

Responding to Family Actions while Incarcerated

Are you in jail or prison? Have you been served with legal papers about your family?



www.legalvoice.org

This memo gives general information about family law actions and how to respond. The topics are:

- Divorce
- Parentage (Paternity/Legal Parent)
- Parenting Plans
- Child Support
- Custody
- Dependency
- Hearings

This memo is not a substitute for legal advice. You may be able to get legal advice about your specific needs from a volunteer attorney or from someone the court appointed to provide you legal advice (see Resources at the end of this memo).

Divorce (Dissolution)

What Is a “Summons”?

A summons is a document from the court telling you that your spouse has filed paperwork asking for a divorce. The paperwork is called a “petition for dissolution.” Read the petition very carefully. What is your spouse asking for regarding your children and property? You have 20 days to respond.

What Happens If I Respond to the Summons?

By filing a response on time, you have the right to be a part of the proceeding. Your opinion about what should happen with your children and property will be considered.

What Happens If I Do Not Respond to the Summons?

If you do not respond on time, the court may enter a “default judgment.” Default judgment means the court agrees to everything your spouse asked for in the petition for divorce. If you disagree with anything your spouse is asking for in the petition, it is very important to file a written response within 20 days.

How Do I Respond to the Petition?

If you don't have a lawyer, there is a Do-It-Yourself packet called *Responding to a Divorce* available on www.WashingtonLawHelp.org. You can print it from that website or have a friend or a relative print it out and mail it to you. This packet has information about other packets you may need, too, like for parenting plans and child support.

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=13 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact the county court's family law facilitator or check the court website to make sure that the form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

Can I Ask for Maintenance? (a.k.a. alimony/spousal support)

Yes, but the court will probably not order your spouse to pay you maintenance as long as you are incarcerated. However, you might be able to change this order when you are released. You may ask the court to put off any decision about maintenance until you are released.

Parentage (Paternity/Legal Parent)

What Is a "Petition to Decide Parentage"?

A Petition to Decide Parentage is a court action to establish who a child's legal parent is or isn't. This petition can be used to establish or disestablish parentage (this is also how you can "contest paternity" after being served with a child support notice or order – see the "Child Support" section later in this memo). The current legal parent can file a Petition to Decide Parentage, as can someone who thinks they should or shouldn't be the child's other legal parent. A prosecuting attorney can also file this petition in order to get child support from the other parent.

There are many ways to become a legal parent, either automatically or through a court action like this one. For more information on the different ways to become a legal parent, see the Legal Voice publication *How to Become a Legal Parent in Washington* (see Resources at the end of this memo).

What Does It Mean to Be a Legal Parent?

Being a legal parent gives you rights to physical custody (i.e. custody, visitation, regular contact) as well as legal custody (i.e. the ability to make decisions about the child's health, education, upbringing, etc.). A parent who is incarcerated can file for a parenting plan, residential schedule, and/or child support, as well as modifications (changes) to these orders, *IF* there is a parentage case pending. Being a legal parent also means you are obligated to provide for the child's care and upbringing, such as paying child support, even if you are incarcerated.

What If I Am Served with a Petition to Decide Parentage?

If you have been served with a Petition to Decide Parentage, the child's legal parent (usually the child's mother) wants to make you the other legal parent. You have 20 days to respond. If you believe you are not or should not be the child's other legal parent, you can say so in your response. See the memo *Parentage and Parenting Plans for Unmarried Parents in Washington* available at www.WashingtonLawHelp.org (see Resources at the end of this memo).

What Happens If I Respond to the Petition to Decide Parentage?

By filing a response on time, you have the right to be a part of the proceeding. Your opinion and information you have about whether you should or should not be the child's legal parent will be considered.

What Happens If I Do NOT Respond to the Petition to Decide Parentage?

If you do not respond on time, the court may enter a "default judgment." Default judgment means the court agrees to everything the other parent asked for in the Petition to Decide Parentage. Therefore, you must read the documents very carefully and learn what the petitioner is asking the court to order regarding the child. It is very important to file a written response within 20 days if you disagree with anything in the petition.

How Do I Respond to the Petition to Decide Parentage?

