

Superior Court of Washington, County of Skagit

In re:

Child

Petitioner (*person who started this case*):

And Respondent (*other spouse / partner*):

No. _____

Notice of Hearing and Motion for Order to Convert Non-Parent Custody Case to Minor Guardianship, Consolidate the Cases, and Grant Leave to File an Amended Petition (MT)

I. NOTICE OF HEARING

To the Court Clerk and all parties:

1. A court hearing has been scheduled, to be heard without oral argument:
on:

Date and time

at: Skagit County Superior Court, 205 W. Kincaid Street, Mount Vernon, WA 98273 on the Domestic Motions calendar

2. This matter will be considered on the pleadings. No one need appear for the hearing. At the time and date set forth above, the court will consider the Motion set forth below, along with any supporting affidavits or pleadings, and any affidavits or briefing filed in response. A written decision will be issued by the Court.

II. MOTION FOR ORDER TO CONVERT NON-PARENT CUSTODY CASE TO RCW 11.130 MINOR GUARDIANSHIP, CONSOLIDATE CASES AND GRANT LEAVE TO FILE AN AMENDED PETITION

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side, and propose your own *Parenting Plan* or *Child Support Worksheets*.

My name is _____ . I am a []
Petitioner

[] Respondent [] Other _____ in this case. I am

asking the Court for an Order that:

1. Converts my existing RCW 26.10 Non-Parent Custody (CUS) case to a RCW 11.130, Minor Guardianship Custody (MGC) case;
2. Consolidates the cases under the Minor Guardianship Custody (MGC) cause number; and

3. Grants leave to amend the Petition filed in this action, so that it conforms to the requirements of RCW 11.130.190.

In support of this motion, I declare:

1. On _____, I the Petitioner(s) filed a Non-Parent Custody action in Skagit County Superior Court.
2. My Non-Parent Custody case has not been dismissed, and is either completed (final orders have entered) or pending (final orders have not entered as to all parties).
3. I ask the Court to convert the RCW 26.10 Non-Parent Custody Petition to an RCW 11.130 Guardianship of Minor so that I may take further action as necessary.
4. The Party Identification Table submitted separately with this motion, under seal, is true, complete, and accurate.
5. Active duty military

*(The **federal** Servicemembers Civil Relief Act covers:*

- *Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;*
- *National Guard or Reserve members under a call to active service for more than 30 days in a row; and*
- *commissioned corps of the Public Health Service and NOAA.*

*The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)*

The other parties are **not** covered by the state or federal Servicemembers Civil Relief Acts.

One or more of the other parties is covered by the state federal Servicemembers Civil Relief Act.

The covered parties are: _____

*For persons covered only by the **state** act – Military duty may keep the service member or dependent from responding or coming to the hearing on this motion. I ask the court to approve temporary orders even if the covered person asks for a stay or doesn't respond. It would be very unfair (a manifest injustice) not to make temporary orders now because: _____*

-
6. I have provided a Proposed Order and Amended Petition using form WPF GDN with this motion.

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Person asking for this order signs here *Print name here*

I agree to accept legal papers for this case at (*check one*):

my lawyer's address, listed below.

the following address (*this does **not** have to be your home address*):

street address or PO box *city* *state* *zip*

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:



Lawyer signs here *Print name and WSBA No.* *Date*

Lawyer's street address or PO box *city* *state* *zip*

Email (*if applicable*): _____

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.