

CN: 201703018170

SN: 201

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FILED

JUN 28 2018

Timothy W. Fitzgerald  
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re:

Petitioner/s (person/s who started this case):

Siringa Suina

No. 17-3-01817-0

Contempt Hearing Order

(ORCN)

And Respondent/s (other party/parties):

Aaron Suina

☒ Clerk's action required: **1, 8, 12**

## Contempt Hearing Order

### 1. Money Judgment Summary

☐ No money judgment is ordered.

☒ Summarize any money judgment from section 8 in the table below.

| Judgment for                                                                                                                                        | Debtor's name<br>(person who must<br>pay money) | Creditor's name<br>(person who must<br>be paid) | Amount               | Interest |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|----------------------|----------|
| Past due child support<br>from _____ to _____                                                                                                       |                                                 |                                                 | \$                   | \$       |
| Past due medical support<br>from _____ to _____                                                                                                     |                                                 |                                                 | \$                   | \$       |
| Past due children's expenses<br>from _____ to _____                                                                                                 |                                                 |                                                 | \$                   | \$       |
| Past due spousal support<br>from _____ to _____                                                                                                     |                                                 |                                                 | \$                   | \$       |
| Civil penalty                                                                                                                                       |                                                 |                                                 | \$                   | \$       |
| Lawyer fees and costs                                                                                                                               | <u>Aaron Suina</u>                              | <u>Siringa Suina</u>                            | <u>\$ 1000.00</u>    | \$       |
| Other:                                                                                                                                              |                                                 |                                                 | \$                   | \$       |
| Yearly Interest Rate for child support, medical support, and children's expenses: 12% .<br>For other judgments: ____% (12% unless otherwise listed) |                                                 |                                                 |                      |          |
| Lawyer (name):                                                                                                                                      | <u>Keith Glanzer</u>                            | represents (name):                              | <u>Siringa Suina</u> |          |
| Lawyer (name):                                                                                                                                      | <u>Richard Kuck</u>                             | represents (name):                              | <u>Aaron Suina</u>   |          |

18904863-0

*[Handwritten signature]*

2. The court has considered the *Motion for Contempt Hearing* and any supporting documents, response from the other party, reply, and other documents from the court record identified by the court. A contempt hearing was held on (date): 6/13/16.

➤ **The Court Finds:**

3. **Support Payments** (child support, medical support, children's expenses, spousal support)

☒ Does not apply. This contempt hearing did not cover support issues. *See section #5.*

☐ Support orders were obeyed. No support payments are past due.

☐ Support orders were **not** obeyed. (Name): \_\_\_\_\_  
did **not** obey the following order(s) signed by the court on (date): \_\_\_\_\_  
(check all that apply):

☐ the child support order to (check all parts of the order that were not obeyed):

☐ pay the monthly child support payment.

☐ provide or pay for medical support for the children (health insurance or health care costs not covered by insurance).

☐ pay for the children's day care, education, transportation, and other expenses.

☐ the spousal support (maintenance) order.

This person did not pay the other party support payments required by court order in the amounts and for the dates described in the Money Judgment in section 8 below.

a. **Ability to follow orders in the past** – This person (check one):

☐ **was** able to follow the order/s checked above. The failure to follow the order/s was intentional.

☐ **was not** able to follow the order/s checked above. The failure to follow the order/s was not intentional.

Explain: \_\_\_\_\_

\_\_\_\_\_

b. **Ability to follow orders now** – This person

(check one): ☐ **is** ☐ **is not** able to follow the orders now.

(check one): ☐ **is** ☐ **is not** willing to follow the orders.

Explain: \_\_\_\_\_

\_\_\_\_\_

☐ Other findings: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4. Parenting Plan, Residential Schedule, or Custody Order**

☒ Does not apply. This contempt hearing did not cover parenting/custody issues.

☐ The parenting/custody order was obeyed.

☐ The parenting/custody order was **not** obeyed. (Name): \_\_\_\_\_  
did **not** obey the following parts of the parenting/custody order signed by the court on  
(date): \_\_\_\_\_ (check all that apply):

☐ Parenting Time Schedule (residential provisions).

☐ Decision-Making

☐ Dispute Resolution (Mediation, Counseling, or Arbitration requirement for  
disagreements)

☐ Other parts of the parenting/custody orders

The parenting/custody order was not obeyed as follows (check one):

☐ As described in the *Motion for Contempt Hearing*.

☐ (Describe how the order was not obeyed, including dates and times):

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a. **Ability to follow orders in the past** – This person (check one):

☐ **was** able to follow the parenting/custody order. The failure to follow the order  
was intentional.

☐ **was not** able to follow the parenting/custody order. The failure to follow the  
order was not intentional.

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. **Bad faith** – When this person did **not** obey the parenting/custody order, s/he:

(check one): ☐ acted in bad faith. ☐ did **not** act in bad faith.

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. **Ability to follow orders now** – This person

(check one): ☐ **is** ☐ **is not** able to follow the parenting/custody order now.

(check one): ☐ **is** ☐ **is not** willing to follow the parenting/custody order.

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Other findings: \_\_\_\_\_

**5. Restraining Order or Other Order**

☐ Does not apply. This contempt hearing did not cover any restraining order or other orders.

☒ The (check all that apply): ☐ restraining order ☐ other order (specify): \_\_\_\_\_ was obeyed.