You can either hire a lawyer to help you respond, or you can do it yourself. If you don't have a lawyer, there are Do-It-Yourself packets you can get at www.WashingtonLawHelp.org. Print out the one you need or have a friend or a relative print it out and mail it to you:

- *Responding to a Petition to Decide Parentage*
- *Responding to a Petition for Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases*

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=44 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact a family law facilitator or check the courts website to make sure that the form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

Modification of Parenting Plan

The full title of this form is Petition for Modification/Adjustment of Custody Decree/Parenting Plan/Residential Schedule.

What If I Am Served with a Petition for Modification?

You have 20 days to respond to the petition.

What Happens If I Respond to the Petition for Modification?

By filing a response on time, you have the right to be a part of the proceeding. You can ask the court to deny the modification. You can ask for your own changes to the parenting plan. You can ask for changes to your parenting plan just for the time you are incarcerated. You can also ask for other changes that can go into effect after you are released. For more information, see the Custody section of this memo.

What Happens If I Do NOT Respond to the Petition for Modification?

If you do not respond on time, the court may enter a “default judgment.” Default judgment means the court agrees to everything the other parent asked for in the Petition for Modification.

How Do I Respond to a Petition for Modification?

You can either hire a lawyer to help you respond, or you can do it yourself. If you don’t have a lawyer, there is a Do-It-Yourself packet called *Responding to a Petition to Change Your Parenting Plan, Residential Schedule or Custody Order* at www.WashingtonLawHelp.org (see Resources at the end of this memo).

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=32 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact a family law facilitator or check the court website to make sure that form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

Child Support

Do I Have the Right to Child Support Payments While I Am Incarcerated?

If you don’t have physical custody of your child while you are incarcerated, you will not receive court-ordered child support payments. Any child support would likely go to the person caring for your child.

Do I Have to Pay Child Support While I Am Incarcerated?

If you had a child support order before you were incarcerated, then yes, you must continue to pay as directed by that order while you are incarcerated. You are responsible for child support payments every month even if you are in prison or jail. If you do not pay, your child support debt will increase.

If neither you nor the other parent gets physical custody of your child, both of you can be required to make child support payments to whomever has custody of the child. For more information, see the DSHS brochure “Do I Still Have to Pay Child Support?” listed in the Resources at the end of this memo.

What If I Am Served with a Child Support Notice or Proposed Order?

If you are served with a **Notice and Finding of Financial Responsibility (NFFR)** from the Department of Child Support (DCS) – an official notice that you owe child support – you can either arrange to pay child support while you are incarcerated, or appeal the order. You have 20 days to appeal. If you have no source of income while you are incarcerated, you can say so in your response to DCS. If you should not be considered the other legal parent of the child, this is your chance to “contest paternity” – to prove that you are not the child’s legal parent – by filing with the court a *Petition to Decide Parentage*. (For more information on legal parentage, see the information under “Parentage (Paternity/Legal Parent)” earlier in this memo.)

If you were served with a **proposed child support order** from the person who is caring for your child, you must file a response within 20 days from the date you were served. It is very important that you do not ignore the proposed order. If you don’t file a response, the court can enter a “default judgment” against you, meaning it will likely approve the proposed child support order. If you have no source of income while you are incarcerated, you can say so in your response. If you should not be considered the other legal parent of the child, this is your chance to “contest paternity” – to prove that you are not the child’s legal parent – by filing with the court a *Petition to Decide Parentage*. (For more information on legal parentage, see the information under “Parentage (Paternity/Legal Parent)” earlier in this memo.)

If you need help, contact the Family Law Facilitator in the court where the petition was filed (see Resources at the end of this memo).

See these publications at www.WashingtonLawHelp.org (links in Resources at the end of this memo).

- *Do You Owe Child Support?*
- *The Washington State Child Support Schedule: Setting Child Support*

How Do I Respond to the Petition for Child Support?

If you received a Notice from DCS, you probably also received a form *Objection - request for Blood Test or Adjudicative Proceeding* that you can send back to DCS.

If you were served with a proposed order of child support as part of a divorce or parentage action in court, you can find forms and instructions to respond at www.WashingtonLawHelp.org, or have a friend or relative print it out and mail it to you:

- **For unmarried parents:** *Responding to a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases*
- **For divorcing couples** who are both the legal parents: *Responding to Motions for Temporary Family Law Orders or Immediate Restraining Orders: Divorce Cases and Petition to Change Parenting Plan Cases*.

