaluation with an agreed
12 upon state-certified provider. The evaluation shall include collateral contact with Carly
13 Michael. Richard Kivett shall be required to sign and maintain a release authorizing the
14 provider to disclose to the Court, Carly Michael and her attorney, the evaluation,
15 treatment, or other recommendations.

16 Richard Kivett shall be required to immediately begin any and all treatment or other
17 services recommended by the evaluation with state-certified providers. He shall be
18 required to sign and maintain releases with the treatment provider or service provider
19 authorizing the provider to provide monthly treatment or progress reports, including any
20 changes in treatment or services, to the Court, Carly Michael, and her attorney.

21 Richard Kivett shall immediately undergo a mental health evaluation with an agreed
22 upon state-certified provider. The evaluation shall include collateral contact with Carly
23 Michael. Richard Kivett shall be required to sign and maintain a release authorizing the
24 provider to disclose to the Court, Carly Michael and her attorney, the evaluation,
25 treatment, or other recommendations.

26 Richard Kivett shall be required to immediately begin any and all treatment or other
27 services recommended by the evaluation with state-certified providers. He shall be
28 required to sign and maintain releases with the treatment provider or service provider
29 authorizing the provider to provide monthly treatment or progress reports, including any
30 changes in treatment or services, to the Court, Carly Michael, and her attorney.

31 Richard Kivett shall enroll and complete a state certified parenting class with an MRT
32 component.

33 Richard Kivett shall not be permitted to file a motion to have visitation with the children
34 until he complies with all evaluation requirements and provides proof that he has enrolled
35 in all treatment services recommended and has completed the parenting class

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5. 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 health care. Major decisions must be made as follows

a. Who can make major decisions about the children?

Type of Major Decision	Joint <i>(parents make these decisions together)</i>	Limited <i>(only the parent named below has authority to make these decisions)</i>
School / Educational		Carly Michael
Health care (not emergency)		Carly Michael
Other: Religious Upbringing		Carly Michael
Other: Extracurricular Activities		Carly Michael

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

Major decision-making **should** be limited because:

One of the parents does not want to share decisions-making and this is reasonable because of problems as described in 3.b. above.

6. Dispute Resolution - If you and the other parent disagree:

From time to time, the parents may have disagreements about shared decisions or about what parts of this parenting plan mean. To solve disagreements about this parenting plan, the parents will go to a dispute resolution provider or court. The court may only require a dispute resolution provider if there are no limitations in 3a.

- a. The parents will go to court (without having to go to mediation, arbitration, or counseling).

7. Custodian

The custodian is Carly Michael solely for the purpose of all state and federal statutes which require a designation of 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

1 state and federal laws require that one person be named the custodian. The custodian is the person with whom
2 the children are scheduled to reside a majority of their time.)

3 **Parenting Time Schedule (Residential Provisions)**

4 **Skip** the parenting time schedule in sections 8 - 11 if one parent has no contact with the
5 children other than what is described in section 4 – Limitations.

6 Carly Michael except as described in section 4.

7 **8. School Schedule**

8 **a. Children under School-Age**

9 Does not apply. All children are school-age.

10 **b. School-Age Children**

11 See Section No. 4.

12 **9. Summer Schedule**

13 See Section No. 4.

14 **10. Holiday Schedule (includes school breaks)**

15 See Section No. 4.

16 **11. Conflicts in Scheduling**

17 See Section No. 4

18 **12. Transportation Arrangements**

19 The children will be exchanged for parenting time (picked up and dropped off) at other
20 location:

21 See Section No. 4

22 Who is responsible for arranging transportation?

23 N/A

24 **13. Moving with the Children (Relocation)**

25 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

1 the children.

2 ***Move to a different school district***

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

6 ***Exceptions:***

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

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

21 If the relocating person wants to change the *Parenting Plan* because of the move, s/he
22 must deliver a proposed *Parenting Plan* together with the *Notice*.

23 ***Move within the same school district***

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

28 ***Warning! If you do not notify...***

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

33 ***Right to object***

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

39 An objection is made by filing the *Objection about Moving with children and Petition*
40 *about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File

1 your Objection with the court and serve a copy on the relocating person and anyone
2 else who has court-ordered time with the children. Service of the *Objection* must be by
3 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.

4 **Right to move**

5 During the 30 days after the *Notice* was served, the relocating person may not move to
6 a different school district with the children unless s/he has a court order allowing the
move.

