

How to Respond to a Non-Parent Custody Petition

Talk to a lawyer, if you can

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

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court
516 3rd Ave, Room W-382
Seattle, WA 98104

Maleng Regional Justice Center
401 4th Ave North, Room 3D
Kent, WA 98032

Step 1: Determine your response deadline

20 days	If you were served in person in Washington state.
60 days	If you were served in person outside of Washington state or by publication.
90 days	If you were served by mail.

Note: If you agree with everything the other party has requested in the petition, you may fill out the *Agreement to Join Petition (Joinder)* form (FL All Family 119).

Step 2: Fill out these forms

All of these forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Response to Petition for Custody by a Non-parent	FL Non-Parent 415		<input type="checkbox"/>

If the other party has scheduled a hearing for adequate cause & temporary orders you will need:

Declaration	FL All Family 135	Use this to tell the court your side of the story.	<input type="checkbox"/>
Order on Adequate Cause for Non-parent Custody	FL Non-Parent 417	Complete this form the way you would like the Commissioner to decide. Do not file with the Clerk's Office.	<input type="checkbox"/>
Temporary Non-parent Custody Order	FL Non-parent 424	Complete this form the way you would like the Commissioner to decide. Do not file with the Clerk's Office.	<input type="checkbox"/>

If the other party is requesting a residential schedule, you will also need:

Residential Schedule	FL Non-Parent 405		<input type="checkbox"/>
Information for Temporary Parenting Plan	FL All Family 139		<input type="checkbox"/>

If the other party requested that an Order of Child Support be entered, you will also need:

Child Support Order	FL All Family 130	Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home	<input type="checkbox"/>
Child Support Worksheets	WSCSS - Worksheets		<input type="checkbox"/>
Child Support Schedule & Instructions	This is information to use to calculate Child Support Worksheets. https://fortress.wa.gov/dshs/dcs/SSGen/Home		
Financial Declaration	FL All Family 131		<input type="checkbox"/>
Sealed Financial Source Documents	FL All Family 011		<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ If your case involves financial matters you may have to provide copies of financial documents, including: <ul style="list-style-type: none"> ▪ Your W-2s and complete personal tax returns for the past 2 years ▪ Your most recent pay stubs (at least 6 months) ▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more ▪ Statements from all of your banks and financial institutions for the past 6 months 			

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

Step 3: Make copies of your paperwork.

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

Step 4: Take your completed forms to the Clerk's office and file it.

Step 5: Have the other parties served

You may deliver or mail documents yourself. If the any of the parties has an attorney, deliver or mail the forms to the attorney instead. After you have delivered/mailed the forms to the other parties or attorney, fill out the [Proof of Mailing or Hand Delivery \(FL All Family 112\)](#) form. Make one copy of this form for your records and file the original with the Clerk's Office.

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

Step 6: Follow your Case Schedule

If you do not have a copy of your case schedule, you may get it from the Clerk's office. This contains deadlines each party must follow. Some of these deadlines include:

- **Case Review Hearing:** If the Confirmation of Issues is not signed by both parties and filed, or if your case is otherwise not on track with your Case Schedule, you are required to attend your Review Hearing. See your case schedule for your Review Hearing date.

If you and the other party do come to an agreement: You can finalize your case in the Ex Parte courtroom. You must file an *Ex Parte Notice of Court Date (Commissioners)* form, for either [Kent](#) or [Seattle](#), to schedule your final hearing. Choose a hearing date that is at least 14 days from when you file the *Ex Parte Notice of Court Date (Commissioners)* form with the Clerk's office. You may have to pay a document review fee at your final hearing.

If you and the other party cannot agree: Your case must be resolved at trial. See your case schedule for your trial date.

Step 7: Complete your final documents

To finalize your case by agreement or trial, you will need to fill out the forms below.

All of these forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Findings and Conclusions on Petition for Custody by a Non-parent	FL Non-Parent 430		<input type="checkbox"/>
Final Non-Parent Custody Order	FL Non-Parent 431		<input type="checkbox"/>
Residential Schedule (Optional)	FL Non-Parent 405	A Residential Schedule is not required. Parties may choose to include visitation arrangements in the Final Non-Parent Custody Order form	<input type="checkbox"/>
Child Support Order	FL All Family 130	One order for each parent who must pay support	<input type="checkbox"/>
Child Support Worksheets	WSCSS - Worksheets		<input type="checkbox"/>
Child Support Schedule & Instructions	This is information to use to calculate Child Support Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home		

You will need these forms if you are going to trial

Financial Declaration	FL All Family 131		<input type="checkbox"/>
Sealed Financial Source Documents	FL All Family 011		<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ If your case involves financial matters you may have to provide copies of financial documents, including: ▪ Your W-2s and complete personal tax returns for the past 2 years ▪ Your most recent pay stubs (at least 6 months) ▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more ▪ Statements from all of your banks and financial institutions for the past 6 months ▪ <i>Note:</i> The other party can ask you for a copy of your check register. If this happens, you will have 14 days to provide it. 			