

2007 FEB -7 PM 2:33

DAVID W. PETERSON

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP

07-3-00180-3

NO. 97-5-00460-1

In re the Parentage of:

Mildred Vedder

Child(ren),

Scott Paul Turchin

Petitioner,

and

Respondent:

Shawnie Ann Vedder

Mother.

Summons
(Modification/Adjustment of
Custody Decree/Parenting Plan
/Residential Schedule)
(SM)

To: Shawnie Vedder

1. An action has been started in the above court requesting that a custody decree/parenting plan/residential schedule be modified/adjusted. Additional requests, if any, are stated in the petition, a copy of which is attached to this notice.
2. You must respond to this notice and petition by serving a copy of your written response on the person signing this summons and by filing the original with the clerk of the court. If you do not serve your written response within 20 days (or 60 days if you are served outside the State of Washington) after the date this summons was served on you, exclusive of the day of service, the court may enter an order of default against you, and the court may, without further notice to you, enter an order regarding adequate cause and a decree to modify/adjust the custody decree/parenting plan/residential schedule and providing for other relief requested in the petition. If you

Summons Mod/Adj Parenting Plan (SM) - Page 1 of 3
WPF DRPSCU 07.0120 (6/2006) - CR 4.1; RCW 26.09.270; 26.10.020

Goodell Law, Inc., P.S.
10 NE Creelman Lane, P.O. Box 1821
Belfair, WA 98528
Ofc (360) 275-9505 Fax (360) 275-8398

JR

ORIGINAL

1 serve a notice of appearance on the undersigned person, you are entitled to notice
2 before an order of default or a decree may be entered.

- 3 3. The court shall deny the petition unless it finds that adequate cause for hearing the
4 petition is established, in which case it shall set a date for hearing on an order to show
5 cause why the requested order or modification should not be granted.

6 Temporary residential placement or custody is not being sought.

- 7 4. You may file an opposing declaration to show that there is not adequate cause to hold
8 a full hearing. If you do not file an opposing declaration or respond and the court finds
9 that adequate cause exists, the court may enter an adequate cause order and an order
10 modifying/adjusting the custody decree/parenting plan/residential schedule without
11 notice to you pursuant to RCW 26.09.270.

- 12 5. Your written response to the summons and petition must be on form WPF DR
13 07.0200, Response to Petition for Modification/Adjustment of Custody
14 Decree/Parenting Plan/Residential Schedule. This form may be obtained by contacting
15 the clerk of the court at the address below, by contacting the Administrative Office of
16 the Courts at (360) 705-5328, or from the Internet at the Washington State Courts
17 homepage:

18 <http://www.courts.wa.gov/forms>

- 19 6. If this action has not been filed with the court, you may demand that the petitioner file
20 this action with the court. If you do so, the demand must be in writing and must be
21 served upon the person signing this notice. Within 14 days after you serve the
22 demand, the petitioner must file this action with the court, or the service on you of this
23 notice and motion will be void.

- 24 7. If you wish to seek the advice of an attorney in this matter, you should do so promptly
25 so that your written response, if any, may be served on time.

8. One method of serving a copy of your response on the petitioner is to send it by
certified mail with return receipt requested.

This summons is issued pursuant to Superior Court Civil Rule 4.1 of the State of Washington.

Dated: 2/06/07


DANIEL L. GOODELL - WSBA #14790
Attorney for Petitioner/Father

Summons Mod/Adj Parenting Plan (SM) - Page 2 of 3
WPF DRPSCU 07.0120 (6/2006) - CR 4.1; RCW 26.09.270; 26.10.020

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File original of your response with the clerk of the court at::

Clerk of the Court
Kitsap County Superior Court
MS-34, County Courthouse
614 Division St.
Port Orchard, WA, 98366

Serve a copy of your response on:

Moving Party's Attorney

DANIEL L. GOODELL
GOODELL LAW, INC., P.S.
P.O. Box 1821
10 NE Creelman Lane
Belfair, WA 98528

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DAVID W. PETERSON

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP

In re the Parentage of:

No. 97-5-00460-1

Mildred Vedder,

Child,

Petition for Modification/
Adjustment of Custody
Decree/Parenting Plan/
Residential Schedule
(PTMD)

Scott Paul Turchin,

Petitioner/Father,

And

Shawnie Ann Vedder,

Respondent/Mother.

1.1 Identification of Moving Party/Parties

Name (first/last) Scott Turchin, Birth date 10/9/65

Last known residence Kitsap County, WA (county and state).

1.2 Identification of Nonmoving Party/Parties

Name (first/last) Shawnie Vedder, Birth date 5/31/67

Last known residence Mason County, WA (county and state).

1.3 Dependent Children

Name Age

Mildred Vedder 10

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II. Basis

2.1 Petition for an Order Modifying Custody Decree/Parenting Plan/Residential Schedule

This is a petition for an order modifying the prior custody decree/parenting plan/residential schedule in this matter and approving the proposed parenting plan/residential schedule, which is filed with this petition.

2.2 Adequate Cause

There is adequate cause for hearing the petition for modification.

2.3 Child Support

Does not apply.

2.4 Jurisdiction and Venue

The court has proper jurisdiction and venue.

The moving party/parties reside(s) in Kitsap County, WA (county and state).

The child resides in Mason County, WA (county and state).