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=8 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact a family law facilitator or check the court website to make sure that form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

What If the Other Parent Files a Petition to *Modify* Child Support?

You have 20 days to respond to the petition.

What Happens If I Respond to the Petition to *Modify* Child Support?

By filing a response, you have the right to be a part of the proceeding. You can ask the court to deny the modification or you can propose your own changes for the time you are incarcerated and for when you are released.

What Happens If I Do NOT Respond to the Petition to *Modify* Child Support?

If you do not respond on time, the court will likely approve the proposed change to the child support order.

How Do I Respond to the Petition of Child Support Modification?

If you don't have a lawyer, there is a Do-It-Yourself packet called *Responding to a Petition to Modify Your Child Support Court Order*. You can get this packet at www.WashingtonLawHelp.org, or have a friend or relative print it out and mail it to you.

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=8 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact a family law facilitator or check the court website to make sure that form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

Can I Change the Child Support Order?

You can try to change your child support order while you are incarcerated. You can ask the court not to make you to pay child support for the time you are in jail or prison.

How Do I Change the Child Support Order?

You can send a request for review to the Division of Child Support (DCS). DCS will then determine if you qualify for a modification of your child support order. To find instructions and forms for the DCS review, call 1-800-442-5437 or see the packet *Asking DCS to Review Your Child Support Order for Modification* on www.WashingtonLawHelp.org (see Resources at the end of this memo).

DCS can also reduce or write off your support debt owed to Washington State (see www.dshs.wa.gov/node/8474). This process is called a Conference Board, WAC 388-14A-6410. Contact the DCS offices and they will send you an application for services. Regional DCS office phone numbers are listed in Resources at the end of this memo.

If DCS cannot change your child support, you can still ask the court to change your child support order. There is a Do-It-Yourself packet called *Filing a Petition to Modify Your Child Support Court Order* for people who represent themselves (see Resources at the end of this memo). You can get it at www.WashingtonLawHelp.org, or have a friend or relative print it out and mail it to you.

The court forms are also available through the Court website – www.courts.wa.gov/forms/?fa=forms.contribute&formID=8 – or can be purchased at courthouses.

Important: Court forms are often updated or changed. Try to contact a family law facilitator or check the court website to make sure that form you are using is the most current version.

See the memo *How to Format Court Documents* for more information on preparing your court papers and forms (see Resources at the end of this memo).

Custody

Can I Have Custody of My Child While I Am Incarcerated?

Maybe. It depends on what your custody situation was before you became incarcerated, how old your child is, and other factors.

If you are pregnant and your child will be born during the time you are incarcerated, the Residential Parenting Program (RPP) at Washington Corrections Center for Woman has a place where women who are pregnant when they enter prison can live with and raise their newborn infants while serving out their sentences. Inmates entering the institution can apply to the program and are chosen to participate based on a screening and selection process.

If you already have primary care of your child through a parenting plan, you can make decisions about who will care for your child while you are incarcerated, stay involved as a parent while incarcerated, and regain custody once you are released. See the booklet *Options for Grandparents and Other Nonparental Caregivers* for information about how to set up temporary care for your child (see Resources at the end of this memo). Also, if you are eligible for the Community Parenting Alternative (CPA), you can spend the last 12 months of your sentence under electronic monitoring surveillance instead of being incarcerated, allowing you to be back with your child sooner. Contact your classifications counselor for more information and to apply. The DOC webpage with eligibility details is listed in Resource below.

What If the Other Parent Asks the Court to Change the Parenting Plan?

If another legal parent asks the court to change the parenting plan, you have the right to be notified and to respond. See the Modification of Parenting Plan section above.

Can I Get Custody of My Child When I Am Released?

It depends on your custody arrangement before you were incarcerated, what happens with the parenting plan while you are incarcerated, and other factors.