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

9 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**:

- 10 • The other party gets a court order saying the children cannot move, or
- 11 • The other party has scheduled a hearing to take place no more than 15 days after
12 the date the *Objection* was served on the relocating person. (However, the
13 relocating person may ask the court for an order allowing the move even though a
hearing is pending if the relocating person believes that s/he or a child is at
unreasonable risk of harm.)
- 14 • the court may make a different decision about the move at a final hearing on the
Objection.

15 **Parenting Plan after move**

16 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):

- 17 • Both parties may follow that proposed plan without being held in contempt of the
18 *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.
- 19 • 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).

20 **Forms**

21 You can find forms about moving with children at:

- 22 • The Washington State Courts' website: www.courts.wa.gov/forms,
- 23 • The Administrative Office of the Courts - call: (360) 705-5328,
- 24 • Washington LawHelp: www.washingtonlawhelp.org, or
- 25 • 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.)

27 **14. Other – NA**

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15. Proposal

Does not apply. This is a court order.

16. Court Order

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

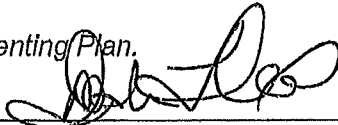
Findings of Fact - Based on the pleadings and any other evidence considered:

The Court adopts the statements in section 3 (Reasons for putting limitations on a parent) as its findings.

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

Order - The parties must follow this Parenting Plan.

9/16/2020
Date

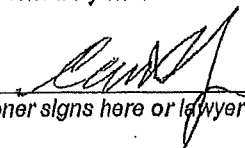

INDU THOMAS
Judge or Commissioner signs here
TIS Reviewed

Warning! If you don't 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.

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:
is presented by me.


22181
Petitioner signs here or lawyer signs here + WSBA #

Clinton L. Morgan
Print Name Date

This order:

Defendant 9/15/2020
Pro Se
Respondent signs here or lawyer signs here + WSBA #

Richard Klivett
Print Name Date



2

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

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**Superior Court of Washington, County of Thurston
Family and Juvenile Court**

In re the marriage / domestic partnership
of:

Petitioner:

CARLY N. MICHAEL

And Respondent:

RICHARD A. KIVETT

No. 20-3-00572-34

Residential Time Summary Report
(RTSR)

Residential Time Summary Report

Submit with final Parenting Plan, *only*.

1. The Parenting Plan

The court signed the Parenting Plan on today's date.	
It was by default.	It is a modification of a prior order
How many children under the parenting plan have the residential schedule summarized in paragraph 2, below? 2.	

2. Parenting Time Schedule (Residential Provisions) from the Parenting Plan

If the same schedule does not apply to all children, fill out a separate Residential Time Summary Report for each schedule.

Check the box that comes closest to representing the time spent with each parent	% of time the children spent with the Petitioner	% of time the children spent with the Respondent
<input checked="" type="checkbox"/>	100%	0%

3. Information about the Parents

Petitioner: has the following relationship to the children: mother, and is represented by an attorney.
 The court found under sections 3.a. and 3.b. from the Parenting Plan: does not apply

Respondent: has the following relationship to the children: father, and is self-represented .
 The court found under sections 3.a. and 3.b. from the Parenting Plan:
 Respondent:
 Committed domestic violence
 Has mental health issues

4. Dispute Resolution from section 6 of the Parenting Plan

No dispute resolution process except court action.

Prepared by: Clinton L. Morgan, on 08/04/2020.

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:58

Linda Myhre Englow
Thurston County Clerk

20-3-00572-34
RSTO 43
Restraining Order
8893780



Superior Court of Washington, County of Thurston
Family and Juvenile Court

In re:

Petitioner:

CARLY N. MICHAEL

And Respondent:

RICHARD A. KIVETT

No. 20-3-00572-34

Restraining Order
Final (RSTO)

[X] Clerk's action required: 6, 7

Restraining Order

This order replaces all earlier Restraining Orders restraining the same person signed in this case number. Use a separate order for each restrained person.

1. **This Order restrains:** Richard A. Kivett

Restrained Party's Distinguishing Features: N/A

Restrained Party's Identifiers:

Sex: Male Race: White Hair: Brown
Height: 5'11 Weight: 175 Eyes: Brown

Caution: Access to weapons:

2. **This Order protects** Carly N. Michael

and the following children, who are under 18 (if any)

Child's name	Age
1. Marek Michael Kivett	9

RCW 26.09.080, .110, .120, .194, .300(2)
Mandatory Form (07/2019)
FL All Family 150

Restraining Order

p. 1 of 3

Morgan Hill, P.C.
2102 Carriage Drive SW, Bldg. C
Olympia, WA 98502
(360) 357-5700
fax (360) 357-5761

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6. Service:

Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk.

The other party must be served.

