

CN: 201703018170
SN: 478
PC: 8

** Proposed **

FILED

JUN 08 2023

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

FILED

2023 JUN -8 P 4:47

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Contempt, Objection to move

Petitioner/s (as listed on the parenting/custody order):

Sirinya Surina

And Respondent/s (as listed on the parenting/
custody order):

Aaron Surina

No. 17-3-01817-0

Final Order and Findings on Objection
about Moving with Children and Petition
about Changing a Parenting/Custody
Order (Relocation)

(ORDYMT or ORGRRE)

[] Clerk's action required: **1, 13**

**Final Order and Findings on Objection about Moving
with Children and Petition about Changing a
Parenting/Custody Order (Relocation)**

1. Money Judgment Summary

[] No money judgment is ordered.

[] Summarize any money judgment from section **12** in the table below.

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
Guardian ad litem (GAL) fees			\$	\$
Lawyer fees			\$	\$
Court costs			\$	\$
Other fees and expenses (specify):			\$	\$
Yearly Interest Rate: ____% (12% unless otherwise listed)				
Lawyer (name):		represents (name):		
Lawyer (name):		represents (name):		

2. This Order is based on the (check all that apply):

- ☐ agreement of everyone with a legal right to spend time with the children in this case.
☐ Order on Motion for Default signed on (date): _____
☐ court's decision about the *Objection* after a contested trial on (date): 6/23/23.

The following people were at the trial (check all that apply):

- ☒ Petitioner (name): Sirinya Surina ☐ This person's lawyer
☒ Respondent (name): Aaron Surina ☐ This person's lawyer
☐ Guardian ad Litem (name): _____
☐ Other (name and relationship to this case): _____
☐ Other (name and relationship to this case): _____

➤ **Findings & Conclusions**

3. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

- ☐ The court **cannot** decide this case for the children because the court does not have jurisdiction over the children.
- ☒ The court **can** decide this case for the children because (check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names):
- ☐ **Exclusive, continuing jurisdiction** – A Washington court has already made a parenting plan, residential schedule or custody order for the children, and the court still has authority to make other orders for (children's names): _____.
- ☒ **Home state jurisdiction** – Washington is the children's home state because (check all that apply):
- ☒ (Children's names): Andrew & David lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.
- ☐ There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.
- ☐ (Children's names): _____ do not live in Washington right now, but Washington was the children's home state at sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
- ☐ (Children's names): _____ do not have another home state.
- ☐ **No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for (children's names): _____, or a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:
- The children and a parent or someone acting as a parent has/have ties to Washington beyond just living here; **and**

- There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.
- [] **Other state declined** – The courts in other states (or tribes) that might be (*children's names*): _____'s home state have refused to take this case because it is better to have this case in Washington.
- [] **Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over (*children's names*): _____ when the case was filed, and now has jurisdiction to make a final custody decision because:
 - When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children's parent, brother or sister) was abused or threatened with abuse;
 - The court signed a temporary order on (*date*) _____ saying that Washington's jurisdiction will become final if no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months;
 - The children have now lived in Washington for 6 months; **and**
 - No case concerning the children has been started in the children's home state (or tribe).
- [] Other reason (*specify*): _____

4. Children's Residence

- [] The children spend substantially equal residential time with each parent (45 percent or more).
- [] The children live most of the time with relocating person (*name*): _____.
- [] The children live most of the time with the objecting person (*name*): _____.
The *Notice of Intent to Move with Children* was improper and the *Child Relocation Act* does not apply. (*Skip to 8.*)
- [] Other findings: _____

5. Factors for / against move with children

- [] Does not apply. There was no objection to the children moving. (*Skip to 6.*)
- ☒ The children (*check one*):
 - ☒ spend substantially equal time with each parent (45 percent or more). Based on the factors listed below, the Court concludes that the planned move (*check one*): [] **is** [] **is not** in the children's best interests.
 - [] live with the person who wants to move most of the time. Based on the factors listed below, the Court concludes that the planned move (*check one*):
[] **would** [] **would not** cause more harm to the children than good to the children and the person who wants to move.

Factors:

- a. **Relationships:** The children's relationships with each parent, any siblings, and other important people in the children's life. (*Findings about the strength, nature, quality, extent of involvement, and stability of the children's relationships and how those would be affected by the planned move*): _____

- b. **Agreements:** *Findings:* There ☐ were ☒ were not agreements between the relocating and objecting persons about moving with the children.

- c. **Contact:** *Findings:* Disrupting the children's contact with the relocating person ☐ would ☒ would not be more harmful to them than disrupting their contact with the objecting person.