You can try to change the parenting plan once you are released but it is not easy. To change a parenting plan, you have to show very good reasons and/or substantial changes in circumstances. This is true even for parents who are not incarcerated. If possible, keep in contact with your children while you are incarcerated and after you are released; write, call, and visit often. Keep a record of written messages (including paper copies), phone calls, and visits. Attend parenting classes and trainings even while you are incarcerated. See the memo *Parenting Plans: General Info* for more information (see Resources at the end of this memo).

If you had custody and set up a temporary guardianship for the duration of your sentence, then you will likely be able to regain custody after you are released. For more information about temporary guardianship, see *Options for Grandparents and Other Nonparental Caregivers* (see Resources at the end of this memo).

How Can I Get Visitation with My Children?

You may ask for visitation when you respond to the proposed parenting plan/child support order. You can ask the court for a specific and realistic plan for your children to contact and visit you during your incarceration. For example, phone calls, video calls, letters, and in-person visits may be scheduled. You can give the names and addresses of your children's grandparents, your relatives, or your friends who are able to pick up your children to visit you and return them to the other parent after each visit. Note that the court will consider what is in the child's best interest and may limit or not allow contact if the court finds it is harmful to the child.

Dependency Actions

What Is a Dependency Action?

Child Protective Services (CPS) – a government agency – is allowed to investigate allegations of child abandonment, child abuse, and child neglect within the family. Depending on what CPS finds in its investigation, the state may file a petition in juvenile court asking to make the child a “dependent” of the State of Washington. If the petition is granted, the state will be the legal custodian of the child, and a court proceeding called a Dependency Action will begin. The court then decides where the child will live and who will be guardian of the child during the dependency. The dependency is supposed to be temporary and should allow the parents the opportunity to fix the problems that led to the dependency. If the parents of a dependent child fail to correct the problems that caused the dependency the state can file a petition to permanently take away (terminate) your parental rights.

For more information, see the memo *Child Protective Services (CPS) and Dependency Actions* as well as the booklet *Options for Grandparents and Other Nonparental Caregivers* (see Resources at the end of this memo).

What Happens If the State Files a Dependency Petition?

The court must notify you if a dependency petition has been filed for your child. You have the right to attend all dependency hearings and, if you cannot afford to hire a lawyer, to have a lawyer appointed to represent you at public expense. Though you have the right to be there, you don't *have* to be there; the court can make important decisions about you and your child even if you are not physically present in the courtroom. In order to attend the hearings, you must respond to the notice from the court, saying that you want to attend the hearing in person and you need to be transported in order to attend. (If you are incarcerated in a different county, you can ask to be at least present at the hearings where there will be testimony.) Your lawyer can prepare and file this for you.

In a dependency proceeding, there is a series of court hearings. The first hearing in the case is called a **shelter care hearing**. It is a very important hearing. The shelter care hearing is where the court decides where your child will live until the dependency trial takes place. Often the child is placed with family or a family friend, or in foster care. It can help your chances of getting visitation if your child lives with someone that you and child know instead of with strangers. Changing this decision later is very difficult. Two other important hearings are the **fact-finding hearing** (also called the dependency trial) and the **disposition hearing**. At the fact-finding hearing, the court will decide whether the state should be allowed to interfere with your rights as a parent, such as choosing where your child lives and other decisions about your child's upbringing. If the court finds at the fact-finding hearing that you are unfit to parent or have some parental deficiency, a disposition hearing will be held. At the disposition hearing, the court decides three things:

1. Where your child will live;
2. What kind of visitation you will receive (if your child will not live with you); and
3. What services you need to complete or what needs to change in order for your child to be returned.

For more information on the dependency process, see *Child Protective Services (CPS) and Dependency Actions* as well as *Options for Grandparents and Other Nonparental Caregivers* (see Resources at the end of this memo). For more information on hearings, see the next section of this memo, titled "Hearings."

What If I Am Asked to Sign a "Relinquishment" or "Surrender Agreement"?

A "surrender agreement" or a "relinquishment form" is a legal document that is filed in court and states that you are voluntarily and permanently giving up your parental rights and placing your child up for adoption. It must be filed in court, and reviewed and signed by a judge. It is very important to **talk with your lawyer before signing** this type of document. If you do decide to sign a relinquishment or surrender agreement, you will not be able to add conditions to the agreement. However, you can ask that your child be adopted by a specific person.

