

OUTLINE
CHELAN COUNTY

**ESTABLISHING A
RESIDENTIAL SCHEDULE/PARENTING PLAN
WITHIN 2 YEARS OF ENTRY OF PARENTAGE ORDER**

NO FILING FEE

This Motion may be filed by either parent in cases where a Parentage Order is entered without a parenting plan or residential schedule. The Motion must be filed within two years of entry of the Parentage Order, and cannot change the primary residence of the child.

Local Court Rule 94.04 requires that all pro se (self-represented) people have their proposed Temporary Orders and all Final Orders reviewed and pre-approved by the Family Law Court Facilitator, Navigator, Limited License Legal Technician or private attorney before the Clerk can set a hearing date. You may call the Chelan County Clerk's Office at (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator. The fee for a 45-60 minute appointment is \$30.00. The Court Facilitator will review your papers, answer questions, help you complete the process and set a hearing date.

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. The Family Law Court Facilitator and the Clerk's Office cannot give legal advice.

Your specific situation may require additional forms and procedures which may not be listed on this outline. Attached to this outline is a list of the forms contained in the complete packet available at the Chelan County Clerk's Office for a fee of \$20.00.

- 1. FORMS:** Obtain the forms listed in this outline. The Chelan County Superior Court Clerk sells ***Establish a Residential Schedule/Parenting Plan within 2 years of Parentage Order*** packets which include the required state and local forms. To make the process easier to understand, these packets are divided into "Steps" (Step 1, Step 2, Step 3, etc.). The packet costs \$20.00. You may also download the forms for free at the Washington State Court website: www.courts.wa.gov/forms. Chelan County Local Court Rules and local forms are available for view and download at www.co.chelan.wa.us/superior-court or you may purchase individual local forms at the Chelan County Clerk's Office.
- 2. HELP:** If you need help understanding forms or procedures, the Family Law Court Facilitator can review your papers you have completed yourself, answer questions and help you with procedures. The Family Law Court Facilitator cannot give legal advice, does not represent you, will assist but cannot fill out your forms for you and may also help the other parent. There is a \$30 fee per 45-60 minute appointment. To see a Family Law Court Facilitator you must make an appointment by calling (509) 667-6380 or (509) 667-6236.
- 3. COMPLETE THE FORMS:**
Fill out:
 - *Case Information Cover Sheet
 - *Confidential Information Form (FL All Family 001);
 - *Motion for Parenting Plan or Residential Schedule
(within 2 years of Final Parentage Order) (FL Parentage 318)

- *Residential Schedule (FL Parentage 303) or Parenting Plan (FL All Family 140)
- *Information for Parenting Plan (FL All Family 139)
- *Automatic Temporary Order for Parties with Children (Local Court Form)
- *Note for Motion (Local Court Form)
- * Proof of Mailing or Hand Delivery (FL All Family 112)

Complete these papers and make two copies. One set of copies is to be provided to the other parent and the other copy is for you to keep for your records. The originals are always filed with the Clerk.

4. **FILE YOUR PAPERS:** File your papers with the Chelan County Superior Court Clerk. There is no filing fee when filing a motion. The **Automatic Temporary Order for Parties with Children** will be sent to Judge's chambers for signature. This automatic order restrains both parties from changing the residence of the children until further court order unless agreed upon in writing by both parents, restrains both parties from making negative remarks about the other parent in the presence of the children and orders both parents to take a mandatory parenting class. It does not restrain visitation by the non-residential parent provided the visitation is by verbal agreement.
5. **SETTING THE HEARING, PREPARING FINAL ORDERS:** At the time you file your paperwork, you must set a hearing date for the Judge to rule on your motion. Pursuant to Local Court Rules pro se (self-represented) people must have their proposed orders reviewed and pre-approved by the Family Law Court Facilitator, Navigator, Limited License Legal Technician or private attorney before the Clerk can set a hearing date.

Fill out:

- *Order on Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order) (FL Parentage 319)
- *Residential Schedule (FL Parentage 304) or Parenting Plan (FL All Family 140)
- *JIS Search Form

You may call the Chelan County Clerk's Office at (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator. The fee for a 45-60 minute appointment is \$30.00. The Court Facilitator will review your papers you have completed yourself, assist and answer your questions, help you with procedures and set a hearing date. The Court Facilitator cannot give legal advice, does not represent you, may assist but cannot fill out your forms for you and may also help the other party.

6. **SERVICE:** You must arrange for service of the copies of the papers on the other party. A copy of all the papers listed in #3 above must be provided to the other parent. The person who mails or hand delivers the papers must fully complete and sign a **Proof of Mailing or Hand Delivery (FL All Family 112)** declaring that they mailed or hand delivered a copy of the papers to the other parent. This is your proof that the other parent was properly notified of your motion, proposed Residential Schedule or Parenting Plan and the date of the hearing. File the completed **Proof of Mailing or Hand Delivery** at the Clerk's Office.
7. **PARENTING CLASS:** Local Court Rules require that both parents must take an approved Parenting Class. "Supporting Children through Divorce: Helping Children Adjust" is offered in Chelan County. Sign up online at <http://www.co.chelan.wa.us/clerk/> or in person at the Clerk's office. The fee is \$40.00 for a 4 hour class. You may pick up a brochure describing the class and registration at the Chelan County Clerk's Office. You must file proof that you have attended the parenting class before a final Residential Schedule or Parenting Plan is signed by the judge.
8. **ATTEND THE HEARING:** The Judge will make an order based on the paperwork you filed, any responding papers filed by the other party and any other information provided at the hearing.

Helpful Phone Numbers and Websites

Chelan County Superior Court Clerk’s Office (509) 667-6380
Volunteer Lawyer Program of Chelan County (509) 663-2778
CLEAR line for a referral to the Volunteer Legal Professional (888) 201-1014
State Prosecuting Attorney – Family Support Division (360) 336-9461
www.courts.wa.gov/forms to download standard family law forms
www.washingtonlawhelp.org for general information on a variety of legal topics
www.nwjustice.org for general information and resources
www.co.chelan.wa.us/superior-court Superior Court website
www.co.chelan.wa.us/clerk Chelan County Clerk website.
www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information)

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Steps 1 – 2 ESTABLISH A RESIDENTIAL SCHEDULE WITHIN 2 YEARS OF ENTRY OF A PARENTAGE ORDER

STEP 1 – Starting the case

Case Information Cover Sheet
Confidential Information Form
Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order)
Proposed Residential Schedule or Parenting Plan
Information for Parenting Plan/Residential Schedule
Automatic Temporary Order for Parties with Children
Note for Motion
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)
COPES Registration Brochure (Parenting Class)

STEP 2 – Finalizing the case

Order on Motion for Parenting Plan or Residential Schedule (within 2 years of Final Parentage Order)
Final Residential Schedule
JIS Search Form