You have a right to have law enforcement serve this order free of charge if the "Do not disturb," "Stay away," "Do not hurt or threaten," or "Prohibit weapons and order surrender" boxes are checked above.

The clerk of the court shall forward a copy of this order on or before the next judicial day to Thurston County Sheriff's Office *where the restrained person lives* which shall personally serve the restrained person with a copy of this order and shall promptly complete and return to this court proof of service.

After serving, the server fills out a *Proof of Personal Service* (form FL All Family 101) and gives it to you. File the original *Proof of Personal Service* with the court clerk, and give a copy to the law enforcement agency listed below.

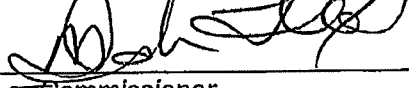
7. To the clerk:

Provide a copy of this Order and the *Law Enforcement Information Sheet* to the agency listed below within one court day. The law enforcement agency must enter this Order into the state's database.

Name of law enforcement agency where the Protected Person lives: Tumwater Police Department.

The restrained person's information will be removed from the state's database when this Order ends unless the court signs a new Order or extends the end date of this Order.

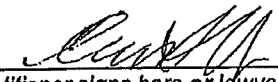
Ordered.

9/16/2020 4:41pm 
Date Time Judge or Commissioner INDU THOMAS

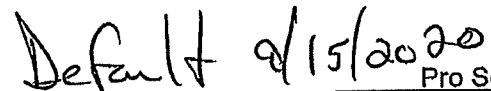
Petitioner and Respondent or their lawyers fill out below.

This order (check any that apply):
Is presented by me

This order (check any that apply):


Petitioner signs here or lawyer signs here + WSBA #

22181

Default 9/15/2020 
Respondent signs here or lawyer signs here + WSBA #

Pro Se

Clinton L. Morgan
Print Name

Date

Richard Kivett
Print Name

Date

RCW 26.09.060, .110, .120, .194, .300(2)
Mandatory Form (07/2019)
FL All Family 150

Restraining Order

p. 3 of 3

Morgan Hill, P.C.
2102 Carriage Drive SW, Bldg. C
Olympia, WA 98502
(360) 357-5700
fax (360) 357-5761

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FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

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Superior Court of Washington, County of Thurston
Family and Juvenile Court

In re:

Petitioner:

CARLY N. MICHAEL

And Respondent:

RICHARD A. KIVETT

No. 20-3-00572-34

Order on Adequate Cause to Change a
Parenting/Custody Order

(ORRACG / ORRACD / ORH: see 6)

**Order on Adequate Cause to Change a
Parenting/Custody Order**

1. The Petitioner made a *Motion for Adequate Cause Decision* and the court finds there is reason to approve this order.

An adequate cause hearing was held.

The Court Finds:

2. Jurisdiction

This court has jurisdiction over this case.

The parenting/custody order was not made by a Washington court, and

No child, parent or person acting as a parent lives in the state (or tribal reservation) that made the order anymore.



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SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

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Superior Court of Washington, County of Thurston
Family and Juvenile Court

In re:	No. 20-3-00572-34
Petitioner:	Order on Motion for Default ORDFL (Granted)
CARLY N. MICHAEL	
And Respondent:	Clerk's Action Required: 9
RICHARD A. KIVETT	

Order on Motion for Default

1. The court has considered the *Motion for Default* filed by Carly Michael.

The Court Finds:

2. **Response**

The other party, Richard Kivett, has **not** filed a *Response* to the *Petition*.

3. **Notice about the motion**

The other party is **not** entitled to notice of the *Motion for Default* because s/he has not filed a *Notice of Appearance*, has not appeared in this case in any other way, AND was served with the *Summons* and *Petition* less than one year ago.

4. **Service of Summons and Petition**

The other party was properly served on 07/09/2020 with a *Summons* and *Petition* for this case and any other documents listed in the proof of service filed with the court.

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5. **Timing and type of service**

The other party was served with the *Summons* and *Petition* by personal service in Washington State, at least 21 days ago.

6. **Correct Court (venue and jurisdiction)**

A Washington court can decide this case because it has jurisdiction over the case and the parties. This case should be heard in this county court (venue is proper).

7. **Active duty military**

(The federal Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The state Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

The other party is **not** covered by the state or federal Servicemembers Civil Relief Act.

8. **Other findings (if any):**

N/A

The Court Orders:

9. The *Motion for Default* is **Granted**. The other party, Richard Kivett, is in default. The court may sign orders and hold hearings in this case without notice to the defaulted party.

10. **Other orders (if any):**

All provisions ordered by the Court on July 30, 2020 in the Temporary Family Law Order shall remain in full force and effect.