If you want to continue to have contact with your child after s/he is adopted then you will need to include another legal document, often called an “Open Adoption Agreement.” (The actual title for that document is “Agreement on Communication and Contact Between Birth Parents, Child Adoptee, and Adoptive Parents” or “Order Regarding Communication and Contact Between Birth Parent, Child Adoptee and Adoptive Parents.”) Note that open adoption agreements only apply to the adoptive parents who signed the agreement. You must follow the open adoption agreement as closely as possible, because any violation by you usually voids the open adoption agreement, meaning the adoptive parents no longer have to honor it. Most open adoption agreements allow the adoptive parents the power to end a visit, approve who attends, restrict whether pictures can be posted on social media, among other things. In Washington, you cannot undo a relinquishment or surrender agreement, even if the adoptive parents choose not to follow the open adoption agreement. It is very important to talk to your lawyer about your options.

Termination of Parental Rights

What is Termination?

If a Petition to Terminate Parental Rights (also called Petition for Termination of Parent-Child Relationship) is filed, it means the court is considering whether or not to permanently take away your legal rights as a parent. These petitions are filed in cases like child abandonment or as a result of a dependency case. If your parental rights are terminated, it means you no longer have the rights or responsibilities of a parent. See “What Does It Mean to Be a Legal Parent?” above.

Is It the Same as a Dependency Action?

No. But a dependency action can lead to a termination.

Usually, a court considers starting a termination action if the child has been out of the home for 15 of the last 22 months since the dependency began. If your incarceration is a major reason for the child being in foster care for fifteen of the last twenty-two months, **and** you still have a meaningful role in the child's life, **and** DSHS has no other reason to terminate your rights, the court may consider your special circumstances and not begin a termination action.

If you have a long sentence, but have kept a meaningful role in the child's life **and** it is in the child's best interest, DSHS can consider alternatives like guardianship.

Do I Have a Right to a Lawyer?

Yes, you have the right to a lawyer if you object to the termination. See the information about your right to a lawyer in the “Dependency” section above.

How Do I Respond to a Termination Petition?

You have the right to be at the hearings in person and to have a lawyer. There are two main hearings: the preliminary hearing (this happens after you object to the termination), and the fact-finding hearing (trial).

For more information, see *Child Protective Services (CPS) and Dependency Actions* as well as *Options for Grandparents and Other Nonparental Caregivers* and the Incarcerated Parent’s

Project webpage about child welfare cases (see Resources at the end of this memo). For more information on hearings, see the “Dependency” section above and “Hearings” below.

What If I Am Asked to Sign a “Relinquishment” or “Surrender Agreement”?

See the answer to this same question above in the “Dependency” section.

Hearings

Can I Attend the Hearings?

It depends on the case.

You **DO** have a right to be present at any court proceeding in an action that may terminate your parental rights or declare your child a dependent of the court. You also have the right to a lawyer in these cases. Not all county courts automatically appoint a lawyer to an incarcerated parent, so if you learn that a CPS or dependency case has started, be sure to call or write the court asking for a lawyer and asking to be present at the hearings. Hearings can happen in your absence, so it is very important for you and your lawyer to be present. See the information under “Dependency Actions,” above.

You **do not** have a right to attend most other family law hearings in person (such as divorce, child support, paternity, or third-party custody). However, you do have a right to *meaningful access* to your family law and child welfare hearings. You can file a motion asking the court to order your presence at hearings. File this motion immediately, especially if it is a hearing about custody and visitation rights. If your request is denied, you may be able to attend the hearing by phone. There are no standard forms for this kind of motion; a lawyer may need to create it for you. If you have served the minimum amount of time required for a furlough (a release without restrictions), you may ask to be released temporarily to attend a hearing. You can ask the secretary or superintendent of your correction center for release, transportation, and appropriate clothes, if necessary.

Can I Change My Court Hearing Schedule?

If you are not able to prepare the forms and materials in time for a scheduled court hearing, you may be able to get the hearing postponed, called a “continuance.” If you have a lawyer, ask her or him to do this for you. See the memo *How to Get a Continuance of Your Hearing* (see Resources at the end of this memo).

Where to Get Help

Can I Get a Free Lawyer for My Family Law Case?

It depends on the case.