The other party/parties reside(s) in Mason County, WA (county and state).

2.5 Jurisdiction Over Proceeding

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.

2.6 Uniform Child Custody Jurisdiction and Enforcement Act Information

<u>Name of Child</u>	<u>Mother's Name</u>	<u>Father's Name</u>
Mildred Vedder	Shawnie Vedder	Scott Turchin

1 During the last five years, the child has lived:

2 in no place other than the State of Washington and with no person other than the
3 moving party or the other party.

4 Claims to custody or visitation.

5 The moving party does not know of any person other than the other party who has
6 physical custody of, or claims to have custody or visitation rights to, the child.

7 Involvement in any other proceeding concerning the child:

8 The moving party has been involved in the following proceedings regarding the
9 child (list the court, the case number, and the date of the judgment or order):

10 Parentage action, Kitsap County Superior Court, Cause No. 97-5-00460-1,
11 Final orders entered 3/22/01.

12 Other legal proceedings concerning the child.

13 The moving party does not know of any other legal proceedings concerning the
14 child.

15 **2.7 Custody Decree or Parenting Plan/Residential Schedule**

16 The Custody Decree/Parenting Plan/Residential Schedule was entered on 3/22/01 (date)
17 at Kitsap County, Washington (county and state). A certified copy of the custody
18 decree/parenting plan/residential schedule to be modified is filed with or attached to this
19 petition, if the decree or plan to be modified was entered in another county or state.

20 **2.8 Modification Under RCW 26.09.260(1), (2)**

21 Does not apply.

22 **2.9 Modification or Adjustment Under RCW 26.09.260(4) or (8)**

23 Does not apply.

24 **2.10 Adjustments to Residential Provisions Under RCW 26.09.260(5)(a) and (b).**

25 Does not apply.

2.11 Adjustments to Residential Provisions Under RCW 26.09.260(5)(c), (7), (9)

*This section only applies to a person with whom the child does not reside a majority of
the time who is seeking to increase residential time.*

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2 **2.11.1 Parent subject to limitations under RCW 26.09.191(2) or (3)**

3 The residential time of Scott P. Turchin [Name] is not subject to limitations.

4 **2.11.2 Parent Required to Complete Evaluations, Treatment, Parenting or Other**
5 **Classes**

6 Scott P. Turchin is not required under the existing Parenting Plan/Residential
7 Schedule to complete evaluations, treatment, parenting or other classes.

8 **2.11.3 Adjustment to Residential Provision Under RCW 26.09.260(5)(c)**

9] The Custody Decree/Parenting Plan/Residential Schedule should be adjusted
10 because a substantial change in circumstances of Mildred Vedder has occurred. The
11 proposed modification to the Custody Decree/Parenting Plan/Residential Schedule
12 is in the best interest of the children. It is a minor modification in the residential
13 schedule that does not change the residence the children are scheduled to reside in
14 the majority of the time. The increase does not exceed twenty-four full days in a
15 calendar year. The Custody Decree/Parenting Plan/Residential Schedule does not
16 provide reasonable time with the non-primary residential party.

17 **2.12 Adjustments to Residential Provisions Under RCW 26.09.260(10).**

18 The following nonresidential provisions of the parenting plan should be adjusted because
19 there is a substantial change of circumstances of either party or of the children and the
20 adjustment is in the best interest of the children:

21 Transportation arrangements

22 **2.13 Substantial Change in Circumstance**

23 *(You must complete this part if you request a modification or adjustment in paragraphs*
24 *2.8, 2.10, 2.11.1, 2.11.3 or 2.12)*

25 **The requested modification or adjustment of the custody decree/parenting
plan/residential schedule is based upon the following substantial change in
circumstance:**

The mother moved from Kitsap County to Mason County without notice or agreement
with the father and the mother refuses to provide any transportation, even though the
move increased the transportation burden. The father is requesting that winter vacation
be modified because the language is confusing and as a result, the parties have been
unable to follow the provisions. The Summer Schedule should also be modified because
the Parenting Plan is silent as to the Summer Schedule, and the parties have been
allowing the father to have a one-week continuous visitation in addition to the weekend
schedule.

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2 **2.14 Protection Order**

3 Does not apply.

4 **If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic**
5 **Violence forms.**

6 **2.15 Servicemembers Civil Relief Act Statement**

7 2.15.1 Shawnie Vedder is not a service member or a dependent of a service member.

8 2.15.2 Does not apply.

9 2.15.3 Does not apply.

10 **2.16 Other: N/A**

11 **III. Relief Requested**

12 The moving party *Requests* that the court find that there is adequate cause for hearing this
13 petition and enter an order modifying the custody decree/parenting plan/residential schedule in
14 this matter and approving the proposed parenting plan/residential schedule, which is filed with
this petition.

15 GOODELL LAW, INC., P.S.

16 Date: 2/06/07


17 Daniel L. Goodell, WSBA #14790
18 Attorneys for Petitioner/Father

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

21 Signed at Belfair, Washington, this 6th day of February, 2007.

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23 Scott Turchin, Petitioner/Father
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Joinder

I, Shawnie Vedder, join in the petition. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

I waive notice of entry of the decree.

I demand notice of all further proceedings in this matter. Further notice should be sent to the following address: [You may list an address that is not your residential address where you agree to accept legal documents]

Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Dated: _____
Shawnie Vedder