☒ (Name): Aaron Surina did not obey the following order signed by the court on (date): 9/23/17

(specify order): Temporary Family Law order

This order was not obeyed as follows (check one):

☒ As described in the Motion for Contempt Hearing. and

☒ (Describe how the order was not obeyed, including dates and times):

specifically in regards to water bill, cell phone bill, and car payment. The

a. Ability to follow order in the past – This person (check one):

☒ was able to follow this order. The failure to follow this order was intentional.

☐ was not able to follow this order. The failure to follow this order was not intentional.

Explain: Had income sufficient to pay the expenses but failed to.

b. Ability to follow orders now – This person

(check one): ☒ is ☐ is not able to follow this order now.

(check one): ☒ is ☐ is not willing to follow this order.

Explain: \_\_\_\_\_

☒ Other findings: The expenses ordered were in lieu of spousal maintenance (see verbatim record filed 11/3/17). The expenses were clearly related to supporting Mr. Surina's wife & children. Pursuant to Decker v. Decker, 52 WA2d 454 and subsequent cases, these debts are contemptable.

**6. Lawyer fees and costs**

☐ Does not apply.

☒ The lawyer fees and costs listed in the Money Judgment in section 8 below were incurred and are reasonable.

☐ Other findings: \_\_\_\_\_

➤ **The Court Orders:**

**7. Contempt**

(Name): Aarm Sulina

(check one): ☒ is in contempt. ☐ is not in contempt.

**8. Money Judgment**

☐ Does not apply. No money judgment is ordered.

☒ The court orders the following money judgment (summarized in section 1 above):

| Judgment for                                                                                                                                                                                                                                     | Debtor's name<br>(person who must pay money) | Creditor's name<br>(person who must be paid) | Amount     | Interest |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------|------------|----------|
| <input type="checkbox"/> Past due child support<br>from _____ to _____                                                                                                                                                                           |                                              |                                              | \$         | \$       |
| <input type="checkbox"/> Past due medical support<br>(health insurance & health care costs not covered by ins.)<br>from _____ to _____                                                                                                           |                                              |                                              | \$         | \$       |
| <input type="checkbox"/> Past due children's expenses<br>for: <input type="checkbox"/> day care<br><input type="checkbox"/> education<br><input type="checkbox"/> long-distance transp.<br><input type="checkbox"/> other<br>from _____ to _____ |                                              |                                              | \$         | \$       |
| <input type="checkbox"/> Past due spousal support<br>from _____ to _____                                                                                                                                                                         |                                              |                                              | \$         | \$       |
| <input type="checkbox"/> Civil penalty (At least \$100<br>for 1 <sup>st</sup> violation of a parenting/<br>custody order; at least \$250 for<br>2 <sup>nd</sup> violation within 3 years.)                                                       |                                              |                                              | \$         | \$       |
| <input checked="" type="checkbox"/> Lawyer fees and costs                                                                                                                                                                                        | Aarm Sulina                                  | Sirinya Sulina                               | \$ 1000.00 | \$       |
| <input type="checkbox"/> Other (specify):                                                                                                                                                                                                        |                                              |                                              | \$         | \$       |

The **interest rate** for child support, medical support, and children's expenses is 12%.  
The interest rate for other judgments is 12% unless another amount is listed below.

☐ The Interest rate for other judgments is \_\_\_\_% because (explain): \_\_\_\_\_

☒ Other: Debt were caught up by the time of hearing except water bill - Court previously entered judgment for that amount.

**9. Make-up parenting time**

☒ Does not apply.

☐ (Name): \_\_\_\_\_ will have make-up parenting time as follows (specify dates and times):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Jail time**

☒ Does not apply.

☐ (Name): \_\_\_\_\_ must serve (number): \_\_\_\_\_ days in the (name of county): \_\_\_\_\_ County Jail.

☐ Jail time is suspended (postponed) under these conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The court will review compliance with these conditions at the review hearing set in section **12** below.

☐ Jail time starts (check one): ☐ immediately ☐ on (date): \_\_\_\_\_. S/He must report to the jail on this date. The detainee must be released from jail as soon as s/he satisfies the conditions listed in section **11** below.

**11. Contempt can be corrected (purged) if:**

☐ Does not apply.

☒ (Name): Aam Sulina does the following (specify):  
pays all debts / expenses in time for 6 months.

\_\_\_\_\_  
\_\_\_\_\_

**12. Court review**

☒ Does not apply.

☐ The court will review this case on (date): \_\_\_\_\_ at (time): \_\_\_\_ ☐ a.m. ☐ p.m.



in (Court, Room/Dept.): \_\_\_\_\_

(If you check this box, also check the "Clerk's action required" box on page 1.)

13. Other orders (if any) Court cannot determine the issue if the bills were forwarded by Mr. Sullivan or not (claim of fraud). Therefore, court will not issue sanctions to either party at this time.

Ordered.

June 27, 2018  
Date

  
Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below.

This document (check any that apply):

- ☐ is an agreement of the parties  
☐ is presented by me  
☐ may be signed by the court without notice to me

▶ Notified

Petitioner signs here or lawyer signs here + WSBA #

Keith Glanzer

Print Name

Date

This document (check any that apply):

- ☐ is an agreement of the parties  
☐ is presented by me  
☐ may be signed by the court without notice to me

▶ Notified

Respondent signs here or lawyer signs here + WSBA #

Richard Kuck

Print Name

Date