

FILED
SUPERIOR COURT
THURSTON COUNTY, WASH.

02 APR -9 PM 4: 57

BETTY B. GOULD, CLERK

BY [Signature]
DEPUTY

**SUPERIOR COURT OF WASHINGTON
COUNTY OF**

In re the Custody of:

Starcia Marie Ague
Child(ren),

Kirsten M. Harris
Petitioner(s),

and

Dawna G. Riley
Respondent(s).

NO. 02 3 00436 0

NONPARENTAL CUSTODY
PETITION
(PTCUS)

I. BASIS

1.1 IDENTIFICATION OF PETITIONER(S).

Name (first/last) Kirsten M. Harris Birth date 3-5-71

Last known residence Thurston County, Washington (county and state).

1.2 IDENTIFICATION OF RESPONDENT(S).

Name (first/last) Dawna G. Riley Birth date 11-9-70

Last known residence Thurston County, Washington (county and state).

1.3 CHILDREN FOR WHOM CUSTODY IS SOUGHT.

Name (first/last) Starcia Marie Ague Age 14

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

1.4 JURISDICTION.

This court has jurisdiction over this proceeding for the reasons below.

- This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- This state is the home state of the children because:
 - the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.
 - any absences from Washington have been only temporary.
 - Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continues to live in this state.
- The children and the parents or the children and at least one parent or a person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and
 - The children have no home state elsewhere.
 - The children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
- Other:

1.5 UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT INFORMATION.

<u>Name of Child</u>	<u>Mother's Name</u>	<u>Father's Name</u>
Starcia M. Ague	Dawn G. Riley	Daniel Norman Masters Ague

The children permanently reside(s) in this county or can be found in this county.

During the last five years, the children have lived:

- in no place other than the state of Washington and with no person other than the petitioner or the respondent.
- in the following places with the following persons (list each place the children lived, including the state of Washington, the dates the children lived there and the names of the persons with whom the children lived. The present addresses of those persons must be listed in the required Confidential Information Form):

Claims to custody or visitation.

- The petitioner does not know of any person other than the respondent who has physical custody of, or claims to have custody or visitation rights to, the children.
- The following persons have physical custody of, or claim to have custody or visitation rights to, the children (list their names and the children concerned below and list their present addresses in the Confidential Information Form. Do not list the responding party):

Involvement in any other proceeding concerning the children:

- The petitioner has not been involved in any other proceeding regarding the children.

The petitioner has been involved in the following proceedings regarding the children (list the court, the case number, and the date of the judgment or order):

Thurston Co, 02-7-00211-6, 4-5-02

Other legal proceedings concerning the children.

The petitioner does not know of, any other legal proceedings concerning the children.

The petitioner knows of the following legal proceedings which concern the children (list the children concerned, the court, the case number and the kind of proceeding):

1.6 VISITATION.

Does not apply.

Reasonable visitation rights should be given to: _____ [Names].

Parental visitation should be limited because the father mother has engaged in the conduct which follows:

Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.

Physical, sexual or a pattern of emotional abuse of a child.

A history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

Other:

There is a temporary restraining order in effect.

1.7 CHILD SUPPORT.

Support for the dependent children should be set pursuant to the Washington State Child Support Schedule.

1.8 HEALTH INSURANCE COVERAGE.

Either or both parents should be required to maintain or provide health insurance coverage consistent with RCW 26.10.060.

1.9 CONTINUING RESTRAINING ORDER.

Does not apply.

_____ [Name] should be restrained or enjoined from molesting or disturbing the peace of the other party or of any child.

_____ [Name] should be restrained or enjoined from going onto the grounds of or entering the home, work place or school of the other party or the day care or school of the following named children:

- _____ [Name] should be restrained or enjoined from knowingly coming within or knowingly remaining within _____ (distance) of the home, work place or school of the other party or the day care of school of these children:
- _____ [Name] should be restrained or enjoined from removing any of the children from the state of Washington.
- _____ [Name] should be required to surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of this proceeding, to his or her lawyer or to a person designated by the court. Clear and convincing reasons for this request are set forth in paragraph 1.12 below. (See RCW 26.09.060 (2)(b).)
- Other:

1.10 THIS PETITION IS BEING FILED BECAUSE:

- the children are not in the physical custody of one of the parents.
- neither parent is a suitable custodian for the children.

1.11 BEST INTEREST OF THE CHILDREN.

The requests made in this petition are in the best interests of the children for the reasons below.

Please See attached

1.12 OTHER:

II. RELIEF REQUESTED

The petitioner REQUESTS that the court enter an order giving petitioner custody of the children listed in paragraph 1.3 of this petition and requiring either or both parents to maintain or provide health insurance coverage for the children consistent with RCW 26.10.060. The petitioner also REQUESTS the relief described below.

- Determine support for the dependent children pursuant to the Washington State Child Support Schedule.
- Order reasonable visitation pursuant to paragraph 1.6.
- Award the tax exemptions for the dependent children as follows:
 to Kirsten M. Harris
- Enter a continuing restraining order.
- Order payment of day care expenses for the children.
- Order payment of attorney's fees, other professional fees and costs.
- Other:

Dated: 4-9-02

Kirsten Harris
Signature of Lawyer or Petitioner

Kirsten Harris
Print or Type Name

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Tumwater, WA [City and State], on 4-9-02 [Date].

Kirsten Harris
Signature

Kirsten Harris
Print or Type Name