- d. **Limitations:** *Findings:* The current parenting/custody order ☐ includes ☐ does not include limitations under RCW 26.09.191 on a parent.

- e. **Reasons for moving:** *Findings:* The reasons for moving ☐ were ☒ were not given in good faith.

- f. **Reasons for objecting:** *Findings:* The reasons for objecting to the move ☐ were ☐ were not given in good faith.

- _____
- _____
- _____
- g. Children: Findings:** Allowing or preventing the move would affect the children's physical, educational, and emotional development, considering their age, developmental stage, and needs (including any special needs) as follows:

If move is allowed: _____

If move is not allowed: _____

- h. Quality of life:** The quality of life, resources, and opportunities available to the children and the relocating person in the current location and in the new location.

Findings: _____

- i. Other arrangements:** Other arrangements available to foster and continue the objecting person's relationship and contact with the children.

Findings: Dad is flexible and willing to co-parent
& work with schedule

- j. Alternatives:** Alternatives to the planned move, and whether it is possible or desirable for the objecting person to move too.

Findings: _____

- k. Financial:** The financial impact and logistics of moving or not moving (for example, the timing, cost, and how the move would happen).

Findings: _____

6. Changes to parenting/custody order

- ☐ **No Change** – The parenting/custody order should not change because:
- ☐ no one asked to change the parenting/custody order.
 - ☐ the court is not allowing the children to move, and the person who asked to move with the children has decided **not** to move without the children.
 - ☐ the requested changes are not in the children's best interest.
- ☒ **Change** – There are valid reasons to change the parenting/custody order because:
- ☐ the court **is** allowing the children to move and the changes are in the children's best interest considering the move. The new *Parenting Plan* or *Residential Schedule* does **not** change the person with whom the children live most of the time.
 - ☒ the court is **not** allowing the children to move and the person who asked to move with the children is moving without the children. The new *Parenting Plan* or *Residential Schedule* **changes** the person with whom the children live most of the time.
- ☐ Other findings (*specify*): _____
- _____

7. Child Support

- ☐ Does not apply.
- ☒ Changing the *Child Support Order* is necessary because of the move and/or the change in the person with whom the children live most of the time.
- ☐ Other findings: _____
- _____

8. Protection Order

- ☒ No one requested an *Order for Protection* in this case.
- ☐ **Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.
- ☐ **Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.
- ☐ **Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in the following order, filed separately (*check one*):
- ☐ *Order on Renewal of Order for Protection*
 - ☐ *Order Modifying/Terminating Order for Protection*
- ☐ Other findings: _____
- _____

9. Restraining Order

- ☒ No one requested a *Restraining Order* in this case.

☐ **Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.

☐ **Denied** – The request for a *Restraining Order* is denied.

☐ Other findings: _____

10. Fees and Costs

☒ Each person should pay his/her own fees and costs.

☐ (Name): _____ incurred fees and costs, and needs help to pay those fees and costs. (Name): _____ has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the Money Judgment in section **13** below. The court finds that the amount ordered is reasonable.

☐ Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the Money Judgment in section **13** below. The court has considered relevant factors including each person's ability to pay, and finds the fees as ordered are reasonable.

☐ Other findings: _____

11. Other findings, if any

➤ Court Orders

12. Decision

Move with children

☐ Not Allowed – The children must not move with (name): _____.

☐ Allowed – The children may move with (name): _____ as requested.

Parenting/custody order

☐ No Change – The current parenting/custody order remains in effect.

☒ Change – The court signed the new *Parenting Plan* or *Residential Schedule* filed separately today or on (date): 6/_____.

Child Support

☐ No Change – The current child support order remains in effect.

☒ Change – The court signed the new *Child Support Order* and *Worksheets* filed separately today or on (date): _____.

Protection or Restraining Order

☒ Does not apply.

☐ The court signed the protection and/or restraining orders described in sections **8** and **9** above today or on (date): _____.

13. Money Judgment (summarized on page 1)

☐ No money judgment is ordered.

☐ The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
☐ Guardian ad litem (GAL) fees			\$	\$
☐ Lawyer fees			\$	\$
☐ Court costs			\$	\$
☐ Other fees and expenses (specify):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

☐ The interest rate is ____% because (explain): _____

14. Other orders, if any

Ordered.

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

Petitioner signs here or lawyer signs here + WSBA #

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

Other party or lawyer signs here + WSBA #

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

Respondent signs here or lawyer signs here + WSBA #

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

Other party or lawyer signs here + WSBA #

Print Name

Date