You **DO** have a right to a free lawyer in dependency cases and termination cases (see the “Dependency” and “Hearings” sections above). You have the right to a lawyer at public expense any time your parental rights are at risk of being terminated. The Washington State Office of

Public Defense (OPD) is responsible for making sure all parents have a lawyer for their child welfare case.

You **do not** have a right to a free lawyer for other family law cases. The Washington State Department of Corrections (DOC) contracts with lawyers who come to some corrections centers (see Resources at the end of this memo). If you are in an institution where contract lawyers are not available, then you may ask your family, relatives, or friends to help you with preparing and filing legal documents.

Can I Do the Paperwork Myself?

Yes. If your facility has a law library, you can get resources to help you with research. Medium security facilities and many jails have law libraries, including

- Airway heights Corrections Center
- Clallam Bay Corrections Center
- Coyote Ridge Corrections Center
- Monroe Correctional Complex
- Stafford Creek Corrections Center
- Washington Corrections Center (Shelton)
- Washington Corrections Center for Women (Purdy)
- Washington State Penitentiary (Walla Walla)

If your facility does not have a law library, you may be able to get a temporary transfer to use the library or to get materials on loan.

Can I Hire a Lawyer?

You can get limited legal services from a private lawyer to prepare a document and to receive legal advice. These lawyers charge about \$200 per hour. There are also volunteer lawyers in each region of the state. See the Legal Voice memo *How to Find a Lawyer and Other Legal Resources in Washington State* and *Working with a Lawyer*, listed in Resources below.

Will the Family Law Facilitators Help Me?

Family Law Courthouse Facilitators are located in the Superior Courts. Some facilitators will accept calls or letters from prisoners. They can help people find the correct forms and learn how and where to file them. A complete list of the Facilitators is in Resources below. The Courthouse Facilitator program is not always a free service; the cost varies by county. Ask the facilitator's office about removing the fee.

Resources

Legal Help

- **Contract Attorneys:**

Airway Heights Corrections Center AND Washington Corrections Center	
Jordan Law Office, (509) 325-8274 921 W Broadway, Suite 201 Spokane, WA 99201	Donald Miller, (509) 934-1941 422 W. Riverside, Suite 518 Spokane, WA 99223
Clallam Bay Corrections Center	
Law Office of Jean Schiedler-Brown & Associates, (206) 223-1888 606 Post Avenue, Suite 103, Seattle, WA 98104	
McNeil Island Corrections Center	
Law Offices of George Marlton, (509) 529-1996 411 W. Main St, Walla Walla, WA 99362-0218	
Monroe Correctional Complex (WA State Reformatory, Twin Rivers, Special Offender Unit, Minimum Security Unit)	
Law Office of Richard Linn, (425) 646-6017 10 148th Ave NE, Suite 202, Bellevue, WA 98007	
Stafford Creek Corrections Center	
Law Offices of George Marlton, (509) 529-1996 411 W. Main St, Walla Walla, WA 99362-0218	
Washington Corrections Center for Women	
Law Office of Jean Schiedler-Brown & Associates, (206) 223-1888 606 Post Avenue, Suite 103, Seattle, WA 98104	
Washington State Penitentiary	
Law Office of Jean Schiedler-Brown & Associates, (206) 223-1888 606 Post Avenue, Suite 103, Seattle, WA 98104	

- **Department of Corrections Legal Access for Offenders policy (PDF)**
Online: <http://doc.wa.gov/information/policies/files/590500.pdf>
- **Washington State Office of Public Defense**
Online: www.opd.wa.gov

Information, Forms, Memos, and Do-It-Yourself Packets

- **“Do I Still Have to Pay Child Support?”** (pub. # 22-423), a brochure by DSHS
Online: www.dshs.wa.gov/node/8476; click on the language you want under “File Links”
- **Incarcerated Parents Project**, a project of the Washington Defender Association
Online: <https://defensenet.org/case-support/incarcerated-parents-project/>

- **Washington Law Help** offers free legal information on a variety of legal issues, including family law. Translations available for many publications.
Online: www.WashingtonLawHelp.org

MEMOS (information only)

