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SUPERIOR COURT OF WA-
SHARON R. FORD

BY BH8 DEPUTY

Superior Court of Washington, County of Mason

In re parentage / parenting and support:

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

Rachel Ferrand

And Respondent/s (*other party/parties*):

Edward Scott Reed

No. 21-3-00272-23

Motion for Temporary Family Law Order
(MTTO)

[] and Restraining Order
(MTTMO)

**Motion for Temporary Family Law Order
[] and Restraining Order**

Use this form for unmarried parents (parentage) cases only. For other cases, use FL Divorce 223, FL Non-Parent 423, or FL Modify 623, depending on the type of case.

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

Read your county's Local Court Rules, if any.
Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the Notice of Hearing (form FL: All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side, and propose your own *Parenting Plan, Residential Schedule, or Child Support Worksheets*.

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1. My name is: Rachel Ferrand. I ask the court for temporary orders approving the requests listed below.

2. Children

No request.

I want these children under 18 listed below to be included in the court's orders:

Child's name	Age	Child's name	Age
1. Leon Reed	7	4.	
2.		5.	
3.		6.	

3. Active duty military

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

None of the other parties are covered by the state or federal Servicemembers' Civil Relief Acts.

(Name): _____

is covered by the state federal Servicemembers Civil Relief Act.

For persons covered only by the **state** act – Military duty may keep the service member or dependent from responding or coming to the hearing on this motion. I ask the court to approve temporary orders even if the covered person asks for a stay or doesn't respond. It would be very unfair (a manifest injustice) not to make temporary orders now because: _____

4. Care and safety of children (check all that apply)

No request.

Approve the *Parenting Plan* (form FL All Family 140) or *Residential Schedule* (form FL Parentage 304) proposed by (check one): me (name): _____

Order (name): _____ not to take the children listed in **2** out of Washington State.

Appoint a person to investigate and report to the court about what is in the children's best interest, and order who will pay this person's fees. This person should be a/n (check one):

- Guardian ad Litem (GAL) or Evaluator/Investigator as chosen by the court.
- Guardian ad Litem (GAL).
- Evaluator/Investigator.
- (Name): _____

- A *Sexual Assault Allegation* form has been filed saying the child was conceived by a sexual assault. The fact-finding hearing on this allegation has not happened yet.
- No residential time or decision making should be ordered until after the fact-finding hearing.
- I have a bonded and dependent relationship with the child that is parental in nature. It is in the child's best interests to order residential time or decision making now.
- Other: _____

5. Provide support

- No request.
- Order child support according to the Washington state child support schedule.

6. Pay fees and costs

- No request.
- Order (name): _____ to:
 - Pay my lawyer's fees for this case. Amount: \$ _____
Make payments to (name): _____
 - Pay other professional fees and costs for this case. Amount: \$ _____
to (name): _____
for (purpose): _____
- Based on the Sexual Assault Allegation, award lawyer's fees consistent with RCW 26.09.140. RCW 26.26.760(12).
Order (name): _____ to:
Pay my lawyer's fees for this case. Amount: \$ _____
Make payments to (name): _____

7. Restraining Order

- No request.
- The Court already signed a *Restraining Order* on (date): _____ in this case.
 - I am not asking the court to make any changes to this *Restraining Order*.
 - I ask the Court to remove (terminate) this *Restraining Order*.
 - I ask the Court to change this *Restraining Order* as follows (specify):

I ask the Court for a *Restraining Order* (form FL All Family 150) that orders (name/s): _____ to obey the restraints and orders checked below. (Check all that apply; also check the "and Restraining Order" boxes in the form titles on page 1):

Do not disturb – Do not disturb my peace or the peace of any child listed in **2**.

Stay away – Do not go onto the grounds of or enter my home, workplace or school, and the daycare or school of any child listed in **2**.

Also, do not knowingly go or stay within _____ feet of my home, workplace or school, or the daycare or school of any child listed in **2**.

Do not hurt or threaten

- Do not assault, harass, stalk, or molest me or any child listed in **2**; and
- Do not use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

Warning! If the court makes this order and the parties are intimate partners, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

Intimate Partner: The Restrained Person and the Protected Person are/were intimate partners because they are (check all that apply):

current or former spouses or domestic partners, or parents of a child-in-common.

age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past.

age 16 or older and are/were in a dating relationship, but have *never* resided together.

Prohibit weapons and order surrender

- Do not access, possess or obtain any firearms, other dangerous weapons, or concealed pistol licenses until the Order ends, and
- Immediately surrender any firearms, other dangerous weapons, and any concealed pistol licenses that he/she possesses to (check one): the police chief or sheriff. his/her lawyer. other person (name): _____

Other: _____

8. Other temporary orders

No request.

(Specify): The petitioner requests that both parents complete the child support worksheets and distribute the worksheets within 14 days of the entry of the order.