Ordered,

Date

9/15/2020

Judge or Commissioner

INDU THOMAS

Presented by Petitioner or his/her lawyer.

Sign here

Clinton L. Morgan

22181

Print name (and WSBA No., if lawyer)



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SUPERIOR COURT
THURSTON COUNTY, WA

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Linda Myhre Enlow
Thurston County Clerk

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Superior Court of Washington, County of Thurston
Family and Juvenile Court

In re:

Petitioner:

CARLY N. MICHAEL

And Respondent:

RICHARD A. KIVETT

No. 20-3-00572-34

Final Order and Findings on Petition to
Change a Parenting Plan, Residential
Schedule or Custody Order
(ORMDD/ORDYMT)

Clerk's action required: 11

**Final Order and Findings on Petition to Change a
Parenting Plan, Residential Schedule or Custody Order**

1. This Order is based on:

- The *Petition to Change a Parenting Plan, Residential Schedule, or Custody Order*,
- The children's best interest,
- The Court's decision that there were valid reasons to hear the *Petition in the Order on Adequate Cause to Change a Parenting/Custody Order* signed on 07/30/2020,

And the *Order on Motion for Default* signed on today's date.

Findings & Conclusions

2. Jurisdiction (RCW 26.27.201-.221, .231, .261, .271)

The court can decide this case for the children because:

Other state's order -- The parenting/custody order was not made by a Washington state court AND no child, parent or person acting as a parent lives in the state (or tribal reservation) that made the order anymore;

1 **AND:**

2 **Home state jurisdiction** – Washington is the children's home state because:

3 Marek Michael Kivett, Cole Michael Kivett lived in Washington with a parent or
4 someone acting as a parent for at least the 6 months just before this case was filed,
5 or if the children are less than 6 months old when the case was filed, they have lived
6 in Washington with a parent or someone acting as a parent since birth.

7 Marek Michael Kivett, Cole Michael Kivett do not have another home state.

8 **3. Major change (RCW 26.09.260(1) and (2))**

9 **Approved** – The court approves a major change to the parenting order. The major change
10 is approved because:

- 11 • The requested change is in the children's best interest, and
- 12 • There has been a substantial change in the children's situation or in the situation of
13 the parent who did not request the major change.

14 The Father refuses to follow the court ordered parenting plan or the decree entered in
15 Bryan County, Georgia on December 19, 2019. The court orders mandates that all
16 visitation is conditioned on successful completion of UAs by the Father. No evidence of
17 completed UAs have been provided to the Mother to date.

18 The Father's behavior has become increasingly abusive and manipulative since the entry
19 of the final court orders. The Mother is concerned about the children's safety when they
20 are in the Father's care. The Father was arrested on May 22, 2020 for breaking into the
21 Mother's home and is currently being held in Thurston County Jail on \$1,000,000.00
22 bond.

23 **Check reason/s for this change:**

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

26 **4. Minor change (RCW 26.09.260(5), (7), and (9))**

27 Does not apply. No one requested a minor change.

28 **5. Restrictions on the parent with less parenting time**

29 **Limit** – To protect the children, the court will limit the parenting time and participation of the
30 parent who already has less than half of the parenting time with the children. The reasons for
31 this limitation are listed in the new *Parenting Plan or Residential Schedule* signed by the court
32 today. This *Parenting Plan or Residential Schedule* is approved and filed separately. (RCW
33 26.09.191, 26.09.260(4))

1 **6. Other Changes (RCW 26.09.260(10))**

2 Because of a substantial change in one parent's/child's situation, the court approves
3 changes to the following parts of the *Parenting Plan* or *Residential Schedule* that are in the
4 children's best interest:

4 Dispute resolution

5 Decision-making

6 Transportation arrangements

7 **7. Child Support**

8 Does not apply. No one asked to change child support.

9 **8. Protection Order**

10 Does not apply. No one requested an *Order for Protection* in this case.

11 **9. Restraining Order**

12 **Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is
13 filed separately.

14 **10. Other Findings**

15 N/A

16 **Court Orders**

17 **11. Decision**

18 **Approved** – The court approves the *Petition*. All temporary orders are ended. The court
19 signed the following orders filed separately today.

19 *Parenting Plan/Residential Schedule*

20 *Restraining Order*

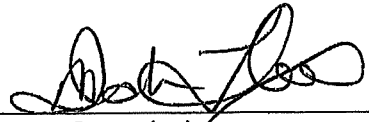
21 **12. Other Orders**

22 N/A

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Ordered.

