

INSTRUCTIONS: CHANGE OF PARENTING PLAN OR CUSTODY ORDER WHEN THE PARTIES AGREE

1. Obtain the forms listed in this outline. The Skagit County Superior Court Clerk sells a packet for *Change of Parenting Plan or Custody Order* which includes the required state and local forms. You may also download the forms for free at www.courts.wa.gov/forms . **Skagit County Local Court Rules** and local forms are available for purchase at the Clerk's Office or can be downloaded at www.skagitcounty.net (see links to Superior Court).
2. If you need assistance with forms or procedures, the Court Facilitator can review forms you have prepared yourself, answer questions, or help you with procedures. The Facilitator cannot give legal advice and does not represent you. The Facilitator may also assist your spouse. There is a \$20 fee per 30 minute appointment. Make an appointment by calling (360) 416-1200 or (360) 416-1800.
3. Start by filling out and signing the following forms:
 - **Petition To Change a Parenting Plan, Residential Schedule or Custody Order (FL Modify 601)**;
 - **Confidential Information (FL All Family 001)**; and
 - **Parenting Plan (FL All Family 140)** filled out as a "Proposal";

You must explain in your Petition why you believe that the court should modify your parenting plan and also state that you and the other party agree to the modification. Both parties must sign the **Petition to Change Parenting Plan, Residential Schedule or Custody Order** and the **Parenting Plan**. If the original parenting plan/custody order was in Skagit County, make sure that your caption on the first page of each document is the same as your original case. Whoever was the Petitioner in your original Skagit County case is still the Petitioner in this case, and you must use the same case number. The person bringing the modification is called "the requesting party".

If you are addressing child support then you will also need a:

- **Financial Declaration (FL All Family 131)** (each party to fill out their own);
- **Sealed Financial Source Documents Cover Sheet (FL All Family 011)** with attached proof of income from both parties including recent paystubs, W2 forms and 2 years of tax returns; and
- **Child Support Worksheets (WSCSS-Worksheets)**.

The Court Facilitator can help you calculate child support or you can prepare a **Child Support Worksheet** using the Support Calculator found at: <http://fortress.wa.gov/dshs/dcs/SSGen/Home> .

4. File the documents listed in #3 above with the Skagit County Superior Court Clerk. The filing fee is \$56 payable only in cash, money order, and Cashier's Check, Discovery, MasterCard, Visa or American Express. There is an additional fee if a credit or debit card is used. You can have the filing fee waived if you qualify. The Clerk's Office has a "**Fee Waiver Packet**" that explains this process.

*NOTE: If the **Parenting Plan/Custody Order** that you want to modify is from another county in Washington or from another State, then the filing fee is \$260 and you must obtain a **certified copy** of your most recent **Parenting Plan or Custody Order** and file it with your **Petition**.*

5. **Local Court Rules require that you meet with the Court Facilitator prior to finalizing your case.** Make an appointment with the Facilitator and bring your completed final documents listed below in #6. The Facilitator will review your final documents and help you set your hearing.

6. Final orders include:

- **Order on Adequate Cause to Change a Parenting/Custody Order (FL Modify 604);**
- **Final Order and Findings on Petition to Change a Parenting/ Custody Order (FL Modify 610);** and
- **Parenting Plan (FL All Family 140).**

If you are also addressing child support then you must also bring:

- **Child Support Worksheets (WSCSS-Worksheets);** and
- **Child Support Order (FL All Family 130).**

7. Go to your hearing. The Judge or Commissioner will sign your agreed orders at the hearing. After the hearing you may purchase copies of the orders from the Clerk's Office for a fee.

Helpful Phone Numbers and Websites:

Skagit County Superior Court Clerk's Office (360) 416-1800

Skagit County Superior Court Administration (360) 416-1200

Skagit County Law Library (360) 416-1290

Volunteer Lawyer Program of Skagit County (360) 416-7585

CLEAR line for a referral to the VLP (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.skagitcounty.net Skagit County website (follow the links to Superior Court).

www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information).

<https://fortress.wa.gov/dshs/dcs/SSGen/Home> DCS Support Calculator (use to create a **Child Support Worksheet**).

This outline 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. Your specific situation may require additional forms and procedures which may not be listed on this outline. The Family Law Facilitator and the Clerk's Office cannot give legal advice. Only an attorney can give legal advice.