➤ **Reasons for my requests**

See attached Declaration of Rachel Ferrand

9. Why are you asking the court for the orders you checked above? (Explain):

[] Reasons for "Prohibit weapons and order surrender" request (check all that apply):

None

Person asking for this order fills out below:

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

Signed at (city and state): Shelton, WA Date: 12/3/2021

[Signature] Person asking for this order signs here Rachel Ferrand Print name here

I agree to accept legal papers for this case at (check one):

my lawyer's address, listed below.

[] the following address (this does **not** have to be your home address):

street address or PO box city state zip

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:

[Signature] Lawyer signs here Dennis B. Cygan, WSBA# 53691 Print name and WSBA No. 12/2/2021 Date

2401 Bristol Court SW, Suite C-102, Olympia, WA 98502 Lawyer's street address or PO box city state zip

Email (if applicable): dennis@desmondlaw.org

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

Superior Court of Washington, County of Mason

In re: Leon J Reed

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

Rachel Ferrand

No. 21-3-00272-23

Declaration

And Respondent/s (*other party/parties*):

Edward Scott Reed

Declaration of (*name*): Rachel Ferrand

1. I am (*age*): 29 years old and I am the (*check one*): Petitioner Respondent Other
 (*relationship to the people in this case*): _____

2. I declare:

The only reason I am here is to protect Leon (my son) from being possibly abused. I did not expect to hear from my son that his father was touching his privates, nor did I ever think Leon's father would do such a thing.

Leon brought up inappropriate touching by his father after watching a video of a teacher explaining inappropriate touching during a school assignment and what to do in certain situations in November 2020. The lesson taught in school prompted Leon to divulge as he brought this up on his own. Emails between myself, his 1st-grade teacher from Belfair Elementary School, Ashley Oliver, and Jessica Garcia, who at the time was Leon's counselor, were exchanged because I was concerned more for the safety of my child, not the Respondent's feelings.

Leon was prompted by one of the questions on the second slide of his assignment: 'He told you to keep it a secret, should you?' Leon answered, "yes, because I want to. My dad..." (REFER TO RECORDING on mother's laptop FOR REFERENCE). This grew concerning thoughts. Leon

recorded his response in full story length, and for a child with disabilities, he could not have been manipulated due to his attention span. Leon had a different demeanor, relieved after he pressed stop on the recording.

There were concerns after the teacher had been notified and, as a mandatory reporter for the North Mason School district, she had called Child Protective Services (CPS) to intervene for my child's safety. CPS and I had a meeting and CPS told me to file a protection order against the father I filed for a protection order to be placed in November of 2020. That protection order ended in June and Leon resumed family time with his father. On June 17 2020, Leon returned to his father and came back on Sunday even acting fowl, disrespectful, complete 180* turnaround with attitude from one weekend with father. Seems like all 6 months of regulating him was erased. He would punch many adults, kick, bite, use hateful words and claim to want to be killed and die. Not even a month away from father his manners are much better and he is easily regulated.

On October 4 2021, Leon had disclosed that his father touched his PP too much and it made him feel weird, which made me act on protection. The last time Leon acted out like this was when he disclosed what his father did in 2020. The father claims that all he does is apply cream for the child's penis was for an "infection" and how this is "painful". It is actually Steroid Cream for Leon's uncircumcised penis to help retract the foreskin back like it should. Applying medication is not and should not be painful by any means, unless foreskin was retracted too far back past the head of the penis. This is a reason as to why there may have been confusion of inappropriate touching; however, this medication was not prescribed until June 28, 2021. Leon made his first disclosure of inappropriate touching on in November, 2020.

Another concern while at his father's residence is constant violent video games/ inappropriate YouTube videos while Leon is in his father's custody. Leon has acted out, at times, like in the video games, pointing toy guns to others' faces, pulling the trigger, and saying "headshot," saying he wants to kill himself so he can respawn, and other disturbing comments/actions. As far as trying to deprive the Respondent of his child, it is incorrect; if anything, I have been stern on spending more time with your child than playing video games. Our relationship was not 'sour' but more for better judgment for what was best for my child. His father has on multiple accounts proved that he can be an unfit father. The amount of defense and time spent on video game console is unfortunate, and I wished it for the better. The time with your child is meant to be with the child, not including said child in the violence and disrespectful conversations while in custody.

I have started this whole process by getting a protection order on the direction of CPS. After doing that and then getting legal advice, I decided on pursuing a parenting plan and child support order instead. I am pursuing this option instead of a protection order instead because I do not want to prevent Leon from having a relationship with his father. Nonetheless, there are some problems, which I addressed above, that need to be resolved.

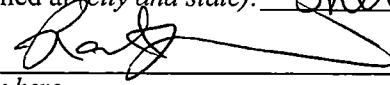
I am also requesting that the court enter in a child support order. Currently, the father is currently paying approximately \$270 a month in child support. It is my understanding that the father makes \$27 an hour working at the shipyard. I do not feel that \$270 a month is proportionally correct to his income. Therefore, Leon is not getting the proper support that he deserves.

(Number any pages you attach to this Declaration. Page limits may apply.)

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and any attachments) are true. I have attached (number): _____ pages.

Signed at (city and state): Shelton WA.

Date: 12/3/2021



Rachel Fernandez

Sign here

Print name

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