

**SUPERIOR COURT OF WASHINGTON
COUNTY OF**

In re:

and

Petitioner,

Respondent.

NO.

**PETITION FOR
MODIFICATION/ADJUSTMENT OF
CUSTODY DECREE/PARENTING
PLAN/RESIDENTIAL SCHEDULE
(PTMD)**

1.1 IDENTIFICATION OF MOVING PARTY.

Name (first/last) _____ Birth date _____

Last known residence _____ (county and state).

1.2 IDENTIFICATION OF NON-MOVING PARTY.

Name (first/last) _____ Birth date _____

Last known residence _____ (county and state).

1.3 DEPENDENT CHILDREN.

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

II. BASIS

2.1 PETITION FOR AN ORDER MODIFYING CUSTODY DECREE/PARENTING PLAN/RESIDENTIAL SCHEDULE.

This is a petition for an order modifying the prior custody decree/parenting plan/residential schedule in this matter and approving the proposed parenting plan/residential schedule, which is filed with this petition.

2.2 ADEQUATE CAUSE.

There is adequate cause for hearing the petition for modification.

2.3 CHILD SUPPORT.

Does not apply.

An order establishing child support in conjunction with the proposed parenting plan should be entered. A child support worksheet and financial declaration have been filed with this action. (No separate petition for modification of child support needs to be filed.)

2.4 JURISDICTION AND VENUE.

The court has proper jurisdiction and venue.

The moving party resides in _____ [County and State].

The children reside in _____ [County and State].

The other party resides in _____ [County and State].

2.5 JURISDICTION OVER PROCEEDING.

This court has jurisdiction over this proceeding for the reasons below.

This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.

This state is the home state of the children because

the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.

- the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.
- any absences from Washington have been only temporary.
- Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continues to live in this state.

- The children and the parents or the children and at least one parent or a person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and:
 - The children have no home state elsewhere.
 - The children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.

- All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.

- No other state has jurisdiction.

- This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

- Other:

2.6 UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT INFORMATION.

Name of Child

Mother's Name

Father's Name

During the last five years, the children have lived:

- in no place other than the state of Washington and with no person other than the moving party or the other party.
- in the following places with the following persons (list each place the children lived, including the state of Washington, the dates the children lived there and the names of the persons with whom the children lived. The present addresses of those persons must be listed in the required Confidential Information Form):

Claims to custody or visitation.

- The moving party does not know of any person other than the other party who has physical custody of, or claims to have custody or visitation rights to, the children.
- The following persons have physical custody of, or claim to have custody or visitation rights to, the children (list their names and the children concerned below and list their present addresses in the Confidential Information Form. Do not list the nonmoving party):

Involvement in any other proceeding concerning the children:

- The moving party has not been involved in any other proceeding regarding the children.
- The moving party has been involved in the following proceedings regarding the children (list the court, the case number, and the date of the judgment or order):

Other legal proceedings concerning the children.

- The moving party does not know of, any other legal proceedings concerning the children.
- The moving party knows of, the following legal proceedings which concern the children (list the children concerned, the court, the case number, and the kind of proceeding):

2.7 CUSTODY DECREE OR PARENTING PLAN/RESIDENTIAL SCHEDULE.

The Custody Decree/Parenting Plan/Residential Schedule was entered on _____ [Date] at _____ [County and State]. A certified copy of the Custody Decree/Parenting Plan /Residential Schedule to be modified is filed with or attached to this petition, if the decree or plan to be modified was entered in another county or state.

2.8 MODIFICATION PURSUANT TO RCW 26.09.260(1), (2).

- Does not apply.
- The custody decree/parenting plan/residential schedule should be modified because a substantial change of circumstances has occurred in the circumstances of the children or the other party and the modification is in the best interests of the children and is necessary to serve the best interests of the children. This request is based on the factors below.
 - The parents agree to the modification.
 - The children have been integrated into my family with the consent of the other parent in substantial deviation from the decree/parenting plan/residential schedule.
 - The children's environment under the custody decree/parenting plan/residential schedule is detrimental to the children's physical, mental or emotional health and the harm likely to be caused by a change in environment is outweighed by the advantage of a change to the children.
 - The other parent has been found in contempt of court at least twice within three years because the parent failed to comply with the residential time provisions in the court-ordered parenting plan, or the parent has been convicted of custodial interference in the first or second degree under RCW 9A.40.060 or 9A.40.070.

2.9 ADJUSTMENTS TO RESIDENTIAL PROVISIONS PURSUANT TO RCW 26.09.260(5),(8).

- Does not apply.
- The custody decree/parenting plan/residential schedule should be adjusted because the proposed modification to the custody decree/parenting plan/residential schedule is in the best interest of the child and is a minor modification in the residential schedule that does not change the residence the child is scheduled to reside in the majority of the time and:

- is not more than 24 full days in a calendar year; or
- is based on a change of residence or an involuntary change in work schedule by a parent which makes the residential schedule in the parenting plan impractical to follow; or
- the increase is more than 24 full days but less than 90 overnights per year total, and the custody decree/parenting plan/residential schedule does not provide reasonable time with the nonprimary residential parent.
- The custody decree/parenting plan/residential schedule should be adjusted because the nonresidential parent has voluntarily failed to exercise residential time for one year or more and the adjustment is in the best interest of the children.

2.10 ADJUSTMENTS TO NONRESIDENTIAL PROVISIONS PURSUANT TO RCW 26.09.260(10).

- Does not apply.
- The following nonresidential provisions of the parenting plan should be adjusted because there is a substantial change of circumstances of either parent or of the child and the adjustment is in the best interest of the child:
 - Dispute resolution.
 - Decision making.
 - Transportation arrangements.
 - Other:

2.11 SUBSTANTIAL CHANGE IN CIRCUMSTANCE.

The requested modification or adjustment of the custody decree/parenting plan/residential schedule is based upon the following substantial change in circumstance:

2.12 OTHER.

III. RELIEF REQUESTED

The moving party REQUESTS that the court find that there is adequate cause for hearing this petition and enter an order modifying the custody decree/parenting plan/residential schedule in this matter and approving the proposed parenting plan/residential schedule, which is filed with this petition.

The moving party also requests that the court:

Enter an order establishing child support in conjunction with the proposed parenting plan/residential schedule. The child support worksheet and financial declaration are filed with this petition.

Other:

Dated: _____

Signature of Lawyer or Moving Party

Print or Type Name

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

Signed at _____ [City and State] on _____ [Date].

Signature

Print or Type Name

JOINDER.

The nonmoving party joins in the petition. By joining in the petition, the nonmoving party agrees to the entry of a decree in accordance with the petition, without further notice.

Dated: _____

Signature of Joining Party

Print or Type Name