- *Asking DCS to Review Your Child Support Order for Modification*
www.washingtonlawhelp.org/resource/how-to-ask-dcs-to-review-your-child-support-o?ref=TaUaN
- *Child Protective Services (CPS) and Dependency Actions*
www.washingtonlawhelp.org/resource/child-protective-services-cps-and-dependency-actions?ref=BTqA3
- *Do You Owe Child Support?*
www.washingtonlawhelp.org/resource/do-you-owe-child-support?ref=xwX3p
- *How to Format Court Documents*
www.washingtonlawhelp.org/resource/how-to-format-court-documents?ref=UMwL7
- *How to Get a Continuance of Your Hearing*
www.washingtonlawhelp.org/resource/family-law-how-to-get-a-continuance-of-your-h?ref=eqsXH
- *Parenting Plans: General Info*
www.washingtonlawhelp.org//resource/parenting-plans-court-orders-about-child-cust
- *Parentage and Parenting Plans for Unmarried Parents in Washington*
www.washingtonlawhelp.org/resource/parentage-and-parenting-plans-for-unmarried-p?ref=EEy4f
- *How is Child Support Set?*
www.washingtonlawhelp.org/resource/understanding-the-wa-state-child-support-sche?ref=e76Cv

PACKETS (Information and forms)

- *Filing a Petition to Modify Your Child Support Order*
www.washingtonlawhelp.org/resource/filing-a-petition-to-modify-your-child-suppor?ref=X4SmP
- *Responding to a Divorce*
www.washingtonlawhelp.org/resource/responding-to-a-petition-for-dissolution-divo?ref=9GCr5
- *Responding to a Petition to Change Your Parenting Plan, Residential Schedule or Custody Order*
www.washingtonlawhelp.org/resource/responding-to-a-petition-to-modifyadjust-a-pa-1?ref=qEbeK
- *Responding to a Petition to Decide Parentage*
www.washingtonlawhelp.org/resource/responding-to-a-petition-for-establishment-of?ref=qEbeK
- *Responding to a Petition for a Parenting Plan, Residential Schedule and/or Child Support: Parentage Cases*
www.washingtonlawhelp.org/resource/responding-to-a-petition-for-a-parenting-plan-residential-schedule-andor-child-support-parentage-cases?ref=g590p

- *Responding to a Petition to Modify Your Child Support Court Order*
www.washingtonlawhelp.org/resource/responding-to-a-petition-for-modification-of?ref=4ZwgQ
- **Legal Voice** offers free legal information on a variety of legal issues, including family law. Translations available for many publications. Call or write for free copies, or download from our website.
By mail: 907 Pine Street, Suite 500, Seattle, WA 98101
Online: www.LegalVoice.org

MEMOS (information only)

- *How to Protect Your Privacy in Court Files*
www.legalvoice.org/protect-privacy-court-files
 - *How to Find a Lawyer and Other Legal Resources in Washington State*
www.legalvoice.org/how-to-find-a-lawyer
 - *Working with a Lawyer*
www.legalvoice.org/working-with-a-lawyer
 - *Options for Grandparents and Other Nonparental Caregivers*
www.legalvoice.org/options-grandparents
 - *How to Become a Legal Parent in Washington State*
www.legalvoice.org/become-legal-parent-wa
- **Washington State Court Forms**
In person: Available from the court clerk's office (there may be a fee)
Online: www.courts.wa.gov/forms

Division of Child Support (DCS) Offices

By mail: SEND ALL DCS FIELD OFFICE CORRESPONDENCE TO:
Division of Child Support, P.O. Box 11520, Tacoma, Washington 98411-5520

By phone:

Everett:	1-800-729-7580; (425) 438-4800
Kennewick:	1-800-345-9981; (509) 374-2000
Olympia:	1-800-345-9964; (360) 664-6900
Seattle:	1-800-526-8658; (206) 341-7000
Spokane:	1-800-345-9982; (509) 363-5000
Tacoma:	1-800-345-9976; (253) 597-3700
Vancouver:	1-800-345-9984; (360) 696-6100
Wenatchee:	1-800-535-1113; (509) 886-6800
Yakima:	1-800-441-0859; (509) 249-6000
Headquarters:	1-800-457-6202; (360) 664-5200

Family Law Facilitators (a.k.a. Courthouse Facilitators)

