

FILED

AUG 30 2024

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

CN: 201703018170

SN: 635

PC: 8



Superior Court of Washington, County of Spokane

In re:

Petitioner:

SIRINYA SURINA

And Respondent:

AARON SURINA

No. 17-3-01817-0

**Summons: Notice about Changing a
Parenting Plan or Custody Order**
(SM)

**Summons: Notice about Petition to Change a Parenting
Plan or Custody Order**

To: Aaron Surina

(name/s of the party/parties who did **not** file this Summons and Petition)

Important! The person filing this Summons **must** complete the address boxes below. If the person filing this Summons does not give a service address and the court's address, **this Summons will be invalid.**

☐ Person filing this Summons ☒ Lawyer (name): Stanley A. Kempner, Jr

Address for Service: (This does **not** have to be a home address.)

900 N. Maple St., Suite 200
Spokane, WA 99201

You may **only** serve by email if an email address is provided below or the person filing this Summons otherwise agrees in writing. See *All Civil 006 Agreement re: Service by Email*.

☐ Email (optional) – The person filing this Summons agrees to accept service of legal papers for this case at this email address:

Superior Court of Washington, County of Spokane

Court's Address:

RCW 26.09.270, 26.10.020, CR 4.1
Mandatory Form (01/2022)
FL Modify 600

Summons: Notice about Petition to
Change a Parenting/Custody Order
p. 1 of 3

Stanley A. Kempner, Jr.
Attorney at Law
900 N. Maple St., Ste 200
Spokane, WA 99201
(509) 484-1104
(509) 252-3295; fax
sakempner@comcast.net

ORIGINAL

FamilySoft FormPAK PL 2024

The person filing this *Summons* and *Petition* asked the court to change a *Parenting Plan*, *Residential Schedule*, or custody order. You must respond in writing for the court to consider your side.

Deadline! Your *Response* must be served on the other party within **20 days** of the date you were served this *Summons* (60 days if you were served outside of Washington State). If the case has been filed in court, you must also file your *Response* by the same deadline.

If you do not serve and file your *Response* or a *Notice of Appearance* by the deadline:

- No one has to notify you about other hearings in this case, and
- The court may approve the requests in the *Petition* without hearing your side. (This is called a *default judgement*.)

Lawyer not required. It is a good idea to talk to a lawyer, but you may file and serve your *Response* without one.

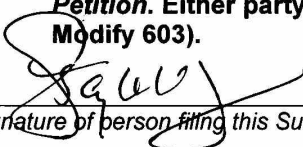
Follow these steps:

1. **Read** the *Petition* and any other documents you receive with this *Summons*. These documents explain what the other party is asking for.
2. **Fill out** the *Response to Petition to Change a Parenting Plan or Residential Schedule* (FL Modify 602).

You can get the *Response* and other forms at:

- The Washington State Courts' website: www.courts.wa.gov/forms
- Washington LawHelp: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

3. **Serve** (give) a copy of your *Response* to the person who filed this *Summons* at their service address listed on page 1. **4. File** your original *Response* with the clerk of the court at the court's filing address listed on page 1. **5. Adequate Cause: Before the court will have a full hearing or trial about the *Petition*, one of the parties must ask the court to decide whether there are valid reasons to allow the case to move forward (adequate cause). If there are no valid reasons, the court will dismiss the *Petition*. Either party can file a *Motion for Adequate Cause Decision* (form FL Modify 603).**


Signature of person filing this *Summons* or lawyer

8/30/24
Date

Stanley A. Kempner, Jr. 11260
Print name of person filing this *Summons* or lawyer and WSBA No.

If there is no "Case No." listed on page 1, this case may not have been filed and you will not be able to file a

1 *Response. Contact the Superior Court Clerk or check www.courts.wa.gov to find out.*

2 *If the case was **not** filed, you must still serve your Response, and you may demand that the other party file this case*
3 *with the court. Your demand must be in writing and must be served on the other party or their lawyer (whoever*
4 *signed this Summons). If the other party does not file papers for this case within 14 days of being served with your*
5 *demand, this service on you of the Summons and Petition will not be valid. If the other party does file, then you*
6 *must file your original Response with the court clerk at the address above.*

7 *This summons is issued pursuant to RCW 4.28.180 and Superior Court Civil Rule 4.1 of the State of Washington.*

FILED

AUG 30 2024

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re:

Petitioner:

SIRINYA SURINA

And Respondent:

AARON SURINA

No. 17-3-01817-0

**Petition to Change a Parenting Plan or
Other Custody Order
(PTMD)**

Petition to Change a Parenting Plan or Other Custody Order

If you re filing this Petition in:

- the **same** case number as the current parenting/custody order, the person who is listed as the Petitioner in the current order will stay Petitioner, even if s/he is not the person asking for the change now.
- a **different** case number or county from where the current parenting/custody order was issued, the person asking for the change may be the Petitioner.

To modify a parenting/custody order from a sealed Parentage case, contact the Superior Court Clerk's office about who to list as Petitioner and if there is a new case number.

*Do **not** use this form if you want to terminate or change a non-parent custody order. Use form GDN M 502 instead.*

1. Who is asking to change the parenting/custody order?

Sirinya Surina
I live in Spokane, WA.

2. Who is the other parent involved in this case?

Aaron Surina
who lives in Kootnai, ID.