9/16/2020



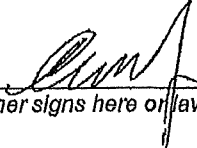
Date

Judge or Commissioner

INDU THOMAS

Petitioner and Respondent or their lawyers fill out below.

This order:



22181

Petitioner signs here or lawyer signs here + WSBA No.

This order:

Default

9/15/2020

Pro Se

Respondent signs here or lawyer signs here + WSBA No.

Clinton L. Morgan

Print Name

Date

Richard Kivett

Print Name

Date



FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
FAMILY AND JUVENILE COURT

In re the Matter of:

CARLY N. MICHAEL,

Petitioner,

No. 20-3-00572-34

and

VERIFICATION OF FINDINGS

RICHARD A. KIVETT,

Respondent.

Clerk's Action Required

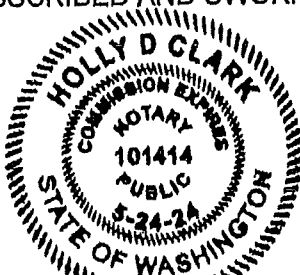
State of Washington)
County of Thurston) ss.

CARLY N. MICHAEL, being first duly sworn on oath deposes and says:

I am the Petitioner in this case and I have read the Final Parenting Plan, Residential Time Summary Report, Final Restraining Order and Final Order and Findings on Petition to Change a Parenting Plan, and other associated documents, if included herein, and they are true and accurate to the best of my knowledge. If this is a default, I am not seeking any relief beyond that specifically requested in the Petition. The support requested, if any, is in compliance with the Washington State Child Support Schedule.

CARLY N. MICHAEL, Petitioner

SUBSCRIBED AND SWORN TO before me this 12 day of August 2020.



NOTARY PUBLIC in and for the state of WA
Residing at: Tenino
My commission expires 5/24/2024
Print name Holly D. Clark

VERIFICATION OF FINDINGS OF
PETITIONER

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FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2020 SEP 16 PM 4:56

Linda Myhre Enlow
Thurston County Clerk

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8 SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON
9 FAMILY AND JUVENILE COURT

<p>10 In Re:</p> <p>11 CARLY N. MICHAEL, Petitioner,</p> <p>12 vs.</p> <p>13 RICHARD A. KIVETT Respondent.</p>	<p>NO. 20-3-00572-34</p> <p>JUDGMENT AND ORDER RE: ATTORNEY FEES</p>
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16 I. JUDGMENT SUMMARY:

17 1. <u>Judgment Creditor:</u>	Carly N. Michael
18 2. <u>Attorney for Judgment Creditor:</u>	Clinton L. Morgan of Morgan Hill, P.C.
19 3. <u>Judgment Debtor:</u>	Richard A. Kivett
20 4. <u>Attorney for Judgment Debtor:</u>	N/A
21 5. <u>Amount of Judgment:</u>	\$3,000
22 6. <u>Interest Owed to Date of Judgment:</u>	\$0
23 7. <u>Post Judgment Interest Rate</u>	12%
24 TOTAL	\$3,000

25 II. ORDER

26 THIS MATTER having come on regularly for hearing on July 30, 2020, Carly N. Michael,
27 appearing by and through his attorney of record, Clinton L. Morgan of Morgan Hill, P.C. , and Richard


28
MORGAN HILL, P.C.
2102 Carrlage Drive SW, Bldg. C
Olympia, WA 98502
Tel: (360) 357-5700
Fax: (360) 357-5761

1 A. Kivett, who failed to appear in this matter, and the Court considered the pleadings filed in this
2 action:

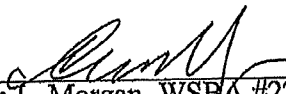
3 It Is hereby Ordered:

4 1. Carly N. Michael shall have judgment against Richard A. Kivett in the amount of \$3,000 for
5 attorney fees related to the Petition to Change a Parenting Plan.

6
7 DATED this 16th day of Sept 2020.

8 
9 JUDGE/COMMISSIONER INDU THOMAS

10 Presented by:

11 
12 Clinton L. Morgan, WSBA #22181,
13 Attorney for Carly N. Michael

14 Default 9/15/2020
15 Richard A. Kivett, WSBA #55009
16 Pro Se

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**Superior Court of Washington
County of Thurston**

In re:

CARLY N. MICHAEL

Petitioner,

and

RICHARD A. KIVETT

Respondent.

No. 20-3-0572-34

DECLARATION OF

CARLY N.