Benton County Courthouse Facilitator
(509) 786-5710

www.co.benton.wa.us/pView.aspx?id=791&catid=45

Chelan County Courthouse Facilitator
(509) 667-6380

www.co.chelan.wa.us/clerk/pages/court-facilitator

Clallam County Family Court Facilitator
(360) 417-2000

www.clallam.net/superiorcourt/familycourt.html

Clark County Family Court Facilitator
(360) 397-2292

www.clark.wa.gov/courts/clerk/family-court.html

Columbia County Family Court Facilitator
(509) 520-8679

Cowlitz County Courthouse Facilitator
(360) 577-3016

www.co.cowlitz.wa.us/DocumentCenter/View/731

Douglas County Court Facilitator
(509) 662-6156

Franklin County Courthouse Facilitator
(509) 545-3525

www.co.franklin.wa.us/clerk/court_facilitator.php

Grant County Family Law Facilitator
(509) 754-2011 ext 2811

www.grantcountywa.gov/Clerk/#crtfacilitator

Grays Harbor County Family Law Facilitator
(360) 249-3842

Island County Court Facilitator
(360) 678-7981

www.islandcountywa.gov/SuperiorCourt/Pages/CourtFacilitator.aspx

Jefferson County Family Law Facilitator
(360) 385-9124

www.co.jefferson.wa.us/DocumentCenter/View/71

King County Family Law Facilitator – Seattle
(206) 477-2553

www.kingcounty.gov/courts/superior-court/family/facilitator.aspx

King County Family Law Facilitator – Kent
(206) 477-2781

www.kingcounty.gov/courts/superior-court/family/facilitator.aspx

Kitsap County Courthouse Facilitator
(360) 337-7260

www.kitsapgov.com/clerk/FamilyLaw/facilitat.htm

Klickitat County Family Law Facilitator
(509) 773-5744

Lewis County Court Facilitator
(360) 748-0430

Lincoln County Courthouse Facilitator
(509) 725-1401

Mason County Family Law Facilitator
(360) 427-7775

www.co.mason.wa.us/superior-court/index.php

Okanogan County Family Law Facilitator
(509) 422-7132

Pend Oreille County Courthouse Facilitator
(509) 447-2435

Pierce County Family Law Facilitator
(253) 798-3627

San Juan County Courthouse Facilitator
(360) 378-2163

www.sanjuanco.com/1041/Court-Facilitator

Skagit County Courthouse Facilitator
(360) 416-1200

www.skagitcounty.net/SuperiorCourt/HTML/familylaw.htm

Skamania County Courthouse Facilitator
(509) 427-3765

www.skamaniacounty.org/superior-court/homepage/courthouse-facilitator/

Snohomish County Family Law Facilitator
(425) 388-3795

<http://snohomishcountywa.gov/471/Family-Law-Facilitator>

Spokane County Court Facilitator
(509) 477-7612

www.spokanecounty.org/1403/Court-House-Facilitator

Stevens County Family Law Facilitator
(509) 684-7575

Thurston County Family Court Facilitator
(360) 709-3269
www.co.thurston.wa.us/clerk/facilitators.html

Walla Walla County Court Facilitator
(509) 524-2780

Whatcom County Family Law Facilitator
(360) 778-5563,
www.whatcomcounty.us/426/Court-Facilitators

Yakima County Family Court Facilitator
(509) 574-2695
<http://yakimacounty.us/497/Court-Facilitator>

Parenting Programs

- Community Parenting Alternative (CPA)
Online: www.doc.wa.gov/corrections/justice/sentencing/community-parenting.htm#eligibility
- Residential Parenting Program (RPP)
Online: www.doc.wa.gov/corrections/programs/descriptions.htm#family-relationships

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of October 2018.

Text updated by D'Adre Cunningham and Chloë Phalan, 10/2/18. Resources updated, 2/26/18.

Thank you to Yoshie Takaoka Adams, Maureen Janega, Beth Colgan, Jennifer Werdell, and June Krumpotick for their work on previous versions of this memo.

© 2018 Legal Voice — 1-206-682-9552

(Permission for copying and distribution granted to the Alliance for Equal Justice and to individuals for non-commercial purposes only.)