3. Who are the children involved in this case?

CR 4.1; RCW 26.09.181, .260, .270
Mandatory Form (07/2022)
FL Modify 601

Petition to Change a
Parenting/Custody Order
p. 1 of 5

Stanley A. Kempner, Jr.
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(509) 484-1104
(509) 252-3295 fax
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ORIGINAL

Child's name	Age
1. David Michael Surina	12
2. Andrew Alex Surina	8

4. Describe the parenting/custody order you have now:

My current parenting/custody order is a *Parenting Plan*
signed by a court on 12/20/2019 in Spokane County, WA

Important! Attach or file a certified copy of the current parenting/custody order that you want to change if it was issued in a different county or state.

5. Explain why you are filing your request for change with this court:

I ask the court to make the changes requested in sections 6 through 12 below, and to approve my proposed *Parenting Plan* or *Residential Schedule* that is filed with this *Petition*. This *Petition* shows that I have valid reasons to ask for these changes. The changes are in the children's best interest.

I am filing this *Petition* in this county court because:

I live in this county.

the children live in this county.

the parenting/custody order that I want to change is from this county.

Note: If you need more space to explain in any of the sections below, you may add more pages to this *Petition*. Number, date, and sign each page that you add.

6. Request for major change (RCW 26.09.260(1) and (2)).

I ask the court to make a major change in the parenting schedule or to change the person the children live with most of the time. The situation of the children or the *other* parent has changed substantially.

Reason for major change

Note: Your reasons must be based on information that you learned about **after** the current parenting/custody order was issued, or if the order was uncontested (issued by default or agreement), your reasons may be based on information that was unknown to the court when the order was issued.

the children's current living situation while in the care of the Respondent is harmful to their physical, mental, or emotional health. It would be better for the children if the order is changed.

Explain:

the other parent has not followed the court's orders.

Explain:

Include any limitations requested under RCW 26.09.191 in your proposed *Parenting Plan* or *Residential Schedule*.

7. Request for minor change (RCW 26.09.260(5), (7), and (9)).

No request.

8. Request for restrictions on the parent with less parenting time (RCW 26.09.260(4) and (8))

Limit – The children already live with me the majority of the time. To protect the children, I ask the court to limit the other parent's parenting time and participation. The reasons for limitation are listed in my proposed *Parenting Plan* or *Residential Schedule*. (RCW 26.09.260(4))

9. Request for other changes (RCW 26.09.260(10)).

10. Child Support (RCW 26.09.170).

11. Protection Order

Do you want the court to issue a *Protection Order* as part of the final orders in this case?

Yes.

Important! If you need protection **now**, ask the court clerk about getting a *Temporary Protection Order*.

12. Restraining Order

Do you want the court to issue a *Restraining Order* as part of the final orders in this case?

Yes.

Do not disturb – Order Aaron Surina not to disturb my peace or the peace of any children listed in **3**.

Stay away – Order Aaron Surina not to go onto the grounds of or enter my home,

workplace, vehicle, or school, and the daycare or school of any children listed in 3.

Also, not knowingly to go or stay within 500 feet of my home, workplace, vehicle, or school, or the daycare or school of any children listed in 3.

Important! If you want a restraining order **now**, you must file a Motion for Temporary Family Law Order and Restraining Order or a Motion for Immediate Restraining Order (Ex Parte).

13. Children s Home/s

During the past 5 years have any of the children lived:

- on an Indian reservation,
- outside Washington state,
- in a foreign country, or
- with anyone who is not a party to this case?

No.

14. Other people with a legal right to spend time with a child

Do you know of anyone besides the Petitioner and Respondent who has or claims to have a legal right to spend time with a child?

No.

15. Other court cases involving a child

Do you know of any court cases involving any of the children?

Yes.

Kind of case	County and State	Case number and year	Children
Other	Kootenai, ID	CV28-24-4151	All children

16. Jurisdiction over children (RCW 26.27.201-. 231, .261, .271)

The court can change a parenting/custody order for the children because:

Washington order/exclusive, continuing jurisdiction – The parenting plan/custody order I want to change was made by a Washington State court, and the court still has authority to make orders for David Michael Surina, Andrew Alex Surina.

1 **AND:**

2 **Home state jurisdiction** – Washington is the children's home state because :

3 David Michael Surina, Andrew Alex Surina lived in Washington with a parent or
4 someone acting as a parent for at least the 6 months just before this case was
5 filed or, if the children are less than 6 months old, they have lived in
6 Washington with a parent or someone acting as a parent since birth.

7 There were times the children were not in Washington in the 6 months just
8 before this case was filed (or since birth if they are less than 6 months old), but
9 those were temporary absences.

10 **17. Summary of requests**

11 I ask the court to find that I have valid reasons for my *Petition* (adequate cause), and to
12 approve the following orders:

13 my proposed *Parenting Plan* or *Residential Schedule*

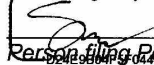
14 *Protection Order* or *Restraining Order*

15 **Person filing this *Petition* fills out below:**

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

18 Signed at: Spokane, WA Date: 8/30/2024

19 DocuSigned by:

20 

21 Sirinya Surina

22 Person filing *Petition* signs here

23 Print name

24 **Lawyer for person filing this *Petition* fills out below:**

25 _____
26 Lawyer signs here Stanley A. Kempner, Jr 11260
27 Print name and WSBA No. Date

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