MICHAEL

This declaration is made by:

Name: CARLY N. MICHAEL

Age: 41

Relationship to the parties in this action: Petitioner

I Declare:

The State Department denied the passport applications for my minor children Marek and Cole Kivett 6/23/2021 (ADDENDUM A) as the Thurston County Court documents did not name the minor children.


A special master was appointed 12/3/2020 (ADDENDUM B) to sign on behalf of the children's father, Richard A. Kivett, on their passport applications. The divorce decree appointed joint custody of the children (ADDENDUM D), however, a no contact order signed 7/19/2021 (ADDENDUM C) is in place until 7/19/2026.

Petitioner requests approval of amended order appointing the special master and naming minor children approved for US Passports.

(Attach Additional Pages if Necessary and Number Them.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (City) Olympia, (State) Washington on (Date) 2/14/2023.


Signature of Declarant

Carly N. Michael
Print or Type Name

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court using one of these cover sheets:

- 1) Sealed Financial Source Documents (WPF DRPSCU 09.0220) for financial records.***
- 2) Sealed Personal Health Care Records (WPF DRPSCU 09.0260) for health records.***
- 3) Sealed Confidential Report (WPF DRPSCU 09.270) for confidential reports.***

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22(C)(2).

AFFIDAVIT OF NON-SERVICE

Case: 20-3-0572-34	Court: SUPERIOR COURT OF WASHINGTON IN AND FOR THE COUNTY OF THURSTON FAMILY AND JUVENILE DIVISION	County: THURSTON, WA	Job: 8407708
Plaintiff / Petitioner: CARLY N. MICHAEL		Defendant / Respondent: RICHARD A. KIVETT	
Received by: Northwest Legal Process, LLC.		For: Carly Michael	
To be served upon: RICHARD A. KIVETT			

I, Shane Renecker, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: RICHARD A. KIVETT, 1825 ASHWOOD DOWNS LN SE UNIT 204, OLYMPIA, WA 98501

Manner of Service: Bad Address

Documents: NOTICE OF HEARING FOR COURT COMMISSIONER MOTIONS - FAMILY LAW & JUVENILE, MOTION FOR ORDER FOR: AMENDMENT OF ORDERS APPOINTING SPECIAL MASTER WITH ADDENDUM A-F, DECLARATION OF CARLY N. MICHAEL, ORDER: APPOINTMENT OF SPECIAL MASTER TO FACILITATE ISSUANCE OF US PASSPORTS FOR MINOR CHILDREN

Additional Comments:

1) Unsuccessful Attempt: Feb 17, 2023, 4:04 pm PST at 1825 ASHWOOD DOWNS LN SE UNIT 204, OLYMPIA, WA 98501
No answer at door, no lights or movement from inside
Package at door does not match name of party or known associate. Will make contact with management to verify residence.

2) Unsuccessful Attempt: Feb 17, 2023, 4:52 pm PST at 1825 ASHWOOD DOWNS LN SE UNIT 204, OLYMPIA, WA 98501
Spoke to Oliva management of apartment complex stated that Mr. Kivett has not resided here at least been on the lease for over a year. Also stated that other known residents no longer reside here either.

 02/23/2023

Shane Renecker
PIERCE 25976

Date

Northwest Legal Process, LLC.
1910 4th Ave E Suite 34
Olympia, WA 98506
360-810-8009

AFFIDAVIT OF NON-SERVICE

Case: 20-3-0572-34	Court: SUPERIOR COURT OF WASHINGTON IN AND FOR THE COUNTY OF THURSTON FAMILY AND JUVENILE DIVISION	County: THURSTON, WA	Job: 8399004
Plaintiff / Petitioner: CARLY N. MICHAEL		Defendant / Respondent: RICHARD A. KIVETT	
Received by: Northwest Legal Process, LLC.		For: Carly Michael	
To be served upon: LESLIE BOTTIMORE ATTORNEY FOR RICHARD A. KIVETT			

I, Shane Renecker, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: LESLIE BOTTIMORE ATTORNEY FOR RICHARD A. KIVETT, 201 ST HELENS AVE, TACOMA, WA 98402

Manner of Service: Non-Service

Documents: NOTICE OF HEARING FOR COURT COMMISSIONER MOTIONS - FAMILY LAW & JUVENILE, MOTION FOR ORDER FOR: AMENDMENT OF ORDERS APPOINTING SPECIAL MASTER WITH ADDENDUM A-F, DECLARATION OF CARLY N. MICHAEL, ORDER: APPOINTMENT OF SPECIAL MASTER TO FACILITATE ISSUANCE OF US PASSPORTS FOR MINOR CHILDREN

Additional Comments:

1) Unsuccessful Attempt: Feb 15, 2023, 4:41 pm PST at 201 ST HELENS AVE, TACOMA, WA 98402
After being made to wait 40 mins a party named "Alina" came to the lobby and stated that they were not authorized to accept service I inquired when attorney Bottimore would return and was informed that she would not tell me that information for the fact that no one would accept service even Attorney of Record Bottimore.

