

**MAJOR MODIFICATION OF PARENTING
PLAN/RESIDENTIAL SCHEDULE**
(Changes the parent with whom the child(ren) reside)

SPOKANE COUNTY FAMILY COURT FACILITATOR

Checklist of Steps to Complete:

_____ 1. Fill out the following papers completely and sign. Print clearly in black ink or type:

- () *Confidential Information (FL All Family 001)*
- () *Summons: Notice about Petition to Change a Parenting Plan, Residential Schedule, or Custody Order (FL Modify 600)*
- () *Petition to Change a Parenting Plan, Residential Schedule, or Custody Order (FL Modify 601)*
- () *Parenting Plan (Proposed) (FL All Family 140)*
- () *Declaration of (name) (FL All Family 135)*
- () *Motion for Adequate Cause Decision (to change a parenting/custody order) (see Step 3) (FL Modify 603)*
- () *Child Support Worksheets (WSCSS-WORKSHEETS)*
- () *Notice of Hearing of Family Law Motion Calendar*
(<http://www.spokanecounty.org/DocumentCenter/Home/View/3627>)

The case number and caption box (names of parties) should be the same as the original dissolution or paternity action unless it is from another county or out of Washington State.

_____ 2. Choose your hearing date:

(You must schedule any hearings before the Commissioner assigned your case. To determine if your case has been assigned to a Court Commissioner and/or to determine which day your assigned Commissioner is scheduled to hear motions, please see the Court's web page:

<http://wa-spokanecounty.civicplus.com/DocumentCenter/View/4266>

OR call the Superior Court Clerk's Office at 509-477-2211.)

Choose a hearing date which will allow the responding party appropriate time to respond: If the other parent is personally served in Washington, he/she has **20** days in which to respond. If the other parent is personally served outside of Washington, he/she has **60** days in which to respond.

If the other parent is served by certified mail, he/she has **90** days in which to respond.

(Permission must be obtained from the Court to serve by mail.)

Make two (2) sets of copies of each of the above documents - one for you and one to be served on the other parent. File the original documents in the Clerk's Office - Room 300, Third Floor of the Courthouse, between the hours of 8:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m., Monday through Friday. You will be charged a filing fee of \$56 for modification of an order from Spokane County, and \$260 for modification of an order from outside of Spokane County or outside of Washington State.

_____ 3. Serve other parent with copies of documents:

THE PERSON WHO SERVES THE OTHER PARENT MUST BE SOMEONE OTHER THAN YOU, OVER THE AGE OF 18 YEARS. That person must complete the *Proof of Personal Service*, sign it and give it back to you. Make one copy for your records and FILE THE ORIGINAL WITH THE CLERK'S OFFICE, Room 300 of the Spokane County Courthouse, between the hours of 8:30 a.m., - 12:00 noon and 1:00 p.m., - 4:00 p.m., Monday through Friday.

_____ 4. **The party seeking Adequate Cause must call in the case as “ready” using the Family Law Coordinator’s Office main line of 509-477-5702 extension 0, and provide a copy of the signed mandatory local form Family Law/Paternity Motion Status Report**

<https://www.spokanecounty.org/DocumentCenter/View/3675/Family-Law-Paternity-Motion-Status-Report-PDF>

with bench copies to the Family Law Coordinator’s Office (Room 200 of the Spokane County Courthouse) by 4 p.m., three court days prior to the hearing.

Please see the court’s local rules:

<https://www.spokanecounty.org/DocumentCenter/View/34440/2020-Local-Court-Rules-Effective-912020?bidId>

_____ 5. Attend your scheduled Zoom Hearing for Adequate Cause.

Be prepared to tell the Court why the change in the parenting plan is necessary and why it is in the child(ren)’s best interest to adopt a new parenting plan/residential schedule.

Instructions for participating in a Zoom hearing can be found on the Superior Court’s website at www.spokanecounty.org/1140/Superior-Court.

After the Zoom hearing, be prepared to email the completed *Order on Adequate Cause to Change a Parenting/Custody Order (FL Modify 604)* to:

commissionersorders@spokanecounty.org.

Be prepared to also email your proposed final *Parenting Plan (FL All Family 140)*, *Final Order and Findings on Petition to Change a Parenting Plan, Residential Schedule, or Custody Order (FL Modify 610)*, *Child Support Worksheets (WSCSS-WORKSHEETS)* and *Child Support Order (FL All Family 130)*, to:

commissionersorders@spokanecounty.org.

If an agreement cannot be reached, deliver a copy of the *Order on Adequate Cause to Change a Parenting/Custody Order* signed by the Court, to the Family Law Coordinator, Room 200. Your case will then be assigned to a trial judge. Notice of your Status Conference date will be mailed to you from the trial department.

A T T E N T I O N

****At the time you present your proposed final parenting plan to a Judge or Court Commissioner for signature, a new law now requires them to run a background check on both parents. If that background check includes matters that could put children at risk of harm, the judicial officer may ask you or the other parent to explain and answer questions about your background record. In most cases you can probably satisfy the judicial officer conducting the review that your children are not at risk and he/she will finalize your parenting plan the way you prepared it. In some cases, you may be asked to bring in additional documents or the court may appoint a Guardian ad Litem to make a more in-depth investigation and report back to the court at a later date. If this happens, the case will remain open and the proposed parenting plan will not be approved until you have brought in the necessary paperwork or the independent investigation has been completed and all necessary safeguards to protect your children are in place.**

NOTE: All of the above-mentioned forms can be found on the Washington State Court website: www.courts.wa.gov/forms.

The Family Court Facilitator, Room 200, Family Law Center, is available to [review your documents](#) and answer procedural questions. It is recommended you have all documents reviewed before filing and presenting to the court.