 02/23/2023

Shane Renecker
PIERCE 25976

Date

Northwest Legal Process, LLC.
1910 4th Ave E Suite 34
Olympia, WA 98506
360-810-8009

Superior Court of Washington, Thurston County
Family and Juvenile Court

Petitioner:

Carly N. Michael

Respondent:

Richard A. Kivett

Case No. 20-3-00572-34

**Notice of Hearing for
Court Commissioner Motions –
Family Law & Juvenile**

(NTHG)

To the County Clerk and all parties:

1. A court hearing has been scheduled for: March 16, 2023 (date) at 11:00 a.m. (time).

2. The **name** of the motion or type of hearing is: Motion for order: Amendment to the appointment of special master

The motion was filed on: 2/15/2023 (date) by Carly N. Michael (name of party).

3. The hearing should be scheduled on the following court session:

→ Check that the court session is available before you schedule a hearing. You can see whether a session is full on the Clerk's web page: www.co.thurston.wa.us/clerk

Family Law without attorneys
(Attorneys in person, all other parties by Zoom)
Monday 9:00 & 10:30 a.m.
Courtroom 2: Zoom Meeting ID: 429-655-5966
Thursday 11:00 a.m.
Conference Room 35:
Zoom Meeting ID: 885-9726-5333
Friday 1:30 p.m.
Courtroom 3: Zoom Meeting ID: 786-408-0165

State Family Law
(Attorneys in person, all other parties by Zoom)
Wednesday 2:00 & 3:00 p.m.
Courtroom 4: Zoom Meeting ID: 242-974-5214

Youth at Risk & CHINS
Monday 10:00 & 11:00 a.m.
Courtroom 3: Zoom Meeting ID: 786-408-0165

Family Law with attorneys
(Attorneys in person, all other parties by Zoom)
Tuesday 9:00 a.m.; 1:30 p.m.
Courtroom 4: Zoom Meeting ID: 242-974-5214
Thursday 9:00 a.m.; Friday 2:30 p.m.
Courtroom 3: Zoom Meeting ID: 786-408-0165

Juvenile Miscellaneous Motion
Monday 2:00 & 2:30 p.m.
Courtroom 3: Meeting ID: 786-408-0165

Final Orders with children
(Attorneys in person, all other parties by Zoom)
Monday 9:00 a.m.
Conference Room 35:
Zoom Meeting ID: 881-2091-0575

**See last page for Zoom Meeting Instructions.
See the Court's website for more information on
how to appear for your hearing:
www.thurstoncountywa.gov/sc/pages/coming-to-fjc**

Final Orders without children
(Attorneys in person, all other parties by Zoom)
Monday 10:00 a.m.
Conference Room 35:
Zoom Meeting ID: 881-2091-0575

Warnings!

- You need to schedule this hearing by 5:00 p.m. at least 6 business days ahead of time. Consult local and state court rules.
- If you do not go to the hearing, the court may sign orders without hearing your side. You must file all paperwork to respond to a motion before the court hearing.
- If you do not have an attorney, a courthouse facilitator must approve the final paperwork before a final hearing can be scheduled. LSPR 94.04.

4. Declaration of Service

I declare that on February 15, 2023,
I deposited in the United States mail, delivered through a legal messenger service, personally delivered, a copy of this notice of hearing, the motion, and all paperwork filed along with the motion, to all people listed below in section 6.

I declare under penalty of perjury under the laws of Washington State that the foregoing is true and correct.

Signed at Olympia (city) Washington (State) on 2/15/2023 (date signed).

Michael

(signature)

Carly N. Michael

(printed name)

5. Person Scheduling this Hearing:

Petitioner [] Respondent

[] Other:

Sign: Michael

Print Name: Carly N. Michael

WSBA # _____ (if attorney)

Address: PO Box 257 PMB 01968

City/State/Zip: Olympia, WA 98501-0257

Telephone: 360-951-8591

Email (required): carlynatalmichael@gmail.com

Date: 2/15/2023

6. Names and Contact Information for Everyone Notified of this Hearing

Name: Carly N. Michael

Attorney for: (representing self)

WSBA #: N/A

Address: PO Box 257 PMB 01968
Olympia, WA 98501-0257

Telephone: 360-951-8591

Email: carlynatalmichael@gmail.com

Name: _____

Attorney for: _____

WSBA #: _____

Address: _____

Telephone: _____

Email: _____

Name: Bottimore, Leslie R

Attorney for: Richard A. Kivett

WSBA #: 29957

Address: 201 St Helens Avenue
Tacoma, WA 98402

Telephone: (253) 272-5653

Email: leslie@bottimorelaw.com

Name: _____

Attorney for: _____

WSBA #: _____

Address: _____

Telephone: _____

Email: _____

Attach more pages if needed.

7. Instructions for Appearing to your Zoom Meeting

Joining by Computer or Smartphone:

You will need the Zoom Meeting ID number for the hearing. The Zoom Meeting ID for your hearing can be found in section three.

- a) Go to <https://zoom.us> or download the free application to your smartphone or device by going to: <https://zoom.us/download>
- b) Once on the Zoom site click the “Join a Meeting” option, or use this link: <https://zoom.us/join>
- c) Enter the Zoom Meeting ID and click “Join”.
- d) Once you have joined you will enter the Zoom waiting room. Before the start of your hearing, the judicial officer will admit you into the remote hearing. You might have to wait past the start of your hearing time. Please be patient. However, if you have not been admitted for more than 10 minutes after the calendar start time, please confirm you have the correct zoom meeting ID.

Join by telephone if:

- You do not have a microphone or speaker on your PC/Mac,
- You do not have a smartphone (iOS or Android), or
- You cannot connect to a network for video or computer audio.

To join by telephone:

1. Call (253) 215-8782
2. Enter the assigned **Zoom Meeting ID** number followed by # symbol.

Phone Controls:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Considerations for Remote Hearings:

Remote hearings are just like attending court in person. **Who can attend:**

- Witnesses may be placed in a separate location until it is time for their testimony.
- No one may speak during the hearing unless requested to do so by the judicial officer; no one present with you as a support can tell you what to say to the court.
- **Observer:**
 - a) You are required to identify yourself only as Observer when logging in (i.e. OBSERVER) by renaming yourself.
 - b) If you are with an organization, put your name and name of organization (i.e. Jane Smith/The Olympian)
- All audio, video, and pictures are to be turned off for the entire calendar.
- Not following these guidelines or any inappropriate or disruptive behavior may result in immediate removal from the hearing.

Required:

- Dress appropriate.
- Mute your microphone unless you are asked to speak.
- Follow judicial officer’s stated rules or risk being removed from the hearing.
- DO NOT have any pictures of yourself or anything else on your video.
- Do not use the chat function unless you are having audio difficulties and need to advise that you cannot hear or that you are not being heard when you speak.

If Possible:

- Avoid moving your video or quick movements.
- Find a quiet space.

DO NOT RECORD ANY COURT HEARINGS

The Court keeps a record of all proceedings. Do not record any court proceedings. You can order transcripts or copies of the hearing from the Court. If you would like to order a copy of the record or a transcript of the proceeding, information can be found on the Court’s Website:

<https://www.thurstoncountywa.gov/sc/Pages/transcripts.aspx>

Superior Court of Washington, County of Thurston

In re:

Petitioner/s (*person/s who started this case*):

CARLY N. MICHAEL

And Respondent/s (*other party/parties*):

RICHARD A. KIVETT

No. 20-3-00572-34

Order: Appointment of Special Master to facilitate issuance of US Passports for minor children

(OR)

Order: Appointment of Special Master to facilitate issuance of US Passports for minor children

- 1.** The Petitioner made a *Motion for Order* for to Appoint Special Master to Facilitate Sale of Family Home and Issuance of U.S. Passports for Minor Children. A hearing on the Motion was held on 11/17/2020.
- 2.** The Court considered the *Motion* and any supporting documents, response from the other party, other documents from the court record identified by the court, if any, and any testimony or argument. The motion was signed by Judge Indu Thomas on 12/3/2020.
- 3.** The court finds good cause to approve this Order.

Other findings: The State department denied the passport applications for the minor children 6/23/2021 as the court documents did not name the minor children appointing the special master. Petitioner requests approval of amended order naming minor children.

4. The Court Orders:

The Court Orders: Patrick W, Rawnsley shall be appointed as Special Master to facilitate and Issuance of U.S. Passports for the Minor Children Marek Michael Kivett (12) and Cole Michael Kivett (10).

Ordered.

2/14/2023

Date

Judge or Commissioner

Petitioner and Respondent or their lawyers fill out 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

▶ Michael
Petitioner signs here or lawyer signs here + WSBA #

Carly N. Michael _____
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 signs here or lawyer signs here + WSBA #

Print Name Date